

MINUTES



REGULAR SESSION BOARD MEETING

DATE: March 21, 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 (via phone)
Vincent Prieto, President and CEO
Robert J. Dowd, Member
Armando Fontoura, Member (excused at 1:40 p.m.)
Michael H. Gluck, Esq., Member (via phone)
Michael Griffin, NJ State Treasurer's Representative (via phone) (excused at 12:50 p.m.)
George Kolber, Member
Steven Plofker, Member
Andrew Scala, Member
Anthony Scardino, Member
Robert Yudin, Member

Absent:

Michael Gonnelli, 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

Chairman Ballantyne presented the minutes of the Regular Session Board Meeting held on January 17, 2019.

Upon motion made by Commissioner Fontoura and seconded by Commissioner Dowd, the minutes of the Regular Session Board Meeting held on January 17, 2019 were unanimously approved.

Chairman Ballantyne welcomed and thanked the residents of Kearny for attending the Board meeting. The Chairman stated that the board understands why many are here and looks forward to hearing comments, concerns and input with regard to the Keegan Landfill and the Administrative Consent Order on today's agenda.

Chairman Ballantyne indicated that the Board understands that Kearny residents have rightly been concerned with the recent odor complaints being made in the area of the Keegan Landfill. He also made clear that NJSEA is likewise concerned. The Chairman stated that when this issue was raised, the agency began cooperating with the NJDEP to determine if, in fact, the Keegan Landfill was the source of the reported odors. Chairman Ballantyne explained that following numerous inspections and investigations, the NJDEP determined that hydrogen sulfide levels exceeding NJDEP standards were detected and that this is the likely source of at least some of the reported odor issues. The Chairman further explained why this issue is occurring now; the agency learned that under certain conditions, and particularly in light of last year's heavy volume of rainfall, the decomposition of certain types of construction and demolition material accepted at the landfill can generate high levels of hydrogen sulfide gas resulting in odor issues at the landfill. In response, the Authority worked with DEP to investigate the odors, which resulted in the Administrative Consent Order that the Board will be voting on today, which details the DEP's findings along with the compliance efforts that the Authority will be required to undertake.

Chairman Ballantyne believes that the agreement is the right way to address the problem and insure that the Keegan Landfill is operated properly going forward. The Chairman stated that the Board is making a commitment to the residents of Kearny that it will do everything in its power to remedy the problem, and that it will honor this agreement in both the letter and spirit of the law.

President Prieto went through some of the specifics of the DEP Administrative Consent Order (ACO) to give everyone a better understanding of the immediate action that the Board would be taking. The President explained that the ACO contains a strict compliance schedule to establish monitoring and implement a fix. By April 1 of this year, the NJSEA will submit a monitoring plan to the NJDEP to install air monitors that will sample 24 hours per day / 7 days per week. This plan will include specific actions that the NJSEA will take to control and/or mitigate the emissions of hydrogen sulfide. Furthermore, the ACO requires that the NJSEA take immediate measures to return the site to compliance and, ultimately, orders that the NJSEA take all measures necessary to control or eliminate the offending emissions. President Prieto further explained that under the ACO, the immediate measures that the NJSEA will undertake to control hydrogen sulfide emissions and related odors include: 1) Minimize or eliminate the acceptance of C&D waste which contains gypsum wallboard, especially

gypsum fines; 2) Evaluate the use of additional or alternative cover material and/or cover products; 3) Properly compact daily cover material; and 4) Minimize the surface area of the working face of the landfill. President Prieto made it clear that the Board takes the responsibility very seriously and is fully committed to meeting all of the schedules and compliance requirements contained in the ACO.

President Prieto announced, for the purpose of transparency, a page on the NJSEA website will be devoted to keeping the public updated on the progress of the ACO.

