

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

27 Wright Way
Fairfield, New Jersey

Tuesday, January 26, 2016
Commencing at 5:10 p.m.

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

COMMISSIONER CLIFFORD ROSS
COMMISSIONER GERARD M. SPIESBACH, (Via telephone)
COMMISSIONER RONALD J. BROWN, Vice Chairman,
(Via telephone)
COMMISSIONER STEVEN H. KLINGHOFFER, Chairman

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

COMMISSIONER MARK S. DUNEC
COMMISSIONER PAUL B. HALLIGAN
COMMISSIONER CARLA A. STANZIALE

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
SHARIFA R. SALAAM, ESQ., Deputy Freeholder Counsel
THOMAS GOMEZ, Airport Manager
JOSEPH CALI, Senior Project Manager/Accounts Receivable

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1 MR. ROTHER: -- the oath.

2 And a second copy.

3 Okay. Chairman Klinghoffer, --

4 CHAIRMAN KLINGHOFFER: Thank you.

5 MR. ROTHER: -- it's yours.

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

16

17 **ROLL CALL**

18

19 MS. SAPINSKI: Commissioner Brown?

20 COMMISSIONER BROWN: Here.

21 MS. SAPINSKI: Commissioner Spiesbach?

22 COMMISSIONER SPIESBACH: Here.

23 MS. SAPINSKI: Commissioner Ross?

24 COMMISSIONER ROSS: Present.

25 MS. SAPINSKI: Chairman Klinghoffer?

1 CHAIRMAN KLINGHOFFER: Here.

2

3 **PUBLIC COMMENT**

4

5 CHAIRMAN KLINGHOFFER: Do we have anybody
6 from the public here for comment?

7 Seeing none, we'll go past Public Comment.

8

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

11 **ACCEPTANCE OF MINUTES**

12 **RESOLUTION NO. 16-02**

13 1. MINUTES FROM DECEMBER 22, 2015 REGULAR
14 BOARD MEETING AND EXECUTIVE SESSION.)

15

16 CHAIRMAN KLINGHOFFER: Can I have a -- a
17 motion to accept the minutes of December 22,
18 2015?

19 COMMISSIONER SPIESBACH: I'll move that.

20 COMMISSIONER BROWN: I'll move it.

21 COMMISSIONER SPIESBACH: Then I'll second
22 it.

23 MS. SAPINSKI: Commissioner Brown?

24 COMMISSIONER BROWN: Yes.

25 MS. SAPINSKI: Commissioner Spiesbach?

1 COMMISSIONER SPIESBACH: Yes.

2 MS. SAPINSKI: Commissioner Ross?

3 COMMISSIONER ROSS: Aye.

4 MR. ROTHER: No, no, he can't --

5 CHAIRMAN KLINGHOFFER: He can't -- just to
6 accept; he's not approving.

7 MR. ROTHER: Oh. Accept? Oh. Yeah.

8 CHAIRMAN KLINGHOFFER: Accept. He's --

9 MR. ROTHER: That's all right. Accept;
10 that's fine.

11 MS. SAPINSKI: Chairman Klinghoffer?

12 CHAIRMAN KLINGHOFFER: Yes.

13 You want to do Executive Session the
14 beginning or the end?

15 MR. ROTHER: I think probably we should do
16 it at the end. It's going to take a little time.

17 CHAIRMAN KLINGHOFFER: Okay, you do have
18 some Late Starters that are predicated probably
19 on Executive Session?

20 MR. ROTHER: There is really only --

21 We did not do a resolution specifically --
22 a written resolution on -- on Celanese did we?
23 No.

24 MS. SAPINSKI: No.

25 MR. ROTHER: No. We'll --

1 MS. SAPINSKI: So, that's going to be --

2 MR. ROTHER: -- it doesn't have to be
3 written. We can just move the resolution at the
4 end.

5 CHAIRMAN KLINGHOFFER: Okay.

6 MR. ROTHER: Celanese -- Celanese is
7 probably the only thing that -- that should --
8 should -- would be dealt with in -- and, no, and
9 employment.

10 MS. SAPINSKI: Personnel.

11 MR. ROTHER: Employment.

12 CHAIRMAN KLINGHOFFER: Well, that's what
13 I'm looking --

14 MR. ROTHER: Yeah, the employment -- the
15 employment and the -- and the Celanese matters --

16 CHAIRMAN KLINGHOFFER: So we'll hold those
17 for after Executive?

18 Okay.

19 MR. ROTHER: Yeah. Yup.

20 CHAIRMAN KLINGHOFFER: Okay, then let --

21 MR. ROTHER: And -- and --

22 CHAIRMAN KLINGHOFFER: I'm sorry.

23 MR. ROTHER: -- I think we should --

24 Yeah, okay, I'm going to have it on -- I'll
25 just put for the record what -- what it will be

1 -- the Executive Session will be on.

