



Board Meeting

Thursday, June 20, 2019

10:00 a.m.



**AGENDA  
REGULAR SESSION**

Thursday, June 20, 2019 - 10:00 a.m.  
Two DeKorte Park Plaza, Lyndhurst, NJ

I. **PLEDGE OF ALLEGIANCE**

II. **OPENING STATEMENT**

III. **ROLL CALL**

IV. **APPROVAL OF MINUTES AND CASH DISBURSEMENTS** (Action)

- Approval of Regular Session Meeting Minutes of May 16, 2019.
- Approval and/or Ratification of Cash Disbursements over \$100,000 for May 2019.

V. **SPECIAL PRESENTATION**

SCS Engineers will give a technical presentation regarding the Keegan Landfill.

VI. **PUBLIC PARTICIPATION ON RESOLUTIONS**

VII. **APPROVALS** (Action)

Resolution 2019-20 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. 19-162, Alex Property Management LLC – New Residential Bldg. & Variances – Block 149, Lot 8 in Secaucus.

Resolution 2019-21 Consideration of a Resolution Authorizing the Public Notice and Holding of a Public Hearing for the Draft update to the Hackensack Meadowlands District Master Plan.

VIII. **AWARDS/CONTRACTS** (Action)

Resolution 2019-22 Consideration of a Resolution Authorizing a Lease contract on New Copiers.

Resolution 2019-23 Consideration of a Resolution Regarding Construction Services Agreement with SCS Field Services for the Installation of a Gas Collection System at the Keegan Landfill.

IX. **PUBLIC PARTICIPATION**

X. **EXECUTIVE SESSION**

Resolution 2019-24 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.

XI. **MOTION TO ADJOURN**

***TO VIEW THE FULL BOARD BOOK, PLEASE VISIT OUR WEBSITE AT:  
<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: May 16, 2019  
TIME: 10:00 a.m.  
PLACE: 2 DeKorte Park Plaza - Lyndhurst, NJ  
RE: REGULAR SESSION MEETING MINUTES

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### Members in Attendance:

John Ballantyne, Chairman  
Joseph Buckelew, Vice Chairman (excused at 12:00 p.m.)  
Vincent Prieto, President and CEO  
Armando Fontoura, Member (excused at 12:00 p.m.)  
Michael H. Gluck, Esq., Member  
Michael Griffin, NJ State Treasurer's Representative (via phone)  
George Kolber, Member  
Steven Plofker, Member (excused at 12:00 p.m.)  
Andrew Scala, Member  
Anthony Scardino, Member  
Robert Yudin, Member (excused at 12:55 p.m.)

### Absent:

Michael Gonnelli, Member  
Robert J. Dowd, Member

### Also Attending:

Frank Leanza, Senior Vice President/ Chief of Legal and Regulatory Affairs  
Christine Sanz, Senior Vice President/COO  
Adam Levy, Vice President of Legal & Regulatory Affairs  
John Yarenis, Director of Finance/CFO  
Sara Sundell, Director of Land Use Management and Chief Engineer  
Steven Cattuna, Chief of Staff  
Thomas Marturano, Director of Solid Waste  
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.
- III. Roll Call

#### IV. APPROVAL OF MINUTES AND CASH DISBURSEMENTS

- Chairman Ballantyne presented the minutes of the Regular Session Board Meeting held on April 11, 2019.

Upon motion made by Commissioner Scardino and seconded by Commissioner Yudin, the minutes of the Regular Session 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 April 2019.

Upon motion by Vice Chairman Buckelew and seconded by Commissioner Scala, the cash disbursements over \$100,000 for the month of April 2019 were unanimously approved.

#### V. PUBLIC PARTICIPATING ON RESOLUTIONS - None

#### VI. AWARDS/CONTRACTS

Resolution 2019-18 Resolution Authorizing the Award of a Contract for Maintenance of the Meadowlands Adaptive Signal System for Traffic Reduction (MASSTR).

