

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING: : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

27 Wright Way
Fairfield, New Jersey

Tuesday, September 27, 2016
Commencing at 5:00 p.m.

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

COMMISSIONER MARK S. DUNEC, (Via telephone)
COMMISSIONER CLIFFORD ROSS
COMMISSIONER GERARD M. SPIESBACH
COMMISSIONER CARLA A. STANZIALE
COMMISSIONER JACQUELINE YUSTEIN
COMMISSIONER RONALD J. BROWN, Vice Chairman
COMMISSIONER STEVEN H. KLINGHOFFER, Chairman

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

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

STEVEN C. ROTHER, Executive Director
NIA H. GILL, ESQ., General Counsel
LUCY SAPINSKI, Director of Operations
CLYDE L. OTIS, III, ESQ., Director of Development/
Assistant General Counsel
SHARIFA R. SALAAM, ESQ., Deputy Freeholder Counsel
THOMAS GOMEZ, Airport Manager
BETSY WILLIAMSON, Administrative Assistant
JOSEPH CALI, Senior Project Manager/
Accounts Receivables

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1 MS. DILLON: Okay.

2 On the record.

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

14

15 **ROLL CALL**

16

17 MS. SAPINSKI: Commissioner Brown?

18 VICE CHAIRMAN BROWN: Here.

19 MS. SAPINSKI: Commissioner Dunec?

20 COMMISSIONER DUNEC: Here.

21 MS. SAPINSKI: Commissioner Ross?

22 COMMISSIONER ROSS: Present.

23 MS. SAPINSKI: Commissioner Spiesbach?

24 COMMISSIONER SPIESBACH: Here.

25 MS. SAPINSKI: Commissioner Stanziale?

1 COMMISSIONER STANZIALE: Here.

2 MS. SAPINSKI: Commissioner Yustein?

3 COMMISSIONER YUSTEIN: Here.

4 MS. SAPINSKI: Chairman Klinghoffer?

5 CHAIRMAN KLINGHOFFER: Here.

6

7 **PUBLIC COMMENTS**

8

9 CHAIRMAN KLINGHOFFER: Do we have any
10 public comments?

11 Seeing none.

12

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

15 **ACCEPTANCE OF MINUTES**

16 RESOLUTION NO. 16-30 - Regular Board
17 Meeting 8-30-16 and Executive Session.)

18

19 CHAIRMAN KLINGHOFFER: Move on to
20 acceptance of the minutes.

21 Is there a motion to accept the minutes?

22 VICE CHAIRMAN BROWN: Move it.

23 COMMISSIONER STANZIALE: Second.

24 MS. SAPINSKI: Commissioner Brown?

25 VICE CHAIRMAN BROWN: Yes.

1 MS. SAPINSKI: Commissioner Dunec?

2 COMMISSIONER DUNEC: Yes.

3 MS. SAPINSKI: Commissioner Ross?

4 COMMISSIONER ROSS: Yes.

5 MS. SAPINSKI: Commissioner Spiesbach?

6 COMMISSIONER SPIESBACH: Yes.

7 MS. SAPINSKI: Commissioner Stanziale?

8 COMMISSIONER STANZIALE: Yes.

9 MS. SAPINSKI: Commissioner Yustein?

10 COMMISSIONER YUSTEIN: Yes.

11 MS. SAPINSKI: Chairman Klinghoffer?

12 CHAIRMAN KLINGHOFFER: Yes.

13 Mr. Rother, do you want Executive Session?

14 MR. ROTHER: Please. We -- we have just a
15 few things, but we don't need it in advance. I
16 don't think you -- I don't see any reason for it,
17 no. We can do it at the tail end.

18 CHAIRMAN KLINGHOFFER: Okay.

19

20 (Whereupon, the Board discussed and took
21 action on the following items:

22 **ADMINISTRATIVE**

23 1. RESOLUTION NO. 16-245 - RESOLUTION

24 INTRODUCING THE AUTHORITY'S 2017 ANNUAL OPERATING

25 BUDGET INCLUDING SUPPLEMENTAL SCHEDULES, AND THE

1 CAPITAL BUDGET/PROGRAM; and

2 2. RESOLUTION NO. 16-246 - RESOLUTION
3 AUTHORIZING PAYMENT TO AUDIO-DIGITAL
4 TRANSCRIPTION SERVICES, LLC FOR TRANSCRIPTION OF
5 BOARD MEETING ON 8-30-16; and

6 3. RESOLUTION NO. 16-247 - RESOLUTION RATIFYING
7 PAYMENT OF RECURRING BILLS (BILL LIST); and

8 4. RESOLUTION NO. 16-248 - RESOLUTION
9 AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE
10 MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO
11 BECOME A MEMBER; and

12 5. RESOLUTION NO. 16-249 - RESOLUTION
13 AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE
14 COUNTY OF BERGEN TO JOIN CO-OPERATIVE PRICING
15 PROGRAM.)