2 Will be on litigation and personnel
3 matters. That's -- those will be the -- the two
4 reasons for going into Executive Session.

5 CHAIRMAN KLINGHOFFER: Okay.

6

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

9 **ADMINISTRATIVE**

10 1. RESOLUTION NO. 16-002 - RESOLUTION
11 RATIFYING PAYMENT TO AUDIO-DIGITAL TRANSCRIPTION
12 SERVICES, LLC FOR TRANSCRIPTION OF BOARD MEETING
13 ON 12-22-15;

14 2. RESOLUTION NO. 16-003 - RESOLUTION
15 RATIFYING PAYMENT OF RECURRING BILLS (BILL LIST);

16 3. RESOLUTION NO. 16-004 - RESOLUTION
17 RATIFYING PAYMENT IN THE AMOUNT OF \$302.75 TO
18 TRANE FOR HVAC REPAIRS; and

19 4. RESOLUTION NO. 16-005 - RESOLUTION
20 RATIFYING PAYMENT IN THE AMOUNT OF \$4,612.46 TO
21 MICROSHOP FOR COMPUTER REPAIRS AND INSTALLATION
22 OF A NEW SERVER.)

23

24 CHAIRMAN KLINGHOFFER: On the regular -- on
25 the regular agenda, do we have a motion on

1 Administration Regula -- Resolutions 1 through 4?

2 Anybody?

3 COMMISSIONER SPIESBACH: I'll move those.

4 COMMISSIONER BROWN: I'll second it.

5 MS. SAPINSKI: Commissioner Brown?

6 COMMISSIONER BROWN: Yes.

7 MS. SAPINSKI: Commissioner Spiesbach?

8 COMMISSIONER SPIESBACH: Yes.

9 MS. SAPINSKI: Commissioner Ross?

10 COMMISSIONER ROSS: Yes.

11 MS. SAPINSKI: Chairman Klinghoffer?

12 CHAIRMAN KLINGHOFFER: Yes.

13

14 (Whereupon, the Board discussed and took

15 action on the following items:

16 **CORRECTIONAL FACILITY/CELANESE LITIGATION**

17 ***ALL EXPENSES PAID FROM ECIA OPERATIONS ACCOUNT**

18 5. RESOLUTION NO. 16-006 - RESOLUTION

19 AUTHORIZING AMENDMENT #1 TO THE AGREEMENT WITH

20 SMART DEVINE IN THE AMOUNT OF \$162.00 FOR

21 ACCOUNTING REVIEW/ANALYSIS;

22 6. RESOLUTION NO. 16-007 - RESOLUTION

23 AUTHORIZING PAYMENT IN THE AMOUNT OF \$162.00 TO

24 SMART DEVINE FOR ACCOUNTING REVIEW/ANALYSIS

25 SERVICES RENDERED IN 2015;

1 7. RESOLUTION NO. 16-008 - RESOLUTION
2 RATIFYING PAYMENT IN THE AMOUNT OF \$31,462.20 TO
3 BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
4 SERVICES RENDERED IN THE MONTH OF DECEMBER 2015;
5 and

6 8. RESOLUTION NO. 16-009 - RESOLUTION
7 RATIFYING PAYMENT IN THE AMOUNT OF \$4,515.34 TO
8 BUCHANAN, INGERSOLL & ROONEY, PC FOR SERVICES
9 RENDERED BY HYDROGEOLOGIC, INC.)
10

11 CHAIRMAN KLINGHOFFER: On the Correctional
12 Facility, 5 through 8.

13 Is there a resol -- is there a motion on
14 those resolutions please?

15 COMMISSIONER SPIESBACH: I will move 5
16 through 8.

17 COMMISSIONER BROWN: I'll second it.

18 MS. SAPINSKI: Commissioner Brown?

19 COMMISSIONER BROWN: Yes.

20 MS. SAPINSKI: Commissioner Spiesbach?

21 COMMISSIONER SPIESBACH: Yes.

22 MS. SAPINSKI: Commissioner Ross?

23 COMMISSIONER ROSS: Yes.

24 MS. SAPINSKI: Chairman Klinghoffer?

25 CHAIRMAN KLINGHOFFER: Yes.

1
2 (Whereupon, the Board discussed and took
3 action on the following item:

4 **HILLTOP**

5 9. RESOLUTION NO. 16-010 - RESOLUTION
6 RATIFYING PAYMENT OF \$107.90 TO DE COTIIS,
7 FITZPATRICK & COLE, LLP FOR LEGAL SERVICES
8 RENDERED IN THE MONTH OF DECEMBER 2015.)

