

ESSEX COUNTY  
IMPROVEMENT AUTHORITY  
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED  
: PROCEEDINGS  
:  
:

27 Wright Way  
Fairfield, New Jersey

Tuesday, October 27, 2015  
Commencing at 5:00 p.m.

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

COMMISSIONER MARK S. DUNEC  
COMMISSIONER GERARD M. SPIESBACH  
COMMISSIONER RONALD J. BROWN, Vice Chairman  
COMMISSIONER STEVEN H. KLINGHOFFER, Chairman

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

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, (Via telephone)  
LUCY SAPINSKI, Director of Operations  
SHARIFA R. SALAAM, ESQ., Deputy Freeholder Counsel  
THOMAS GOMEZ, Airport Manager  
BETSY WILLIAMSON, Administrative Assistant  
JOSEPH CALI, Senior Project Manager/Accounts Receivables  
LEAH SANDBANK, ESQ., Bond Counsel, (Left at 5:10 p.m.)  
AMANDA DEL BENE, Raymond James, (Left at 5:10 p.m.)  
STEPHANIE LOM, Raymond James, (Left at 5:10 p.m.)

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1 MS. DILLON: Okay, on the record.

2 CHAIRMAN KLINGHOFFER: Okay.

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

13

14 **ROLL CALL**

15

16 CHAIRMAN KLINGHOFFER: Roll call.

17 MS. SAPINSKI: Commissioner Brown?

18 COMMISSIONER BROWN: Here.

19 MS. SAPINSKI: Commissioner Dunec?

20 COMMISSIONER DUNEC: Here.

21 MS. SAPINSKI: Commissioner Spiesbach?

22 COMMISSIONER SPIESBACH: Here.

23 MS. SAPINSKI: Chairman Klinghoffer?

24 CHAIRMAN KLINGHOFFER: Here.

25

1 **PUBLIC COMMENT**

2

3 CHAIRMAN KLINGHOFFER: Do we have anybody  
4 from the public to make comments?

5 Seeing no one.

6

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

9 **ACCEPTANCE OF MINUTES**

10 **RESOLUTION NO. 15-23**

11 **1. REGULAR BOARD MEETING AND EXECUTIVE**  
12 **SESSIONS I AND II 9-29-15.)**

13

14 CHAIRMAN KLINGHOFFER: We have minutes to  
15 accept.

16 Do we have a motion to accept the minutes  
17 of September 29<sup>th</sup> and Executive Session?

18 COMMISSIONER BROWN: Move it.

19 COMMISSIONER SPIESBACH: Second.

20 MS. SAPINSKI: Commissioner Brown?

21 COMMISSIONER BROWN: Yes.

22 MS. SAPINSKI: Commissioner Dunec?

23 COMMISSIONER DUNEC: Yes.

24 MS. SAPINSKI: Commissioner Spiesbach?

25 COMMISSIONER SPIESBACH: Yes.

1 MS. SAPINSKI: Chairman Klinghoffer?

2 CHAIRMAN KLINGHOFFER: Yes.

3

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

6 **FINANCE**

7 27. RESOLUTION NO. 15-215 - BOND RESOLUTION  
8 AUTHORIZING THE ECIA TO ISSUE NOT TO EXCEED  
9 \$10,500,000.00 PROJECT REVENUE BONDS (PARK  
10 TERRACE/GROVE HOUSE APARTMENTS PROJECT) SERIES  
11 2015 AND DETERMINING OTHER MATTERS RELATED  
12 THERETO.)

13

14 CHAIRMAN KLINGHOFFER: Okay, we're going to  
15 go out of order since we have folks from --

16 MR. ROTHER: Yes.

17 Could the three ladies identify themselves  
18 for the record with regard to item number 27?

19 MS. SANDBANK: Sure. Leah Sandbank from  
20 McManimon, Scotland and Baumann, Bond Counsel.

21 MS. LOM: Stephanie Lom from Raymond James,  
22 Underwriter.

23 MS. DEL BENE: Amanda Del Bene from Raymond  
24 James, Underwriter.

25 MR. ROTHER: Thank you.

1 CHAIRMAN KLINGHOFFER: Okay.

2 MR. ROTHER: All right we have the  
3 Resolution item number 27, which is the Bond  
4 Resolution for the two matters in multi-family  
5 projects in East Orange, which were the subject  
6 of the memo that I sent around to all of the  
7 Commissioners.

8 This is a rather time-sensitive project  
9 from a number perspectives and so it's critical  
10 that we adopt this Bond Resolution at this  
11 meeting.

12 We have run this matter past the County  
13 Executive who has in advance approved our action  
14 in moving forward with this Bond Resolution. So  
15 that has already been secured.

16 This is a matter which is a conduit  
17 financing, --

18 CHAIRMAN KLINGHOFFER: Um-hum.

19 MR. ROTHER: -- which means that we're  
20 really a pass-through entity with respect to  
21 these bonds.

22 There is no financial obligation on the  
23 part of this Authority or any other public entity  
24 with regard to the obligation to make payments on  
25 the bonds other than that we use the proceeds

1 from the project to make those payments.

