

ESSEX COUNTY  
IMPROVEMENT AUTHORITY  
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED  
: PROCEEDINGS  
:  
:  
\_\_\_\_\_ :

27 Wright Way  
Fairfield, New Jersey

Tuesday, November 25, 2014  
Commencing at 5:00 p.m.

M E M B E R S P R E S E N T:

COMMISSIONER RONALD J. BROWN  
COMMISSIONER GERARD M. SPIESBACH  
COMMISSIONER CARLA A. STANZIALE  
COMMISSIONER CYNTHIA D. TORO

M E M B E R S A B S E N T:

COMMISSIONER STEVEN H. KLINGHOFFER  
COMMISSIONER ELEONORE KESSLER COHEN,  
Vice Chairperson

A L S O P R E S E N T:

JAMES R. PAGANELLI, Executive Director  
NIA H. GILL, ESQ., General Counsel  
LUCY SAPINSKI, Director of Operations  
SHARIFA R. SALAAM, ESQ., Deputy Freeholder Counsel  
THOMAS GOMEZ, Airport Manager  
JOSEPH CALI, Airport Accounts Receivables

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1           COMMISSIONER SPIESBACH: Notice was duly  
2 given by regular mail and facsimile to the Essex  
3 County Executive, the Essex County Clerk, the  
4 Clerk of the Board of Chosen Freeholders,  
5 Freeholder President Watson, the News Editor of  
6 The Herald News, the News Editor of The  
7 Star-Ledger, and notice was posted on the  
8 bulletin board in the Office of the Essex County  
9 Improvement Authority stating the time, date,  
10 location of this Regular Board Meeting.

11           Roll call please.

12           MS. SAPINSKI: Commissioner Brown?

13           COMMISSIONER BROWN: Here.

14           MS. SAPINSKI: Commissioner Spiesbach?

15           COMMISSIONER SPIESBACH: Here.

16           MS. SAPINSKI: Commissioner Stanziale?

17           COMMISSIONER STANZIALE: Here.

18           MS. SAPINSKI: Commissioner Toro?

19           COMMISSIONER TORO: Here.

20           COMMISSIONER SPIESBACH: At this time we  
21 would open for public comment.

22           If there anything -- anyone from the public  
23 that would like to address the Board?

24           Seeing no one from the public; we will  
25 close for public comment.

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(Whereupon, the Board discussed and took  
action on the following item:

**ACCEPTANCE OF MINUTES**

**RESOLUTION NO. 14-29**

**1. REGULAR BOARD MEETING 10-28-14.)**

COMMISSIONER SPIESBACH: And move to the  
next item, which is the Acceptance of Minutes  
from our Board Meeting of October 28<sup>th</sup>, 2014.

Can we have a motion to accept?

COMMISSIONER BROWN: I'll move it.

COMMISSIONER STANZIALE: Second.

MS. SAPINSKI: Commissioner Brown?

COMMISSIONER BROWN: Yes.

MS. SAPINSKI: Commissioner Spiesbach?

COMMISSIONER SPIESBACH: Yes.

MS. SAPINSKI: Commissioner Stanziale?

COMMISSIONER STANZIALE: Yes.

MS. SAPINSKI: Commissioner Toro?

COMMISSIONER TORO: Yes.

COMMISSIONER SPIESBACH: Do you see a need  
for Executive Session this evening, Jim?

MR. PAGANELLI: I do not.

COMMISSIONER SPIESBACH: Okay.

1

2 (Whereupon, the Board discussed and took  
3 action on the following items:

4 **ADMINISTRATIVE**

5 1. RESOLUTION NO. 14-234 - RESOLUTION  
6 AUTHORIZING PAYMENT TO AUDIO-DIGITAL  
7 TRANSCRIPTION SERVICES, LLC FOR TRANSCRIPTION OF  
8 BOARD MEETING ON 10-28-14;

9 2. RESOLUTION NO. 14-235 - RESOLUTION  
10 RATIFYING PAYMENT OF RECURRING BILLS (BILL LIST)

11 3. RESOLUTION NO. 14-236 - AUTHORIZING THE  
12 RENEWAL OF THE AUTHORITY'S PUBLIC OFFICIALS  
13 LIABILITY INSURANCE COVERAGE FOR THE PERIOD  
14 11-29-14 THROUGH 11-29-15;

15 4. RESOLUTION NO. 14-237 - RESOLUTION  
16 ESTABLISHING 2015 POOL OF APPROVED LAW FIRMS IN  
17 ACCORDANCE WITH THE "PAY TO PLAY LAW - FAIR AND  
18 OPEN PROCESS" - N.J.S.A. 19:44A-20.4;

19 5. RESOLUTION NO. 14-238 - RESOLUTION  
20 ESTABLISHING 2015 POOL OF APPROVED INSURANCE  
21 BROKERS FOR THE PROCUREMENT OF THE INSURANCE  
22 COVERAGE FOR IN ACCORDANCE WITH THE "PAY TO PLAY  
23 LAW - FAIR AND OPEN PROCESS" N.J.S.A.  
24 19:44A-20.4;

25 6. RESOLUTION NO. 14-239 - RESOLUTION

1 ESTABLISHING 2015 POOL OF APPROVED SURVEYORS  
2 FIRMS IN ACCORDANCE WITH THE "PAY TO PLAY LAW -  
3 FAIR AND OPEN PROCESS" - N.J.S.A. 19:44A-20.4;  
4 7. RESOLUTION NO. 14-240 - RESOLUTION  
5 ESTABLISHING 2015 POOL OF APPROVED REAL ESTATE  
6 APPRAISERS FIRMS IN ACCORDANCE WITH THE "PAY TO  
7 PLAY LAW - FAIR AND OPEN PROCESS" - N.J.S.A.  
8 19:44A-20.4.)  
9

10 COMMISSIONER SPIESBACH: Then we'll just  
11 move on to the Resolutions and we'll do them in  
12 blocks based on their title.