9
10 CHAIRMAN KLINGHOFFER: Number 9, Hilltop
11 resolution.

12 Is there a motion?

13 COMMISSIONER BROWN: I'll move it.

14 COMMISSIONER SPIESBACH: Okay, I would
15 second.

16 MS. SAPINSKI: Commissioner Brown?

17 COMMISSIONER BROWN: Yes.

18 MS. SAPINSKI: Commissioner Spiesbach?

19 COMMISSIONER SPIESBACH: Yes.

20 MS. SAPINSKI: Commissioner Ross?

21 COMMISSIONER ROSS: Yes.

22 MS. SAPINSKI: Chairman Klinghoffer?

23 CHAIRMAN KLINGHOFFER: Yes.

24

25 (Whereupon, the Board discussed and took

1 action on the following item:

2 **NEWARK PROPERTY ACQUISITION PROJECT**

3 10. RESOLUTION NO. 16-011 - RESOLUTION
4 RATIFYING PAYMENT IN THE AMOUNT OF \$445.45 FOR
5 LEGAL SERVICES RENDERED BY CHIESA, SHAHINIAN &
6 GIANTOMASI, PC FOR THE MONTH OF DECEMBER 2015.)

7

8 CHAIRMAN KLINGHOFFER: Number 10.

9 Newark Property Acquisition Project is a
10 single resolution.

11 Do we have a motion?

12 COMMISSIONER ROSS: I'll move it.

13 COMMISSIONER SPIESBACH: Second.

14 COMMISSIONER BROWN: I'll second it.

15 MS. SAPINSKI: Commissioner Brown?

16 COMMISSIONER BROWN: Yes.

17 MS. SAPINSKI: Commissioner Spiesbach?

18 COMMISSIONER SPIESBACH: Yes.

19 MS. SAPINSKI: Commissioner -- Commissioner
20 Ross?

21 COMMISSIONER ROSS: Yes.

22 MS. SAPINSKI: Chairman Klinghoffer?

23 CHAIRMAN KLINGHOFFER: Yes.

24

25 (Whereupon, the Board discussed and took

1 action on the following items:

2 **SPORTSPLEX COMPLEX**

3 **12.** RESOLUTION NO. 16-013 - RESOLUTION
4 AUTHORIZING AMENDMENT #1 TO THE AGREEMENT WITH
5 O'CONNOR DAVIS, LLP IN THE AMOUNT OF \$20,261.25
6 FOR ANALYSIS OF BOND PRINCIPAL, DISBURSEMENT, AND
7 ALLOCATION OF ALL SPORTSPLEX BONDS; and

8 **13.** RESOLUTION NO. 16-014 - RESOLUTION
9 AUTHORIZING PAYMENT IN THE AMOUNT OF \$45,261.25
10 TO O'CONNOR DAVIS, LLP FOR SERVICES RENDERED
11 THROUGH 12-31-15 IN CONNECTION WITH THE ANALYSIS
12 OF BOND PRINCIPAL, DISBURSEMENT, AND ALLOCATION
13 OF ALL SPORTSPLEX BONDS.)

14

15 CHAIRMAN KLINGHOFFER: And on the
16 Sportsplex Complex.

17 Resolutions 12 and 13.

18 Is there a motion?

19 COMMISSIONER ROSS: Motion.

20 CHAIRMAN KLINGHOFFER: Is there a second?

21 COMMISSIONER SPIESBACH: Second.

22 MS. SAPINSKI: Commissioner Brown?

23 COMMISSIONER BROWN: Yes.

24 MS. SAPINSKI: Commissioner Spiesbach?

25 COMMISSIONER SPIESBACH: Yes.

1 MS. SAPINSKI: Commissioner Ross?

2 COMMISSIONER ROSS: Yes.

3 MS. SAPINSKI: Chairman Klinghoffer?

4 CHAIRMAN KLINGHOFFER: Yes.

5 COMMISSIONER SPIESBACH: Can I point out
6 that I think we missed --

7 CHAIRMAN KLINGHOFFER: Yeah, thank you.
8 We're going back.

9 We missed number 11. We got it.

10

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

13 **CEDAR GROVE PARK PROJECT**

14 11. RESOLUTION NO. 16-012 - RESOLUTION
15 AUTHORIZING A PAYMENT OF \$24,461.50 TO CME
16 ASSOCIATES FOR ENGINEERING SERVICES IN CONNECTION
17 WITH THE COUNTY DEVELOPMENT OF A NEW PARK IN
18 CEDAR GROVE.)