2 Does anybody have any questions --

3 CHAIRMAN KLINGHOFFER: Just a basic  
4 question.

5 Who do you represent in this transaction?

6 MS. SANDBANK: I represent you, the ECIA.

7 CHAIRMAN KLINGHOFFER: Okay.

8 That's -- that's important to know.

9 MS. SANDBANK: Um-hum.

10 MR. ROTHER: No. And we -- we will be  
11 receiving from Bond Counsel an opinion to the  
12 effect that there -- there is no financial  
13 obligation on the part of this Agency with  
14 respect to the repayment of those bonds.

15 COMMISSIONER SPIESBACH: And would --

16 CHAIRMAN KLINGHOFFER: Gerry?

17 COMMISSIONER SPIESBACH: You said we were  
18 --

19 Yeah.

20 You said we were a pass-through but we're  
21 not required to have any of the project  
22 financing; that it's all underwritten by the  
23 project proceeds.

24 What's the nature of the project real  
25 quick?



1 MR. ROTHER: You want to --

2 COMMISSIONER SPIESBACH: And I apologize --

3 MR. ROTHER: Well, why don't we --

4 COMMISSIONER SPIESBACH: -- if I didn't do  
5 my homework --

6 MS. DILLON: Can I just ask you to come  
7 forward.

8 COMMISSIONER SPIESBACH: -- but I'm a  
9 little confused.

10 MR. ROTHER: Come on up.

11 MS. SANDBANK: Yup.

12 So it's actually one project but two  
13 buildings; a total of, I think, 72 affordable  
14 housing units spread between the two buildings in  
15 East Orange.

16 And the project -- with all project  
17 revenues, which would pay the debt service on the  
18 bonds and that is basically payments from HUD  
19 under a contract that the project owner has with  
20 HUD for each of the residents in the unit -- in  
21 the apartment in each unit because they meet  
22 certain affordability standards.

23 COMMISSIONER SPIESBACH: Okay. So in other  
24 words HUD is actually providing the finance?

25 MS. SANDBANK: It's a combination of HUD

1 and the -- and it's like a subsidized rent --

2 COMMISSIONER SPIESBACH: Yeah.

3 MS. SANDBANK: -- and the residents pay,  
4 you know, their utilities and some portion and  
5 then HUD pays some portion of the rent.

6 COMMISSIONER SPIESBACH: Is this Section 8  
7 housing? Is that what --

8 MR. ROTHER: Yes.

9 MS. SANDBANK: Yes.

10 COMMISSIONER SPIESBACH: Okay.

11 MS. SANDBANK: Um-hum.

12 COMMISSIONER SPIESBACH: That clarifies my  
13 question.

14 Thank you.

15 CHAIRMAN KLINGHOFFER: Who is the borrower?

16 MS. SANDBANK: The borrower is --

17 CHAIRMAN KLINGHOFFER: I mean I know --

18 MS. SANDBANK: Yeah.

19 CHAIRMAN KLINGHOFFER: -- the name of the  
20 entity but --

21 MS. SANDBANK: Entity --

22 CHAIRMAN KLINGHOFFER: -- is it a public  
23 entity? It's a private entity? It's --

24 MS. SANDBANK: No. It's -- it's a wholly  
25 owned subsidiary of a national nonprofit called

1 | Linked Housing, blah, blah, blah, blah. They're

2 | --

3 | CHAIRMAN KLINGHOFFER: But it's a  
4 | subsidiary of a nonprofit?

5 | MS. SANDBANK: It's a subsidiary of a not-  
6 | for-profit. Yes. Who does -- who only does  
7 | affordable housing development, yeah.

8 | CHAIRMAN KLINGHOFFER: Okay. That's --

9 | MS. SANDBANK: That's all they do.

10 | MR. ROTHER: And you should know that East  
11 | Orange has granted a P.I.L.O.T. arrangement, --

12 | CHAIRMAN KLINGHOFFER: Great.

13 | MS. SANDBANK: Yeah.

14 | MR. ROTHER: -- payment in lieu of taxes.

15 | MS. SANDBANK: Um-hum.

16 | MR. ROTHER: So that, you know, you've got  
17 | two other public entities really committed to  
18 | this project. HUD in terms of the subsidy --

19 | MS. SANDBANK: Yeah. Um-hum.

20 | MR. ROTHER: -- and the City in terms of  
21 | reduced tax payment.

22 | CHAIRMAN KLINGHOFFER: Okay.

23 | MR. ROTHER: So, you know, there's really  
24 | -- as I said in my email, there's no financial  
25 | risk but there's really no reputational risk

1 either because you have these other entities --

2 CHAIRMAN KLINGHOFFER: Yup.

3 MR. ROTHER: -- signing on to this project  
4 in addition to Standard & Poor's, which is giving  
5 a rating to these --

6 MS. SANDBANK: Yeah.

7 MR. ROTHER: -- an investment grade rating  
8 to these --

9 CHAIRMAN KLINGHOFFER: That's why I was  
10 asking who the borrower was --

11 MR. ROTHER: Yup.

12 CHAIRMAN KLINGHOFFER: -- in terms of --

13 MR. ROTHER: Yup.

14 MS. SANDBANK: Yeah.

15 CHAIRMAN KLINGHOFFER: -- reputational  
16 risk --

17 MR. ROTHER: Yup. Yup.

18 CHAIRMAN KLINGHOFFER: -- and --

19 MS. SANDBANK: And the -- from what I  
20 understand the -- these borrowers are really  
21 taking over an existing affordable housing  
22 project that's subject to the Section 8 housing  
23 assistance.