16

17 CHAIRMAN KLINGHOFFER: Next would be
18 Administrative Resolutions, 1 through 5.

19 VICE CHAIRMAN BROWN: I'll move it.

20 COMMISSIONER ROSS: Second.

21 MS. DILLON: I'm sorry.

22 Who seconded?

23 Thank you.

24 MS. SAPINSKI: Commissioner Ross.

25 Commissioner Brown?

1 VICE CHAIRMAN BROWN: Yes.

2 MS. SAPINSKI: Commissioner Dunec?

3 COMMISSIONER DUNEC: Yes.

4 MS. SAPINSKI: Commissioner Ross?

5 COMMISSIONER ROSS: Yes.

6 MS. SAPINSKI: Commissioner Spiesbach?

7 COMMISSIONER SPIESBACH: Yes.

8 MS. SAPINSKI: Commissioner Stanziale?

9 COMMISSIONER STANZIALE: Yes.

10 MS. SAPINSKI: Commissioner Yustein?

11 COMMISSIONER YUSTEIN: Yes.

12 MS. SAPINSKI: Chairman Klinghoffer?

13 CHAIRMAN KLINGHOFFER: Yes.

14

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

17 **NEWARK RIVERFRONT PROJECT/LITIGATION**

18 6. RESOLUTION NO. 16-250 - RESOLUTION
19 AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,051.18 TO
20 DeCOTIIS, FITZPATRICK & COLE, LLP FOR LEGAL
21 SERVICES RENDERED IN THE MONTH OF AUGUST, 2016.)

22

23 CHAIRMAN KLINGHOFFER: Item number 6, under
24 Newark Riverfront Project/Litigation is a single
25 Resolution.

1 COMMISSIONER STANZIALE: I'll move it.

2 VICE CHAIRMAN BROWN: Second. Second it.

3 MS. SAPINSKI: Commissioner Brown?

4 VICE CHAIRMAN BROWN: Yes.

5 MS. SAPINSKI: Commissioner Dunec?

6 COMMISSIONER DUNEC: Yes.

7 MS. SAPINSKI: Commissioner Ross?

8 COMMISSIONER ROSS: Yes.

9 MS. SAPINSKI: Commissioner Spiesbach?

10 COMMISSIONER SPIESBACH: Yes.

11 MS. SAPINSKI: Commissioner Stanziale?

12 COMMISSIONER STANZIALE: Yes.

13 MS. SAPINSKI: Commissioner Yustein?

14 COMMISSIONER YUSTEIN: Yes.

15 MS. SAPINSKI: Chairman Klinghoffer?

16 CHAIRMAN KLINGHOFFER: Yes.

17

18 (Whereupon, the Board discussed and took

19 action on the following item:

20 **CEDAR GROVE PARK PROJECT**

21 7. RESOLUTION NO. 16-251 - RESOLUTION

22 AUTHORIZING A PAYMENT OF \$27,406.75 TO CME

23 ASSOCIATES FOR ENGINEERING SERVICES RENDERED IN

24 CONNECTION WITH THE COUNTY DEVELOPMENT OF A NEW

25 PARK THROUGH AUGUST 30, 2016.)

1

2 CHAIRMAN KLINGHOFFER: Number 7, which is
3 on the Cedar Grove Park Project, is a single
4 Resolution.

5

Someone like to move it?

6

COMMISSIONER ROSS: Motion.

7

VICE CHAIRMAN BROWN: Second.

8

MS. SAPINSKI: Commissioner Brown?

9

VICE CHAIRMAN BROWN: Yes.

10

MS. SAPINSKI: Commissioner Dunec?

11

COMMISSIONER DUNEC: Yes.

12

MS. SAPINSKI: Commissioner Ross?

13

COMMISSIONER ROSS: Yes.

14

MS. SAPINSKI: Commissioner Spiesbach?

15

COMMISSIONER SPIESBACH: Yes.

16

MS. SAPINSKI: Commissioner Stanziale?

17

COMMISSIONER STANZIALE: Yes.

18

MS. SAPINSKI: Commissioner Yustein?

19

COMMISSIONER YUSTEIN: Yes.

20

MS. SAPINSKI: Chairman Klinghoffer?

21

CHAIRMAN KLINGHOFFER: Yes.