19

20 CHAIRMAN KLINGHOFFER: Cedar Grove Park
21 Project.

22 Lucy's -- don't worry, Lucy's got -- she's
23 got me on a tight leash here.

24 Number 11.

25 Is there a motion on the resolution of the

1 Cedar Grove Park Project?

2 COMMISSIONER ROSS: Motion.

3 CHAIRMAN KLINGHOFFER: Is there a second?

4 COMMISSIONER BROWN: Second.

5 MS. SAPINSKI: Commissioner Brown?

6 COMMISSIONER BROWN: Yes.

7 MS. SAPINSKI: Commissioner Spiesbach?

8 COMMISSIONER SPIESBACH: Yes.

9 MS. SAPINSKI: Commissioner Ross?

10 COMMISSIONER ROSS: Yes.

11 MS. SAPINSKI: Chairman Klinghoffer?

12 CHAIRMAN KLINGHOFFER: Yes.

13

14 (Whereupon, the Board discussed and took

15 action on the following items:

16 **AIRPORT**

17 **14.** RESOLUTION NO. 16-015 - RESOLUTION
18 AUTHORIZING PAYMENT TO VERNER-CADBY FORD IN THE
19 AMOUNT OF \$3,359.49 FOR 2007 FORD TRUCK F-350
20 REPAIRS;

21 **15.** RESOLUTION NO. 16-016 - RESOLUTION
22 AUTHORIZING PAYMENT TO DREW & RODGER IN THE
23 AMOUNT OF \$1,511.98 FOR AIRPORT PROMOTIONAL
24 ITEMS;

25 **16.** RESOLUTION NO. 16-017 - RESOLUTION

1 AUTHORIZING PAYMENT TO C & W IN THE AMOUNT OF
2 \$1,214.70 FOR SUPPLY AND INSTALLATION OF AN
3 AVIATION RADIO IN THE NEW TRUCK; and

4 **17.** RESOLUTION NO. 16-018 - RESOLUTION
5 AUTHORIZING PAYMENT TO HATCH MOTT MACDONALD IN
6 THE AMOUNT OF \$736.20 FOR DESIGN SERVICES IN
7 CONNECTION WITH DEVELOPMENT OF SOUTH PARCEL;

8

9 **OBSTRUCTION REMOVAL PROJECT-CONDEMNATION**

10 **Project Funded:**

11 **AIRPORT 100%**

12 **18.** RESOLUTION NO. 16-019 - RESOLUTION
13 RATIFYING PAYMENT TO JOHN J. CURLEY, LLC IN THE
14 AMOUNT OF \$17,320.00 FOR LEGAL SERVICES RENDERED
15 IN THE MONTH OF NOVEMBER & DECEMBER 2015;

16 **19.** RESOLUTION NO. 16-020 - RESOLUTION
17 AUTHORIZING AN AGREEMENT WITH C&S ENGINEERS, INC.
18 IN THE AMOUNT NOT TO EXCEED \$25,000.00 FOR
19 ENGINEERING SERVICES INCLUDING OBSTRUCTION
20 ANALYSIS, STUDY, AND TECHNICAL SUPPORT; and

21

22 **REJUVENATION & RUNWAY 10-28 THRESHOLD LIGHTING**

23 **PROJECT (DESIGN)**

24 **Project Funded:**

25 **FAA GRANT #38-15 (90%)**

1 NJDOT GRANT #6107308 (5%)

2 AIRPORT BOND (5%)

3 20. RESOLUTION NO. 16-021 - RESOLUTION
4 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN
5 THE AMOUNT OF \$21,430.56 FOR DESIGN ENGINEERING
6 SERVICES; and

7

8 TAXIWAY N & TAXILANE H LIGHTING PROJECT

9 (CONSTRUCTION)

10 Project Funded:

11 FAA GRANT #39-15 (90%)

12 NJDOT GRANT #6107307 (5%)

13 AIRPORT BOND (5%)

14 21. RESOLUTION NO. 16-022 - RESOLUTION
15 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN
16 THE AMOUNT OF \$38,704.75 FOR ENGINEERING
17 SERVICES;

18 22. RESOLUTION NO. 16-023 - RESOLUTION
19 AUTHORIZING PAYMENT #2 TO CON-EL ELECTRIC IN THE
20 AMOUNT OF \$365,115.07 FOR SERVICES RENDERED; and

21

22 ENVIRONMENTAL PROJECTS - HANGAR 1 AND HANGAR 3

23 Project Funded:

24 AIRPORT BOND - 100%

25 23. RESOLUTION NO. 16-024 - RESOLUTION

1 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
2 THE AMOUNT OF \$3,116.12 FOR ENGINEERING SERVICES,
3 SITE REMEDIATION AT HANGAR 3 AREA THROUGH
4 12-25-15;

5 **24.** RESOLUTION NO. 16-025 - RESOLUTION
6 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
7 THE AMOUNT OF \$12,648.88 FOR ENGINEERING
8 SERVICES, SITE REMEDIATION AT HANGAR 1 AREA
9 THROUGH 12-25-15.)

