



**REGULAR SESSION BOARD MEETING
MINUTES
REMOTE VIA ZOOM**

DATE: June 24, 2021
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 Dowd, Member
Armando Fontoura, Member
Michael H. Gluck, Esq., Member
Michael Griffin, NJ State Treasurer's Representative
Arthur Kapoor, Member
Woody Knopf, Member
Steven Plofker, Member
Andrew Scala, Member
Anthony Scardino, Member
Louis J. Stellato, Member
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 Duffy, Senior Vice President of Sports Complex Operations & Facilities
Sara Sundell, Director of Land Use Management and Chief Engineer
Steven Cattuna, Chief of Staff
Brian Aberback, Public Information Officer
A. Brett Bragin, Senior Natural Resources Specialist
Jeffrey Nielsen, Associate Counsel Governor's Authorities Unit
Colleen Mercado, Senior Operations Administrator

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

Chairman Ballantyne began by welcoming the newest commissioner, Arthur Kapoor, to the NJSEA Board of Commissioners. He stated that Commissioner Kapoor brings a wealth of knowledge and experience in the business and entrepreneurial fields, including healthcare, to the NJSEA and added that he was confident that he would be a great asset to the Board. Chairman Ballantyne noted that Commissioner Kapoor, President and CEO of HealthEC, is a creative and driven entrepreneur that has spent the last 35 years building financial, clinical and operational platforms to solve the most perplexing challenges across several industries. He went on to say that he pioneered technology that helped business executives visualize data in new and different ways, creating market leadership and differentiation for the clients he has served.

President Prieto echoed the Chairman's comments in welcoming Commissioner Kapoor and said that he would find the NJSEA to be an exciting, unique and multi-faceted agency that is dedicated to helping its constituent municipalities. He said that in addition to his superb business attributes, Commissioner Kapoor is also a passionate philanthropist who founded Aklyuva in 2010, an organization that ensures that nearly 400 orphaned Indian children are provided with food, clothing, education and medical care. He noted that Commissioner Kapoor is also a regular speaker and panelist on the lecture circuit of the World Economic Forum addressing Third World Technology challenges, and contributes his free time to counsel startup leaders. He stated that in 2011, Commissioner Kapoor was knighted by the Sovereign Military Order of Malta for his charitable work around the world. President Prieto concluded by saying that the NJSEA greatly appreciates and applauds his efforts in this area; and they are very happy to have him join the Board.

III. APPROVAL OF MINUTES AND CASH DISBURSEMENTS

Chairman Ballantyne presented the minutes from the May 27, 2021 Regular Session Board meeting.

Upon motion made by Commissioner Scardino and seconded by Commissioner Gluck the minutes of the Regular Session Remote Board Meeting held on May 27, 2021, were unanimously approved.

Chairman Ballantyne presented the report of cash disbursements over \$100,000 for the month of May 2021.

Upon motion by Commissioner Scala and seconded by Commissioner Dowd the cash disbursements over \$100,000 for the month of May 2021 were unanimously approved.

IV. SPECIAL PRESENTATION

Chairman Ballantyne welcomed Senior Natural Resources Specialist Brett Bragin to talk about the NJSEA's fishery studies over the past 30 years and said that Brett's presentation would examine the methods of his studies and their positive results. He noted that Mr. Bragin is an aquatic biologist who has conducted ecological studies and assessments for over 35 years and that his expertise was in benthic ecology, fisheries biology, and wetland ecological studies and assessments. He went on to say that Brett is responsible for reviewing and providing agency comments on large development proposals that would impact aquatic and wetland habitats in the Hackensack Meadowlands District; and as the supervisor and field leader for the NJSEA Hackensack River fish and benthic inventory studies, he has substantial knowledge of the life cycle and habitat requirements of marine fish species. Chairman Ballantyne concluded by saying the Mr. Bragin received his Bachelor of Science degree in Marine Biology from Stockton State College (now Stockton University).

Mr. Bragin stated that his presentation would provide a summary of the three fishery resource inventory studies of the Hackensack River which were taken between 1987 and 2015; and noted that these studies were available on the NJSEA website. He said that as part of the Authority's mandate, "the protection of nature", the former HMDC began a fisheries resource inventory in 1987. Mr. Bragin provided an overview and images of the various materials and methods used for these collections, which were performed on 21 sampling locations of the lower Hackensack River, within the Meadowlands District. He presented a chart showing the overall comparison of the collections taken over the years, along with a comparison of the relative abundance from 2013-2015. He specifically noted the total number of collections (1,123) and total number of species (49) collected over the 30-year period. He went on to show images of some of the interesting species collected. He noted the improvements that have been seen over the years, specifically:

- Improving water quality;
- Increased fish diversity;
- More abundant and frequent catches of game species.

Mr. Bragin concluded his presentation and responded to questions from the Commissioners.

- Chairman Ballantyne asked if the reduction of striped bass was a major concern or anticipated; and what Mr. Bragin thought may be the reason for the decline in the blue claw crab.
- Commissioner Scardino asked Mr. Bragin when he projected the River would be pure enough, clean enough for people to eat what they caught.