13 And under the first, Administrative, we  
14 have Resolutions 1 through --

15 COMMISSIONER BROWN: Seven.

16 COMMISSIONER SPIESBACH: -- 7.

17 And if there are any comments or questions  
18 from any of the Commissioners on any of these  
19 Resolutions?

20 If not, could we have a motion to approve  
21 items 1 through 7?

22 COMMISSIONER TORO: I'll move.

23 COMMISSIONER BROWN: I'll second.

24 MS. SAPINSKI: Commissioner Brown?

25 COMMISSIONER BROWN: Yes.

1 MS. SAPINSKI: Commissioner Spiesbach?

2 COMMISSIONER SPIESBACH: Yes.

3 MS. SAPINSKI: Commissioner Stanziale?

4 COMMISSIONER STANZIALE: Yes.

5 MS. SAPINSKI: Commissioner Toro?

6 COMMISSIONER TORO: Yes.

7 COMMISSIONER SPIESBACH: Okay.

8

9 (Whereupon, the Board discussed and took  
10 action on the following items:

11 **CMMI**

12 8. RESOLUTION NO. 14-241 - RESOLUTION  
13 AUTHORIZING AGREEMENT WITH CONNELL FOLEY IN THE  
14 AMOUNT OF \$7,330.84 FOR LEGAL SERVICES IN  
15 CONNECTION WITH THE OUTSTANDING BOND REDEMPTION;  
16 and

17 9. RESOLUTION NO. 14-242 - RESOLUTION  
18 AUTHORIZING PAYMENT OF \$7,330.84 TO CONNELL FOLEY  
19 FOR LEGAL SERVICES RENDERED.)

20

21 COMMISSIONER SPIESBACH: Under CMMI we have  
22 Resolutions 8 and 9.

23 Are there any questions from any of the  
24 Commissioners related to either of these  
25 Resolutions?



1 If not, can we have a motion to approve?

2 COMMISSIONER STANZIALE: I'll move.

3 COMMISSIONER BROWN: I'll second.

4 MS. SAPINSKI: Commissioner Brown?

5 COMMISSIONER BROWN: Yes.

6 MS. SAPINSKI: Commissioner Spiesbach?

7 COMMISSIONER SPIESBACH: Yes.

8 MS. SAPINSKI: Commissioner Stanziale?

9 COMMISSIONER STANZIALE: Yes.

10 MS. SAPINSKI: Commissioner Toro?

11 COMMISSIONER TORO: Yes.

12

13 (Whereupon, the Board discussed and took  
14 action on the following items:

15 **CORRECTIONAL FACILITY/CELANESE LITIGATION**

16 **\*ALL EXPENSES PAID FROM ECIA OPERATIONS ACCO**

17

18 **10.** RESOLUTION NO. 14-243 - RESOLUTION  
19 AUTHORIZING PAYMENT IN THE AMOUNT OF \$29,117.58  
20 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL  
21 SERVICES RENDERED IN THE MONTH OF OCTOBER 2014;  
22 and

23 **11.** RESOLUTION NO. 14-244 - RESOLUTION  
24 AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,168.00 TO  
25 SMART DEVINE FOR ACCOUNTING REVIEW/ANALYSIS

1 SERVICES RENDERED IN THE MONTH OF OCTOBER 2014.)

2

3 COMMISSIONER SPIESBACH: Under Correctional  
4 Facility/Celanese Litigation.

5 We have two Resolutions; item number 10 and  
6 item number 11, related to our legal and forensic  
7 accounting services.

8 Are there any questions or comments from  
9 any of the Commissioners on these items?

10 No?

11 Then can we have a motion to approve items  
12 10 and 11?

13 COMMISSIONER TORO: I'll move.

14 COMMISSIONER STANZIALE: I'll second.

15 MS. SAPINSKI: Commissioner Brown?

16 COMMISSIONER BROWN: Yes.

17 MS. SAPINSKI: Commissioner Spiesbach?

18 COMMISSIONER SPIESBACH: Yes.

19 MS. SAPINSKI: Commissioner Stanziale?

20 COMMISSIONER STANZIALE: Yes.

21 MS. SAPINSKI: Commissioner Toro?

22 COMMISSIONER TORO: Yes.

23 COMMISSIONER SPIESBACH: Okay.

24

25 (Whereupon, the Board discussed and took

1 action on the following item:

2 **NEWARK RIVERFRONT PROJECT/LITIGATION:**

3

4 **12.** RESOLUTION NO. 14-245 - RESOLUTION  
5 AUTHORIZING PAYMENT IN THE AMOUNT OF \$10,511.54  
6 TO DeCOTIIS, FITZPATRICK & COLE, LLP FOR LEGAL  
7 SERVICES RENDERED IN THE MONTH OF OCTOBER 2014.)