10

11 CHAIRMAN KLINGHOFFER: On the Airport, it's
12 -- it's 14 through 24. There's a number of
13 projects.

14 Someone move those please.

15 COMMISSIONER BROWN: I'll move it.

16 COMMISSIONER ROSS: Second.

17 MS. SAPINSKI: Commissioner --

18 CHAIRMAN KLINGHOFFER: Wait there's -- any
19 questions on this because there's a -- there's a
20 lot here. Just I don't want to --

21 No?

22 Hearing none.

23 Lucy, go ahead.

24 MS. SAPINSKI: Commissioner Brown?

25 COMMISSIONER BROWN: Yes.

1 MS. SAPINSKI: Commissioner Spiesbach?

2 COMMISSIONER SPIESBACH: Yes.

3 MS. SAPINSKI: Commissioner Ross?

4 COMMISSIONER ROSS: Yes.

5 MS. SAPINSKI: Chairman Klinghoffer?

6 CHAIRMAN KLINGHOFFER: Yes.

7

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

10 **NEWARK RIVERFRONT PROJECT/LITIGATION**

11 **25.** RESOLUTION NO. 16-026 - RESOLUTION
12 RATIFYING PAYMENT OF \$5,492.63 TO DECOTIIS,
13 FITZPATRICK & COLE, LLP FOR LEGAL SERVICES
14 RENDERED IN THE MONTH OF DECEMBER 2015.)

15

16 CHAIRMAN KLINGHOFFER: Number 25.

17 Newark Riverfront Project/Litigation.

18 Do we have a motion on that?

19 COMMISSIONER ROSS: Motion.

20 COMMISSIONER SPIESBACH: Second.

21 MS. SAPINSKI: Commissioner Brown?

22 COMMISSIONER BROWN: Yes.

23 MS. SAPINSKI: Commissioner Spiesbach?

24 COMMISSIONER SPIESBACH: Yes.

25 MS. SAPINSKI: Commissioner Ross?

1 COMMISSIONER ROSS: Yes.

2 MS. SAPINSKI: Chairman Klinghoffer?

3 CHAIRMAN KLINGHOFFER: Yes.

4

5 (Whereupon, the Board discussed the
6 following item:

7 **FINANCE**

8 **26. RESOLUTION NO. 16-027 - WITHDRAWN -**
9 SUPPLEMENTAL BOND RESOLUTION OF THE ESSEX COUNTY
10 IMPROVEMENT AUTHORITY AUTHORIZING THE ISSUANCE OF
11 ITS NOT TO EXCEED \$8,250,000 PROJECT
12 CONSOLIDATION REVENUE REFUNDING BONDS, SERIES
13 2016.)

14

15 CHAIRMAN KLINGHOFFER: I understand number
16 26 is being withdrawn.

17 MS. SAPINSKI: That's correct.

18 CHAIRMAN KLINGHOFFER: Just to be -- be
19 clear that it has not gone to the Local Finance
20 Board yet, so we can't --

21 MS. SAPINSKI: That is correct.

22 CHAIRMAN KLINGHOFFER: -- move that.

23

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

1 FINANCE

2 **27.** RESOLUTION NO. 16-028 - RESOLUTION
3 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF
4 THE AUTHORITY'S \$150,000,000 POOLED GOVERNMENT
5 LOAN PROGRAM, SERIES 1986

6 PAYMENTS DUE OTHERS FOR PGLP SERVICES

7 GALLEROS KOH, LLP, FINANCIAL CONSULTANT -
8 JANUARY 2016 - \$2,000.00;

9 BANK OF NEW YORK MELLON - TRUSTEE FEE -
10 1-1-16 TO 3-31-16 - \$4,000.00.)

11

12 CHAIRMAN KLINGHOFFER: Okay, but we can
13 move 27. Yes. That's the Pooled Government Loan
14 Program.

15 Do we have a motion on --

16 COMMISSIONER SPIESBACH: Yeah, I'll move
17 27.

18 CHAIRMAN KLINGHOFFER: Okay.

19 Is there a second?

20 COMMISSIONER ROSS: I'll second it.

21 MS. SAPINSKI: Commissioner Brown?

22 COMMISSIONER BROWN: Yes.

23 MS. SAPINSKI: Commissioner Spiesbach?

24 COMMISSIONER SPIESBACH: Yes.

25 MS. SAPINSKI: Commissioner Ross?

1 COMMISSIONER ROSS: Yes.

2 MS. SAPINSKI: Chairman Klinghoffer?

3 CHAIRMAN KLINGHOFFER: Yes.

4

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

7 **LATE STARTERS**

8 **ADMINISTRATIVE**

9 1. RESOLUTION NO. 16-029 - RESOLUTION
10 AUTHORIZING AN AGREEMENT WITH GALLEROS-KOH, LLP
11 FOR FINANCIAL AND ACCOUNTING SERVICES FOR THE
12 FISCAL YEAR 2016 IN THE AMOUNT OF \$126,600.00.)

