NEW JERSEY SPORTS & EXPOSITION AUTHORITY

NJSEA

# Board Meeting

Thursday, November 21, 2019

10:00 a.m.

**AGENDA**
**REGULAR SESSION**
Thursday, November 21, 2019 - 10:00 a.m.
Two DeKorte Park Plaza, Lyndhurst, NJ

I. **PLEDGE OF ALLEGIANCE**

II. **OPENING STATEMENT**

III. **ROLL CALL**

IV. **PRESENTATION** – Keegan Landfill Technical Presentation

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

- Approval of Regular Session Meeting Minutes of October 17, 2019.
- Approval and/or Ratification of Cash Disbursements over $100,000 for the month of October 2019.

VI. **PUBLIC PARTICIPATION ON RESOLUTIONS**

VII. **APPROVALS** (Action)

Resolution 2019-34 Consideration of a Resolution to Adopt NJSEA 2020 Schedule of Meetings.

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

Resolution 2019-35 Consideration of a Resolution Authorizing the Placement of Property Insurance.

Resolution 2019-36 Consideration of a Resolution Authorizing the President and Chief Executive Officer to Enter Into a Contract Extension for Snow Plowing and Removal Services for a Portion of the Meadowlands Sports Complex.

Resolution 2019-37 Consideration of a Resolution Authorizing the President and Chief Executive Officer to Enter Into a Contract for NJSEA DeKorte Park Facilities Landscape Maintenance, Snow Removal and Ice Watch Services.

Resolution 2019-38 Consideration of a Resolution Authorizing the Appropriation of Funding to Rutgers University-Newark to Support the Operations of the Meadowlands Environmental Research Institute (MERI)

## X. PUBLIC PARTICIPATION

## XI. EXECUTIVE SESSION

Resolution 2019-39 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.

## XII. MOTION TO ADJOURN

***TO VIEW THE FULL BOARD BOOK, PLEASE VISIT OUR WEBSITE AT:***
**https://www.njsea.com/monthly-meetings/**

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

# MINUTES

REGULAR SESSION BOARD MEETING

DATE: October 17, 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
Vincent Prieto, President and CEO
Robert J. Dowd, Member
Armando Fontoura, Member
Michael H. Gluck, Esq., Member
Michael Griffin, NJ State Treasurer's Representative (via phone)
Woody Knopf, Member
Steven Plofker, Member
Andrew Scala, Member
Anthony Scardino, Member (joined meeting at 10:15 a.m.)
Louis J. Stellato, Member (joined meeting at 10:05 a.m.)
Robert Yudin, Member

**Absent:**
Michael Gonnelli, 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.

III. Roll Call

Chairman Ballantyne announced that a technical update on the gas collection and control system will be given by SCS Engineers as well as an update from Terry Doss, NJSEA's Director of Natural Resource Management on conditions at the temporary utility flare.

Chairman Ballantyne stated that the trial court decision in the Keegan matter remains under review by our counsel. Due to pending and threatened legal action, the Board will not be responding to questions and statements regarding the Keegan Landfill.

Chairman Ballantyne explained that the greater security presence at our meeting is the result of a threat of violence that forced the last meeting to be cancelled. He also explained that pursuant to protocol Board members will not discuss this issue further except to state clearly that we will fully investigate any threat to this agency and take every measure within our control to protect public safety.

IV. PRESENTATION

- Lisa Wilkinson, SCS Engineers, gave a technical update on the Landfill Gas Collection and Control System at Keegan Landfill. Ms. Wilkinson discussed the following:
  - Summary of work activities from February/March 2019 through October 2019
  - Explained the Gas Collection and Control System (GCCS):
    - 23 vertical gas extraction wells
    - 6 horizontal collectors
    - HDPE laterals and headers
    - Blower to extract gas from the wells
    - Flare to combust collected gas
    - Digital recorder to collect data
    - Displayed a map showing where the wells and horizontal collectors are located on landfill
    - Explained and displayed photos of the vertical and horizontal Collector wellhead and blower/flare station
    - Explained the GCCS operational data: Blower/flare operating for 42 days; through 10/16 – 98.3 % availability (downtime due to generator maintenance and utility power switch over); flow is approximately 850 cubic feet per minute; methane content is 42 percent and all collectors are under vacuum.
  - Evaluation of GCCS Effectiveness:
    - Discussed the Property Line monitors (MS-4, MS-5, MS-6, MS-7 and MS-8) and Non-Property Line monitors (MS-1, MS-2 and MS-3)
    - Discussed the at or near property line and the non- property line monitoring stations showing charts with 30 min avg. H2S monitoring results from July 26, 2019 – October 13, 2019. Also discussed the decline in spikes since the startup of the gas collection system. There was 94% decrease in duration of exceedance; 57 to 98% decrease in maximum 30 minute rolling average concentration; no exceedances since September 28 at the property line monitors except MS-7 exceedance on 10/16; DEP logs indicate significant reduction in complaints.