8

9 COMMISSIONER SPIESBACH: Under Newark  
10 Riverfront Project and Litigation.

11 We only have one Resolution authorizing  
12 payment to the law firm that's been assisting us  
13 there.

14 Are there any questions on that item from  
15 any of the Commissioners?

16 Can we have a motion to --

17 COMMISSIONER BROWN: I'll move it.

18 COMMISSIONER STANZIALE: I'll second.

19 MS. SAPINSKI: Commissioner Brown?

20 COMMISSIONER BROWN: Yes.

21 MS. SAPINSKI: Commissioner Spiesbach?

22 COMMISSIONER SPIESBACH: Yes.

23 MS. SAPINSKI: Commissioner Stanziale?

24 COMMISSIONER STANZIALE: Yes.

25 MS. SAPINSKI: Commissioner Toro?

1 COMMISSIONER TORO: Yes.

2

3 (Whereupon, the Board discussed the  
4 following item:

5 **AIRPORT**

6

7 **15.** RESOLUTION NO. 14-248 - **WITHDRAWN** -  
8 RESOLUTION AUTHORIZING AN AGREEMENT WITH H2M FOR  
9 REMOVAL AND REPLACEMENT OF OIL/WATER SYSTEMS AT  
10 THE AIRPORT GARAGE AND WASH PAD IN THE AMOUNT NOT  
11 TO EXCEED \$416,200.00 (**WITHDRAWN**) .)

12

13 (Whereupon, the Board discussed and took  
14 action on the following items:

15 **AIRPORT**

16

17 **13.** RESOLUTION NO. 14-246 - RESOLUTION  
18 ESTABLISHING 2014 POOL OF APPROVED ENGINEERING  
19 FIRMS FOR DESIGN, CONSTRUCTION AND GRANT  
20 ADMINISTRATION SERVICES IN ACCORDANCE WITH THE  
21 "PAY TO PLAY LAW - FAIR AND OPEN PROCESS";

22 **14.** RESOLUTION NO. 14-247 - RESOLUTION  
23 AUTHORIZING A PURCHASE OF 2014 DODGE 4500 TURBO  
24 DIESEL MASON DUMP TRUCK W/PLOW IN THE AMOUNT OF  
25 \$56,998.00;

1       **16.** RESOLUTION NO. 14-249 - RESOLUTION  
2 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN  
3 THE AMOUNT OF \$8,731.19 FOR ENVIRONMENTAL  
4 CONSULTING SERVICES IN CONNECTION WITH THE SITE  
5 REMEDIATION AT AIRPORT - HANGAR 1 AREA;

6       **17.** RESOLUTION NO. 14-250 - RESOLUTION  
7 AUTHORIZING PAYMENT TO H2M ASSOCIATES, INC., IN  
8 THE AMOUNT OF \$5,401.50 ENVIRONMENTAL CONSULTING  
9 SERVICES IN CONNECTION WITH THE SITE REMEDIATION  
10 AT AIRPORT - HANGAR 3 AREA;

11       **18.** RESOLUTION NO. 14-251 - RESOLUTION  
12 RATIFYING ACCEPTANCE OF PROPOSAL FROM AIR POWER  
13 INC. IN THE AMOUNT OF \$25,539.00 TO INSTALL AN  
14 EMERGENCY LIGHT ON THE END OF THE RUNWAY FENCE  
15 (EMERGENCY CONTRACT); and

16       **19.** RESOLUTION NO. 14-252 - RESOLUTION  
17 AUTHORIZING PAYMENT IN THE AMOUNT OF \$205.00 TO  
18 LESCO PLUMBING & HEATING FOR PLUMBING REPAIRS AT  
19 HANGAR/BUILDING M.)

20  
21               COMMISSIONER SPIESBACH: Okay, under  
22 Airport, we have Resolutions 13 through 19.

23               I have a question -- well, actually I have  
24 a request on item number 15, Jim. I think if  
25 we --

1 MR. PAGANELLI: Yeah, we're going to  
2 withdraw 15.

3 COMMISSIONER SPIESBACH: -- if we can  
4 withdraw 15?

5 MR. PAGANELLI: Um-hum.

6 COMMISSIONER SPIESBACH: And the reason I  
7 would like that withdrawn, only because I have  
8 looked at the proposal and I think that we would  
9 benefit from a little bit more technical  
10 definition --

11 MR. PAGANELLI: Okay.

12 COMMISSIONER SPIESBACH: -- of the scope of  
13 work related to the removal and replacement of  
14 those oil/water systems.

15 MR. PAGANELLI: Yup.

16 COMMISSIONER SPIESBACH: So, with that,  
17 we're removing number 15.

18 Are there any questions from any of the  
19 Commissioners related to the other items, 13  
20 through 19?

21 If not, can we have a motion to approve?

22 COMMISSIONER BROWN: I'll move it.

23 COMMISSIONER STANZIALE: Second.

24 MS. SAPINSKI: Commissioner Brown?

25 COMMISSIONER BROWN: Yes.

1 MS. SAPINSKI: Commissioner Spiesbach?

2 COMMISSIONER SPIESBACH: Yes.

3 MS. SAPINSKI: Commissioner Stanziale?

4 COMMISSIONER STANZIALE: Yes.

5 MS. SAPINSKI: Commissioner Toro?

6 COMMISSIONER TORO: Yes.

7

8 (Whereupon, the Board discussed and took  
9 action on the following items:

10 **FINANCE**

11

12 **20.** RESOLUTION NO. 14-253 - RESOLUTION  
13 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF  
14 THE AUTHORITY'S \$150,000,000 POOLED GOVERNMENT  
15 LOAN PROGRAM (SERIES 1986)

16 PAYMENTS DUE OTHERS FOR PGLP SERVICES

17 PHILIP A. LANZET, FINANCIAL CONSULTANT,  
18 NOVEMBER 2014 - \$2,500.00;

19 CONNELL FOLEY - LEGAL FEE - COUNTY LOAN #3  
20 - \$9,700.00;

21 **21.** RESOLUTION NO. 14-254 - RESOLUTION  
22 ESTABLISHING 2015 POOL OF APPROVED FINANCIAL  
23 ADVISORS IN ACCORDANCE WITH THE "PAY TO PLAY LAW  
24 - FAIR AND OPEN PROCESS" N.J.S.A. 19:44A-20.4;

25 **22.** RESOLUTION NO. 14-255 - RESOLUTION

1 ESTABLISHING 2015 POOL OF APPROVED UNDERWRITING  
2 FIRMS IN ACCORDANCE WITH THE "PAY TO PLAY LAW -  
3 FAIR AND OPEN PROCESS" N.J.S.A. 19:44A-20.4;

4 **23.** RESOLUTION NO. 14-256 - RESOLUTION  
5 DIRECTING THE UNDERTAKING OF A CONTINUING  
6 DISCLOSURE REVIEW AND AUTHORIZING PARTICIPATION  
7 IN THE MUNICIPALITIES CONTINUING DIVISION OF  
8 ENFORCEMENT OF THE U.S. SECURITIES AND EXCHANGE  
9 COMMISSION; and

10 **24.** RESOLUTION NO. 14-257 - RESOLUTION  
11 AUTHORIZING AN AGREEMENT WITH ACACIA FINANCIAL  
12 GROUP IN THE AMOUNT NOT TO EXCEED \$7,500.0 FOR  
13 CONSULTING SERVICES IN CONNECTION WITH THE  
14 AUTHORITY PARTICIPATION IN THE SECURITIES AND  
15 EXCHANGE COMMISSION MUNICIPALITIES CONTINUING  
16 DISCLOSURE COOPERATION INITIATIVE.)

17

18 COMMISSIONER SPIESBACH: Okay.

19 Under Finance, we have Resolutions 20  
20 through 24.

21 And just as a comment I think for the --  
22 primarily Carla, for you as a new  
23 Commissioner, --

24 COMMISSIONER STANZIALE: Um-hum.

25 COMMISSIONER SPIESBACH: -- annually we do



1 our solicitation under the Fair and Open Process  
2 and we create these pools. So, we've been  
3 approving a number of those pools and we see,  
4 again, for our financial advisors and  
5 underwriting firms.

6 But if there are any other questions  
7 related to 20 through 24?

8 MR. PAGANELLI: Could I just make two  
9 points on 20 through 24?

10 One is that as the Board knows timely we  
11 submitted our budget to the State. The State  
12 asked -- and our Resolution at the time indicated  
13 that we would have -- we would have it listed  
14 again for tonight. DCA at the State asked us to  
15 hold-off while they were reviewing it until  
16 December.

17 So, it's our anticipation that it should be  
18 approved and we'll get it back in December for  
19 action.

20 We haven't even gotten any questions, so we  
21 just assume that they're backed up like everybody  
22 else is.

23 The other thing -- the other issue is -- 23  
24 and 24, the SEC, back in 2009, came out with new  
25 and more comprehensive disclosure requirements

1 really trying to make sure that things in the  
2 finance world are as transparent as possible and  
3 making sure that issuers are disclosing to the  
4 financial markets a lot of different occurrences.

5       So if you have a -- if your bond rating  
6 changes or different things happen, you should  
7 file notice of those happenings on something that  
8 we call EMMA, E-M-M-A.

9       But, quite frankly, I think Jersey lags  
10 behind us, County Utility Authority -- for our  
11 family -- lag behind in these reporting  
12 requirements. And so at the County level the  
13 other night we passed a similar resolution.

14       And, basically, what we've done is -- we  
15 just did deals in 2004, we did an Airport deal  
16 and we did a County Re-funding deal. At that  
17 time we went back and made sure that all  
18 disclosures that should have been made over the  
19 last several years were made.

20       So we are now current on the EMMA system if  
21 you went there and looked at it.

22       Then the other issue was to review all of  
23 our official offering statements and see if we  
24 made representations in those offering statements  
25 that were not true.

1           So, for instance, in 2010 if we did a deal  
2 or the County did a deal and within that offering  
3 statement it was represented that the County had  
4 filed all their right financial disclosures but  
5 in reality had not.

6           The County now is going to embark on a  
7 process where it's going to correct that and  
8 probably do something called self-report to the  
9 SEC to avoid fines and things like that.

10           It's as of December 1<sup>st</sup>, if you just self-  
11 report, it's -- you know, unless there's  
12 something glaring there, it will be kind of -- it  
13 just goes away.

14           So we've done that at the County level for  
15 the Utility Authority. We've done that at the  
16 County level for the County body itself.

17           And then we started to embark on that  
18 process here. Lucy and I have been reviewing  
19 bond documents and then finally brought on John  
20 Draikiwicz, who's outside bond counsel, and  
21 ACACIA to help us to see did we miss -- did we  
22 promise in one of our disclosures that we would  
23 disclose something and not do it.