Mr. Levy explained that the resolution would authorize a contract for the maintenance of the NJSEA's Adaptive Signal System, which incorporates 124 traffic signals into a self-adaptive network. Mr. Levy also explained that because of the nature of the system, ongoing maintenance and upkeep is required. Mr. Levy stated that to that end the NJSEA has undertaken the procurement of a dedicated maintenance contractor to maintain the system including restoring equipment failures, performing preventive maintenance, responding to emergency calls, and providing for the overall maintenance of MASSTR equipment. Mr. Levy noted that the Contract is for a term of three years with the option to extend for two additional years. Mr. Levy stated the funding for the contract will be allocated from the Transportation Planning District Fund which is itself funded by impact fees on development in the district intended for just this purpose. Mr. Levy explained that the NJSEA received four submissions with one of the four being rejected after it was deemed non-responsive. He went on to explain that the remaining bids included Orchard Holdings LLC located in Manasquan, NJ with a bid of \$2 million; Jen Electric, Inc. located in Springfield, NJ with a bid of \$2.3 million and HBC Company Inc. located in Lodi with a bid of \$1.3 million. Mr. Levy stated that because of the contract is an on-call maintenance contract, the price proposals submitted were based on the agency's best estimates and projections of quantities and workloads but obviously actual work required will vary based on future maintenance needs. Mr. Levy explained that an evaluation committee composed of NJSEA staff determined that the proposal submitted by HBC Company Inc., which was the lowest bidder, is the most advantageous to the NJSEA, price and other factors considered. Mr. Levy stated the evaluation committee recommends award of the three year maintenance contract to HBC Company, Inc. in an amount not to exceed

\$4,371,807, which is the proposed total project cost for the three year contract term including the 10% contingency.

Commissioner Yudin asked whether staff is confident that the lowest bidder can do the work for that price. Mr. Levy replied that staff is confident that they will be able to do the work for what they bid. Mr. Levy noted that the company is currently performing maintenance for the agency under a different contract.

Chairman Ballantyne presented Resolution 2019-18. Upon motion made by Commissioner Scala and seconded by Commissioner Scardino. Resolution 2019-18 was unanimously approved by a vote of 11-0.

Chairman Ballantyne stated that the Board understands that most of the people wishing to speak today are here about Keegan Landfill. The Chairman gave an update that the eight monitors required by the DEP were installed and that since May 8, around the clock monitoring for hydrogen sulfide has been occurring and has been reported to the DEP. He also stated that the daily monitoring results have been posted on the NJSEA website and are available for review.

Chairman Ballantyne stated that due to the pending legal action taken by the Town of Kearny against the NJSEA, members of the Board have been advised by counsel not to comment further at today's meeting. He stated that the Board is here to listen, to listen closely, and to hear concerns. He further stated that the agency is responding to Kearny's allegations in court and will provide responses to any questions that can be answered on our website. The Chairman encouraged everyone to visit the NJSEA website for information. He stated that the website is njsea.com and that there is a link to a Keegan Landfill information page on the site.

Chairman Ballantyne stated that as always, the Board takes concerns and comments very seriously. He further stated that for today's meeting, Board members will be listening closely as always.

## VII. PUBLIC PARTICIPATION

- Michael Gonnelli, Mayor of Secaucus spoke on American Dream and the impact on Secaucus with regards to signage and traffic. Mayor Gonnelli distributed to board members a photo of traffic in Secaucus and also displayed a poster with the view from Secaucus of American Dream. Mayor Gonnelli explained that the Town has not received a response to any of their concerns from the Governor's office, Triple 5, DOT, etc. He also noted that the Town would only receive \$100,000 impact fee, compared to other municipalities receiving much more. He asked if an impact study has been done since 2004. The Mayor also spoke of his frustration of not knowing what type of signs will be put up.

President Prieto responded that he should be able to get the signage information and will pass it along with any other information from staff that they have regarding the hearings.

The Mayor spoke about the public hearings being posted in libraries and stated that Mayors were not informed, otherwise he would have been at the Hearings. Mayor Gonnelli asked for the NJSEA to step up to the plate and assist Secaucus with their concerns or they will need to take it to the next level.

- Marvin Donadic, Cliffside Park resident spoke on possible new events at the Complex. Mr. Donadic asked about the possibility of the following:
  - Bringing the Battleship New Jersey to Liberty State Park. Chairman Ballantyne responded that the Battleship New Jersey has a permanent home in Camden, NJ
  - Bringing USS Ling to the Meadowlands Complex. Commissioner Yudin replied that the USS Ling is owned by the Navy and that it has taken on water and is in mud. He noted that it would cost a great deal to remove.
  - NBA Franchise for Arena
  - Display a statue of a prominent figure such as Pele. Chairman Ballantyne shared that there is a NJ Hall of Fame Mobile Museum at the Complex. He also explained that there are plans for a permanent display in American Dream.
  - Grand Prix race at Liberty State Park. President Prieto explained that the NJSEA does not control Liberty State Park.
  - Winter Classic Hockey outdoor game.