- Future Activities – Continue Improvements/Evaluations
  - Increase effectiveness of horizontal collectors - effect of the use soil instead of waste and soil deliveries per agreement with town officials.
  - Perform surface emissions monitoring
  - Continue to measure data, adjust valves, increase vacuum in order to optimize collection, minimize emissions and control odors.
- Next Steps – evaluate system coverage on northeast portion of landfill; and to size/design permanent system (repurposed enclosed fare and begin preparation of permit application)

- Terry Doss, NJSEA Director of Natural Resource Management gave a presentation on bird deterrents around the Gas Collection System on the Keegan Landfill. She indicated that the injured hawks were captured by staff and brought to the Raptors Trust. Ms. Doss explained that staff has been monitoring the site to see how the birds are using the area and to develop the proper deterrents. Ms. Doss spoke about typical bird deterrents such as: visual and tactile; auditory; exclusion; habitat modification and combination of techniques. Ms. Doss indicated that based on their observation staff decided that a combination of techniques is the best option. Ms. Doss showed photos and described each of the techniques being used:
  - Removal of vegetation around the slope near the flare
  - Use of plastic coyotes
  - Bird spikes on infrastructures around the flare
  - Fencing on top of slope
  - Use of Flappy tube man

  Ms. Doss stated that staff continues to monitor the area to see how the tools are working. She indicated that staff is working with US Fish & Wildlife Service, NJDEP, Bergen County Audubon Society and the Raptors Trust.

## V. APPROVAL OF MINUTES AND CASH DISBURSEMENTS

- Chairman Ballantyne presented the minutes of the Regular Session Board Meeting held on July 18, 2019.

  Upon motion made by Commissioner Fontoura and seconded by Commissioner Scala, the minutes of the Regular Session Board Meeting held on July 18, 2019 were unanimously approved.

- Chairman Ballantyne presented the report of cash disbursements over $100,000 and Professional Invoices for the months of July, August and September 2019.

  Upon motion by Commissioner Gluck and seconded by Commissioner Plofker, the cash disbursements over $100,000 for the months of July, August and September 2019 were unanimously approved.

## VI. PUBLIC PARTICIPATING ON RESOLUTIONS – None

## VII. APPROVALS

Resolution 2019-28 Resolution authorizing easements for storm water pump station on NJSEA Wildwood Parking Lot.

Mr. Leanza explained that the NJSEA owns the Wildwood Convention Center and has a long-term lease for six surface parking spaces along the oceanfront. Mr. Leanza stated that the City of Wildwood has suffered from flooding over the years. He further stated that the City applied for and received grant funding from the NJDEP to build a storm water pump station to alleviate the flooding condition. Mr. Leanza indicated that the pump station needs to be located near the ocean to have maximum operability. He then stated that the City of Wildwood has asked the agency for an easement on the parking lot that is furthest from the Convention Center. Mr. Leanza explained that the easement would result in a loss 21 parking spaces. He went on to explain that with engineering and restriping of other parking areas there will not be a loss of spaces. Legal department and staff recommend the board approve this easement to alleviate flooding conditions

Chairman Ballantyne presented Resolution 2019-28. Upon motion made by Commissioner Dowd and seconded by Commissioner Gluck. Resolution 2019-28 was unanimously approved by a vote of 13-0.

Resolution 2019-29 Resolution authorizing reimbursement to New Meadowlands Stadium Company, LLC for its fulfillment of the NJSEA's infrastructure maintenance obligations.

Mr. Leanza explained that there is an internal roadway in the East Rutherford complex that was erected when original stadium was built 40 years ago. He further stated that under the ground lease with MetLife Stadium, NJSEA is responsible for maintenance of light poles, stanchions and underground conduit. Due to erosion over the years, three light poles have collapsed. Mr. Leanza indicated that MetLife quickly replaced the damaged poles and arranged for temporary lighting as that road is used 24 hours a day. The NJSEA worked out an emergency replacement of the foundations and poles. He also indicated that MetLife fronted the costs for the repairs. Mr. Leanza stated that NJSEA's approximate cost for repairs is $1,690,000. He also stated that the work was done for public safety as an emergent matter which is why it did not go out for bid. Mr. Leanza requests that the board approve reimbursement to MetLife Stadium.

Chairman Ballantyne presented Resolution 2019-29. Upon motion made by Commissioner Plofker and seconded by Commissioner Scala. Resolution 2019-29 was approved by a vote of 12-0 with Vice Chairman Buckelew recused.

Resolution 2019-30 Resolution authorizing payment to Joseph M. Sanzari, Inc. for emergency repair of 10-inch water pipe.

Mr. Leanza explained that one evening water services to the fire department and racetrack at the East Rutherford complex had no water pressure. Mr. Leanza further explained that NJSEA staff located the leak. He stated that it was determined that the water main break was the responsibility of the NJSEA. He also stated that J.M. Sanzari was called in to do the emergency repairs. Mr. Leanza indicated that because this was an emergency repair, under Executive Order 37, issued by Governor Corzine, the board

must approve the payment even though cost of the repair is under the $100,000 threshold.

Chairman Ballantyne presented Resolution 2019-30. Upon motion made by Commissioner Dowd and seconded by Commissioner Gluck. Resolution 2019-30 was approved by a vote of 12-0 with Vice Chairman Buckelew recused.