President Prieto thanked Mr. Bragin for his presentation and said that this shows everything we do to check on wildlife. He commented that the turnaround that is being seen in the Hackensack River is amazing. He added that you can see many people "catch and release" fishing at NJSEA's River Barge Park in Carlstadt. It's a great tribute to the work of the Authority, which is helping future generations.

Commissioner Scardino commented that as a youngster in the 1950's he would catch crabs and bring them home to be cooked but in the 1970's the river was so contaminated with pollutants it threatened the life of the fish and the life of anyone who would eat them. He said that better water quality in the Hackensack River is becoming more and more evident; and he commended Mr. Bragin on his work and dedication in studying the Hackensack Meadowlands fishery inventory through several decades.

At this point, President Prieto addressed the Chairman suggesting the Board go into Executive Session. Chairman Ballantyne read the Executive Session Resolution into the record. Upon Motion by Commissioner Gluck and second by Commissioner Scardino, Resolution 2021-16 was unanimously approved by a vote of 14-0.

V. EXECUTIVE SESSION

Resolution 2021-16

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 counsel regarding the award of a lease to I.W.S. Transfer Systems of NJ, Inc. for the NJSEA Transfer Station/Materials Recovery Facility

Executive Session commenced at 10:30 a.m.

Regular Session recommenced at 11:20 a.m.

VI. PUBLIC PARTICIPATION ON RESOLUTIONS - None

VII. APPROVALS

Resolution 2021-14 Resolution to Adopt an Amendment to the Belleville Turnpike Redevelopment Plan (File No. SP-769)

Ms. Sundell explained that the Belleville Turnpike Redevelopment Area contains approximately 79 acres and is located in the Town of Kearny. She said that Amazon.com Services, Inc. requested certain amendments to the Belleville Turnpike Redevelopment Plan, which staff has evaluated and proposes to amend the Redevelopment Plan to include the addition of “ecommerce delivery vehicle parking” as a permitted use, as well as associated use limitations and standards. She stated that the Plan, last amended in 2011, has also been updated to reflect the provisions of the Hackensack Meadowlands Agency Consolidation Act (P.L. 2015, c. 19) and now includes references to the NJSEA instead of the NJMC. She continued by saying that staff provided the draft plan amendment to the Town of Kearny for comment and also held a virtual public hearing on the draft plan on May 4, 2021. She noted that no comments were received. She went on to say that the final plan amendment was provided to the Hackensack Meadowlands Municipal Committee (HMMC) for its statutory 30-day review period, which expired on June 11, 2021, and noted that the HMMC did not provide any comments on this matter. Ms. Sundell concluded by saying that Staff is requesting that the Board approve the amendment to the Belleville Turnpike Redevelopment Plan.

Chairman Ballantyne presented Resolution 2021-14. Upon motion made by Commissioner Scardino and second by Commissioner Yudin Resolution 2021-14 was unanimously approved by a vote of 14-0.

Resolution 2021-15 Resolution Authorizing the New Jersey Sports and Exposition Authority to Designate SM Kearny Associates, LLC as Redeveloper and Enter Into a Redeveloper Agreement for the Standard Chlorine Site Located within the Koppers Coke Peninsula Redevelopment Area in the Town of Kearny.

Mr. Levy stated that the request for a redeveloper designation was made to the Authority by SM Kearny Associates, LLC, which is a joint venture of Sitex MO, LLC and Morris Kearny Associates II, LLC. He explained that the designation, on a property commonly known as the Standard Chlorine property, is within the Koppers Coke Redevelopment Area and is adjacent to the other Koppers Coke redevelopment project that is currently being evaluated by the Authority’s land use department. He said that the property, in addition to several lots on Block 287 which comprise the Standard Chlorine site, includes a small strip of property on the same Block known as Lot 32.01. He said that the Standard Chlorine property is owned by the Town of Kearny and Lot 32.01 is owned by Morris Kearny Associates Urban Renewal, LLC; the developer of the adjacent Koppers Coke Redevelopment Project. Mr. Levy noted that only the portion of Lot 32.01 that bisects the Standard Chlorine property would be included in this designation. He went on to say that although the concept that was submitted

as part of this request was warehouse distribution, this designation as a redeveloper and the redeveloper agreement that follows is not a zoning approval, has no impact on the zoning approval process and it does not bind NJSEA or the redeveloper. He stated that NJSEA, as the exclusive redevelopment authority in the District, has the ability to make this designation and it is done to assist with their process. He noted that NJSEA has the consent of the property owners; both the town of Kearny and the Morris Kearny Associates Urban Renewal, LLC. Mr. Levy concluded by saying that the designation was conditioned on execution of a redeveloper agreement with the designated entity.

Chairman Ballantyne presented Resolution 2021-15. Upon motion made by Commissioner Scala and second by Commissioner Dowd Resolution 2021-15 was unanimously approved by a vote of 14-0.

VIII. CONTRACTS/AWARDS

Resolution 2021-17

Resolution Authorizing the Award of a Lease to I.W.S Transfer Systems of NJ, Inc. for the Operation of the New Jersey Sports and Exposition Authority Transfer Station/Materials Recovery Facility.