13

14 CHAIRMAN KLINGHOFFER: I think we can do --

15 MS. SAPINSKI: One and 5?

16 CHAIRMAN KLINGHOFFER: I think we can do --

17 well, we can do 1, 4 and 5.

18 Okay, so on the Late Starters, we have two
19 resolutions.

20 Let's do the Administrative separately.

21 Let -- let's break them out.

22 Let's do Administrative 1 --

23 COMMISSIONER SPIESBACH: Mr. Chairman?

24 Excuse me.

25 CHAIRMAN KLINGHOFFER: Yes. Go ahead.

1 COMMISSIONER SPIESBACH: I was -- I was
2 unable to open up -- because I wasn't at my
3 computer.

4 If prior to -- could you just give a quick,
5 you know, rundown on what the resolutions that
6 we're going to move --

7 CHAIRMAN KLINGHOFFER: Okay.

8 The -- the one we're moving now -- or
9 someone's going to move -- is an Agreement with
10 Galleros-Koh for financial and accounting
11 services for the year in an amount not to exceed
12 \$126,600.00, which --

13 COMMISSIONER SPIESBACH: Okay.

14 CHAIRMAN KLINGHOFFER: -- that's similar to
15 what we've done in the past.

16 Is it not?

17 MS. SAPINSKI: It's \$1,200.00 more than
18 last year. It's a hundred dollars per month
19 more.

20 CHAIRMAN KLINGHOFFER: Okay.

21 So, that -- that's what we're moving at the
22 moment.

23 COMMISSIONER SPIESBACH: Okay.

24 Thank you, sir.

25 CHAIRMAN KLINGHOFFER: Okay, would someone

1 move that please?

2 COMMISSIONER ROSS: I'll move it.

3 CHAIRMAN KLINGHOFFER: Is there a second?

4 COMMISSIONER BROWN: I'll second it.

5 MS. SAPINSKI: Commissioner Brown?

6 COMMISSIONER BROWN: Yes.

7 MS. SAPINSKI: Commissioner Spiesbach?

8 COMMISSIONER SPIESBACH: Yes.

9 MS. SAPINSKI: Commissioner Ross?

10 COMMISSIONER ROSS: Yes.

11 MS. SAPINSKI: Chairman Klinghoffer?

12 CHAIRMAN KLINGHOFFER: Yes.

13

14 (Whereupon, the Board discussed and took

15 action on the following item:

16 **LATE STARTERS**

17 **AIRPORT**

18 5. RESOLUTION NO. 16-033 - RESOLUTION
19 AUTHORIZING AN AGREEMENT WITH C&S ENGINEERS, INC.
20 IN THE AMOUNT NOT TO EXCEED \$15,000.00 FOR
21 ENGINEERING SERVICES INCLUDING DESIGN,
22 ENVIRONMENTAL EVALUATION, AIRSPACE ANALYSIS, AND
23 ALP PEN AND INK CHANGES IN CONNECTION WITH THE
24 AIRPORT LAYOUT PLAN.)

25

1 CHAIRMAN KLINGHOFFER: I'm going to skip 2,
2 3 and 4 for the moment.

3 And we'll go to number 5 which, Gerry, is a
4 Resolution Authorizing an Agreement with C and S
5 Engineers, --

6 This is on the Airport.

7 -- in an amount not to exceed \$15,000.00,
8 for services including design, environmental
9 evaluation, airspace analysis, and -- I'm not
10 sure what an ALP pen and ink changes are.

11 MR. ROTHER: Yeah. The Airport Layout
12 Plan.

13 When --

14 CHAIRMAN KLINGHOFFER: Ah. Okay.

15 MR. ROTHER: When we -- when we were out in
16 Harrisburg recently for our meeting with the FAA,
17 we -- we realized that even projects on the
18 Airport that are not FAA funded needed to be
19 included in -- in this kind of a process.