Resolution 2019-31 Resolution to adopt an amendment to the Highland Cross Redevelopment Plan (File No. SP-750)

Ms. Sundell stated that Linque-H.C. Partners, LLC submitted a petition requesting certain amendments to the Highland Cross Redevelopment Plan. She further stated that the Highland Cross Redevelopment Area, which contains approximately 28 acres, is located in the Borough of Rutherford near the intersection of Highland Cross and Veterans Boulevard. Ms. Sundell explained that the amendment to the redevelopment plan includes the addition of "warehouse and distribution facilities" as a permitted use, the reclassification of "commercial recreation, indoor" from a special exception use to a permitted use, the addition of "commercial recreation, outdoor" as a special exception use, and the removal of residential uses from required and permitted uses. She indicated that staff held a public hearing on the plan amendment, where Rutherford Councilman Frank Nunziato, representing the Mayor and Council, expressed support for the amendment. She also indicated that matter was forwarded to the HMMC, who approved it at their meeting on September 9, 2019. Ms. Sundell stated that staff is requesting Board approval of the amendment to Highland Cross Redevelopment Plan.

Chairman Ballantyne presented Resolution 2019-31. Upon motion made by Commissioner Gluck and seconded by Commissioner Stellato. Resolution 2019-31 was unanimously approved by a vote of 13-0.

Resolution 2019-32 Resolution to deem the property located at VanKeuren Avenue - BLOCK 3101, LOTS 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 36, 37, 42, 43 & 44, and BLOCK 7402, LOTS 21, 22, 23, 24, 33, 34 & 35 in Jersey City as an Area In Need of Redevelopment.

Ms. Sundell stated that HRP Hudson, LLC submitted a petition requesting that certain properties located in Jersey City within the District's Heavy Industrial, Public Utilities, and Intermodal B zones be designated as an area in need of redevelopment. She also stated that study area includes 22 properties within approximately 117 acres along the Hackensack River. Ms. Sundell explained that the parcels include the decommissioned PSE&G Hudson Generating Station, which is now owned by HRP Hudson, LLC. She indicated that there are no residential uses within in the study area or in its immediate vicinity. She stated that NJSEA staff prepared an In Need of Redevelopment Investigation Report, which determined that the properties meet the criteria to be deemed an area in need of redevelopment, in accordance with NJSEA's regulations at N.J.A.C. 19:3-5.2(a). She further stated that a public hearing was held on the Report and that one member of the public, Captain Bill Sheehan, Hackensack Riverkeeper, expressed his support for the in-need designation. She indicated that the matter was forwarded to the HMMC, who approved it at their meeting on September 9, 2019.
She stated that if the Board determines the property to be an area in need of redevelopment, staff will prepare a redevelopment plan for the area and hold a public

hearing. She also stated that HRP Hudson, LLC has plans to construct a development consisting of warehouse/distribution facilities within the area.

Chairman Ballantyne presented Resolution 2019-32. Upon motion made by Commissioner Plofker and seconded by Commissioner Scala. Resolution 2019-32 was unanimously approved by a vote of 13-0.

## VIII. PUBLIC PARTICIPATION

- Michael Gonnelli, Mayor of Secaucus spoke of his concern with the property on Farm Rd in Secaucus. The Mayor stated that the Town was asked to lower the berm on NJSEA property from 10 feet to seven feet because they were told the soil was contaminated. The mayor stated that the soil is historic fill that was there. He stated that the Town installed pumps, tide gates and berms along that area to protect the residents from flooding. He also stated that other berms in that area are at 10 feet and that cutting the berm down is leaving the entire area open for flooding. He asked the board address this matter. The mayor distributed to board members a petition for the berm signed by Secaucus residents on Oak Lane and Acorn Road. President Prieto stated that they will bring it to the attention of NJSEA's engineering department.

  Mayor Gonnelli also spoke of his concern with the American Dream project. The mayor stated that Secaucus is the only Hudson County town that faces the project and is the one mostly affected by it - impacting the town's fire, police, hospital, traffic and EMS. Mayor Gonnelli distributed to board member a section from the 2004 Hearing Officers' Report. The mayor stated that the project has changed dramatically since the beginning. The mayor indicated that the report was never signed by any mayor and that you can't have a PILOT without the Mayors being involved in the project. He also indicated that there are many issues in the report that have not been followed. President Prieto noted to Mayor Gonnelli that he was on the NJMC board when the hearing officers' report was adopted. President Prieto explained that our counsel has been going over everything and will do anything we can to help. Mr. Leanza stated that he will work the Mayor and Mr. Jeffas in sharing any information that they have.
- James Harris, New Jersey Association of Black Educators, spoke about the positive communication with American Dream and their outreach to the public with regards to employment. Mr. Harris commented on the need for public transportation for these jobs. Mr. Harris expressed his disappointed with the diversity of the board members and that it should reflect the diversity of the state. He also commented that the NJ Association of Black Educators is happy that the courts have ruled to close the Keegan Landfill.
- Marvin Donadic, asked about the threat that canceled the September board meeting. Chairman Ballantyne explained that through law enforcement notifying the authority and working with the State Police it was recognized that there was a threat and potential that the threat was real and that it could create a public safety issue. The Chairman further explained the threat was investigated by the Kearny Police and State Troopers.