22

23

(Whereupon, the Board discussed and took

24

action on the following items:

25

1 CORRECTIONAL FACILITY/CELANESE LITIGATION

2

3 *ALL EXPENSES PAID FROM ECIA OPERATIONS ACCOUNT

4

5 8. RESOLUTION NO. 16-252 - RESOLUTION

6 AUTHORIZING PAYMENT IN THE AMOUNT OF \$36,419.90

7 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL

8 SERVICES RENDERED IN THE MONTH OF AUGUST 2016;

9 and

10 9. RESOLUTION NO. 16-253 - RESOLUTION

11 RATIFYING PAYMENT IN THE AMOUNT OF \$547.50 TO

12 BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL

13 SERVICES RENDERED BY HYDROGEOLOGIC, INC.)

14

15 CHAIRMAN KLINGHOFFER: Before we go onto --
16 well, on 8 and 9, I have a quick question.

17 On -- on number 8, do we have a year-to-
18 date number on the Buchanan legal fees?

19 MS. SAPINSKI: It's --

20 CHAIRMAN KLINGHOFFER: Is it in there?

21 I missed it then.

22 MS. SAPINSKI: Number 8.

23 We paid -- the agreement was 550, remainder
24 is 150, so 400.

25 CHAIRMAN KLINGHOFFER: Okay.

1 MR. ROTHER: He's -- he's very active these
2 days. We're getting -- and maybe I should be
3 forwarding some of the email we're getting from
4 O'Toole.

5 But -- but he's very active, particularly
6 that TM is now in bankruptcy. And so, they are
7 -- they're engaged --

8 CHAIRMAN KLINGHOFFER: God bless you.

9 MR. ROTHER: The group is now engaged in
10 lots of meetings and -- and ways to try and --
11 and limit the way that TM can dodge their share
12 of -- of the current fees.

13 And so, he's -- he's pretty actively
14 engaged. He's -- he's copying --

15 MS. GILL: Um hum.

16 MR. ROTHER: -- Nia on -- on a lot of what
17 he's doing.

18 CHAIRMAN KLINGHOFFER: We have 8 and 9,
19 Correctional Facility/Celanese Litigation.

20 Anybody like to move it?

21 COMMISSIONER SPIESBACH: I'll move it.

22 COMMISSIONER STANZIALE: Second.

23 MS. SAPINSKI: Commissioner Brown?

24 VICE CHAIRMAN BROWN: Yes.

25 MS. SAPINSKI: Commissioner Dunec?

1 COMMISSIONER DUNEC: Yes.

2 MS. SAPINSKI: Commissioner Ross?

3 COMMISSIONER ROSS: Yes.

4 MS. SAPINSKI: Commissioner Spiesbach?

5 COMMISSIONER SPIESBACH: Yes.

6 MS. SAPINSKI: Commissioner Stanziale?

7 COMMISSIONER STANZIALE: Yes.

8 MS. SAPINSKI: Commissioner Yustein?

9 COMMISSIONER YUSTEIN: Yes.

10 MS. SAPINSKI: Chairman Klinghoffer?

11 CHAIRMAN KLINGHOFFER: Yes.

12

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

15 **NEWARK PROPERTY ACQUISITION PROJECT**

16 10. RESOLUTION NO. 16-254 - RESOLUTION
17 AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,002.64 TO
18 CHIESA, SHAHINIAN & GIANTOMASI, PC FOR LEGAL
19 SERVICES RENDERED IN THE MONTH OF AUGUST 2016.)

20

21 CHAIRMAN KLINGHOFFER: Item number 10.
22 Newark Property Acquisition Project, a
23 single Resolution.

24 VICE CHAIRMAN BROWN: I'll move it.

25 COMMISSIONER YUSTEIN: Second.

1 MS. SAPINSKI: Commissioner Brown?

2 VICE CHAIRMAN BROWN: Yes.

3 MS. SAPINSKI: Commissioner Dunec?

4 COMMISSIONER DUNEC: Yes.

5 MS. SAPINSKI: Commissioner Ross?

6 COMMISSIONER ROSS: Yes.

7 MS. SAPINSKI: Commissioner Spiesbach?

8 COMMISSIONER SPIESBACH: Yes.

9 MS. SAPINSKI: Commissioner Stanziale?

10 COMMISSIONER STANZIALE: Yes.

11 MS. SAPINSKI: Commissioner Yustein?

12 COMMISSIONER YUSTEIN: Yes.

13 MS. SAPINSKI: Chairman Klinghoffer?

14 CHAIRMAN KLINGHOFFER: Yes.

15

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

18 **PARKING FACILITY (Juror Lot and Parking Garage)**

19 11. RESOLUTION NO. 16-255 - RESOLUTION

20 AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,950.00 TO

21 MSP TO REPLACE BROKEN AIR CONDITIONER UNIT AT

22 PARKING ATTENDANT BOOTH.)

23

24 CHAIRMAN KLINGHOFFER: And the Parking

25 Facility, Juror -- Juror Lot Parking Garage,

1 number 11.