IV. PUBLIC PARTICIPATING ON RESOLUTIONS

The following people spoke on Resolution 2019-05:

- Cristina Montague, resident of Kearny – Ms. Montague stated that over the past year residents of Kearny have been suffering as a result of the noxious odors emanating from the Keegan landfill. She stated that there has been a detrimental impact on the community and quality of life has deteriorated significantly. She further stated that the residents are unable to open their windows, many complaining of headaches and respiratory issues as a result of the odors. Ms. Montague spoke of a child who wrote an article for the town paper on how she has to hold her breath as she walks to school. Ms. Montague asked if the board members would tolerate this in their own communities. She guarantees it would not be business as usual. She further stated that what has happened to the community is a great injustice and has become an unbearable situation and that it must end now. She stated that the agency makes a profit from the landfill and is the agency's responsibility to ensure actions are not impacting the residents or their community. She stated that the agency has done nothing to assure their residents are safe. Ms. Montague indicated that Kearny has had to take matters into their own hands by purchasing our own equipment to monitor their air quality and that the readings speak for themselves. She stated that the operation should not be near residents, schools or recreational fields. She indicated that they will continue to raise their voices until the landfill is shut down for good. Ms. Montague presented to the Board a petition with 3,341 signatures from Kearny residents to shut down the landfill.
- Alberto Santos, Mayor of Kearny – Spoke of his concerns with the DEP inspection reports and the high level readings from Kearny's own air monitor. He also spoke of the residents, schools and recreation fields that are in close proximity to the landfill. Mayor Santos expressed his outrage that the only reason the landfill continues to operate is because of the approximate \$25 million it generates. The mayor asked that after listening to everyone today the Board will have a better understanding of what residents of Kearny are going through and will do the right thing and close the landfill.

President Prieto stated that he feels the mayor's frustration and indicated that actions have been taken to rectify the DEP violations mentioned. President Prieto also stated that the ACO is a start in rectifying the problem.

- Councilwoman Carol Jean Doyle, resident of Kearny – spoke of her recollection of a conversation many years ago with former HMDC Exec. Dir. Scardino regarding opening the landfill. Commissioner Scardino did not recall the conversation. Councilwoman Doyle indicated that she is the voice of those who could not attend. She also explained that she has been a resident for 50 years and how this is the lowest point for the Town. She also stated that the landfill is a life issue and should be closed down.
- Eileen Verdi, Kearny resident – Ms. Verdi has been a resident for 50 years. She spoke of her concern with the height of the landfill, the smells, flooding and health issues with animals and children. She demanded to have landfill closed and to follow the money.

Chairman Ballantyne explained that the board of commissioners is doing everything within its power to remedy the matter. He also explained that board members are volunteers and receive no money and the only one paid is the President.

- Arthur Jackson, Kearny resident – spoke of health issues that may be related to landfill. He also spoke of decrease in home values.
- Jason Pedraza, Kearny resident of three years – spoke of the odors creeping more and more into the town. Also spoke of his newborn son's health issue and doctor's suggestion that he live in a place with good air quality. Mr. Pedraza asked the board to empathize with the Town of Kearny.
- Nick Kintos, Kearny Resident – Spoke of the odors that can smelled from his home as coming and going in the mornings and evenings. He also spoke of the past few summers having an increase of flies and mosquitos. He stated that the focus should not only be on hydrogen sulfide but also other things coming from landfill. Mr. Kintos would like the board to consider closing the landfill.
- John Downey, Kearny resident – Stated that NJSEA should not be in the business of running a landfill. Mr. Downey demanded the landfill be closed.

Chairman Ballantyne noted that NJSEA has professional engineers and staff working with regulatory agencies to make sure the landfill is in compliance.

- Councilwoman Eileen Eckel, Kearny resident – spoke of Kearny's diverse community with a lot to offer. The Councilwoman also spoke on how they were promised that the landfill would be closed and capped to become green space. She also asked that the Board to think about the perception of money in their pockets and the legacy they want to leave behind. She also expressed how Kearny has put their trust in the agency and is counting on the Board to do the right thing.
- Linda McGaughan, Kearny resident. Spoke of her concern with the strong odor as she drives to work past the landfill and how nauseous she becomes. She asked that the Board look into what is being dumped on Monday that causes the stench on Tuesday mornings. She also spoke about how this may affect the health of children. She asked that the landfill be closed.
- Councilman Albino Cardoso, Kearny resident. Spoke how he was on the zoning board when the agency was re-opening the landfill and that they were promised to have recreation fields in the end. He also spoke of his

concern with the height of the landfill and the odor smelled even far away from the landfill. He asked that the landfill be closed.

