



REGULAR SESSION BOARD MEETING
REMOTE VIA ZOOM

DATE: July 16, 2020
TIME: 10:00 a.m.
PLACE: Remote via Zoom
RE: **REGULAR SESSION MEETING MINUTES**

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
Anthony Scardino, Member
Louis J. Stellato, Member
Robert Yudin, Member

Absent:

Michael Gonnelli, Member
Andrew Scala, Member
Steven Plofker, Member
Woody Knopf, 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
Sara Sundell, Director of Land Use Management and Chief Engineer
Steven Cattuna, Chief of Staff
John Duffy, Senior Vice President of Sports Complex Operations & Facilities
Lisa LeBoeuf, Senior Legal Specialist
Brian Aberback, Public Information Officer
Lauren LaRusso, Governor's Authorities Unit
Christine Ferrante, Executive Assistant/Paralegal

Chairman Ballantyne called the meeting to order.

- I. Opening Statement - Chairman Ballantyne read the Notice of Meeting required under the Sunshine Law.
- II. Roll Call

III. APPROVAL OF MINUTES AND CASH DISBURSEMENTS

Chairman Ballantyne presented the minutes of the Regular Session Remote Board Meeting held on June 18, 2020.

Upon motion made by Commissioner Scardino and seconded by Commissioner Dowd, the minutes of the Regular Session Remote Board Meeting held on June 18, 2020 were unanimously approved.

Chairman Ballantyne presented the report of cash disbursements over \$100,000 and Professional Invoices for the month of June 2020.

Upon motion by Commissioner Dowd and seconded by Commissioner Stellato, the cash disbursements over \$100,000 for the month of June 2020 were unanimously approved.

IV. PUBLIC PARTICIPATING ON RESOLUTIONS -

Mr. Aberback read a statement from Michele Langa of the Hackensack Riverkeeper - "Please accept the following comments on behalf of Hackensack Riverkeeper regarding this Resolution. Hackensack Riverkeeper is opposed to the zoning change requested for the former Malanka and Mall Landfills as it creates an unnecessary reduction in Environmental Conservation Land within the Hackensack Meadowlands District (HMD) and poses a threat to the natural resources surrounding the site should it be developed as proposed.

Adding a parking lot, hotel, and convention center only minutes from the existing American Dream Mall and Meadowlands Sports Complex is contradictory to the purpose of the current zoning for Block 7, Lot 4 and Block 3, Lot 4. The proposed zoning change would serve only to make the land more valuable to development, and the HMD is already seriously overdeveloped. In light of current climate conditions and sea level changes, the entire HMD is at risk for flooding during storms and could be submerged over many acres within the next decade. The focus of zoning should be on preserving natural areas and preventing unnecessary development to protect the existing HMD communities. With the right approach to maintaining natural areas, the flooding issues seen today will, at the very least, not worsen tomorrow. Captain Bill apologizes for not being here in person."

V. APPROVALS

Resolution 2020-19 Consideration of a Resolution Authorizing Action on a Petition for the Rezoning of Block 7, Lot 4 and Block 3, Lot 4 in Secaucus (File SP-766 Secaucus Brownfields Redevelopment LLC/Rezoning 2019)

Chairman Ballantyne stated that Resolution 2020-19 authorizes the NJSEA to take action on a petition to commence the rulemaking process for a potential rezoning of the property containing the former Malanka and Mall Landfills in Secaucus from the Environmental Conservation Zone to the Transportation Zone. This rezoning would potentially allow development on the properties including commercial off-street parking on a site that is in close proximity to the Lautenberg Rail Station. The Chairman also stated that under the recently adopted Hackensack Meadowlands 2020 District Master Plan, the subject properties were re-classified within the newly created Sustainable Uplands Reserve Planning Area. The principal objectives of this planning area include closing landfills in the planning area and allow for uses that promote economic development in a manner that avoids negative impacts to the environment. Chairman Ballantyne indicated that the NJSEA has concerns regarding this proposed project and these concerns are memorialized in the staff memo accompanying the resolution. The Chairman explained that in the analysis attached to the resolution, NJSEA staff outlines concerns including feasibility of the proposed access, the need for proper closure of the landfills, and the potential impact to surrounding wetlands but also states that the Sustainable Uplands Reserve Planning Area is intended to provide owners with revenue generating uses to aid in the funding of required landfill closure activities and that the initiation of the rulemaking process in response to this Petition for Rezoning is a means of advancing the economic growth goals of the State during the current economic downturn precipitated by the COVID-19 pandemic.