2 MR. ROTHER: Yeah. That's because they --
3 they didn't have an accurate survey of the corner
4 that they're going to be dedicating to this shop.

5 And the -- the floor has to be ripped up in
6 order to level it.

7 CHAIRMAN KLINGHOFFER: I think we're one --
8 I think we're on the one before it, I think.

9 COMMISSIONER SPIESBACH: Yeah. We're still
10 on 11.

11 MS. SAPINSKI: Yeah, we are.

12 CHAIRMAN KLINGHOFFER: Still 11.

13 MR. ROTHER: Oh, you're still on --
14 I'm sorry.

15 CHAIRMAN KLINGHOFFER: The air
16 conditioning.

17 MR. ROTHER: Oh, I'm sorry.

18 CHAIRMAN KLINGHOFFER: Okay.

19 COMMISSIONER SPIESBACH: I'll move the air
20 conditioner.

21 CHAIRMAN KLINGHOFFER: Okay.

22 COMMISSIONER YUSTEIN: I'll second it.

23 MS. SAPINSKI: Commissioner Brown?

24 VICE CHAIRMAN BROWN: Yes.

25 MS. SAPINSKI: Commissioner Dunec?

1 COMMISSIONER DUNEC: Yes.

2 MS. SAPINSKI: Commissioner Ross?

3 COMMISSIONER ROSS: Yes.

4 MS. SAPINSKI: Commissioner Spiesbach?

5 COMMISSIONER SPIESBACH: Yes.

6 MS. SAPINSKI: Commissioner Stanziale?

7 COMMISSIONER STANZIALE: Yes.

8 MS. SAPINSKI: Commissioner Yustein?

9 COMMISSIONER YUSTEIN: Yes.

10 MS. SAPINSKI: Chairman Klinghoffer?

11 CHAIRMAN KLINGHOFFER: Yes.

12

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

15 **COFFEE SHOP AT PARKING FACILITY**

16 12. RESOLUTION NO. 16-256 - RESOLUTION
17 RATIFYING AN ACCEPTANCE OF PROPOSAL FROM PRONESTI
18 SURVEYING INC IN THE AMOUNT OF \$2,500.00 TO
19 UPDATE THE ORIGINAL GARAGE SURVEY IN CONNECTION
20 WITH THE DEVELOPMENT OF A COFFEE SHOP.)

21

22 CHAIRMAN KLINGHOFFER: Okay.

23 Now on 12.

24 MR. ROTHER: Yeah.

25 CHAIRMAN KLINGHOFFER: They have to level

1 the floor.

2 MR. ROTHER: Yeah.

3 They're -- they're having to tear up the
4 floor on -- on that corner, because it's -- it's
5 sloped, and they're going to have to put it at a
6 level grade.

7 And so, they want to have a much more
8 precise delineation of the space. They're going
9 to give to a contractor to have to rip it up.

10 CHAIRMAN KLINGHOFFER: Could you just go
11 through this, because the parking facility is
12 operated by us, but not owned by us?

13 MR. ROTHER: Yeah. We own the ground
14 underneath the parking garage. The County owns
15 the parking garage, and we operate it, pursuant
16 to an agreement.

17 CHAIRMAN KLINGHOFFER: Okay.

18 And the -- and when the coffee shop goes
19 in, they're presumably going to pay some kind of
20 rent.

21 MR. ROTHER: Yeah. Here's -- here's the
22 arrangement.

23 We are -- we're going to -- we're going to
24 finance it, and those dollars are going to be
25 amortized through the rent. We're going to be

1 receiving all the income from the project.

2 CHAIRMAN KLINGHOFFER: Would someone like
3 to move 12?

4 COMMISSIONER STANZIALE: I'll make a
5 motion.

6 COMMISSIONER ROSS: Second.

7 MS. SAPINSKI: Commissioner Brown?

8 VICE CHAIRMAN BROWN: Yes.

9 MS. SAPINSKI: Commissioner Dunec?

10 COMMISSIONER DUNEC: Yes.

11 MS. SAPINSKI: Commissioner Ross?

12 COMMISSIONER ROSS: Aye.

13 MS. SAPINSKI: Commissioner Spiesbach?

14 COMMISSIONER SPIESBACH: Yes.

15 MS. SAPINSKI: Commissioner Stanziale?

16 COMMISSIONER STANZIALE: Yes.

17 MS. SAPINSKI: Commissioner Yustein?

18 VICE CHAIRMAN BROWN: Mr. --

19 COMMISSIONER YUSTEIN: Yes.

20 VICE CHAIRMAN BROWN: Mr. Chairman, before
21 you move on.

22 MS. SAPINSKI: Chairman Klinghoffer?

23 CHAIRMAN KLINGHOFFER: Yes.

24 VICE CHAIRMAN BROWN: Go ahead.

25 CHAIRMAN KLINGHOFFER: No, you're -- you're

1 on now.