- Cristina Montague, Kearny resident commented on the following:
    - Commented on the mismanagement of the Keegan landfill by the NJSEA that is causing havoc on the community, environment and wildlife.
    - Stated that the agency failed to:
        - install appropriate gas collection system while operating
        - acknowledge that sheet rock was causing poisonous gas
        - act to protect birds from being injured by the flare
    - Commented that less hydrogen sulfide is not the answer for young children and demands the elimination of H2S. She asked commissioners how much hydrogen sulfide would you allow your children and grandchildren be exposed to.
    - Commented on the letter from the superintendent of the Kearny School district to the Governor expressing their concerns for the children.
    - Read in part Senator Sacco sponsored and Senator Sandra Cunningham and Brian Stack co-sponsored bill - Resolution SCR-180 strongly urging the NJSEA and NJDEP to take immediate action to close the landfill.
    - Read in part the Hudson County Board of Freeholders resolution in support of Senator Sacco's proposed bill to close and cap the landfill.
    - Commented that the Town of Harrison, all of East Newark, City of Newark, and Kearny Board of Education also issued similar resolutions. Also commented that the Red Bulls issued a statement in support of Kearny's efforts.
    - Commented that the agency is being forced to close that landfill and that profit and financial gain are put over people's health.
    - Commented that the presentation today was misleading indicating that complaints are down. She commented that is because of dry periods and lower temperatures and expects more complaints as weather conditions change.
    - Handed Chairman Ballantyne a petition with 8,000 signatures demanding the capping of the landfill.
- Alberto Santos, Mayor of Kearny commented on the following:
    - Commented that the community has been suffering for a year and a half.
    - Commented that there are probably an untold number of birds being harmed by the flare and not just the two hawks.
    - Spoke about the court decision that was favorable to the town of Kearny.
    - Stated that there are inaccuracies the agency has been repeating in press releases, statements and presentations for the last 18 months
    - Spoke about the town's evacuation of Harvey Field.
    - Spoke about DEP's long-term plan for Fennimore to reduce moisture in the landfill and time it took to cap that landfill.
    - Commented on the agency's solid waste division head's comments from NBC television news segment on September 18.
    - Spoke about the World Health organization's recommendation of a 30 minute average of hydrogen sulfide of not exceeding five parts per billion.
    - Commented on the September 18 letter to Senator Loretta Weinberg from the President of NJSEA.
    - Commented that the agency sacrificed the residents' health and the environment for financial gain.
    - Stated that they will continue to fight for the community until there is elimination of hydrogen sulfide from the air they breathe.

- Kenneth Pincus, Director of Health - Kearny Health Office, commented on the following:
    - Commented on the readings taken by Hudson Regional Health officials at the Keegan Landfill on February 7, 2019 and that it was determined that there was no evidence of H2S violation.
    - Spoke about the Town having to place their own H2S monitor to determine how far H2S can emanate from the landfill.
    - Spoke about what residents need to do when there are high levels of H2S detected.
    - Commented that it should not be complicated to place a permanent cap on the landfill.
    - Suggested the agency communicate through flyers or mailers to residents who may not have access to computers or speak English on how to protect themselves from H2S problems.
    - Commented that the agency is stating that the H2S crisis is a public health nuisance and dismissing data.
    - Commented on the recent high H2S spikes during the middle of the night from the Town's monitors.
    - Commented that the GCCS has not eliminated H2S admissions and that they will only accept 0ppb.
    - Commented that the only way to be sure the build works is for the agency to install an impermeable cap.
- Carol Jean Doyle, Councilwoman, commented on the following:
    - Spoke about the court decision in favor of Kearny.
    - Commented on the quick action of the agency to take care of the singed bird situation and also commented that she wished she had the same confident feeling about the agency when it comes to the residents and children of the town.
    - Asked about what other chemicals are being emitted that are not monitored.
    - Commented that the war is not over until capped.
    - Stated that she has been calling Governor's office since April and asked the Chairman and President to contact the Governor to ask that the cap be put on.
- Lyla DeCastro, Kearny resident, commented on the following:
    - Commented on the court decision and the dream of having 0ppb H2S.
    - Commented that the agency should do the right thing and should be on the same side.
    - As Chairman of the Town of Kearny Recreation Commission she read for the record Resolution 2019-15R, which was passed on 10/16/19 – Resolution regarding the Keegan Landfill and urging NJSEA along with NJDEP to take all actions to cap the Keegan Landfill located in Kearny, NJ and install an impermeable liner.
    - Commented on the animal deterrents at the landfill.
- Albino Cardosa, Kearny Councilman, commented on the following:
    - Commented on the past values of the agency
    - Commented that there would not be a problem today if the landfill closed three years ago and that there would be fields on top as promised and not poisoning of the community.
    - Commented that the agency is always reacting and that he wants action and the landfill to be capped once and for all.