President Prieto noted that the NJSEA has been in collaboration with MetLife in bringing WrestleMania, World Transplant Games, Army/Navy Game, the XFL and World Cup to the complex.

- Cristina Montague, Kearny resident spoke demanding that the Keegan Landfill be shut down. She explained that Kearny residents are not able to open their windows and many have respiratory ailments. She stated that residents disagree with the NJSEA that closing the landfill will not solve the problem. She stated that the landfill should be shut, capped and a gas capturing system installed so that it could dry out completely and stop the endless cycle. She also stated that the agency needs to find another way to make money. She also spoke of the money generated for post closure should not be used for other projects. Ms. Montague also spoke of how the landfill is making their community sick and that the health of the children does not seem to matter. She stated that the public's interest is not being met. She also stated that the promise to Kearny of green space was never delivered including the escrow account with post-closure monies. Ms. Montague presented the Chairman with a petition to close the Keegan Landfill.
- Lisa Feorenzo, owner of Observer and Kearny resident. Ms. Feorenzo spoke of her respiratory illness and illnesses of other residents. She stated that they will continue to cover the issue and will not give up until Governor Murphy closes and caps the landfill. She also spoke about a study that will be done by Rutgers University regarding this issue. Ms. Feorenzo stated that this is not just a Kearny issue. She asked if anyone knows how far hydrogen sulfide can travel with the wind.

Chairman Ballantyne replied that the board will answer as many questions as they are allowed by counsel on the NJSEA website.

Ms. Feorenzo asked Commissioner Scardino if he would allow his family to go to West Hudson Park for the day.

- Kevin Canessa, with Observer newspaper and Kearny resident. Mr. Canessa asked why Commissioner Scardino would not answer the question asked by Ms. Feorenzo.

Commissioner Scardino stated that his family should not be brought into this matter. The Commissioner went on to express his anger with members of the press that are supposed to be impartial and open minded and who are instead here presenting only one side of the issue. Commissioner Scardino also stated that if you want to know who is to blame to speak to your mayor.

Mr. Canessa stated that he regrets moving back to Kearny because the town has been destroyed by the landfill. Mr. Canessa asked why President Prieto has forgotten the Town of Kearny after they have re-elected him six times.

President Prieto stated that since January, when the issue was brought to his attention, he has represented Kearny by making sure everything possible is being done including his decision along with Board to install the gas collection system.

Mr. Canessa stated that they will continue to follow this issue and side with the Town of Kearny. He indicated that they have joined forces with radio stations and will not stop until landfill is closed.

- Albino Cardoso, Kearny Councilman spoke about the sheet rock still being accepted at the landfill. He also stated that the agency is being reactive. The Councilman spoke about the money from the landfill being used for other project. He stated that they will not stop until landfill is closed.
- Alberto Santos, Mayor of Kearny – Mayor Santos stated he would be speaking about the facts. He stated that his only mistake was in 2005 when he agreed to allow the landfill to be reopened, capped and to be turned into open space. He stated that he should never have believed the agency. He also spoke of health effects of 30ppb readings of hydrogen sulfide. The Mayor then gave a list of dates of high readings from meters the town had installed. He also stated that there is a video image of cloud emerging from the landfill of materials being dumped. He also spoke of the landfill accepting early deliveries before 7:00 a.m. Mayor Santos stated that enough tipping income has been generated to close the landfill several times over. He also stated that the money generated from the Keegan landfill is going to fund the closure of other landfills in the area. The Mayor stated that it is his opinion that the agency should be ashamed of the harm to public health that is being caused by the landfill, the harm to environment and the use of the citizens of Kearny to finance obligations elsewhere. The Mayor stated that they will continue to shine light on the truth. The Mayor also stated that the ultimate solution is to eliminate hydrogen sulfide by closing and capping the landfill like the Fenimore Landfill.
- Michael Fernandez and his two children, Kearny residents – Mr. Fernandez asked what the difference is between the Oxford Press Study that was done in 2016 and the Keegan landfill with regards to accepting construction debris. Mr. Fernandez also asked that the Board to direct the Town on what they need to do to close the landfill and to protect their children. He also asked what is the difference between the Fenimore landfill and Keegan landfill. Mr. Fernandez spoke of his concern with the way the NJSEA is handling the landfill. He also spoke of a rock wall that the children built during the protest. Mr. Fernandez asked if there is a record of the truck that dropped a piece of sheet rock on the day of the protest and if sheet rock is still be accepted. He also asked who is watching the trucks. Mr. Fernandez son asked when a fishing pier is going to be built there. Mr. Fernandez also stated that his son wrote a letter describing the smell at the field while he is playing. He stated that he expects the Board to do something.