2 VICE CHAIRMAN BROWN: No, no, no. You
3 didn't answer her question.

4 CHAIRMAN KLINGHOFFER: I said yes.

5 VICE CHAIRMAN BROWN: You said yes?

6 CHAIRMAN KLINGHOFFER: I said yes.

7 VICE CHAIRMAN BROWN: Oh, okay.

8 CHAIRMAN KLINGHOFFER: Okay.

9 Go ahead.

10 VICE CHAIRMAN BROWN: How long is the
11 project, Steve, before it's completed?

12 MR. ROTHER: Pardon?

13 VICE CHAIRMAN BROWN: How long before the
14 project's completed --

15 MR. ROTHER: The -- the -- this coffee
16 shop?

17 Oh, my gosh. It -- it should go very
18 quickly. Joe wants --

19 COMMISSIONER YUSTEIN: Joe.

20 MR. ROTHER: -- it done this year. I don't
21 think it will be done this year, but we're
22 putting up -- all we're doing is giving them a
23 plain vanilla box. You know, we're -- we're
24 building the exterior walls. And -- and they
25 believe they can put -- finish it off inside in

1 -- you know, three months, something like that.

2 Probably the biggest delay in doing that
3 work is going to be getting the permits from the
4 city.

5 VICE CHAIRMAN BROWN: Okay.

6 I don't why it should be delayed.

7 CHAIRMAN KLINGHOFFER: Question answered?

8 COMMISSIONER BROWN: No, no, no. I was
9 talking to myself.

10 COMMISSIONER SPIESBACH: -- get your
11 coffee.

12 CHAIRMAN KLINGHOFFER: Be a while, yeah.
13 You're not going to get your coffee that quickly.

14 COMMISSIONER YUSTEIN: So that coffee shop
15 will be in competition with the County cafeteria?

16 CHAIRMAN KLINGHOFFER: Yes.

17 MR. ROTHER: It will. It will.

18 And they're going to be getting permission,
19 in addition, to use, as part of our letter of
20 intent to use that -- that open space between
21 that corner of the coffee shop and the entrance
22 to Veteran's Courthouse. The -- the exterior
23 seating --

24 COMMISSIONER YUSTEIN: That little plant.

25 MR. ROTHER: -- is going to be put out

1 | there during -- during summer -- spring, summer,
2 | early fall, so that people can sit outdoors, as
3 | well.

4 |

5 | (Whereupon, the Board discussed and took
6 | action on the following items:

7 | **AIRPORT**

8 | **13.** RESOLUTION NO. 16-257 - RESOLUTION
9 | RATIFYING PAYMENT IN THE AMOUNT OF \$384.00 TO AIR
10 | POWER FOR HVAC REPAIRS AT HANGAR/BUILDING I; and

11 | **14.** RESOLUTION NO. 16-258 - RESOLUTION
12 | AUTHORIZING PAYMENT #1 TO ACCURATE CONSTRUCTION
13 | INC IN THE AMOUNT OF \$21,992.50 FOR SERVICES
14 | RENDERED IN CONNECTION WITH NEW OPS BUILDING
15 | PROJECT; and

16 |

17 | **AIRPORT**

18 | **CONSTRUCTION REMOVAL PROJECT**

19 | PROJECT FUNDED:

20 | ECIA/AIRPORT 100%

21 |

22 | **15.** RESOLUTION NO. 16-259 - RESOLUTION
23 | AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN
24 | THE AMOUNT OF \$3,396.66 FOR ENGINEERING SERVICES
25 | RENDERED THROUGH AUGUST 26, 2016; and