Mr. Levy stated that the award of a lease for the operation of the facility would be a 10-year lease with an optional 5-year extension period. He said that the Authority received one bid in response to the RFP; and it was from IWS Transfer Systems of NJ, Inc. He noted that IWS was the most recent tenant and they would continue the operation; although in their bid IWS was proposing to shift their operation from a transfer station to primarily a materials recovery facility. He noted that the shift is part and parcel of the current operation but the shift in emphasis is a change and that change would impact the way the host community benefits are distributed to the towns. He stated that IWS does commit to providing free dumping for the town of North Arlington, one of the host communities; and which is something IWS currently provides under the terms of the current lease. Mr. Levy explained that the NJSEA would receive a \$550,000.00 per year lease payment adjusted annually with inflation. He added that upon permitting IWS would receive North Arlington's waste for free and they also may request \$50,000.00 per year for the first two years of the lease to offset a portion of the costs of the capital improvements to be made at the site. He concluded by saying that in keeping with the State's recycling goals the NJSEA supports the use of the facility as a material recovery facility and believes that the continued lease of the facility for that purpose advances the State's and NJSEA's goals in this area.

Commissioner Scardino addressed Mr. Levy and Ms. Sanz asking if they both felt confident that they have exhausted all they could do in terms of discussing this matter with North Arlington and since this resolution had come up rather quickly, he inquired as to how North Arlington was informed, whether they were made aware that this matter would be on the current agenda and if staff was confident that the Town had received the notification.

Mr. Levy responded in the affirmative. He stated that there was a lot of back and forth with North Arlington - there had been meetings and correspondence with North Arlington trying to come to an understanding as to what was the best use of the facility and the best terms to go out with the RFP. He stated that the Town was made aware every step of the way on the progress of the project and staff is confident that the results serve both the State and the municipality. Mr. Levy went on to say that once the bid was received that correspondence had been sent to North Arlington's counsel indicating the terms of the bid submission from

IWS; including the fact that the Authority anticipated putting the matter on the agenda for today's meeting. He stated the update to the agenda and resolution would have gone out to the Sunshine list yesterday and that Ms. Mercado could confirm that.

Ms. Mercado advised that the updated agenda was emailed yesterday to the Sunshine list and was posted on the Authority's website. She stated that confirmation of the emails had been received.

Chairman Ballantyne presented Resolution 2021-17 and specifically noted that Commissioner Yudin had recused himself with regards to this matter. President Prieto recommended that roll call be taken.

Roll Call:

Prieto: Yes

Buckelew: Yes

Dowd: Yes

Fontuora: Yes

Gluck: Yes

Griffin: Yes

Kapoor: Yes

Knopf: not present

Plofker: Yes

Scala: Yes

Scardino: Yes

Stellato: Opposed

Yudin: Recused

Ballantyne: Yes

Commissioner Scardino made it known that he voted "yes" on Resolution 2021-17 with some reservation; and that concerned the discussion of the definition of the transfer station that it is utilized in the manner in which the Authority intends it to be utilized. He said that if it is used for garbage dumping and distribution to other places then the Authority needs to be in a position to monitor this so that the Board could be assured that North Arlington receives a host benefit and felt that the Board had an obligation to see that happens.

Upon motion by Commissioner Buckelew second by Commissioner Dowd, Resolution 2021-17 was approved by a vote of 11-1, with Commissioner Yudin recused.

IX. PUBLIC PARTICIPATION - None

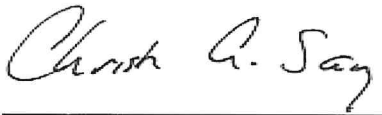
Before adjourning, Chairman Ballantyne spoke briefly of the recent boat tour of the District he had taken with Commissioner Scardino and President Prieto. Showing how the river has come back and how clean it has become. He described the tour as spectacular and went on to describe some of the fish and wildlife that he had seen during the tour. He complimented the staff; stating that the NJSEA has some of the greatest employees and that for staff it isn't a job but a labor of love; and they really take the effort to safeguard the asset that the Authority has. Chairman Ballantyne encouraged all the Commissioners, and the general public, to take the opportunity to reach out and schedule a boat tour.

X. ADJOURNMENT

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

Meeting adjourned at 11:40 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 June 24, 2021.



Christine Sanz
Assistant Secretary

June 24, 2021

Commissioner	Roll Call	2021-14	2021-15	2021-16	2021-17
Ballantyne, Chairman	P	Y	Y	Y	Y
Buckelew, Vice Chairman	P	Y	Y	Y	Y
Prieto	P	Y	Y	Y	Y
Dowd	P	Y	Y	Y	Y
Fontoura	P	Y	Y	Y	Y
Gluck	P	Y	Y	Y	Y
Gonnelli	--	--	--	--	--
Kapoor	P	Y	Y	Y	Y
Knopf	P	Y	Y	Y	--
Plofker	P	Y	Y	Y	Y
Scala	P	Y	Y	Y	Y
Scardino	P	Y	Y	Y	Y
Stellato	P	Y	Y	Y	N
Yudin	P	Y	Y	Y	R
Treasury Rep Griffin	P	Y	Y	Y	Y

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