Chairman Ballantyne thanked Mr. Fernandez's son for his participation and for being a good young leader.

- Laurie Grant – Kearny resident spoke of her respiratory and health issues beginning in 2018. She stated that what is being done is a band aid remedy and is not good enough. She stated that Kearny is the collateral damage.
- Peter Santana, Kearny Councilman stated that no one from the agency was at the protest expect the director of solid waste. Councilman Santana also spoke about cameras being installed at the landfill and an email he sent to President Prieto. He noted that the email listed on website was not working. The Councilman also spoke

of his concern with the piece of sheet rock that fell off a truck during the protest. He stated that they were previously told that sheet rock would no longer be accepted. The Councilman also spoke about health concerns of the community.

Chairman Ballantyne stated that the email address on the website will be fixed.

- Gerald Ficeto, Kearny Councilman asked that since Kearny's monitors are not allowed on the property can their cameras be placed on the landfill so that they can get raw data. The Councilman explained that people are not making personal attacks against Commissioners, but personal pleas. Councilman Ficeto also spoke of the April 27 protest and how the director of solid waste should have been concerned about the sheet rock falling off a truck rather than the rock wall the children built across the road. The Councilman asked that the Board contact the Governor to close the landfill.
- Lyla DeCastro, Kearny resident spoke about the Green Space Initiative that was mailed to residents of Kearny in 2005. Ms. DeCastro asked why the Green Space Initiative can't be done today.
- Mahmoud Mahmoud, Guttenberg resident asked the Board how they would evaluate that human element regarding the Town's concerns. Mr. Mahmoud also asked about illegal dumping being done for decades, water logged drywall, and who pays post-closure costs. Mr. Mahamoud asked Commissioner Scardino what evidence he has that the Mayor of Kearny is responsible for what is happening. He spoke of how younger politicians are now getting involved.
- Ken Pincus, Kearny Director of Health spoke of his concern with the detrimental health effects of chronic exposure to hydrogen sulfide. Mr. Pincus stated he is the voice of the town and spoke of the 82 complaints his department has received regarding the Keegan landfill. He stated that action needs to be taken now and that public health comes first.
- Len Twist, Kearny resident – Mr. Twist asked the board what legacy they want to leave behind. He also stated that if he knew that someone had a gun with the intention of killing someone and didn't stop them, that he would be as guilty as the one pulling the trigger.

Commissioner Yudin objected to the reference to the use of firearms and the applause from the public.

Mr. Twist stated that if you are a participant in a landfill that is poisoning family and neighbors you are as guilty as those who have put the drywall in the landfill to begin with. Mr. Twist also spoke about the 2006 Observer article about "What Will Our Legacy Be". Mr. Twist stated if you are not part of the solution you are part of the problem.

Ten minute break – reconvened at 12:00 p.m.

- Mr. Monllor, Kearny resident spoke about his wife's illness and the health concerns for his family. He spoke of the odors being detected in different towns. Mr. Monllor stated that he is going to request that the doctor do a blood test to see if any of the enzymes from the landfill are detected in his wife. He stated that if results come back to show the landfill is the cause for his wife's illness; he would demand an answer from the Board as to why.
- Susan McCurrie, Kearny resident and Councilwoman stated that measures taken so far are not being implemented fast enough and continuing to impact the town. Ms. McCurrie spoke of the 100 feet capacity happening sooner rather than later. She asked if a closure plan is being discussed and why it cannot be done now.

- John Pinho, Harrison resident noted that he was not listed as speaking in the minutes of the April meeting. Mr. Pinho requested the name of counsel who is telling board members that they are not allowed to answer questions. President Prieto replied that he will be given the information after the meeting. Mr. Pinho asked about the SCS Engineering report and instrument readings. Mr. Pinho also asked about the methane gas being released. He spoke about using the Fenimore landfill engineering report as a model to close the landfill. He stated that the only solution is to close landfill.
- Eileen Eckel, Kearny Councilwoman commented that the Town's people and Mayor have done their homework and research. She stated that the Town did not get what was promised and was misled. Councilwoman also commented that there should be no doubt from what was heard today from the health official and residence that there is a problem. She asked why nothing is being done and stated that what little is being done is not being done fast enough. She asked the Board to do their homework too, speak up and do the right thing.
- Kenneth Gonzalez, Union City resident running for Hudson County Executive spoke in response to a comment from the Board that the media is one-sided. He stated that there is only one side. He stated that residents of Kearny do not want the landfill. He stated that Observer is standing with the people. He also commented that Mayor Santos is the only elected official in Hudson County that is standing with the residents. He asked that the Board respect the Mayor and media for protecting the Town of Kearny.
- Anita Rodrigues, Kearny resident asked that legal counsel be present at the next meeting to answer questions in person from residents. Ms. Rodrigues spoke about the protest and showed a picture of the rock wall the children built across the road. She explained that this is their voice showing that they are not happy either with the landfill.