24           So we went through this on the conference  
25 call with counsel and the FA the other day; in

1 fact, we had not. We had never made a  
2 representation of disclosure. Because really  
3 under our documents most of our financings are  
4 conduit financings for others. They have the  
5 disclosure obligation.

6 Furthermore, we have continuing disclosure  
7 agreements that we've entered into that requires  
8 that the trustee file every -- file all these  
9 disclosures for us.

10 We didn't really know that we didn't have  
11 anything percolating until late and that's why  
12 these are still listed. We'd like them to pass-  
13 through. But we don't think there's \$7500.00 --  
14 and we're not going to come close to that. It's  
15 a couple hours work probably.

16 We may enlist a company called DAC, D-A-C;  
17 if we do, we'll bring it back to the Board. But  
18 that company helps issuers with these types of  
19 financial disclosures.

20 And while we're confident that we have the  
21 right trustees in place and we're confident in  
22 our disclosure agreements, for a real modest cost  
23 DAC may provide a backup system to us. And so it  
24 may be something that, you know, we'll bring to  
25 the Board -- the last quote I think we got was

1 | like \$1500.00.

2 |           To make us all sleep a little bit easier at  
3 | night, --

4 |           COMMISSIONER SPIESBACH: Um-hum.

5 |           MR. PAGANELLI: -- to know that we were  
6 | doing our disclosures, we probably will enlist  
7 | them.

8 |           So, we will have the County now hopefully  
9 | filing the right disclosures on their stuff,  
10 | which really kind of grabs some of our stuff.  
11 | Because our bond rating's based on what the  
12 | County bond rating is.

13 |           We'll have our own -- now kind of a little  
14 | bit more sensitive to some issues -- we'll have  
15 | the trustee that's supposed to be doing it for us  
16 | contractually; and then we'll have DAC.

17 |           So I think on a go-forward we'll be  
18 | protected.

19 |           But that's what those two resolutions are  
20 | getting at.

21 |           COMMISSIONER SPIESBACH: So we're getting  
22 | right with everything.

23 |           MR. PAGANELLI: We are. The world is  
24 | right.

25 |           COMMISSIONER SPIESBACH: Perfect.

1 Thank you for the clarifications on those,  
2 Jim.

3 MR. PAGANELLI: Yes, sir.

4 COMMISSIONER SPIESBACH: So with that we  
5 have still to have a motion to approve items 20  
6 through 24 under Finance.

7 COMMISSIONER BROWN: I'll move it.

8 COMMISSIONER STANZIALE: Second.

9 MS. SAPINSKI: Commissioner Brown?

10 COMMISSIONER BROWN: Yes.

11 MS. SAPINSKI: Commissioner Spiesbach?

12 COMMISSIONER SPIESBACH: Yes.

13 MS. SAPINSKI: Commissioner Stanziale?

14 COMMISSIONER STANZIALE: Yes.

15 MS. SAPINSKI: Commissioner Toro?

16 COMMISSIONER TORO: Yes.

17

18 (Whereupon, the Board discussed and took  
19 action on the following item:

20 **PARKING**

21

22 **25.** RESOLUTION NO. 14-258 - RESOLUTION  
23 AUTHORIZING PAYMENT TO SOUTHLAND PRINTING COMPANY  
24 IN THE AMOUNT OF \$2,668.28 FOR 100,000 MAGNETIC  
25 STRIPE PARKING TICKETS.)

1  
2           COMMISSIONER SPIESBACH: Under Parking we  
3 have one Resolution for our magnetic stripe  
4 parking tickets.

5           I remember we get this every year. A  
6 hundred thousand is there but would we do a  
7 hundred thousand tickets a year?

8           MS. SAPINSKI: Twice a year.

9           COMMISSIONER SPIESBACH: Hmm?

10          MS. SAPINSKI: Twice a year.

11          COMMISSIONER SPIESBACH: Twice a year? Oh,  
12 gosh.

13          Oh, okay. Well it looks like we're getting  
14 a create quantity discount.

15          But that was the only question I had.

16          Any other questions?

17          If not, can we have a motion to approve  
18 item 25?

19          COMMISSIONER STANZIALE: I'll move.

20          COMMISSIONER TORO: Second.

21          MS. SAPINSKI: Commissioner Brown?

22          COMMISSIONER BROWN: Yes.

23          MS. SAPINSKI: Commissioner Spiesbach?

24          COMMISSIONER SPIESBACH: Yes.

25          MS. SAPINSKI: Commissioner Stanziale?

1 COMMISSIONER STANZIALE: Yes.

2 MS. SAPINSKI: Commissioner Toro?

3 COMMISSIONER TORO: Yes.

4 COMMISSIONER BROWN: Excuse me?

5 Just one question, Jim.

6 If we know, as Lucy said that we do it  
7 twice, why don't we just do it once instead of  
8 buying it twice a year?

9 If we know we're going to use 200,000, why  
10 don't we just buy 200,000 initially?

11 MS. SAPINSKI: Because it's so many boxes,  
12 there is no place to store them.

13 COMMISSIONER BROWN: Oh, okay.

14 COMMISSIONER SPIESBACH: I was about to  
15 say, let them store it.

16 COMMISSIONER BROWN: Oh, okay.

17 COMMISSIONER SPIESBACH: A hundred thousand  
18 of those things must take up a fair amount of  
19 space.

20 COMMISSIONER BROWN: The little tickets,  
21 right?

22 MR. PAGANELLI: Yes.

23 MS. SAPINSKI: Yes. So, I think it's --

24 COMMISSIONER SPIESBACH: A hundred  
25 thousand.



1 MS. SAPINSKI: -- five or six boxes that we  
2 get.

3 COMMISSIONER SPIESBACH: Would you like us  
4 to consider doing it?

5 COMMISSIONER BROWN: No. Hey, no more  
6 boxes.

7 COMMISSIONER SPIESBACH: Oh, okay.

8 COMMISSIONER BROWN: Enough paper. Enough  
9 paper.  
10

11 (Whereupon, the Board discussed and took  
12 action on the following items:

13 **SPORTSPLEX**

14  
15 **26.** RESOLUTION NO. 14-259 - RESOLUTION  
16 AUTHORIZING PAYMENT OF \$1,426.00 FOR  
17 ENVIRONMENTAL CONSULTING ENGINEERING SERVICES  
18 RENDERED BY PS&S IN CONNECTION WITH ENVIRONMENTAL  
19 ISSUES FOR THE PERIOD 8-1-14 TO 10-31-14;

20 **27.** RESOLUTION NO. 14-260 - RESOLUTION  
21 AUTHORIZING PAYMENT OF \$1,775.00 TO MSP  
22 INDUSTRIAL REFRIGERATION SERVICE, LLC FOR HVAC  
23 REPAIRS AT THE ATTENDANT BOOTH; and

24 **28.** RESOLUTION NO. 14-261 - RESOLUTION  
25 AUTHORIZING PAYMENT OF \$2,332.00 TO CITY/NEWARK

1 GLASS COMPANY FOR GLASS REPLACEMENT AT THE STAIR  
2 TOWER.)

3

4 COMMISSIONER SPIESBACH: All right, under  
5 Sportsplex; we have three Resolutions, 26, 27 and  
6 28.

7 Are there any questions on any of these  
8 items from the Commissioners?

9 If not, can we have a motion?

10 COMMISSIONER BROWN: I'll move.

11 COMMISSIONER TORO: I'll move.

12 COMMISSIONER BROWN: I'll second it.

13 MS. SAPINSKI: Commissioner Brown?

14 COMMISSIONER BROWN: Yes.

15 MS. SAPINSKI: Commissioner Spiesbach?

16 COMMISSIONER SPIESBACH: Yes.

17 MS. SAPINSKI: Commissioner Stanziale?

18 COMMISSIONER STANZIALE: Yes.

19 MS. SAPINSKI: Commissioner Toro?

20 COMMISSIONER TORO: Yes.

21 COMMISSIONER BROWN: Just one question,

22 Gerry.

23 COMMISSIONER SPIESBACH: Um-hum.

24 COMMISSIONER BROWN: Jim, --

25 MR. PAGANELLI: Yes, sir.

1           COMMISSIONER BROWN:  -- where are we with  
2 the stadium?

3           Because I'm on the Sports and I just  
4 thought about it.

5           MR. PAGANELLI:  The Improvement Authority,  
6 on behalf of the City and the County, advertised  
7 to sell the stadium --

8           COMMISSIONER BROWN:  Okay.

9           MR. PAGANELLI:  -- not too long ago.

10          COMMISSIONER BROWN:  Right.

11          MR. PAGANELLI:  And got back no responses.  
12          Had a minimum purchase price of 30 million.

13          There's about \$24 million left in outstanding  
14 debt service.  We have an appraisal that came in  
15 somewhere between there.

16          Don't want to divulge it on a public  
17 record.

18          And so we are meeting with the Project  
19 Committee, which is myself, the Mayor of the City  
20 of Newark, the Freeholder President, the City  
21 Council President, and the County Executive to  
22 talk about next steps.

23          We did get a proposal in, which I don't  
24 think was responsive to our offer to sell.  
25          Because, like I said, we had a minimum price and

1 | this is well below the minimum price but we did  
2 | get a proposal in to operate the stadium on our  
3 | behalf. We just have to sit with the Project  
4 | Committee and just see what the next steps are.

5 |         As you know I keep trying to give it back  
6 | to the County, so.

7 |         COMMISSIONER SPIESBACH: Is the intent to  
8 | keep it as a stadium?

9 |         Try to sell it as a stadium?

10 |         MR. PAGANELLI: No. The --

11 |         COMMISSIONER SPIESBACH: Just sell it for  
12 | the land value?

13 |         MR. PAGANELLI: Yeah, it was whatever the  
14 | -- it was whatever the current zoning  
15 | permitted, --

16 |         COMMISSIONER SPIESBACH: Um-hum.

17 |         MR. PAGANELLI: -- which quite frankly in  
18 | that area of Newark permits just about anything.

19 |         COMMISSIONER SPIESBACH: Yeah, I would  
20 | think.

21 |         MR. PAGANELLI: I think that the -- if  
22 | you're really going to try to develop it I think  
23 | that the hope is that you tether yourself back to  
24 | NJIT or Rutgers in terms of housing for students  
25 | and things like that. That's just --

1           It's a great location. You know it's right  
2 by the train station.

3           COMMISSIONER BROWN: Um-hum.

4           MR. PAGANELLI: It's right by the Light  
5 Rail. It's right by 280. It's right by 21.  
6 It's on Broad Street. It's right across the  
7 street from Rutgers. It's right across the  
8 street from NJIT. So I think it does have some  
9 value to it.