- Lyla DeCastro, Kearny resident. Spoke of her concern with the impact the landfill has on the community, children and health of everyone.
- James Montague, Kearny resident. Spoke of how people of Kearny are suffering in the community. He also spoke of the difficulty reporting odors to officials with wind shifts.

Chairman Ballantyne indicated that with the ACO there will be 24/7 air monitoring at the site making sure the agency is in compliance.

- Michael Fernandez, Kearny resident. Spoke as a father of four and of his concern with not only the odor but health issues from the landfill. He asked that the board does not pass the resolution and to close the landfill.
- Cathy DeRay, Kearny resident. Spoke of her concern with the odor in her home. Ms. DeRay also spoke of her headaches and nose bleeds. She also spoke of real estate values declining because of the smells from the landfill. She asked for the landfill to be closed.
- Barbara Goldberg, Kearny resident. Asked the Board what they would do if this was in their towns.
- Deborah Garcia, Kearny resident. Spoke of her and her son's health issues. She asked that the board consider what this is doing to the Town of Kearny. She also spoke of driving past the landfill at night and how the smell is still there at 10:30 p.m.
- Toni Fenker, Kearny resident. Spoke of odor for the past year and half in her home and her mother's home, which is on the other side of town. She also spoke of how the school she works in they are unable to open the windows on warm days due to the noxious odor. She also expressed her concern that it is also a soil contamination issue, not just odor.
- Emily Pinto, Kearny resident. Spoke that the Consent Order is not enough. She also spoke of her child's health issue. Ms. Pinto invited board members to her home to experience the odors firsthand. She asked that the board hold a special meeting to suspend operations until the matter is thoroughly investigated. She also asked that board work with the Town to restore their trust.

President Prieto explained the landfill has been opened since 2009. He also explained that as previously stated, it is believed that the odor may be due to high precipitation this year in combination of the acceptance gypsum wallboard. President Prieto stated that the agency is no longer taking that material at the landfill. He also explained the agency is here to find out the source of the odor so that it can be rectified. President Prieto indicated that as of December 31 he has made the site accessible to authorities 24/7.

- Santo Merilo, Kearny resident. Spoke of his concerns regarding the reasons for the odors, the height of the landfill, the water table, the candy cane venting and the leachate system. Mr. Marturano, NJSEA Director of Solid Waste, explained how a landfill works and answered Mr. Merilo's questions regarding his concerns.
- Len Twist, Kearny resident. Spoke of his concern with the health issues he sees with the feral cat community that he cares for. He asked that the landfill be closed not only for cats but for the people and children.

- Paula Cavalier, Kearny resident. Spoke of her concerns with the quality of life due to the odor coming from the landfill and also the loss of house values. She expressed that the \$2,500 fine from DEP is a joke. Ms. Cavalier pleaded for the landfill to be closed now as the agency deals with the cause.
- Councilwoman Susan McCurrie, Kearny resident. Spoke of the lack of trust the public has in the system. The Councilwoman asked for an independent monitor. She also spoke of the height of the landfill and slurry wall.
- Angela Azevedo, Harrison resident. Spoke of her concern with the rotten egg odor smelled in Harrison. She also spoke of her children's respiratory issues when odors are in the air. She asked that the landfill be closed.
- Randi Shu, Harrison resident. Spoke of his concerns with the odor in the late evening and early morning. He asked that the landfill be closed.
- John King and grandson, Kearny residents. Spoke of his concern with the poisonous/toxic gases – not odors. Mr. King is there fighting for the kids.
- Alberto Monllor, Kearny resident. Spoke of his concern with the smell being all over, Kearny, Harrison and Belleville. He also spoke of his and his wife's health issues and the risk the landfill may have to others. Mr. Monllor asked that the landfill be closed.
- Adam Ginsberg, Kearny resident. Asked about possibility of independent monitoring.

President Prieto replied that he will be looking into an independent monitor and will reach out to Councilwoman McCurrie.

Mr. Ginsberg expressed that he does not believe that the Board feels the urgency of the matter. He recommended that the resolution be amended. Chairman Ballantyne made it clear that the Board is very concerned. Commissioner Plofker stated that this is a serious issue and hears everyone and that the issue needs to be addressed.