Chairman Ballantyne commented that any questions that can be answered will be posted on the website. He stated his concern for the safety of the children who had built the rock wall had a truck driven over the wall and sent a rock flying out and injuring a child. The Chairman asked Ms. Rodrigues as a follow-up to a comment she made at previous meeting regarding being aware of illegal dumping. He asked if she had given anyone the information. Ms. Rodrigues replied that she spoke to Mr. Levy and told him that if the person she knew was willing to come forward she would give him the information.

## 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 2019-19 Resolution Authorizing the NJSEA to Conduct a Meeting to which the General Public Shall Not Be Admitted.

Chairman Ballantyne presented Resolution 2019-19. Upon motion made by Commissioner Scala and seconded by Commissioner Kolber Resolution 2019-19 was carried by a vote of 11-0.

Entered Executive Session 12:30 p.m.  
Returned to open session 12:45 p.m.

**XI. MOTION TO ADJOURN**

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

Meeting adjourned at 1:00 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 May 16, 2019.



**Christine Sanz**  
Assistant Secretary

May 16, 2019

Commissioner	Roll Call	2019-18	2019-19			
Ballantyne, Chairman	P	Y	Y			
Buckelew, Vice Chairman	P (excused @ 12:00 p.m.)	Y	--			
Prieto	P	Y	Y			
Dowd	--	--	--			
Fontoura	P (excused @ 12:00 p.m.)	Y	--			
Gluck	P	Y	Y			
Gonnelli	--	--	--			
Kolber	P	Y	Y			
Plofker	P (excused @ 12:00 p.m.)	Y	--			
Scala	P	Y	Y			
Scardino	P	Y	Y			
Yudin	P (excused @ 12:55 p.m.)	Y	Y			
Treasury Rep Griffin	P (via phone)	Y	Y			

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

# **APPROVALS**



CASH DISBURSEMENTS  
\$100,000 OR MORE  
MAY 2019

**EAST RUTHERFORD - SPORTS COMPLEX**

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
NRG BUSINESS SOLUTIONS	763,254.44	J/L	ELECTRICITY CHARGES: MAR 2019 - APR 2019
NEW JERSEY RACING COMMISSION	1,928,605.95	A	NJRC BUDGET FOR FISCAL YEAR 2019
PUBLIC SERVICE ELECTRIC & GAS COMPANY	150,204.69	J/L	ELECTRIC TRANSMISSION: APR 2019
<b>EAST RUTHERFORD - SC TOTAL</b>	<b><u>2,842,065.08</u></b>		

**LYNDHURST**

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
JERSEY CITY, TOWN OF	361,084.00	I	TAX SHARING: CALENDAR YEAR 2019
KEARNY, TOWN OF	1,769,827.00	I	TAX SHARING: CALENDAR YEAR 2019
NORTH ARLINGTON, BOROUGH OF	364,934.00	I	TAX SHARING: CALENDAR YEAR 2019
RIDGEFIELD, BOROUGH OF	273,732.00	I	TAX SHARING: CALENDAR YEAR 2019
WASTE MANAGEMENT OF NEW JERSEY	463,691.49	A	KEEGAN LANDFILL OPERATIONS & WASTE REMOVAL CHARGE: APR 2019
<b>LYNDHURST TOTAL</b>	<b><u>3,233,268.49</u></b>		



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 2019-20**

**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. 19-162, Alex Property Management LLC -  
New Residential Bldg. & Variances  
BLOCK 149, LOT 8  
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 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 April 5, 2019, by Brian Chewcaskie, Esq., on behalf of Alex Property Management, LLC, for the premises identified as 1150 Paterson Plank Road, Block 149, Lots 7 and 8, and Block 154, Lot 1, in the Town of Secaucus, New Jersey, and of which Block 149, Lot 8, is located in the Neighborhood Commercial zone; and

**WHEREAS**, the subject application proposes the construction of a 32-unit residential building, including 6 affordable units 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 taking into consideration the specific application submitted for construction of the proposed residential development; and

**WHEREAS**, a suitability review, dated June 4, 2019, 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 be deemed suitable 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 deemed suitable for residential use.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the subject property located at 1150 Paterson Plank Road, Block 149, Lot 8, in the Town of Secaucus, is deemed suitable 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 June 20, 2019.