1 **16.** RESOLUTION NO. 16-260 - RESOLUTION
2 AUTHORIZING PAYMENT TO GC STEWART IN THE AMOUNT
3 OF \$5,700.00 FOR SURVEYING SERVICES; and
4 **17.** RESOLUTION NO. 16-261 - RESOLUTION
5 AUTHORIZING PAYMENT TO JOHN J. CURLEY, LLC IN THE
6 AMOUNT OF \$5,380.00 FOR LEGAL SERVICES RENDERED
7 IN THE MONTH OF AUGUST 2016; and
8 **18.** RESOLUTION NO. 16-262 - RESOLUTION
9 AUTHORIZING PAYMENT TO DOWNES TREE SERVICE, INC.
10 IN THE AMOUNT OF \$3,995.00 FOR TREE AND
11 VEGETATION REMOVAL; and
12 **19.** RESOLUTION NO. 16-263 - RESOLUTION
13 AUTHORIZING PAYMENT TO D. TORLUCCIO LANDSCAPING
14 IN THE AMOUNT OF \$9,300.00 FOR TREE AND
15 VEGETATION REMOVAL; and
16 **20.** RESOLUTION NO. 16-264 - RESOLUTION
17 AUTHORIZING PAYMENT TO BEUCLER TREE EXPERTS IN
18 THE AMOUNT OF \$2,200.00 FOR TREE AND VEGETATION
19 REMOVAL.)
20

21 CHAIRMAN KLINGHOFFER: Airport, 13 and 14.
22 Do we -- okay if we do all of the Airport
23 at once? Any reason not to?

24 MR. ROTHER: Go right ahead.

25 CHAIRMAN KLINGHOFFER: Okay. That'd be 13

1 through 20, the Airport.

2 Someone like to move it as a group?

3 VICE CHAIRMAN BROWN: I'll move it.

4 COMMISSIONER YUSTEIN: I'll second it.

5 MS. SAPINSKI: Commissioner Brown?

6 VICE CHAIRMAN BROWN: Yes.

7 MS. SAPINSKI: Commissioner Dunec?

8 COMMISSIONER DUNEC: Yes.

9 MS. SAPINSKI: Commissioner Ross?

10 COMMISSIONER ROSS: Yes.

11 MS. SAPINSKI: Commissioner Spiesbach?

12 COMMISSIONER SPIESBACH: Yes.

13 MS. SAPINSKI: Commissioner Stanziale?

14 COMMISSIONER STANZIALE: Yes.

15 MS. SAPINSKI: Commissioner Yustein?

16 COMMISSIONER YUSTEIN: Yes.

17 MS. SAPINSKI: Chairman Klinghoffer?

18 CHAIRMAN KLINGHOFFER: Yes.

19

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

22 **SPORTSPLEX STADIUM**

23 **21.** RESOLUTION NO. 16-265 - RESOLUTION

24 RATIFYING PAYMENT IN THE AMOUNT OF \$159.13 TO

25 FYRE TECHNOLOGY INC. FOR DRY SYSTEM REPAIRS AT

1 STADIUM.)

2

3 CHAIRMAN KLINGHOFFER: And Sportsplex
4 Stadium, 21.

5 COMMISSIONER SPIESBACH: Move 21.

6 COMMISSIONER ROSS: Second.

7 MS. SAPINSKI: Commissioner Brown?

8 VICE CHAIRMAN BROWN: Yes.

9 MS. SAPINSKI: Commissioner Dunec?

10 COMMISSIONER DUNEC: Yes.

11 MS. SAPINSKI: Commissioner Ross?

12 COMMISSIONER ROSS: Yes.

13 MS. SAPINSKI: Commissioner Spiesbach?

14 COMMISSIONER SPIESBACH: Yes.

15 MS. SAPINSKI: Commissioner Stanziale?

16 COMMISSIONER STANZIALE: Yes.

17 MS. SAPINSKI: Commissioner Yustein?

18 COMMISSIONER YUSTEIN: Yes.

19 MS. SAPINSKI: Chairman Klinghoffer?

20 CHAIRMAN KLINGHOFFER: Yes.

21

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

24 **FINANCE**

25 **22.** RESOLUTION NO. 16-266 - RESOLUTION

1 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF
2 THE AUTHORITY'S \$150,000,000 POOLED GOVERNMENT
3 LOAN PROGRAM, SERIES 1986
4 PAYMENTS DUE OTHERS FOR PGLP SERVICES

5 GALLEROS KOH, LLP \$2,000.00

6 FINANCIAL CONSULTANT

7 SEPTEMBER 2016

8 WELLS FARGO BANK, NA \$29,514.69

9 LETTER OF CREDIT

10 7-1-16 TO 9-30-16.)

11

12 CHAIRMAN KLINGHOFFER: And finally, number

13 22.