24 And the building is currently very well  
25 managed. The payments come in. It's well

1 maintained. The City is very happy with the  
2 current owner. And he just is getting out of the  
3 affordable business; these guys are sort of  
4 coming in. But there are no problem with the  
5 building; it's -- it's tight.

6 MR. ROTHER: And another benefit -- social  
7 benefit associated with this is that concurrent  
8 with this financing HUD is extending that HAP  
9 contract.

10 MS. SANDBANK: HAP contract.

11 MR. ROTHER: The Housing Assistance  
12 Payment --

13 CHAIRMAN KLINGHOFFER: Yup.

14 MR. ROTHER: -- contract is going to be  
15 extended. So there's another social benefit  
16 flowing from this.

17 CHAIRMAN KLINGHOFFER: Any other questions?

18 No?

19 Is there a motion?

20 COMMISSIONER BROWN: Move it.

21 COMMISSIONER SPIESBACH: Second.

22 COMMISSIONER BROWN: Gerry, you're  
23 satisfied?

24 MS. SAPINSKI: Commissioner Brown?

25 COMMISSIONER BROWN: Yes.

1 MS. SAPINSKI: Commissioner Dunec?

2 COMMISSIONER DUNEC: Yes.

3 MS. SAPINSKI: Commissioner Spiesbach?

4 COMMISSIONER SPIESBACH: Yes.

5 MS. SAPINSKI: Chairman Klinghoffer?

6 CHAIRMAN KLINGHOFFER: Yes.

7

8 (Whereupon, the Board discussed the  
9 following item:

10 **ADMINISTRATIVE**

11 8. RESOLUTION NO. 15-196 - RESOLUTION ADOPTING  
12 AUTHORITY'S OFFICIAL "APPLICATION FOR FINANCING"  
13 FOR POTENTIAL NEW FINANCING DEALS.)

14

15 MR. ROTHER: And we can let these ladies go  
16 except for one thing. You indicated to us you  
17 had a question about --

18 CHAIRMAN KLINGHOFFER: Yes.

19 MR. ROTHER: -- the fees.

20 CHAIRMAN KLINGHOFFER: On number --

21 MR. ROTHER: And so I think I'd like to  
22 have a little discussion about the fees because  
23 we're going to be approving a form of application  
24 which was submitted --

25 MS. SANDBANK: Um-hum.

1 MR. ROTHER: -- on this project and you had  
2 wanted to know how we came up with those fees.

3 And so that you understand, we secured --

4 CHAIRMAN KLINGHOFFER: Well, before you do  
5 that, just for the record, --

6 MR. ROTHER: Yeah.

7 CHAIRMAN KLINGHOFFER: -- we're going to  
8 item number 8 now.

9 MR. ROTHER: Yeah.

10 CHAIRMAN KLINGHOFFER: Just because we're  
11 moving around.

12 MR. ROTHER: Yeah.

13 Yeah, it refers to item 8. We don't have  
14 to move it right now but I would like to have the  
15 discussion before you move that --

16 Unless you want to move it?

17 Would you like to --

18 CHAIRMAN KLINGHOFFER: Let's have the  
19 discussion. How's that?

20 MR. ROTHER: Okay. Yup.

21 We have secured a survey that was done by  
22 the Association of Improvement Authorities with  
23 regard to fees. And they're pretty much all over  
24 the lot but they fall into a certain pattern,  
25 which Leah has observed with respect to a number

1 of Authorities and has included in this  
2 application form, which Leah's drafted.

3 Maybe you want to explain?

4 MS. SANDBANK: Yeah.

5 So, I looked at the -- the forms that are  
6 easily available online or the Camden County  
7 Improvement Authority, the Passaic County  
8 Improvement Authority; we also do a tremendous  
9 amount of work with the Hudson County Improvement  
10 Authority. So I kind of took those as -- as the  
11 basis.

12 And sort of the fees, as you see, are sort  
13 of split out into multiple categories. And you  
14 have the application fee, which is just a flat  
15 upfront fee for providing the application. And  
16 that fee is pretty much the same across the  
17 board; your thousand for non-profits, your 2500  
18 for your for-profits.

19 Where the fees start to get a little bit  
20 different is in the actual financing fee, which  
21 is the fee that gets paid upfront at the bond  
22 closing from bond proceeds and is usually some  
23 percentage of the total amount of bonds issued.

24 That -- why everyone seems to put in some  
25 fee over a hundred million, I think maybe they're



1 being a little optimistic but I kind of threw  
2 that in there. The real number is the basis  
3 point percentage fee for bonds issued up to 50  
4 million. And that has ranged from 50 basis  
5 points, which is, you know, the half of a  
6 percent, down -- one of the Authorities may have  
7 had 10 basis points. But that sort of split the  
8 baby in the middle seemed to be the 25 basis  
9 points, which I threw in; 50 seemed a little bit  
10 on the high side if you're not --

11 MR. ROTHER: Yeah. In week one it could  
12 be --

13 MS. SANDBANK: -- a frequent frequent  
14 issuer, --

15 MR. ROTHER: -- competitive.

16 MS. SANDBANK: -- competitive.

17 Yeah.

18 CHAIRMAN KLINGHOFFER: Well, I guess that's  
19 my question.

20 MS. SANDBANK: Okay.

21 CHAIRMAN KLINGHOFFER: I don't know how  
22 many counties don't have Improvement Authorities  
23 these days. There -- a few of them it used to  
24 be.