20 And that's why we're hiring our engineers
21 to include that in the layout plan.

22 CHAIRMAN KLINGHOFFER: Okay.

23 COMMISSIONER SPIESBACH: Thank you very
24 much for the explanation.

25 I appreciate that.

1 CHAIRMAN KLINGHOFFER: Okay.

2 Is there a motion on number 5?

3 COMMISSIONER ROSS: I'll move it.

4 COMMISSIONER SPIESBACH: I would move
5 number 5.

6 CHAIRMAN KLINGHOFFER: Will you second it
7 if you would move it also?

8 COMMISSIONER SPIESBACH: I would second it.

9 CHAIRMAN KLINGHOFFER: Okay.

10 Thank you.

11 MS. SAPINSKI: Commissioner Brown?

12 COMMISSIONER BROWN: Yes.

13 MS. SAPINSKI: Commissioner Spiesbach?

14 COMMISSIONER SPIESBACH: Yes.

15 MS. SAPINSKI: Commissioner Ross?

16 COMMISSIONER ROSS: Yes.

17 MS. SAPINSKI: Chairman Klinghoffer?

18 CHAIRMAN KLINGHOFFER: Yes.

19 Okay.

20 Now, is there a motion to go into Executive
21 Session?

22 And I think the rationale has already been
23 stated for the record.

24 MR. ROTHER: Yup.

25 CHAIRMAN KLINGHOFFER: So, would --

1 COMMISSIONER BROWN: I'll make that motion.

2 CHAIRMAN KLINGHOFFER: Is there a second?

3 COMMISSIONER ROSS: Second.

4 MS. SAPINSKI: Commissioner --

5

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

8 **LATE STARTERS**

9 **ADMINISTRATIVE**

10 4. RESOLUTION NO. 16-032 - RESOLUTION
11 AUTHORIZING THE RECORDING OF EXECUTIVE SESSIONS
12 MINUTES BY THE RECORDING SECRETARY.)

13

14 MR. ROTHER: Except --

15 Excuse me.

16 I -- I think we should do -- we should do

17 4.

18 Because that addresses how we're going to
19 handle the Executive Session.

20 CHAIRMAN KLINGHOFFER: I'm sorry; you're
21 right.

22 That's correct. Okay.

23 Before we go into Executive Session, there
24 is a Resolution Author -- Gerry, Authorizing the
25 Recording of Executive Sessions Minutes by the

1 Recording Secretary.

2 COMMISSIONER SPIESBACH: Very good. I
3 understand.

4 Thank you.

5 CHAIRMAN KLINGHOFFER: Okay.

6 Is -- would someone move that please?

7 COMMISSIONER ROSS: Motion.

8 CHAIRMAN KLINGHOFFER: Would someone
9 second?

10 COMMISSIONER BROWN: Second.

11 MS. SAPINSKI: Commissioner Brown?

12 COMMISSIONER BROWN: Yes.

13 MS. SAPINSKI: Commissioner Spiesbach?

14 COMMISSIONER SPIESBACH: Yes.

15 MS. SAPINSKI: Commissioner Ross?

16 COMMISSIONER ROSS: Aye.

17 MS. SAPINSKI: Chairman Klinghoffer?

18 CHAIRMAN KLINGHOFFER: Yes.

19 MR. ROTHER: Okay.

20 CHAIRMAN KLINGHOFFER: Now we'll have a --
21 a motion.

22 We still have to vote on the --

23 MR. ROTHER: Okay. Yes.

24 CHAIRMAN KLINGHOFFER: -- Executive
25 Session.

1 MR. ROTHER: And -- and the -- the
2 Executive Session is again for litigation and
3 personnel matters.

4 MS. SAPINSKI: Motion. Oh.

5 CHAIRMAN KLINGHOFFER: Would someone move
6 that please?

7 COMMISSIONER ROSS: Yeah. I'll move it.

8 CHAIRMAN KLINGHOFFER: Is there a second?

9 COMMISSIONER SPIESBACH: Second. Second.

10 MS. SAPINSKI: Commissioner Brown?

11 COMMISSIONER BROWN: Yes.

12 MS. SAPINSKI: Commissioner Spiesbach?

13 COMMISSIONER SPIESBACH: Yes.

14 MS. SAPINSKI: Commissioner Ross?

15 COMMISSIONER ROSS: Yes.

16 MS. SAPINSKI: Chairman Klinghoffer?

17 CHAIRMAN KLINGHOFFER: Yes.

18

19 (Whereupon, the Board moved to Executive
20 Session at 5:20 p.m., Resolution No. 16-034.)

21

22 (Whereupon, the Board returned to Open
23 Session at 5:52 p.m., Resolution No. 16-03.)

24

25 MR. DILLON: Okay.

1 CHAIRMAN KLINGHOFFER: Okay?

2

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

5 **LATE STARTERS**

6 **ADMINISTRATIVE**

7 2. RESOLUTION NO. 16-030 - RESOLUTION
8 AUTHORIZING SALARY RANGE CHART FOR ECIA
9 EMPLOYEES; and

10 3. RESOLUTION NO. 16-031 - RESOLUTION
11 AUTHORIZING SALARIES FOR ECIA EMPLOYEES FOR
12 2016.)