- Councilman Peter Santana, Kearny resident. Spoke of his concern with the terrible smell since last year and why it hasn't been addressed. His concern is for the community and his pregnant wife. He stressed that this is a serious problem. He asked that the resolution be amended to suspend operation of the landfill. Councilman Santana also spoke about the height of the landfill.
- Cristina Montague, Kearny resident spoke again. She stated that stopping the taking of gypsum is not going resolve the problem. She indicated that according to the ACO it appears the remedy is the gas capturing system, if gypsum is the problem. She does not understand why the need to continue to monitoring.

Mr. Marturano explained that per the ACO, the monitoring is needed to pinpoint the locations for the gas capturing system.

- Marytrine DeCastro – Kearny resident. Asks that the Board to hear their voices. Ms. DeCastro spoke of her concerns as a health provider. She stated that the odors are toxic gases being released and not just an odor. She asked if it is because of the money that the landfill is not being shut down.

Commissioner Dowd stated that after listening to everyone who spoke, he found the matter to be very concerning and feels that no one should have to live with the odors/pollution. He spoke how the ACO and the steps that need to be taken are a first step to rectify the issue.

- Anita Rodrigues, Kearny resident. Spoke of her concerns with the opening of the landfill in 2008. She stated that the reopening of the landfill was about the money and a slight to Kearny residents. She also questioned why monitoring systems were not put into place back in 2008. Ms. Rodrigues spoke of the respiratory issues of family members. She asked that the landfill operation be suspended and that the Board becomes proactive instead of reactive.
- Bill Sheehan, Hackensack Riverkeeper, spoke in favor of Resolution 2019-07. Captain Sheehan was thankful that the NJSEA has chosen to take over the redevelopment of the area. His concern is that a large portion of the site is wetlands and asks that whoever comes in to develop the site also take care of the wetlands correctly.
- James P. Rhatican, Hartz Mountain spoke against Resolution 2019-07. Mr. Rhatican indicated that he sent a letter to Ms. Sundell on February 20, 2019 with substantive reasons for the objection. Mr. Rhatican stated that there is no formal project application to be considered a vital project and that the minor site improvement is ultimately not a project.

VI. APPROVALS

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

Vice Chairman Buckelew presented the report of cash disbursements over \$100,000 and Professional Invoices for the months of January and February 2019.

Upon motion by Commissioner Scala and seconded by Commissioner Plofker, the cash disbursements over \$100,000 for the months of January and February 2019 were unanimously approved.

Resolution 2019-05 Resolution Authorizing Execution of an Administrative Consent Order (ACO) between NJSEA and NJDEP to Pay Penalties Related to NJDEP's Finding of Violations at Keegan Landfill Including, Among Others, Emission of hydrogen Sulfide Gas at Levels above Established NJDEP Standards and Ordering NJSEA to Take Remedial Action to Achieve Compliance, including the Control or Elimination of emission Exceedances.

Commissioner Kolber stated that he shares the concerns of the residents. He also stated that the threats of investigations and accusations from the public accusing members of the board of taking money are not a way to reach the ultimate goal. He went on to say that being an unpaid public servant on the board, he has had to make many decisions in the best interest of the people of New Jersey and for the

Meadowlands District. Commissioner Kolber further stated that the resolution is a first step and that working together the issue can be resolved.

Commissioner Fontoura stated that he and his wife are very familiar with Kearny. He spoke about a recent visit with his wife and how they did smell the strong odor. The Commissioner acknowledged that the agency needs to immediately improve upon and be vigilant with the monitoring and what is being dumped at the site. He stated that now there is a need to act responsibly. He explained that the landfill fills a need for the State and it is the agency's responsibility to see that it is run properly. He also explained that when the time comes to find an alternative for the landfill, he will work diligently with everyone and lobby for that. Commissioner Fontoura went on to speak of his great respect for the mayor.

Commissioner Plofker stated that he is in favor of the resolution and that it is the next necessary step, but by no means the final step. Commissioner went on to say that he heard all the comments and takes the matter very seriously. He also stated that he understands how important this issue is to everyone.