25 MS. SANDBANK: Yeah. Middlesex does not.

1 Right?

2 MR. ROTHER: Camden -- Cape May. Cape May  
3 does not.

4 CHAIRMAN KLINGHOFFER: We've done financing  
5 in Cape May.

6 MR. ROTHER: Cape May.

7 MS. SANDBANK: Okay.

8 CHAIRMAN KLINGHOFFER: And --

9 A VOICE: Sussex.

10 MS. SANDBANK: Sussex.

11 CHAIRMAN KLINGHOFFER: -- Sussex doesn't  
12 have one.

13 I mean that's where we're going to compete.  
14 We're not going to compete --

15 MS. SANDBANK: Right.

16 CHAIRMAN KLINGHOFFER: -- in Essex County.

17 MR. ROTHER: Well, --

18 CHAIRMAN KLINGHOFFER: Except we're going  
19 to compete with State agencies now.

20 MR. ROTHER: That's --

21 MS. SANDBANK: Yes.

22 MR. ROTHER: -- the point.

23 MS. SANDBANK: Yeah.

24 CHAIRMAN KLINGHOFFER: And then --

25 MR. ROTHER: That's exactly --

1 CHAIRMAN KLINGHOFFER: -- that's my next  
2 question.

3 MS. SANDBANK: Yes.

4 CHAIRMAN KLINGHOFFER: Is how do we compare  
5 with State agencies?

6 MS. SANDBANK: Okay. So the State agencies  
7 are a little bit different. Someone like the  
8 EDA, who's probably going to be the main  
9 competitor, is the 25 basis points upfront and  
10 they do not have the annual fee. So, we're --

11 So, -- sorry. So, those are sort of the  
12 upfront fee. We didn't get to the 10 basis  
13 points annually based on the amortizing --

14 CHAIRMAN KLINGHOFFER: Um-hum.

15 MS. SANDBANK: -- outstanding balance.  
16 That was across the board the same for every  
17 Improvement Authority that I looked at, was  
18 always 10 basis points.

19 CHAIRMAN KLINGHOFFER: So we're going to --  
20 so we'll be a little bit more expensive than EDA?

21 MS. SANDBANK: You're going to be a little  
22 bit more expensive than the EDA. Yeah.

23 MR. ROTHER: And -- but the 10 basis points  
24 has been historically what this Agency --

25 CHAIRMAN KLINGHOFFER: Right.

1 MR. ROTHER: -- has charged?

2 MS. SANDBANK: Correct. And like I said  
3 what -- what the other ones have.

4 CHAIRMAN KLINGHOFFER: Do we have the power  
5 to -- to waive --

6 MR. ROTHER: Waive --

7 CHAIRMAN KLINGHOFFER: -- fees?

8 MR. ROTHER: Yes.

9 MS. SANDBANK: Yes.

10 CHAIRMAN KLINGHOFFER: Negotiate fees?

11 MS. SANDBANK: And the --

12 MR. ROTHER: Yes.

13 MS. SANDBANK: -- resolution does provide  
14 for that ability. Especially because, again, I  
15 kind of -- I kept it very similar so it looked  
16 like the PCIA, the HCIA, and the other forms of  
17 application. So I kept in the 20,000 fee to  
18 extend the approval beyond six months.

19 MR. ROTHER: But that --

20 MS. SANDBANK: That seems really high to  
21 me. I'm guessing, in certain circumstances, you  
22 might be willing to waive that if there's  
23 extenuating circumstances why they may not be  
24 able to get a deal closed in six months.

25 So, yeah, you do have the ability to waive

1 or reduce those fees. But, other than that, they  
2 were standard and that's where they came from.

3 COMMISSIONER SPIESBACH: Okay.

4 MR. ROTHER: Well, if there aren't any  
5 other questions we can --

6 CHAIRMAN KLINGHOFFER: We don't need to  
7 hold you.

8 MS. SANDBANK: Okay.

9 MR. ROTHER: -- we can let you ladies go.

10 MS. SANDBANK: Thank you very much.

11 CHAIRMAN KLINGHOFFER: Thank you.

12 MR. ROTHER: Thank you very much.

13 MS. SANDBANK: Appreciate it.

14 MS. DEL BENE: Absolutely.

15 (Whereupon, Leah Sandbank Esq., Amanda Del  
16 Bene and Stephanie Lom left the meeting at 5:10  
17 p.m.)