- Gerald Ficeto, Kearny resident, commented on the following:
    - Commented and listed some of the many complaints since June 4, 2018 from residents to the Hudson Regional Health Department and the Town of Kearny hotline.
    - Commented on an NJAC regulation regarding hydrogen sulfide limits. He then asked how many times NJSEA had been fined by NJDEP under this regulation?
    - Asked how much money per month has the NJSEA put into escrow for closing of the landfill since its takeover?

  President Prieto stated that he will get that information for him.
- John Pinho, Harrison resident, commented on the following:
    - Suggested that the new Commissioners educate themselves on this issue and visit the CloseKeegan.com website.
    - Asked:
        - Are statements posted on the website approved by Commissioners?
        - If not approved by Commissioners, what is the process for statements being released to the public?
        - Who drafts the releases?
        - Do Commissioners vote on releasing statements?
    - Commented that there are misleading statements posted on the NJSEA website that the Commissioners are not aware of.
    - Asked if NJSEA has applied to renew the Solid Waste Permit?
    - Commented on the expense of capping the landfill and that it is not complicated. Stated there is a video of DEP explaining capping on CloseKearny.com
    - Commented on the court decisions and the message it sends NJSEA to cap the landfill.
    - Commented that the owner of Fenimore was criminally indicted.
    - Commented that the board should be answering questions even in litigation.
    - Commented on the trucks going onto the landfill and having no confidence that it is clean fill.

  Ms. Sanz responded that as Ms. Wilkinson discussed during her presentation, there is an agreement with the Town of Kearny to bring in soil cover material. Ms. Sanz explained that the soil is tested and results are given to the Town of Kearny and their consultant.
- Kevin Canessa, Harrison resident commented on the following:
    - Commented on the cancellation of the September board meeting because of a threat. Asked if the building was closed and if field trips were cancelled. He further commented that there is no record of the threat.

  President Prieto responded that building security was heightened during that time and that the matter is under investigation with the State Police.
    - Asked why Mr. Marturano is not at today's meeting. Ms. Sanz replied that he is at Keegan with DEP this morning.
- Michael Fernendez, Kearny resident commented on the following:
    - Commented on Harvey Field being evacuated and the effect on children.
    - Commented on Mayor Santo's presentation today and that the board is not listening.
    - Commented on the health issues of H2S and the studies that were done.
    - Commented on the sheet rock that fell off a truck during the April 27 protest and again asked if it was documented.

- Asked for a brief description of what NJSEA does.

President Prieto replied that NJSEA is the landlord of the Sports Complex and various other properties and also oversees the zoning and planning of 14 municipalities.

- Asked the board not to appeal the court's decision and to cap the landfill.
- Commented that he was surprised that this is not the first time the agency was threatened.
- Commented that the presentation given today was smoke and mirrors. Asked that a presentation be done on health concerns.

- Mayor Santos commented on the following:
  - Commented on the threat cancelling last month's meeting and acknowledged that threats need to be investigated.
  - Commented that Kearny Police investigated the words posted on social media and found that it was a person troubled by the landfill who wanted it closed and to have people attend the meeting. He further commented that on the same day Kearny Police determined that there was no threat.
  - Commented that the September meeting should have been rescheduled to allow the public an opportunity to express their concerns with Harvey Field being closed two days earlier.
- Zina Spezakis, Bergen County resident commented on the following:
  - Commented that she is here in solidarity with the voiceless and the children.
  - Stated that she is running as a Democrat for Congress in the 9th Congressional District, which includes a part of Kearny.
  - Commented on the Keegan Landfill from the perspective of climate change and health effects.
- Angela Azevedo, Harrison resident commented on the following:
  - Commented on her family's health issues and showed a picture of her child.
- Eileen Verdi, Kearny resident commented on the following.
  - Commented on a September 19 call to DEP. Stated that a DEP inspector came to her home and found readings in the house over 30ppb.
  - Commented about being taken to the hospital in July and August must have been a result of H2S in her home. She also stated that on the days she was taken to hospital monitor readings were over 2,900.
  - Commented that she no longer gardens. She also commented that if this keeps up her home will not be worth anything.
- Susan Mayrer, Bloomfield resident commented on the following:
  - Stated that she cleans homes in Kearny and has not noticed any odors nor has the homeowner she works for.
  - Commented on her concern for the singed birds.
  - Commented on her concern for the quality of life of the people of Kearny and agrees that the solution is to cap the landfill.
- Kathy DeRay, Kearny resident commented on the following:
  - Commented on the complaint she signed against the NJSEA when a DEP inspector was called to her home and got a reading of 32ppb on her property. She also commented that she contacted DEP to find out why NJSEA was not issued a violation.
  - Stated that her neurologist said exposure to H2S is a trigger for her health condition.
  - Commented on the health condition of her dog.
  - Commented on the quality of life issues and loss of property values.

## 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 2019-33 Resolution Authorizing the NJSEA to Conduct a Meeting to which the General Public Shall Not Be Admitted.

Chairman Ballantyne presented Resolution 2019-33. Upon motion made by Vice Chairman Buckelew and seconded by Commissioner Scala Resolution 2019-33 was carried by a vote of 13-0.