10           And probably we shouldn't have offered a  
11 minimum. We should have just gone and just see  
12 what the value was. And we had a very, very  
13 short time frame.

14           So we had a minimum bid of \$30 million. We  
15 had it on the street returnable on the 11<sup>th</sup> of  
16 November and we wanted to close by December 31<sup>st</sup>.

17           So, --

18           COMMISSIONER SPIESBACH: That's aggressive.

19           MR. PAGANELLI: Yeah, unless someone's  
20 coming up with \$30 million out of their back  
21 pocket it's difficult to put that kind of  
22 financing together.

23           So, we'll try to rotate to next year and  
24 see how it goes. And, you know, at the very  
25 least I would anticipate that we come back with a

1 plan for NJIT and Rutgers baseball --

2 COMMISSIONER BROWN: Right.

3 MR. PAGANELLI: -- like we did last year.

4 It's also my hope -- I've talked to County  
5 Parks about it, to try to make kind of a County  
6 game-of-the-week. You know Bloomfield/  
7 Belleville, host down there or --

8 COMMISSIONER SPIESBACH: Oh, yeah, that  
9 would be cool.

10 MR. PAGANELLI: -- something like that, to  
11 try to at least get some life into the stadium.

12 COMMISSIONER BROWN: Then we'd still be  
13 managing it.

14 MR. PAGANELLI: Unfortunately, yes.

15 COMMISSIONER BROWN: Well, what about  
16 getting some revenues from the City of Newark?

17 They have their school baseball games  
18 there. I mean I could have them there --  
19 championships.

20 MR. PAGANELLI: Yeah.

21 Most of the high school level activities  
22 are free. We don't make much revenue.

23 COMMISSIONER BROWN: So they use the school  
24 stadium most of the time?

25 MR. PAGANELLI: Yeah.

1           And everybody loves the stadium. You know  
2 I've talked to the Vocational School about making  
3 it their home field and, you know, do some of  
4 their colors and stuff like that. Again, that's  
5 kind of freebie.

6           You know Rutgers and NJIT historically  
7 paid. Last year they didn't pay because they did  
8 most of the maintenance. So it was kind of a  
9 swap for in-kind services.

10          As the Board knows we took upon the leases  
11 for the field equipment. We took upon the lease  
12 for the scoreboard. We hired a guy that was with  
13 the Bears that was doing the field.

14          So now those costs have rotated to us. If  
15 somehow I could rotate those costs back out and  
16 then, --

17          COMMISSIONER BROWN: That would be great.

18          MR. PAGANELLI: -- you know, offer it to  
19 the City and local towns for, you know, Thursday  
20 night baseball in the city, I think it would be  
21 fun. But we have to see how it goes.

22          COMMISSIONER BROWN: Will the Board send  
23 anything up here about our winter maintenance?

24          Because I know that was issue once before  
25 about the water, the overhead and things like

1 that. For the winter --

2 MR. PAGANELLI: I should talk to Mike  
3 about it.

4 MS. SAPINSKI: Yeah, Mike is getting  
5 everything ready.

6 MR. PAGANELLI: Mike Launay will get us --  
7 we have to --

8 COMMISSIONER BROWN: So we'll see it before  
9 the end of the year?

10 MR. PAGANELLI: Yeah.

11 COMMISSIONER BROWN: Or we'll see it next  
12 year?

13 MR. PAGANELLI: No, it will be this year.  
14 We have to winterize; things like that.

15 COMMISSIONER BROWN: Right.

16 COMMISSIONER SPIESBACH: Um-hum.

17 MR. PAGANELLI: So, --

18 COMMISSIONER BROWN: Now you see it.

19 COMMISSIONER SPIESBACH: I'm glad you  
20 brought that up; I was going to ask the same  
21 question. Because we did have some problems last  
22 year --

23 MR. PAGANELLI: We did.

24 COMMISSIONER SPIESBACH: -- because it  
25 wasn't properly winterized.



1 MR. PAGANELLI: Unfortunately we've had  
2 problems a number of years.

3 COMMISSIONER SPIESBACH: Yeah. Well,  
4 that's true.

5 MR. PAGANELLI: Yup.

6 COMMISSIONER BROWN: But we took care of  
7 that last year.

8 Right?

9 MS. SAPINSKI: Um-hum.

10 COMMISSIONER SPIESBACH: Yeah. Yeah, we  
11 took care -- we always take care of it; it's our  
12 responsibility.

13 But we also have security issue, I guess,  
14 right? We have to keep --

15 MR. PAGANELLI: It's very difficult.

16 COMMISSIONER SPIESBACH: -- ne'er-do-wells  
17 off the field.

18 MR. PAGANELLI: Right. It's very difficult  
19 down there to try to keep a presence.

20 COMMISSIONER SPIESBACH: Mmm.

21 MR. PAGANELLI: So when the NJIT deal  
22 rolled our way, --

23 NJIT is booming, which is good.

24 COMMISSIONER BROWN: Right.

25 MR. PAGANELLI: NJIT is a D-1 school in

1 certain sports, which we don't really think of it  
2 as but it is; it's D-1 basketball, things like  
3 that. And it is embarking on a really huge  
4 expansion program for D-1 soccer fields and  
5 things like that.