Commissioner Yudin stated that he had heard everything that was said and sympathizes. He explained that he did resent the accusations and personal attacks on the board members, but would not allow that to get in the way of making a sound decision. Commissioner Yudin indicated that the resolution is a good first step and how it would start the process to alleviate and solve the Town's valid concerns.

Chairman Ballantyne presented Resolution 2019-05. Upon motion made by Commissioner Yudin and seconded by Commissioner Plofker Resolution 2019-05 was unanimously approved by a vote of 11-0.

Roll Call – Resolution 2019-05

John Ballantyne	Yes
Joseph Buckelew	Yes
Vincent Prieto	Yes
Robert J. Dowd	Yes
Armando Fontoura	Yes
Michael H. Gluck	Yes
Michael Griffin	-- (excused)
George Kolber	Yes
Steven Plofker	Yes
Andrew Scala	Yes
Anthony Scardino	Yes
Robert Yudin	Yes

Resolution 2019-06

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. 18-442, 1099 Wall Street Venture, LLC/New building (Hotel) & Variances, Block 228, Lots 1.01 and 1.02 in the Township of Lyndhurst.

Ms. Sundell explained that BDG Hotels at Lyndhurst, LLC submitted a zoning certificate application proposing the construction of a 128-room hotel on Wall Street West in Lyndhurst. The subject site is comprised of two lots located in the District's Commercial Park zone and currently contains a three-story office building, which is proposed to remain, a large parking lot, which is the location of the proposed hotel, and a small bank building, which is proposed to be demolished. She further explained that uses on neighboring properties include offices and institutions, with warehouse and industrial uses located further within the Lyndhurst Corporate Park. Ms. Sundell indicated that while there are three existing residential developments in the area, all of these developments are located along the edges of the Lyndhurst Corporate Park and have some type of buffer along the majority of sides, including open space, creeks and ditches, and highway ramps, where they are not located directly adjacent to industrial and commercial uses. Ms. Sundell stated that in accordance with the Interim Policies, Staff evaluated the site and prepared a suitability review indicating that the subject property at 1099 and 1201 Wall Street West is recommended to be deemed unsuitable for housing. She also stated that the existing office building to remain on-site precludes the construction of a residential structure on the property, as a reasonable separation distance and appropriate buffering between the different uses cannot be provided. Ms. Sundell explained that other reasons for the staff's recommendation include factors associated with the warehouse and distribution businesses in the vicinity of the subject site that are potentially detrimental to residents, such as significant 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. Sundell stated that staff 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 2019-06. Upon motion made by Commissioner Scala and seconded by Commissioner Scardino Resolution 2019-06 was approved by a vote of 10-0 with Vice Chairman Buckelew recused.

Resolution 2019-07 Resolution Designating the Development of the Mori Tract - Block 227, Lot 9 in Secaucus as a Vital Project Within the Hackensack Meadowlands District - File No. SP-733.

Ms. Sundell explained The Hackensack Meadowlands Agency Consolidation Act and Resolution 2015-54 states that a constituent municipality within the Hackensack Meadowlands District that adopts and maintains the District master plan, zoning regulations, codes, and standards shall review and approve or reject applications for development within the District. As such, the Town of Secaucus has adopted an ordinance and conducts reviews of certain development applications within the District. However, the Act also contains a provision that the NJSEA may maintain sole jurisdiction of any project it deems to be vital to the public safety, general welfare, development, or redevelopment of the District, and NJSEA Resolution 2015-59 established guidelines for designating "Vital Projects." Ms. Sundell stated that the Mori Tract, located at Block 227, Lot 9, in the Town of Secaucus is one of the largest undeveloped parcels within the District. She also stated that the development of the Mori Tract has the potential to result in substantial economic growth and job creation within the region and, additionally, has the potential to produce a beneficial environmental impact by facilitating the resolution of unresolved zoning violations

regarding illegally-placed fill on uplands and tidal wetlands at the site. She explained that based on the assessment of the property in accordance with the established guidelines, the development of the Mori Tract satisfies the criteria for designation as a "Vital Project."