18 CHAIRMAN KLINGHOFFER: You want to leave  
19 Executive Session till later in the year.

20 MR. ROTHER: Yeah. Yes.

21 CHAIRMAN KLINGHOFFER: Okay.

22

23 (Whereupon, the Board discussed and took  
24 action on the following items:

25 **ADMINISTRATIVE**

- 1           **1.** RESOLUTION NO. 15-189 - RESOLUTION ADOPTING  
2 THE AUTHORITY'S 2016 ANNUAL OPERATING BUDGET  
3 INCLUDING APPENDED SUPPLEMENTAL SCHEDULES, AND  
4 THE CAPITAL BUDGET/PROGRAM;
- 5           **2.** RESOLUTION NO. 15-190 - RESOLUTION  
6 AUTHORIZING PAYMENT TO AUDIO-DIGITAL  
7 TRANSCRIPTION SERVICES, LLC FOR TRANSCRIPTION OF  
8 SPECIAL BOARD MEETING ON 9-29-15;
- 9           **3.** RESOLUTION NO. 15-191 - RESOLUTION  
10 RATIFYING PAYMENT OF RECURRING BILLS (BILL LIST);
- 11           **4.** RESOLUTION NO. 15-192 - RESOLUTION  
12 AUTHORIZING PAYMENT TO MICRO SHOP IN THE AMOUNT  
13 OF \$330.00 FOR COMPUTER REPAIRS;
- 14           **5.** RESOLUTION NO. 15-193 - RESOLUTION  
15 ESTABLISHING POOL OF APPROVED LAW FIRMS IN  
16 ACCORDANCE WITH THE "PAY TO PLAY LAW - FAIR AND  
17 OPEN PROCESS" - N.J.S.A. 19:44A-20.4;
- 18           **6.** RESOLUTION NO. 15-194 - RESOLUTION  
19 ESTABLISHING POOL OF APPROVED INSURANCE BROKERS  
20 FOR THE PROCUREMENT OF THE INSURANCE COVERAGE IN  
21 ACCORDANCE WITH THE "PAY TO PLAY LAW - FAIR AND  
22 OPEN PROCESS" N.J.S.A. 19:44A-20.4;
- 23           **7.** RESOLUTION NO. 15-195 - RESOLUTION ADOPTING  
24 "TORT CLAIM NOTICE" FORM AS AUTHORITY'S OFFICIAL  
25 FORM IN ACCORD WITH N.J.S.A. 59:8-6; and

1           **8.** RESOLUTION NO. 15-196 - RESOLUTION ADOPTING  
2 AUTHORITY'S OFFICIAL "APPLICATION FOR FINANCING"  
3 FOR POTENTIAL NEW FINANCING DEALS.)

4

5           CHAIRMAN KLINGHOFFER: So let's go then to  
6 the Administrative Resolutions, 1 through 8.

7           And we just did discuss 8.

8           Any discussion on 1 through 8?

9           COMMISSIONER BROWN: No I have none.

10          Gerry?

11          CHAIRMAN KLINGHOFFER: Gerry?

12          Mark?

13          Is there a motion?

14          Mark.

15          COMMISSIONER BROWN: I'll second it.

16          CHAIRMAN KLINGHOFFER: You got to say it --

17          MS. DILLON: Could you just --

18          CHAIRMAN KLINGHOFFER: You got to be out

19 loud or else it doesn't --

20          MS. DILLON: Could you just say it out loud

21 and --

22          CHAIRMAN KLINGHOFFER: -- or else it

23 doesn't --

24          Yeah.

25          COMMISSIONER DUNEC: I'd like to make a

1 motion for --

2 MS. DILLON: Thank you.

3 COMMISSIONER DUNEC: -- Administrative  
4 Resolutions 1 through 8 please.

5 COMMISSIONER BROWN: Second.

6 MS. SAPINSKI: Commissioner Brown?

7 COMMISSIONER BROWN: Yes.

8 MS. SAPINSKI: Commissioner Dunec?

9 COMMISSIONER DUNEC: Yes.

10 MS. SAPINSKI: Commissioner Spiesbach?

11 COMMISSIONER SPIESBACH: Yes.

12 MS. SAPINSKI: Chairman Klinghoffer?

13 CHAIRMAN KLINGHOFFER: Yes.

14 Okay.

15

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

18 **HILLTOP**

19 9. RESOLUTION NO. 15-197 - RESOLUTION  
20 AUTHORIZING A PAYMENT OF \$8,104.44 TO DE COTIIS,  
21 FITZPATRICK & COLE, LLP FOR LEGAL SERVICES  
22 RENDERED IN THE MONTH OF SEPTEMBER 2015.)

23

24 CHAIRMAN KLINGHOFFER: Hilltop, item number

25 9.



1 COMMISSIONER SPIESBACH: I'll move that.

2 COMMISSIONER BROWN: I'll second it.

3 MS. SAPINSKI: Commissioner Brown?

4 COMMISSIONER BROWN: Yes.

5 MS. SAPINSKI: Commissioner Dunec?

6 COMMISSIONER DUNEC: Yes.

7 MS. SAPINSKI: Commissioner Spiesbach?

8 COMMISSIONER SPIESBACH: Yes.

9 MS. SAPINSKI: Chairman Klinghoffer?

10 CHAIRMAN KLINGHOFFER: Yes.

11

12 (Whereupon, the Board discussed and took

13 action on the following items:

14 **SPORTSPLEX COMPLEX**

15 **10.** RESOLUTION NO. 15-198 - RESOLUTION

16 AUTHORIZING PAYMENT IN THE AMOUNT OF \$475.00 TO

17 FYRE TECHNOLOGY INC. FOR ANNUAL INSPECTION AND

18 FLOW TESTING OF THE SPRINKLER SYSTEM AT STADIUM;

19 **11.** RESOLUTION NO. 15-199 - RESOLUTION

20 AUTHORIZING PAYMENT IN THE AMOUNT OF \$232.00 TO

21 PRECISION TECHNOLOGY SOLUTIONS FOR EQUIPMENT

22 REPAIRS AT THE GARAGE (REPAIRS NOT COVER BY

23 MAINTENANCE AGREEMENT) .

24

25 CHAIRMAN KLINGHOFFER: Sportsplex --

1 Sportsplex Complex, 10 and 11.

2 I have a question.

3 On Fyre Technology there was an indication  
4 on -- I think it's for part of the Stadium that  
5 the fire system is not working.