13

14 CHAIRMAN KLINGHOFFER: Go right to -- on
15 the Late Starters, Administrative Resolutions 2
16 and 3, dealing with --

17 Gerry, this is number -- the -- number 2 is
18 a Resolution Authorizing Salary Range Chart for
19 ECIA Employees.

20 And the Resolution 3 Authorizes Salaries
21 for ECIA Employees for 2016.

22 COMMISSIONER SPIESBACH: Okay.

23 Thank you, Mr. Chairman.

24 CHAIRMAN KLINGHOFFER: Is there a motion on
25 2 and 3?

1 COMMISSIONER BROWN: I'll move it.

2 CHAIRMAN KLINGHOFFER: Is there a second?

3 COMMISSIONER ROSS: I'll second it.

4 MS. SAPINSKI: Commissioner Brown?

5 COMMISSIONER BROWN: Yes.

6 MS. SAPINSKI: Commissioner Spiesbach?

7 COMMISSIONER SPIESBACH: Yes.

8 MS. SAPINSKI: Commissioner Ross?

9 COMMISSIONER ROSS: 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 RESOLUTION NO. 16-035 - RESOLUTION
16 AUTHORIZING OUTSIDE COUNSEL JIM O'TOOLE, ESQ. TO
17 OFFER SETTLEMENT OF \$1,334,376.00 TO CELANESE IN
18 CONNECTION WITH LITIGATION CELANESE LTD v. ECIA,
19 IN ADDITION TO PREVIOUS PAYMENTS MADE.)

20

21 MR. ROTHER: Okay and then the -- the
22 resolution on Celanese.

23 And let me -- let me read the -- the title,
24 which would be; Resolution Authorizing Counsel
25 James O'Toole to Offer in Settlement of the

1 Current Litigation with Celanese the Sum of
2 \$1,334,376.00.

3 CHAIRMAN KLINGHOFFER: Steve, could we just
4 make it the additional sum? Because --

5 MR. ROTHER: The additional sum. The
6 additional sum.

7 CHAIRMAN KLINGHOFFER: Take your time so
8 you get it.

9 MR. ROTHER: Okay?

10 And -- and Lucy will shoot an email to, if
11 we approve this resolution, to Mr. O'Toole --

12 CHAIRMAN KLINGHOFFER: Yeah.

13 MR. ROTHER: -- that he can do that at
14 tomorrow's conference call.

15 CHAIRMAN KLINGHOFFER: Do we have a motion
16 on this anybody?

17 COMMISSIONER BROWN: I'll move it.

18 CHAIRMAN KLINGHOFFER: Is there a second?

19 COMMISSIONER ROSS: Second.

20 MS. SAPINSKI: Commissioner Brown?

21 COMMISSIONER BROWN: Yes.

22 MS. SAPINSKI: Commissioner Spiesbach?

23 COMMISSIONER SPIESBACH: Yes.

24 MS. SAPINSKI: Commissioner Ross?

25 COMMISSIONER ROSS: Yes.

1 MS. SAPINSKI: Chairman Klinghoffer?

2 CHAIRMAN KLINGHOFFER: Yes.

3 Do we have anything else before we move to
4 adjourn?

5 Lucy, you're sure?

6 MS. SAPINSKI: I'm sure.

7 CHAIRMAN KLINGHOFFER: Okay.

8

9 **ADJOURNMENT**

10

11 CHAIRMAN KLINGHOFFER: Is there a motion to
12 adjourn?

13 COMMISSIONER ROSS: Motion.

14 VICE CHAIRMAN BROWN: Second.

15 MS. SAPINSKI: Commissioner Brown?

16 VICE CHAIRMAN BROWN: Yes.

17 MS. SAPINSKI: Commissioner Spiesbach?

18 COMMISSIONER SPIESBACH: Yes.

19 MS. SAPINSKI: Commissioner Ross?

20 COMMISSIONER ROSS: Yes.

21 MS. SAPINSKI: Chairman Klinghoffer?

22 CHAIRMAN KLINGHOFFER: Yes.

23 MR. ROTHER: Okay.

24 Thank you all.

25 COMMISSIONER ROSS: Thank you.

1 MR. ROTHER: This is --

2 COMMISSIONER SPIESBACH: Thank you.

3 MS. SAPINSKI: Thank you.

4 COMMISSIONER BROWN: All right,

5 Commissioners, have a safe trip home.

6

7 (Whereupon, the proceedings were concluded

8 at 5:55 p.m., Resolution No. 16-04.)

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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, January 26, 2016 and recorded on
10 tape.

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24 Monitored by: Kevin Dillon

25 Proofread by: Deborah Dillon