Entered Executive Session 12:45 p.m.
Returned to open session 2:19 p.m.

## XI. ADJOURNMENT

With no further business, motion was made to adjourn by Commissioner Gluck and seconded by Commissioner Stellato

Meeting adjourned at 2:20 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 October 17, 2019.**

**Christine Sanz**
**Assistant Secretary**

October 17, 2019

| Commissioner | Roll Call | 2019-28 | 2019-29 | 2019-30 | 2019-31 | 2019-32 | 2019-33 |
|---|---|---|---|---|---|---|---|
| Ballantyne, Chairman | P | Y | Y | Y | Y | Y | Y |
| Buckelew, Vice Chairman | P | Y | R | R | Y | Y | Y |
| Prieto | P | Y | Y | Y | Y | Y | Y |
| Dowd | P | Y | Y | Y | Y | Y | Y |
| Fontoura | P | Y | Y | Y | Y | Y | Y |
| Gluck | P | Y | Y | Y | Y | Y | Y |
| Gonnelli | -- | -- | -- | -- | -- | -- | -- |
| Knopf | P | Y | Y | Y | Y | Y | Y |
| Plofker | P | Y | Y | Y | Y | Y | Y |
| Scala | P | Y | Y | Y | Y | Y | Y |
| Scardino | P | Y | Y | Y | Y | Y | Y |
| Stellato | P | Y | Y | Y | Y | Y | Y |
| Yudin | P | Y | Y | Y | Y | Y | Y |
| Treasury Rep Griffin | P (via phone) | Y | Y | Y | Y | Y | Y |

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

# APPROVALS

CASH DISBURSEMENTS
$100,000 OR MORE
OCTOBER 2019

## SPORTS COMPLEX

| PAYEE | $ AMOUNT | REFERENCE LETTER | ACCOUNT DESCRIPTION |
|---|---|---|---|
| BOROUGH OF EAST RUTHERFORD | 2,745,071.04 | I | 4TH QTR 2019 PILOT AND 2018 TAX SHARING |
| GIBBONS P.C. | 160,716.56 | A | LEGAL SERVICES - AUTHORITY TRANSACTIONS COUNSEL: AUG 2019 - SEP 2019 |
| LOWENSTEIN SANDLER PC | 109,637.35 | A | LEGAL SERVICES - AUTHORITY TRANSACTIONS COUNSEL: JUL 2019 |
| NEW JERSEY STATE POLICE | 624,555.46 | A/L | OVERTIME CHARGES: JUN 2019 - AUG 2019 AND MISCELLANEOUS BILLINGS |
| NRG BUSINESS SOLUTIONS | 351,377.05 | J/L | ELECTRICITY CHARGES: SEP 2019 |
| PUBLIC SERVICE ELECTRIC & GAS | 175,760.19 | J/L | ELECTRIC TRANSMISSION: SEP 2019 |
| SPORTS ARENA EMPLOYEES RETIREMENT FUND LOCAL 137 | 306,598.02 | A | PENSION WITHDRAWAL LIABILTY PAYMENT: AUG 2019 - OCT 2019 |
| STATE OF NEW JERSEY TREASURY DEPARTMENT | 188,433.88 | A | WORKERS' COMPENSATION COVERAGE: 1ST QTR 2020 |
| **SPORTS COMPLEX TOTAL** | 4,662,149.55 | | |

## MONMOUTH PARK RACETRACK REAL ESTATE TAXES

| PAYEE | $ AMOUNT | REFERENCE LETTER | ACCOUNT DESCRIPTION |
|---|---|---|---|
| BOROUGH OF OCEANPORT | 502,972.60 | I | REAL ESTATE TAXES: 4TH QTR 2019 |
| **MP REAL ESTATE TAXES TOTAL** | 502,972.60 | | |

## LYNDHURST

| PAYEE | $ AMOUNT | REFERENCE LETTER | ACCOUNT DESCRIPTION |
|---|---|---|---|
| JACOBS ENEGINEERING GROUP, INC. | 156,519.75 | A/L | MASSTR ON-CALL TRAFFIC SUPPORT SERVICES: MAR 2019 - JUN 2019 |
| JERSEY CITY, CITY OF | 387,808.15 | I | 2018 TAX SHARING |
| KEARNY MUNICIPAL UTILITIES AUTHORITY | 453,564.49 | A | KEEGAN LANDFILL - SEWER USER FEES: 3RD QTR 2019 |
| KEARNY, TOWN OF | 1,235,231.98 | I | 2018 TAX SHARING AND 2019 ARBOR TREE |
| NORTH ARLINGTON, BOROUGH OF | 296,676.67 | I | 2018 TAX SHARING |
| RIDGEFIELD, BOROUGH OF | 382,942.79 | I | 2018 TAX SHARING |
| WASTE MANAGEMENT OF NEW JERSEY | 158,347.72 | A | AUG 2019 KEEGAN LANDFILL OPERATIONS CONTRACT AND OCT 2019 WASTE REMOVAL SERVICE |
| **LYNDHURST TOTAL** | 3,071,091.55 | | |

CASH DISBURSEMENTS
$100,000 OR MORE

| REFERENCE LETTER | TYPE |
|---|---|
| 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 2019-34

## RESOLUTION TO ADOPT
## ANNUAL SCHEDULE OF MEETINGS

**BE IT RESOLVED** by the New Jersey Sports and Exposition Authority that, pursuant to N.J.S.A. 10:4-6 *et seq.*, the New Jersey Open Public Meetings Law, the New Jersey Sports and Exposition Authority will hold its regular meetings during the year 2020 on the following dates and that said meetings shall be conducted at the Offices of the Authority, 2 DeKorte Park Plaza, Lyndhurst, New Jersey at 10:00 a.m.