6 My question is whether or not -- it's not  
7 about the bill but do we have a safety issue?

8 That's my concern.

9 MR. ROTHER: Yeah. And apparently it has  
10 to do -- the difference between the wet and the  
11 dry systems. And it's --

12 MS. SAPINSKI: Yeah, we asked Michael.

13 MR. ROTHER: -- it's just apparently the --  
14 the wet system that's --

15 No, the dry.

16 MS. SAPINSKI: The dry.

17 CHAIRMAN KLINGHOFFER: Dry.

18 MR. ROTHER: The dry that's -- that's not  
19 functioning.

20 We're -- and this will be a topic for  
21 discussion in the Executive Session, --

22 CHAIRMAN KLINGHOFFER: Okay.

23 MR. ROTHER: -- that complex is slated for  
24 demolition down the road in any event.

25 CHAIRMAN KLINGHOFFER: Okay.

1           MR. ROTHER: And we're going to be trying  
2 to, with the exception of some of these safety  
3 matters, to avoid spending money on the --

4           CHAIRMAN KLINGHOFFER: I got to tell you  
5 the truth I don't know the difference. I mean I  
6 could imagine what a wet -- what a wet system  
7 is; --

8           MR. ROTHER: Yeah. Yeah.

9           CHAIRMAN KLINGHOFFER: -- I don't know what  
10 a dry system is.

11          MR. ROTHER: The dry system is a system  
12 that -- is -- it's not charged with water; all of  
13 these heads have water behind them. So if the  
14 head melts --

15          CHAIRMAN KLINGHOFFER: Yeah.

16          MR. ROTHER: -- from the heat, water  
17 immediately is released.

18          Dry systems don't have that because they're  
19 typically in areas that are exposed to the  
20 weather and if there's water there it would be  
21 freezing.

22          And there's apparently something wrong with  
23 the mechanism now that requires servicing in that  
24 -- in that dry system.

25          CHAIRMAN KLINGHOFFER: Okay. But it's not

1 an area that's being used by people where --

2 MS. SAPINSKI: No.

3 MR. ROTHER: Nope.

4 CHAIRMAN KLINGHOFFER: -- there's a --

5 MS. SAPINSKI: It's only the suites. It's  
6 at the suite.

7 CHAIRMAN KLINGHOFFER: Okay.

8 MS. SAPINSKI: And nobody uses it.

9 CHAIRMAN KLINGHOFFER: Okay.

10 Do we have a motion on 10 and 11?

11 COMMISSIONER SPIESBACH: I move it.

12 COMMISSIONER BROWN: I'll second it.

13 MS. SAPINSKI: Commissioner Brown?

14 COMMISSIONER BROWN: Yes.

15 MS. SAPINSKI: Commissioner Dunec?

16 COMMISSIONER DUNEC: Yes.

17 MS. SAPINSKI: Commissioner Spiesbach?

18 COMMISSIONER SPIESBACH: Yes.

19 MS. SAPINSKI: Chairman Klinghoffer?

20 CHAIRMAN KLINGHOFFER: Yes.

21

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

24 **CORRECTIONAL FACILITY/CELANESE LITIGATION**

25 **\*ALL EXPENSES PAID FROM ECIA OPERATIONS ACCOUNT**

1       **12.** RESOLUTION NO. 15-200 - RESOLUTION  
2 AUTHORIZING AM#1 IN THE AMOUNT OF \$200,000.00 TO  
3 THE AGREEMENT WITH BUCHANAN, INGERSOLL & ROONEY,  
4 PC FOR LEGAL SERVICES; and

5       **13.** RESOLUTION NO. 15-201 - RESOLUTION  
6 AUTHORIZING PAYMENT IN THE AMOUNT OF \$46,697.13  
7 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL  
8 SERVICES RENDERED THROUGH 9-30-15.)

9  
10               CHAIRMAN KLINGHOFFER: Items 12 and 13,  
11 Correctional Facility and the Celanese  
12 Litigation.