A handwritten signature in black ink, appearing to read 'Vincent Prieto', is written over a horizontal line.

Vincent Prieto  
Secretary



**MEMORANDUM**

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

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*From:* Sara J. Sundell *Date:* June 20, 2019

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*Subject:* Site Suitability Recommendation for Block 149, Lot 8, in the Town of Secaucus (File No. 19-162)

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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 32-unit residential building, including 6 affordable units, to be located on the property at 1150 Paterson Plank Road, Block 149, Lots 7 and 8, in the Town of Secaucus, New Jersey. A portion of the subject property, Block 149, Lot 8, is located within the District's Neighborhood Commercial zone and currently contains an existing commercial building, which is proposed to be demolished. The project includes the use of an existing parking lot located on Block 154, Lot 1, as parking for the proposed residential structure. The properties at Block 149, Lot 7, and Block 154, Lot 1, are both located in the Low Density Residential zone and do not require a site suitability review.

The matter was forwarded to the Review Team for review of the proposed site in accordance with the *Interim Policies*. A suitability review, dated June 4, 2019, has been prepared, indicating that the Review Team recommends that the subject property is 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 suitable for residential use.

# Suitability Review – Summary

File No. 19-162

Alex Property Management LLC - New Residential Bldg. & Variances

Block 149, Lot 8, in the Town of Secaucus

June 4, 2019

The NJSEA received a zoning certificate application for the proposed construction of a 32-unit residential building to be located on the property at 1150 Paterson Plank Road, Block 149, Lots 7 and 8, in the Town of Secaucus, New Jersey. The residential structure is proposed on a portion of the subject property, Block 149, Lot 8, which is located in the Neighborhood Commercial zone and, as such, is not exempt from the site suitability review process. The residential structure is also proposed to extend onto property located on Cedar Lane, Block 149, Lot 7, which is located in the Low Density Residential zone and does not require a site suitability determination. The proposed development also includes the use of an existing parking lot on Block 154, Lot 1, which is located in the Low Density Residential zone. In keeping with the review process, the site characteristics of the Block 149, Lot 8, 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.

## Proposed Use

The applicant proposes to construct a 32-unit multi-family dwelling, including 6 affordable units, on Block 149, Lots 7 and 8 and to maintain the existing parking lot located on Block 154, Lot 1, for use by the residential structure. Residential dwellings are only permitted in the Neighborhood Commercial zone when they are accessory to a permitted use. As such, the proposed use on Block 149, Lot 8, is not permitted in the zone.

## **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 and is adjacent to the Low Density Residential zone. Existing uses within the Neighborhood Commercial zone are predominantly residential, with a few ground floor commercial and retail businesses located in the immediate vicinity along Paterson Plank Road.
  - The adjacent and neighboring properties to the rear of Block 149, Lot 8, are located within the Low Density Residential zone and are part of a larger residential neighborhood that extends to the rear of the commercial structures located along the Route 3 Service Road.

- The surrounding development pattern on the north side of Paterson Plank Road is compatible for the development of residential uses, due to the predominance of existing residential uses in the area.
  - The south side of Paterson Plank Road, across the four-lane roadway, marks the beginning of a more industrial area, including several warehouses and industrial buildings. Paterson Plank Road is a heavily-trafficked arterial roadway providing access to and from the heart of the Secaucus town center. The width of the road acts as a dividing line between some of the residential and non-residential portions of the municipality.
- ii. **The site has access to water and sewer infrastructure with sufficient capacity.**
- The area surrounding the subject property is fully developed and the existing structure on the subject property is connected to existing utilities.
  - This criterion is met by the subject property.
- iii. **The site can be developed consistent with the rules of the NJMC.**
- The proposed development includes the replacement of the existing commercial structure with a new residential building.
  - This criterion can be 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.**
- The NJMC is not aware of any conditions on or in the vicinity of the subject property, either former or existing, that may expose residents to environmental hazard.
- 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.**
- The existing commercial structure on the subject property is proposed to be demolished prior to the construction of the proposed residential building. The existing property has no significant limitations that would preclude the development of the site consistent with the rules of the NJSEA.
  - This criterion is met by the subject property.