Chairman Ballantyne presented Resolution 2019-07. Upon motion made by Commissioner Fontoura and seconded by Commissioner Yudin Resolution 2019-07 was approved by a vote of 10-0 with President Prieto recused.

Resolution 2019-08 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. 19-081, HCIA/Morris Kearny Associates – New Buildings, Block 287, Lots 32.01, 32.02, 46, 47, 47.01, 54, 55, 56, 60, 61.02, 61.03, 62, 62.01, 63, 70, 70.01, 71, 71.01, 73, 79 and 80 in the Town of Kearny.

Ms. Sundell explained that Morris Kearny Associates, LLC, submitted a zoning certificate application proposing the construction of four (4) warehouse/distribution buildings with an area of approximately 2.1 million square feet and access driveways within the Koppers Coke Peninsula Redevelopment Area in Kearny. She further explained that the majority of the properties involved in this application are owned by the Hudson County Improvement Authority. However, portions of the driveways for the development are proposed to be located on property owned by Mariana Properties, Inc., care of Glenn Springs Holdings, Inc. (also known as the Diamond Shamrock site) and by James M Salerno Enterprises, Inc. Ms. Sundell explained that in accordance with the Interim Policies, Staff evaluated the properties and prepared a suitability review indicating that the subject properties are recommended to be deemed unsuitable for housing, particularly in light of the historic contamination of these properties and the surrounding sites. The subject properties are currently vacant; however, the Koppers Coke site and the Diamond Shamrock site were formerly the location of heavy industrial uses. Koppers Coke was coal tar processing and coke plant, and Diamond Shamrock contained a chromate chemical manufacturing plant. Ms. Sundell indicated that the Salerno property is currently being utilized for truck and equipment parking. She further indicated that The Standard Chlorine Superfund site is located between the Koppers Coke and Diamond Shamrock sites. Other properties in the immediate vicinity contain heavy industrial uses, such as Owens Corning, which manufactures roofing shingles, and transportation uses, such as the Meadowlands Maintenance Complex, which is a vast rail yard operated by NJ Transit. Ms. Sundell explained that prior to the adoption of the Koppers Coke Peninsula Redevelopment Plan, all of the subject properties were included in the Intermodal B zone, which is currently deemed unsuitable for housing in the "Interim Policies." Ms. Sundell stated other reasons for the staff's recommendation include factors associated with the heavy industrial uses in the vicinity of the subject site that are potentially detrimental to residents, such as significant truck traffic, noise, and pollution on the adjacent roadways, which would present challenges with respect to the safety and quality of life of residents. There are no existing residential developments in the Hackensack Meadowlands District portion of the Town of Kearny. In addition, the Town of Kearny's core residential community, local business district, and municipal services are located several miles from the subject properties and would be accessed via highways, such as Route 7, that are major transportation corridors for buses, trucks, and tractor trailers serving the region. Ms. Sundell stated that staff 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 2019-08. Upon motion made by Commissioner Plofker and seconded by Commissioner Scardino Resolution 2019-08 was unanimously approved by a vote of 10-0.

Resolution 2019-09 Resolution Authorizing the NJSEA and its Staff to File a Notice of Proposal and Hold a Public Hearing for Proposed Changes to the Hackensack Meadowlands District Flood Plain Management Regulations and to Adopt FEMA's Effective Flood Insurance Study and Firm Mapping for the Hackensack Meadowland District.

Ms. Sundell explained FEMA recently sent a Letter of Final Determination to the NJSEA notifying us that it has finalized Flood Hazard Determinations (FHDs) affecting the Flood Insurance Rate Maps (FIRM) and a Flood Insurance Study (FIS) report for the area that encompasses the Hackensack Meadowlands District (HMD). She further explained that as a participating community in the National Flood Insurance Program (NFIP), the NJSEA will be required to amend its Flood Plain Management regulations at N.J.A.C. 19:4-9 *et seq* to adopt the newly revised FIRM panels and FIS report, which will become effective on August 28, 2019. Ms. Sundell stated that in addition, the NJSEA will be required to amend the existing Flood Plain Management regulations at N.J.A.C. 19:4-9 *et seq* to be consistent with the New Jersey Department of Environmental Protection's model Flood Damage Prevention Ordinance. Ms. Sundell stated that staff is requesting authorization to file a Notice of Proposal in accordance with the requirements of the NJ Office of Administrative Law for publication in the New Jersey Register and to hold a public hearing on these amendments to the Flood Plain Management Regulations.