13               Questions?

14               What's -- do we have a year-to-date number  
15 for Mr. O'Toole?

16               MS. SAPINSKI: Yes. Three hundred  
17 seventeen thousand.

18               MR. ROTHER: It's right on where we  
19 believed it would be. It's unfortunate but --

20               COMMISSIONER SPIESBACH: And it also --  
21 yeah, it also bears repeating that part of his  
22 services now are actually -- he's providing legal  
23 services that Celanese's retained attorneys or  
24 attorneys --

25               MR. ROTHER: Yes.

1           COMMISSIONER SPIESBACH:  -- would provide  
2 and send us a bill.

3           MR. ROTHER:  Yes.

4           COMMISSIONER SPIESBACH:  So,  --

5           CHAIRMAN KLINGHOFFER:  Yeah.  No,  it's not  
6 that -- I'm not suggesting there's anything we  
7 could --

8           MR. ROTHER:  Yeah.

9           CHAIRMAN KLINGHOFFER:  -- do about it but I  
10 do think it's important --

11          COMMISSIONER SPIESBACH:  No.

12          CHAIRMAN KLINGHOFFER:  -- that we --

13          COMMISSIONER SPIESBACH:  Yeah.  It's good  
14 to remember that --

15          CHAIRMAN KLINGHOFFER:  -- we regularly --  
16 Yeah.

17          And we document and put on the record --

18          COMMISSIONER SPIESBACH:  Precisely.

19          CHAIRMAN KLINGHOFFER:  -- what we're  
20 spending.  So --

21          MR. ROTHER:  Yeah.

22          CHAIRMAN KLINGHOFFER:  -- anybody raises  
23 the issue down the road --

24          MR. ROTHER:  Yup.  Yup.

25          CHAIRMAN KLINGHOFFER:  -- we know what

1 we're doing.

2 MR. ROTHER: Yup.

3 CHAIRMAN KLINGHOFFER: Is there a motion on  
4 12 and 13?

5 COMMISSIONER SPIESBACH: I will move 12 and  
6 13.

7 COMMISSIONER DUNEC: I'll second that.

8 MS. SAPINSKI: Commissioner Brown?

9 COMMISSIONER BROWN: Yes.

10 MS. SAPINSKI: Commissioner Dunec?

11 COMMISSIONER DUNEC: Yes.

12 MS. SAPINSKI: Commissioner Spiesbach?

13 COMMISSIONER SPIESBACH: Yes.

14 MS. SAPINSKI: Chairman Klinghoffer?

15 CHAIRMAN KLINGHOFFER: Yes.

16

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

19 **AIRPORT**

20 15. RESOLUTION NO. 15-203 - RESOLUTION  
21 AUTHORIZING AN AGREEMENT WITH JOHN J. CURLEY, LLC  
22 IN THE AMOUNT NOT TO EXCEED \$35,000.00 FOR LEGAL  
23 SERVICES IN CONNECTION WITH CONDEMNATION  
24 PROCEDURES FOR OBSTRUCTION REMOVAL ON PROPERTY  
25 SURROUNDING AIRPORT.)

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

4 **AIRPORT**

5 14. RESOLUTION NO. 15-202 - RESOLUTION  
6 ESTABLISHING POOL OF APPROVED ENGINEERING FIRMS  
7 IN ACCORDANCE WITH THE "PAY TO PLAY LAW - FAIR  
8 AND OPEN PROCESS" - N.J.S.A. 19:44A-20.4;

9 16. RESOLUTION NO. 15-204 - RESOLUTION  
10 RATIFYING PAYMENT TO VERNER-CADBY FORD IN THE  
11 AMOUNT OF \$2,936.02 FOR REPAIRS TO AIRPORT  
12 VEHICLE;

13 17. RESOLUTION NO. 15-205 - RESOLUTION  
14 RATIFYING PAYMENT TO VAN DINE MOTOR IN THE AMOUNT  
15 OF \$548.90 FOR PARTS FOR SNOW REMOVAL EQUIPMENT;

16 18. RESOLUTION NO. 15-206 - RESOLUTION  
17 RATIFYING PAYMENT TO GROFF TRACTOR IN THE AMOUNT  
18 OF \$1,306.48 FOR PARTS FOR SNOW REMOVAL  
19 EQUIPMENT;

20 19. RESOLUTION NO. 15-207 - RESOLUTION  
21 AUTHORIZING PAYMENT TO FIREMATIC & SAFETY IN THE  
22 AMOUNT OF \$329.50 FOR ANNUAL FIRE EXTINGUISHER  
23 INSPECTION AND REPAIRS.)

24

25 CHAIRMAN KLINGHOFFER: You want to do



1 Executive Session at this time? Because it  
2 provides context for at least one of these items,  
3 which maybe I have a --

4 I'm thinking about number 15.

5 MR. ROTHER: Number 15.

6 CHAIRMAN KLINGHOFFER: Yeah.

7 MR. ROTHER: Yes.

8 CHAIRMAN KLINGHOFFER: Otherwise it's --  
9 it's --

10 MR. ROTHER: Do you -- would you want to go  
11 into Executive now?

12 CHAIRMAN KLINGHOFFER: I think so  
13 because --

14 MR. ROTHER: Okay.

15 CHAIRMAN KLINGHOFFER: -- I'm not sure if  
16 the --

17 MR. ROTHER: Okay.

18 CHAIRMAN KLINGHOFFER: -- other  
19 Commissioners --

20 MR. ROTHER: Okay.

21 CHAIRMAN KLINGHOFFER: We're asking to  
22 approve something without understanding why.

23 MR. ROTHER: Good thought. Fine.

24 COMMISSIONER BROWN: You want to -- well  
25 then you just want to move everything but that

1 one and then come back to it?