**Public Board Meetings**

January 23, 2020

February 20, 2020

March 19, 2020

April 23, 2020

May 21, 2020

June 18, 2020

July 16, 2020

August – No Meeting

September 17, 2020

October 15, 2020

November 19, 2020

December 17, 2020

**BE IT FURTHER RESOLVED** that a copy of the schedule be forwarded to all persons entitled to Notice under the attached Schedule of Meetings and posted on the NJSEA bulletin board and website.

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 November 21, 2019

Vincent Prieto
Secretary

# ANNUAL SCHEDULE OF MEETINGS

The Board meetings are scheduled to be held by the New Jersey Sports and Exposition Authority from January 23, 2020 through December 17, 2020.

| | |
|---|---|
| ANNUAL MEETING: | To be held on the third Thursday in the month of November at the Office of the Authority, Two DeKorte Park Plaza, Lyndhurst, New Jersey, beginning at 10:00 a.m. |
| REGULAR MEETINGS: | Ordinarily to be held on the third Thursday of each month, or such earlier or later date as the Authority may determine, at the Office of the Authority beginning at 10:00 a.m. |
| SPECIAL MEETINGS: | May be called by the Chairman or upon the written request of two members of the Board, to be held at the Office of the Authority, Two DeKorte Park Plaza, Lyndhurst, New Jersey, at such time as shall be designated. |

A copy of this schedule and the Notice of Meetings called by the Authority requiring 48-hour notice shall be:

1. Prominently posted on the bulletin board maintained in the Office of the Authority.
2. Posted on the Authority's website.
3. Transmitted to the Bergen Record, Star Ledger, and the Jersey Journal.
4. Filed with the Secretary of State.
5. Mailed to any person requesting same who has paid the fee established by the Authority to cover the cost of providing said Notice.
6. Forwarded to the Clerk of each Meadowlands constituent municipality.

# AWARDS/ CONTRACTS

# RESOLUTION 2019-35

## RESOLUTION AUTHORIZING THE PLACEMENT OF PROPERTY INSURANCE

**WHEREAS,** the New Jersey Sports and Exposition Authority ("Authority") utilized the services of its Insurance Broker, Willis Towers Watson of Pennsylvania ("Willis") to obtain insurance coverage for Property and

**WHEREAS,** Willis solicited quotes from multiple insurers for the above referenced policies, and

**WHEREAS,** as a result of its solicitation, Willis is recommending that the NJSEA bind the following policy:

| Coverage | Carrier | Quote |
|---|---|---|
| Property | Zurich/Allianz/Axis/Markel /RSUI/Liberty International | $617,200 |
| **Total** | | **$ 617,200** |

**WHEREAS,** the Authority staff has evaluated the insurance premium quotation options submitted by Willis and concurs with its recommendation.

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners of the New Jersey Sports and Exposition Authority hereby authorizes Willis to bind the policies that will be effective January 1, 2020 through January 1, 2021 at a total cost of $617,200.

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 November 21, 2019.

Vincent Prieto
Secretary

# RESOLUTION 2019-36

## RESOLUTION AUTHORIZING THE PRESIDENT AND CHIEF EXECUTIVE OFFICER TO ENTER INTO A CONTRACT EXTENSION FOR SNOW PLOWING AND REMOVAL SERVICES FOR A PORTION OF THE MEADOWLANDS SPORTS COMPLEX

**WHEREAS,** pursuant to Resolution 2016-15 the New Jersey Sports and Exposition Authority ("NJSEA") entered into a contract with Creamer-Sanzari, A Joint Venture for snow plowing and removal services for an annual amount of $1,135,300.00 for a period running from December 1, 2016 through May 1, 2019; and

**WHEREAS,** said contract provides for a two year extension on its same terms and conditions upon a request by the NJSEA; and

**WHEREAS,** the NJSEA has requested a two year extension of the contract, with the cost reduced proportionately to the reduction in road surface to be serviced by reason of the turn-over of eastern portion of the Complex to Ameream, LLC; and

**WHEREAS,** the NJSEA and Creamer-Sanzari, A Joint Venture has agreed to a proportionate reduction in annual cost to $150,000 per year for the next two years, December 1, 2019 through May 1, 2021; and

**NOW, THEREFORE, BE IT RESOLVED,** by the New Jersey Sports and Exposition Authority that its President and Chief Executive Officer is hereby authorized to enter into an extension of the snow plowing and removal contract with Creamer Sanzari, A Joint Venture of a project unit base price of $150,000 per year through May 1, 2021.