14 The -- the Pooled Government Loan

15 Resolution.

16 Someone like to move it?

17 COMMISSIONER STANZIALE: I'll move it.

18 COMMISSIONER ROSS: I'll second it.

19 MS. SAPINSKI: Commissioner Brown?

20 VICE CHAIRMAN BROWN: Yes.

21 MS. SAPINSKI: Commissioner Dunec?

22 COMMISSIONER DUNEC: Yes.

23 MS. SAPINSKI: Commissioner Ross?

24 COMMISSIONER ROSS: Yes.

25 MS. SAPINSKI: Commissioner Spiesbach?

1 COMMISSIONER SPIESBACH: Yes.

2 MS. SAPINSKI: Commissioner Stanziale?

3 COMMISSIONER STANZIALE: Yes.

4 MS. SAPINSKI: Commissioner Yustein?

5 COMMISSIONER YUSTEIN: Yes.

6 MS. SAPINSKI: Chairman Klinghoffer?

7 CHAIRMAN KLINGHOFFER: Yes.

8 That's the end of our agenda, if you want
9 to go into --

10 MR. ROTHER: Okay.

11 If you would --

12 CHAIRMAN KLINGHOFFER: -- into the rationale
13 for --

14 MR. ROTHER: -- pass a -- a Resolution that
15 would involve litigation, ongoing litigation,
16 contract negotiation --

17

18 (Whereupon, the Board discussed the
19 following item:

20 **ADMINISTRATIVE**

21 1. RESOLUTION NO. 16-245 - RESOLUTION
22 INTRODUCING THE AUTHORITY'S 2017 ANNUAL OPERATING
23 BUDGET INCLUDING SUPPLEMENTAL SCHEDULES, AND THE
24 CAPITAL BUDGET/PROGRAM.)

25

1 CHAIRMAN KLINGHOFFER: I'm sorry. Before
2 we do that, do we -- are we adopting the --

3 MS. SAPINSKI: The addendum is number 1.

4 CHAIRMAN KLINGHOFFER: -- the budget
5 Resolution?

6 MS. SAPINSKI: It was number 1.

7 CHAIRMAN KLINGHOFFER: You want to do that?
8 That's -- we already adopted it?

9 MR. ROTHER: Yup.

10 CHAIRMAN KLINGHOFFER: I apologize.

11 MR. ROTHER: That was in --

12 CHAIRMAN KLINGHOFFER: Okay.

13 MR. ROTHER: -- Administration.

14 CHAIRMAN KLINGHOFFER: Okay. Okay.

15 MR. ROTHER: Now, if you want some
16 discussion about that, we can have that.

17 Lucy and I --

18 CHAIRMAN KLINGHOFFER: I'm sorry.

19 MR. ROTHER: Lucy and I took a number of
20 issues that -- that were -- matters that weren't
21 really easy to develop at this stage in the game.

22 CHAIRMAN KLINGHOFFER: Um hum.

23 MR. ROTHER: For instance, revenue from the
24 stadium wasn't something that was easy to
25 predict, and a few other matters like that, and

1 we -- we got our accountant, our auditor on the
2 phone, and we had a very thorough discussion with
3 the auditor.

4 And we are now satisfied, after discussion
5 with the auditor, that all of the projections
6 that we're making in there have good reasonable
7 basis.

8 And he concurs with us pretty much on the
9 approach that we took in putting -- in putting
10 those numbers together.

11 Obviously, they're, in large measure, based
12 on -- on history and what we did in '16.

13 But as I said, we -- we were careful to
14 take a number of the -- the items and -- and run
15 them by our -- our auditor.

16 CHAIRMAN KLINGHOFFER: Anybody have
17 anything else?

18 COMMISSIONER SPIESBACH: But before we move
19 to go to Executive Session, could I suggest, if
20 it's not inappropriate, that we just have a -- a
21 recognition of -- of sympathies and -- and
22 regrets on the passing of Mike Launay.

23 MR. ROTHER: I was going to raise that,
24 yes. I -- I --

25 COMMISSIONER SPIESBACH: Mike Launay one of

1 | our long term --

2 | MR. ROTHER: Before we -- before we ended
3 | that, I was going to do that, and to have -- have
4 | everyone understand when the services and the
5 | wake were being held, in case anybody wanted to -
6 | - you know, to attend.

7 | They -- they are tomorrow at seven, is --
8 | in the afternoon, as well, but they're in -- in
9 | the evening, starting at -- at seven.

10 | And I -- I guess we should add person --
11 | personnel matter to the list, also, with respect
12 | to the passing of -- of Mike.

13 | COMMISSIONER SPIESBACH: That's fine. I
14 | just wanted to put something --

15 | MR. ROTHER: Yeah.

16 | COMMISSIONER SPIESBACH: -- on the record.

17 | MR. ROTHER: No.

18 | COMMISSIONER SPIESBACH: He was --

19 | MR. ROTHER: No. No.

20 | COMMISSIONER SPIESBACH: -- a long time
21 | employee. He served the Authority --

22 | MR. ROTHER: He certainly was.

23 | COMMISSIONER SPIESBACH: -- very, very
24 | well. He was here before we got here.