Mr. Levy indicated that Chairman Ballantyne's comments covered most of the key points. Mr. Levy explained that the staff memo discusses issues with the development of this project. He emphasized that this resolution is not an approval of the proposed concept project or for the rezoning of that property. Mr. Levy stated that action by board is to initiate the rulemaking process. He explained that it is a preliminary first step for the proposal to be vetted publicly and to go through public process including public hearing, comment period and input by stakeholders before the project moves forward. Mr. Levy also stated that there are concerns with the proposed project that will be discussed and vetted in the public process. He indicated that if rezoning does happen the development cannot occur without comprehensive multi-agency review process that would include the NJSEA, DEP and other agencies. Mr. Levy explained that the concerns with access, closure of the landfills, flooding from parking lots, retention of open space, and wetland impacts will only be approved if it gets through the normal regulatory process.

Commissioner Fontoura asked if after vetting process will zoning approval come back to the board. Ms. Sundell explained before it moves forward it will go before the board. It was noted that depending on circumstances, the zoning authority may either be with the Town of Secaucus following the NJSEA regulations or the Board may deem the project to be of regional importance and keep the jurisdiction.

Commissioner Yudin indicated that he has concerns with the project and asked if this will come back to the board for rezoning approval. Mr. Levy explained that this resolution is to initiate the rulemaking process which includes public hearings and comment period. Commissioner Scardino commented that other agencies will also be involved in the process. Mr. Levy replied that DEP will be involved as they have jurisdiction over landfill closures. Commissioner Yudin commented that he would like to review the vetting prior to voting on zoning. Mr. Levy replied that the board will have the record before voting on rezoning.

Chairman Ballantyne presented Resolution 2020-19. Upon motion made by Commissioner Dowd and seconded by Commissioner Stellato. Resolution 2020-19 was unanimously approved by a vote of 10-0.

VI. PUBLIC PARTICIPATION -

John Pinho commented on the Following:

- Asked if funds for capping of the Keegan Landfill are still in escrow. President Prieto replied that money for the closing and capping of the landfill is still in escrow.

Chairman Ballantyne stated that on Tuesday, July 7, in compliance with the Administrative Consent Order with the Department of Environmental Protection (DEP), the NJSEA submitted its Keegan Landfill closure and post-closure plan to the DEP. The plan includes the engineering design of the final cover system in accordance with NJDEP regulations and approvals.

- Asked about the estimated time for DEP to review the closure plan.

Ms. Sanz replied that NJSEA cannot speak for the DEP with regards to how long it will take to review the plan.

- Asked about having real-time air quality monitoring available to the public. He also asked if Commissioners would want the real-time monitoring.
- Commented that he recently smelled H₂S in Harrison.

Ms. Sanz replied that reports are received every day from the previous day's data and are posted daily on the NJSEA website for the public. Ms. Sanz stated that the H₂S levels have been extremely low and there have been no exceedances since mid-February. Ms. Sanz also explained that presently there is no real-time monitoring. She indicated that this is something that can be discussed.

President Prieto explained that he has spoken with the Town and the Town stated that they have not seen any exceedances and because of the cost they did not see a need for the real-time monitors any longer. President Prieto indicated that staff will look into the need and cost of real-time monitoring.

- Asked about maintenance service of the meters.

Ms. Sanz replied that the monitors are maintained regularly as a requirement with the company that owns and operates the monitors. Mr. Levy added that the company is

alerted to any problems very quickly through the data that comes in and can handle any issues quickly.

- Mr. Aberback read a comment from Linda Medo from Kearny that she recently reported an odor complaint last weekend.

Chairman Ballantyne was pleased to announce that the NJSEA and the Bergen County Audubon Society are partnering to hold a Butterfly Talks and Walks program at DeKorte Park on Sunday, July 26, from 9:30 a.m. to 3 p.m. He explained that the family-friendly day will consist of two talks on Creating a Butterfly Habitat at Home followed by walks through the park looking for butterflies and native plants. He also explained that the program repeats at 10:00 a.m. and 11:30 a.m. There is also a contact-less scavenger hunt for kids throughout the day. The Chairman indicated that it is a scaled-down version of the annual Butterfly Day and is in keeping with all State guidelines for gatherings regarding social distancing and face coverings. He noted that space is limited and registration is required. Those interested can register njsea.com.

VII. EXECUTIVE SESSION

Chairman Ballantyne stated that there is no need to enter into Executive Session.

VIII. ADJOURNMENT

With no further business, motion was made to adjourn by Commissioner Stellato and seconded by Commissioner Dowd with all in favor.

Meeting adjourned at 10:36 a.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 Remote Board Meeting held on July 16, 2020.



Christine Sanz
Assistant Secretary

July 16, 2020

Commissioner	Roll Call	2020-19
Ballantyne, Chairman	P	Y
Buckelew, Vice Chairman	P	Y
Prieto	P	Y
Dowd	P	Y
Fontoura	P	Y
Gluck	P	Y
Gonnelli	--	--
Knopf	--	--
Plofker	--	--
Scala	--	--
Scardino	P	Y
Stellato	P	Y
Yudin	P	Y
Treasury Rep Griffin	P	Y

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