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

- In the Neighborhood Commercial zone, residential uses are only allowed when accessory to a permitted use. Although the proposed residential use is proposed as principle use, and not accessory to a permitted use, in the Neighborhood Commercial zone a solely residential structure would be compatible within the context of the existing neighborhood.
- Several of the structures immediately to the west, which front along the same side of Paterson Plank Road as the subject property, are entirely residential structures. The stretch of Paterson Plank Road between Cedar Lane and the Cedar Avenue/County Avenue intersection is developed with all multi-family structures with only one or two ground floor commercial spaces, such as the security products/locksmith at 1158 Paterson Plank Road.
- The subject property is located along the border of an existing residential neighborhood, including single-family and multi-family residences situated to the north and west of the site.
- Paterson Plank Road acts as a dividing line between the residential neighborhoods to the north and the existing industrial/commercial facilities to the south.
- The subject property is located within a walkable distance from downtown Secaucus, including local retail stores and restaurants, recreational facilities, and other public amenities.

In summary, all 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 1150 Paterson Plan Road, Block 149, Lot 8, in the Town of Secaucus, is recommended to be deemed suitable 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 construction of a 32-unit residential building, including 6 affordable units, may proceed for this site.

**RESOLUTION 2019-21**

**RESOLUTION AUTHORIZING THE PUBLICATION OF A  
PUBLIC NOTICE AND HOLDING OF A PUBLIC HEARING  
FOR THE DRAFT UPDATE TO THE  
HACKENSACK MEADOWLANDS DISTRICT MASTER PLAN  
(File No. SP-755)**

**WHEREAS**, N.J.S.A. 5:10A-7(b) provides the NJSEA with the power “to prepare, adopt and implement a master plan for the physical development of all lands, or a portion thereof, lying within the district”; and

**WHEREAS**, the original master plan for the Hackensack Meadowlands District, entitled, “Hackensack Meadowlands Comprehensive Land Use Plan,” was adopted in October 1970; and

**WHEREAS**, N.J.S.A. 5:10A-10(a) provides that “the commission may amend the master plan”; and

**WHEREAS**, the first comprehensive amendment to the master plan, entitled, “NJMC Master Plan,” was adopted in February 2004; and

**WHEREAS**, N.J.S.A. 5:10A-10(d) requires that the next examination and revision of the master plan to be within five years of February 5, 2015, the effective date of the Hackensack Meadowlands Agency Consolidation Act, P.L.2015, c. 19 (N.J.S.A. 5:10A-1 et al.) (the “Act”); and

**WHEREAS**, N.J.S.A. 5:10A-10 outlines the contents of a master plan that the NJSEA must address and other items that may be included in such amendments of the original master plan; and

**WHEREAS**, a master plan update has been drafted for the Hackensack Meadowlands District in accordance with the Act; and

**WHEREAS**, the draft master plan update provides an analysis of current conditions, examines agency objectives, and enhances strategies to implement the NJSEA’s established goals to promote economic development and provide for future growth at suitable upland locations with adequate infrastructure, while simultaneously preserving wetlands and other environmentally sensitive areas; and

**WHEREAS**, the draft master plan update provides for a comprehensive system of plans related to natural resources, land use, and sustainability to implement these goals.

**NOW, THEREFORE BE IT RESOLVED,** that the Board of Commissioners of the New Jersey Sports and Exposition Authority hereby authorizes staff to publish a public notice and hold a public hearing to accept comments on the Draft Update to the Hackensack Meadowlands District Master Plan.

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 June 20, 2019.

A handwritten signature in black ink, appearing to read 'Vincent Prieto', written over a horizontal line.

Vincent Prieto  
Secretary



*MEMORANDUM*

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

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*From:* Sara J. Sundell *Date:* June 20, 2019

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*Subject:* Authorization to Publish a Public Notice and Hold a Public Hearing on the Draft Update to the District Master Plan (File No. SP-755)

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The agency's enabling statute at N.J.S.A. 5:10A-7(b) provides the NJSEA with the power "to prepare, adopt and implement a master plan for the physical development of all lands, or a portion thereof, lying within the district."

The current master plan for the Hackensack Meadowlands District, the "NJMC Master Plan," was adopted in 2004. It was the first comprehensive amendment to the master plan since the initial "Hackensack Meadowlands Comprehensive Land Use Plan" was adopted in 1970.