25 | MR. ROTHER: Yeah.

1 COMMISSIONER SPIESBACH: Before I got here.

2 MR. ROTHER: Yeah. And -- and --

3 COMMISSIONER SPIESBACH: (Indiscernible).

4 MR. ROTHER: And it really -- although he
5 was -- he was ill for some period of time, this
6 was an unexpected --

7 COMMISSIONER SPIESBACH: Absolutely.

8 MR. ROTHER: -- event. It came
9 unexpectedly.

10 CHAIRMAN KLINGHOFFER: It's a shame.

11 COMMISSIONER SPIESBACH: Thank you.

12 CHAIRMAN KLINGHOFFER: I'm sorry. I
13 interrupted you.

14 MR. ROTHER: Okay.

15

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

18 **EXECUTIVE SESSION**

19 5. RESOLUTION NO. 16-267 - RESOLUTION
20 AUTHORIZING EXECUTIVE SESSION TO DISCUSS
21 LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL.)

22

23 CHAIRMAN KLINGHOFFER: The -- the rationale
24 for going into Executive Session.

25 MR. ROTHER: Litigation, contract

1 negotiation and personnel.

2 COMMISSIONER SPIESBACH: Move to go to
3 Executive, then.

4 CHAIRMAN KLINGHOFFER: Second?

5 COMMISSIONER YUSTEIN: Second.

6 MS. SAPINSKI: Commissioner Brown?

7 VICE CHAIRMAN BROWN: Yes.

8 MS. SAPINSKI: Commissioner Dunec?

9 COMMISSIONER DUNEC: Yes.

10 MS. SAPINSKI: Commissioner Ross?

11 COMMISSIONER ROSS: Yes.

12 MS. SAPINSKI: Commissioner Spiesbach?

13 COMMISSIONER SPIESBACH: Yes.

14 MS. SAPINSKI: Commissioner Stanziale?

15 COMMISSIONER STANZIALE: Yes.

16 MS. SAPINSKI: Commissioner Yustein?

17 COMMISSIONER YUSTEIN: Yes.

18 MS. SAPINSKI: Chairman Klinghoffer?

19 CHAIRMAN KLINGHOFFER: Yes.

20

21 (Whereupon, the Board moved to Executive
22 Session at 5:13 p.m., Resolution No. 16-267.)

23

24 (Whereupon, the Board returned to Open
25 Session at 5:55 p.m., Resolution No. 16-31.)

1

2

MS. DILLON: On the record.

3

4

5

(Whereupon, there was a pause in the proceedings.)

6

7

MS. DILLON: You're on.

8

CHAIRMAN KLINGHOFFER: Okay.

9

Can we have a motion to adjourn?

10

COMMISSIONER SPIESBACH: Motion to adjourn.

11

12

13

VICE CHAIRMAN BROWN: Shouldn't you let her know about the motion we had to come back in, or does it matter?

14

MS. SAPINSKI: She will get it from me.

15

16

VICE CHAIRMAN BROWN: Oh, she'll get it from you. Okay.

17

MS. SAPINSKI: Are we on?

18

MS. DILLON: Yeah.

19

MS. SAPINSKI: Okay.

20

21

MS. DILLON: So, Commissioner Spiesbach moved to adjourn.

22

Is there a second?

23

COMMISSIONER STANZIALE: I'll second.

24

MS. DILLON: Thank you.

25

MS. SAPINSKI: Commissioner Brown?

1 VICE CHAIRMAN BROWN: Yes.

2 MS. SAPINSKI: Commissioner Dunec?

3 COMMISSIONER DUNEC: Yes.

4 MS. SAPINSKI: Commissioner Ross?

5 COMMISSIONER ROSS: Yes.

6 MS. SAPINSKI: Commissioner Spiesbach?

7 COMMISSIONER SPIESBACH: Yes.

8 MS. SAPINSKI: Commissioner Stanziale?

9 COMMISSIONER STANZIALE: Yes.

10 MS. SAPINSKI: Commissioner Yustein?

11 COMMISSIONER YUSTEIN: Yes.

12 MS. SAPINSKI: Chairman Klinghoffer?

13 CHAIRMAN KLINGHOFFER: Yes.

14 MS. SAPINSKI: And next month meeting is on
15 Wednesday, everybody.

16 CHAIRMAN KLINGHOFFER: Yes.

17

18 (Whereupon, the proceedings were concluded

19 at 5:56 p.m., Resolution No. 16-32.)

20

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24

25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

5 I, DEBRA A. KASZNIAK, 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 September 27, 2016 and digitally
10 recorded.

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25 Monitored and proofread by: Deborah Dillon