6 During the course of all that they need a  
7 place to land their sports department and they  
8 would use our bank of offices down there, --

9 COMMISSIONER SPIESBACH: Hmm.

10 MR. PAGANELLI: -- which helps us in terms  
11 of security, --

12 COMMISSIONER SPIESBACH: Right.

13 MR. PAGANELLI: -- because then you have  
14 people that are in and around the stadium.

15 Right now we have two guys running around  
16 flicking lights on and off to try to seem like we  
17 have a presence. And it's just not effective.

18 So hopefully, if nothing else works with  
19 selling it and things like that, I think, you  
20 know, we'd probably look to NJIT to --

21 COMMISSIONER SPIESBACH: Do you think  
22 Celanese might like this stadium?

23 Throw that into the deal.

24 MR. PAGANELLI: That would be nice. They  
25 can have it.

1 COMMISSIONER BROWN: That would be funny.

2 COMMISSIONER SPIESBACH: Just kidding, of  
3 course.

4 COMMISSIONER BROWN: I'm sorry.

5 COMMISSIONER SPIESBACH: No, not at all.

6

7 (Whereupon, the Board discussed and took  
8 action on the following item:

9 **RESOURCE RECOVERY FACILITY PROJECT**

10 **\*ALL EXPENSES PAID FROM ESCROW ACCOUNT**

11

12 **29. RESOLUTION NO. 14-262 - RESOLUTION**  
13 **AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,019.57 TO**  
14 **DE COTIIS, FITZPATRICK & COLE, LLP FOR LEGAL**  
15 **SERVICES RENDERED THROUGH OCTOBER 2014.)**

16

17 COMMISSIONER SPIESBACH: Under Resource  
18 Recovery Facility Project, --

19 MR. PAGANELLI: Did we vote on those?

20 I'm sorry. Just so I know.

21 MS. SAPINSKI: Yes.

22 MR. PAGANELLI: Yeah, we're through on  
23 those?

24 Okay.

25 MR. DILLON: Um-hum.

1 COMMISSIONER SPIESBACH: Yeah.

2 -- we only have one Resolution, Resolution  
3 number 29.

4 If there is any questions from any of the  
5 Commissioners on this?

6 If not, can we have a motion to approve?

7 COMMISSIONER STANZIALE: I'll move it.

8 COMMISSIONER BROWN: I'll second it.

9 MS. SAPINSKI: Commissioner Brown?

10 COMMISSIONER BROWN: Yes.

11 MS. SAPINSKI: Commissioner Spiesbach?

12 COMMISSIONER SPIESBACH: Yes.

13 MS. SAPINSKI: Commissioner Stanziale?

14 COMMISSIONER STANZIALE: Yes.

15 MS. SAPINSKI: Commissioner Toro?

16 COMMISSIONER TORO: Yes.

17 MR. PAGANELLI: Just one point on this  
18 before we move beyond it.

19 It's -- we're looking to probably close in  
20 June of 2015. Sometimes I get asked when are we  
21 getting this thing done; it's 2015.

22 As Lucy indicated on the agenda, the  
23 expenses are being paid out of an escrow posted  
24 by Covanta. So it's not like we're using our own  
25 dollars but that's kind of what we're looking

1 | for.

2 |           COMMISSIONER SPIESBACH: Um-hum.

3 |           Okay.

4 |           And any other comments?

5 |

6 |           (Whereupon, the Board discussed the  
7 | following item:

8 | **ADDITIONAL INFORMATION**

9 |       **A.** REPORT OF PGLP ADMINISTRATOR

10 |

11 |           COMMISSIONER SPIESBACH: We just have  
12 | again, Additional Information, the PJLP (sic)  
13 | Administrator.

14 |           But are there any other comments or  
15 | questions from any of the Commissioners before we  
16 | move to close the meeting?

17 |           That wasn't applause; that was just --

18 |           MR. PAGANELLI: I hope that comes up on the  
19 | record.

20 |

21 | **ADJOURNMENT**

22 |

23 |           COMMISSIONER SPIESBACH: If there are no  
24 | further items --

25 |           Jim, you have nothing else for us.

1 Right?

2 MR. PAGANELLI: No, sir.

3 COMMISSIONER SPIESBACH: Okay.

4 MR. PAGANELLI: Happy Thanksgiving.

5 MS. GILL: Oh, Happy Thanksgiving.

6 COMMISSIONER SPIESBACH: Okay.

7 So can we have a motion to formally  
8 adjourn?

9 COMMISSIONER STANZIALE: I'll move it.

10 COMMISSIONER TORO: Second.

11 MS. SAPINSKI: Commissioner Brown?

12 COMMISSIONER BROWN: Yes.

13 MS. SAPINSKI: Commissioner Spiesbach?

14 COMMISSIONER SPIESBACH: Yes.

15 MS. SAPINSKI: Commissioner Stanziale?

16 COMMISSIONER STANZIALE: Yes.

17 MS. SAPINSKI: Commissioner Toro?

18 COMMISSIONER TORO: Yes.

19

20 (Whereupon, the proceedings were concluded  
21 at 5:19 p.m., Resolution No. 14-30.)

22

23

24

25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

5 I, Karen A. Marino, assigned transcriber,  
6 do hereby affirm that the foregoing is a true and  
7 accurate transcript of the REGULAR BOARD MEETING  
8 of the ESSEX COUNTY IMPROVEMENT AUTHORITY heard  
9 on Tuesday, November 25, 2014 and recorded on  
10 tape.

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24 Monitored by: Kevin Dillon

25 Proofread by: Deborah Dillon