The statute at N.J.S.A. 5:10A-10(d) requires the next examination and revision of the master plan to be within five years of February 5, 2015, the effective date of the Hackensack Meadowlands Agency Consolidation Act, P.L.2015, c. 19 (N.J.S.A. 5:10A-1 et al.) (the "Act").

A master plan update has been drafted in accordance with the Act and provides an analysis of current conditions, examines agency objectives, and enhances strategies to implement the NJSEA's established goals to promote economic development and provide for future growth at suitable upland locations with adequate infrastructure, while simultaneously preserving wetlands and other environmentally sensitive areas. The update provides for a comprehensive system of plans related to natural resources, land use, and sustainability to implement these goals.

NJSEA Staff is requesting Board authorization to publish a public notice in the NJ Register and local newspapers and hold a public hearing to accept comments on the Draft Update to the Hackensack Meadowlands District Master Plan.

# **AWARDS/ CONTRACTS**

RESOLUTION 2019-22

**RESOLUTION AUTHORIZING  
A LEASE CONTRACT ON NEW COPIERS**

**WHEREAS**, the lease agreements on five (5) current copiers have expired;  
and

**WHEREAS**, NJSEA staff has investigated state contract vendors; and

**WHEREAS**, DEC Office Leasing lowered the cost of the current leases,  
and is a New Jersey state contract vendor (#40465), which satisfies all required  
documents and qualifications; and

**WHEREAS**, the new contract with DEC would be \$2,875.00 per month  
(inclusive of supplies and service) having an \$830.00 savings per month with a  
total savings of \$29,880.00 over the 36-month term.

**NOW, THEREFORE, BE IT RESOLVED** that the New Jersey Sports and  
Exposition Authority is hereby authorized to enter into a lease agreement with  
DEC Office Leasing, a state contract vendor, at a cost of \$103,500.00 for a 36-  
month term.

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 June 20,  
2019



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Vincent Prieto  
Secretary



**MEMORANDUM**

To: NJSEA Commissioners and Vincent Prieto, President & CEO

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From: John Yarenis

Date: June 20, 2019

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Subject: *Lease Contract on New Copiers*

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The lease agreements on five (5) copiers – Mailroom, Science Center, Solid Waste, LUM and Admin Kitchen – have expired. NJSEA staff has found DEC Office Leasing to be a suitable vendor at a low cost. As a state contract vendor, they satisfy all required documents and qualifications where no RFP or bidding process is required.

The current cost per month on the five copiers with DEC Office Leasing is \$3,705.00. The new contract cost would be \$2,875.00 per month, totaling \$103,500 over the 36-month lease. This will be a total savings of \$29,880.00.

RESOLUTION 2019-23

**RESOLUTION AUTHORIZING THE PRESIDENT AND CEO  
TO ENTER INTO A CONTRACT WITH SCS FIELD SERVICES FOR  
CONSTRUCTION OF A GAS COLLECTION SYSTEM AT KEEGAN LANDFILL**

**WHEREAS**, in March 2019, the New Jersey Sports and Exposition Authority ("NJSEA") entered into an Administrative Consent Order with the New Jersey Department of Environmental Protection ("NJDEP") regarding hydrogen sulfide emissions at the Keegan Landfill; and

**WHEREAS**, the NJSEA has submitted a proposal to the NJDEP for the design, installation, operation, and maintenance of a Gas Collection System to prevent and control the migration of gasses off-site; and

**WHEREAS**, the NJSEA is currently engaged with the NJDEP to obtain the necessary permits to construct and install the Gas Collection System; and

**WHEREAS**, the NJSEA anticipates that the installation of the Gas Collection System at Keegan Landfill will begin by the end of the month; and

**WHEREAS**, the NJSEA intends to contract with Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Field Services to provide the required supplies, materials, equipment, and labor for the project.

**NOW, THEREFORE, BE IT RESOLVED**, that the NJSEA hereby appropriates One Million Nine Hundred Thousand Dollars (\$1,900,000.00) for the construction and installation of the Gas Collection System.

**BE IT FURTHER RESOLVED**, that the President and CEO is hereby authorized to contract with SCS Field Services to perform the work.

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 June 20, 2019.



Vincent Prieto  
Secretary

# **EXECUTIVE SESSION**

RESOLUTION 2019-24

**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 June 20, 2019.

A handwritten signature in black ink, appearing to read "Vincent Prieto", written over a horizontal line.

Vincent Prieto  
Secretary