Chairman Ballantyne presented Resolution 2019-09. Upon motion made by Commissioner Dowd and seconded by Commissioner Kolber Resolution 2019-09 was approved by a vote of 10-0.

Resolution 2019-10 Resolution Authorizing the Purchase of a 2019 Ford RP-90 ES MEDEX Type III Ambulance.

Mr. Duffy explained that this ambulance would replace an existing 16-year-old ambulance. Mr. Duffy further explained that since there are no ambulance contracts in place under the state contract program, the ambulance will be obtained through a nationwide Government-to-Government cooperative purchasing program.

Chairman Ballantyne presented Resolution 2019-10. Upon motion made by Commissioner Buckelew and seconded by Commissioner Scala, Resolution 2019-10 was unanimously approved by a vote of 10-0.

VII. PUBLIC PARTICIPATION

- Roderick Binson – spoke on American Dream and his support of the project. Mr. Binson expressed his concern with the incident of a noose being found on the project site and the amount of silence surrounding the matter. Mr. Binson also spoke of the need for diversity in leadership positions on the project.

Chairman Ballantyne stated that state police are investigating this matter and that it is being taken very seriously. With regards to diversity, the Chairman stated that the unions have done a good job and have exceeded their originally agreed upon goal.

Commissioner Dowd explained that noose on the project site is a bias crime and recommends that the NJSEA, as the landlord, send a letter to the Department of Criminal Justice urging them to give this matter top priority.

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 2019-11 Resolution Authorizing the NJSEA to Conduct a Meeting to which the General Public Shall Not Be Admitted.

Chairman Ballantyne presented Resolution 2019-11. Upon motion made by Commissioner Scardino and seconded by Commissioner Yudin Resolution 2019-11 was carried by a vote of 10-0.

Returned to open session

IX. PUBLIC PARTICIPATION ON RESOLUTION 2019-12 - None

X. APPROVAL

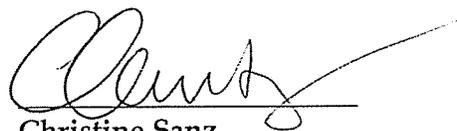
Resolution 2019-12 Resolution Authorizing the Execution of a Settlement Agreement by and Between North Arlington-Lyndhurst Joint Sewer Meeting and NJSEA.

Chairman Ballantyne presented Resolution 2019-12. Upon motion made by Commissioner Scala and seconded by Commissioner Dowd Resolution 2019-12 was unanimously approved by a vote of 10-0.

XI. MOTION TO ADJOURN

With no further business, motion to adjourn the meeting was made by Commissioner Scardino and second by Commissioner Yudin 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 March 21, 2019.



Christine Sanz
Assistant Secretary

March 21, 2019

Commissioner	Roll Call	2019-05	2019-06	2019-07	2019-08	2019-09	2019-10	2019-11	2019-12
Ballantyne, Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y
Buckelew, Vice Chairman	P (via phone)	Y	R	Y	Y	Y	Y	Y	Y
Prieto	P	Y	Y	R	Y	Y	Y	Y	Y
Dowd	P	Y	Y	Y	Y	Y	Y	Y	Y
Fontoura	P (excused @ 1:40p.m.)	Y	Y	Y	--	--	--	--	--
Gluck	P (via phone)	Y	Y	Y	Y	Y	Y	Y	Y
Gonnelli	--	--	--	--	--	--	--	--	--
Kolber	P	Y	Y	Y	Y	Y	Y	Y	Y
Plofker	P	Y	Y	Y	Y	Y	Y	Y	Y
Scala	P	Y	Y	Y	Y	Y	Y	Y	Y
Scardino	P	Y	Y	Y	Y	Y	Y	Y	Y
Yudin	P	Y	Y	Y	Y	Y	Y	Y	Y
Treasury Rep Griffin	P (via phone) (excused @ 12:50p.m)	--	--	--	--	--	--	--	--

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