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 November 21, 2019.

Vincent Prieto
Secretary

# RESOLUTION 2019-37

## RESOLUTION AUTHORIZING THE PRESIDENT TO ENTER INTO A CONTRACT FOR NJSEA DEKORTE FACILITIES LANDSCAPE MAINTENANCE, SNOW REMOVAL AND ICE WATCH SERVICES

**WHEREAS,** the New Jersey Sports and Exposition Authority requires Landscape Maintenance, Snow Removal and Ice Watch Services for Richard W. DeKorte Park, and Landscape Maintenance for all NJSEA owned Wetland Enhancement and Landfill Sites; and

**WHEREAS,** this work was publicly bid, with (5) bids being picked up and (2) bids received on November 7, 2019; and

**WHEREAS,** EL CISNE Landscaping and Snow Removing LLC. was the lowest responsive bidder, with a bid in the amount of $589,740.00 for the first year; $590,560.00 for the second year; $588,920.00 third year; and $538,920.00 fourth year and $542,080.00 fifth year (optional two years at the sole discretion of the NJSEA), for a total five-year price of $2,850,220.00; and

**WHEREAS,** the previous five year Contract was $3,264,800.00 of which $3,088,000.00 was actually spent; and

**WHEREAS,** staff review of the bid indicates that the bid is reasonable and proper.

**NOW, THEREFORE, BE IT RESOLVED** by the New Jersey Sports and Exposition Authority that the President is hereby authorized to enter into a contract with EL CISNE Landscaping and Snow Removing LLC., for Landscape Maintenance, Snow Removal and Ice Watch Services at a cost not to exceed $2,850,220.00 for the five-year period.

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 November 21, 2019.

Vincent Prieto
Secretary

# RESOLUTION 2019-38

## RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDING TO RUTGERS UNIVERSITY-NEWARK TO SUPPORT THE OPERATIONS OF THE MEADOWLANDS ENVIRONMENTAL RESEARCH INSTITUTE (MERI)

**WHEREAS,** the Meadowlands Environmental Research Institute (MERI) is operated through a partnership between the New Jersey Sports and Exposition Authority (NJSEA) and Rutgers University-Newark; and

**WHEREAS,** MERI's work has played a key role in the revitalization of the Meadowlands District's unique urban ecosystem and improvement of the Hackensack River; and

**WHEREAS,** MERI generates the critical knowledge and predictive understanding necessary to sustain and conserve the Hackensack Meadowlands Estuary, which is crucial given the region's sensitive eco-system, and future challenges such as addressing sea level rise and increased flood and storm events; and in addition, through scientific collaborations with students, MERI helps to foster the next generation of earth and environmental scientists; and

**WHEREAS,** over the past two decades MERI has made significant contributions to the Meadowlands District environment, and the Hackensack River through such actions including:

- Continuous monitoring of the region's water, air and soil quality;
- Maintaining and operating District-wide water level and flood alert systems for 14 municipalities;
- Maintaining and updating a District-wide online Meadowlands Municipal Mapping System;
- Providing vital resources to Meadowlands District first responders and municipal officials through its Geographic Information Systems (GIS);
- Supplying drone imagery/flooding assessment services, marsh elevation measurements, air sampling, and lab-sampling analysis for District municipalities and private entities;
- Carrying out long-term monitoring of wetlands surface elevation and comparison to sea-level rise;
- Maintaining a baseline of contaminant levels and distribution District-wide for redevelopment and land-use planning purposes;
- Assisting with FEMA's CRS flood insurance program for District municipalities that provides certain property owners with flood insurance rate discounts;

- Maintaining and updating the Meadowlands District cadastral, zoning, land use and building information; and
- Overall, performing vital work and conducting critical scientific research that has helped the NJSEA to better understand, manage and improve the Hackensack River, its crucial wetlands and the Meadowlands District's urban ecosystem; and to maintain and enhance flood control mechanisms and other natural and manmade marine infrastructure; and

**WHEREAS,** MERI is an integral part of the NJSEA's environmental improvement efforts and NJSEA's investment in MERI will result in the enhancement of the overall environmental quality of the District; and

**WHEREAS,** additional funding from NJSEA in the amount of $250,000 is necessary to ensure the continued operations of MERI through the end of FY2020; and

**WHEREAS,** funding for the NJSEA's contribution towards MERI services will come from the Authority's Meadowlands Area Grants for Natural and Economic Transformation (MAGNET) fund, which has funded various environmental and economic projects and research in the District, including the creation of an advanced flood emergency alert system for District towns through MERI.

**NOW THEREFORE BE IT RESOLVED** by the New Jersey Sports and Exposition Authority that the President and Chief Executive Officer is hereby authorized to appropriate $250,000 to Rutgers University-Newark for the continued operations of MERI through the end of the fiscal year 2020.

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 November 21, 2019.

Vincent Prieto
Secretary

# EXECUTIVE SESSION

# RESOLUTION 2019-39

## 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 November 21, 2019.

Vincent Prieto
Secretary