2 CHAIRMAN KLINGHOFFER: Let's just make sure  
3 that that's -- that's fine.

4 So someone want to move 14, 16, 17, 18 and  
5 19?

6 COMMISSIONER DUNEC: Sure, I'll move it.

7 COMMISSIONER SPIESBACH: Second.

8 MS. SAPINSKI: Commissioner Brown?

9 COMMISSIONER BROWN: Yes.

10 MS. SAPINSKI: Commissioner Dunec?

11 COMMISSIONER DUNEC: Yes.

12 MS. SAPINSKI: Commissioner Spiesbach?

13 COMMISSIONER SPIESBACH: Yes.

14 MS. SAPINSKI: Chairman Klinghoffer?

15 CHAIRMAN KLINGHOFFER: Yes.

16

17 (Whereupon, the Board discussed and took  
18 action on the following items:

19 **AIRPORT**

20 **WILDLIFE HAZARD ASSESSMENT AND MANAGEMENT PLAN**

21 **PROJECT**

22 **Project Funded:**

23 **FAA GRANT #34-12 (90%)**

24 **AIRPORT BOND (10%)**

25 **20. RESOLUTION NO. 15-208 - RESOLUTION**

1 AUTHORIZING PAYMENT TO L.R. KIMBALL IN THE AMOUNT  
2 OF \$2,740.79 FOR ENGINEERING SERVICES; and

3 AIRPORT

4 REJUVINATION & RUNWAY 10-28 THRESHOLD LIGHTING

5 PROJECT (DESIGN)

6 **Project Funded:**

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

8 **NJDOT GRANT #6107308 (5%)**

9 **AIRPORT BOND (5%)**

10 **21.** RESOLUTION NO. 15-209 - RESOLUTION  
11 AUTHORIZING PAYMENT TO McFARLAND JOHNSON IN THE  
12 AMOUNT OF \$2,000.00 FOR IFE EVALUATION OF C&S  
13 ENGINEERS CONTRACT FOR DESIGN SERVICES AS PER FAA  
14 REQUIREMENTS; and

15 **22.** RESOLUTION NO. 15-210 - RESOLUTION  
16 AUTHORIZING PAYMENT TO C&S ENGINEERS, INC., IN  
17 THE AMOUNT OF \$1,135.97 FOR DESIGN ENGINEERING  
18 SERVICES.)

19

20 CHAIRMAN KLINGHOFFER: Twenty through 22;  
21 is there a motion?

22 COMMISSIONER BROWN: I'll move it.

23 COMMISSIONER DUNEC: Second.

24 MS. SAPINSKI: Commissioner -- Commissioner  
25 Brown?

1 COMMISSIONER BROWN: Yes.

2 MS. SAPINSKI: Commissioner Dunec?

3 COMMISSIONER DUNEC: Yes.

4 MS. SAPINSKI: Commissioner Spiesbach?

5 COMMISSIONER SPIESBACH: And we're moving  
6 what through what?

7 CHAIRMAN KLINGHOFFER: You know what?

8 Wait. Could we back up a second? Because these  
9 way these subtitles -- I'm --

10 Okay, these all have to do with the  
11 Airport.

12 MS. SAPINSKI: Yes.

13 CHAIRMAN KLINGHOFFER: Okay. Let's stick  
14 with this and then I'll move -- we'll move all  
15 the rest. That was mistake.

16 MS. SAPINSKI: Okay. Okay.

17 CHAIRMAN KLINGHOFFER: I'm sorry.

18 COMMISSIONER BROWN: Oh, okay. I didn't  
19 even notice.

20 CHAIRMAN KLINGHOFFER: Yeah, I just saw  
21 that. These are all the Airport Resolutions and  
22 they've been --

23 MS. SAPINSKI: Different projects.

24 CHAIRMAN KLINGHOFFER: They're different  
25 projects, so we'll --

1 MR. ROTHER: Right.

2 CHAIRMAN KLINGHOFFER: Okay, let's finish  
3 this so we don't --

4 I'm' sorry.

5 MS. SAPINSKI: So, we -- we're going to  
6 Executive?

7 Or we're moving now --

8 CHAIRMAN KLINGHOFFER: No. No, we're --

9 MS. SAPINSKI: -- 20 through 25?

10 CHAIRMAN KLINGHOFFER: No. We moved --

11 No. I think the motion just now was --

12 MS. DILLON: You have a motion on 20  
13 through 22.

14 MR. ROTHER: Twenty to 22. Yes.

15 CHAIRMAN KLINGHOFFER: Yes.

16 MS. DILLON: You need a roll call.

17 MS. SAPINSKI: Okay.

18 CHAIRMAN KLINGHOFFER: Yes.

19 MS. SAPINSKI: Okay.

20 Commissioner Brown?

21 COMMISSIONER BROWN: It was moved.

22 MS. SAPINSKI: It was moved --

23 MS. DILLON: Yes.

24 MS. SAPINSKI: -- by you and seconded by  
25 Commissioner Dunec.

1 So now, --

2 COMMISSIONER BROWN: Yes.

3 MS. SAPINSKI: -- roll call.

4 COMMISSIONER BROWN: Yes.

5 MS. SAPINSKI: Commissioner Brown?

6 COMMISSIONER BROWN: Yes.

7 MS. SAPINSKI: Commissioner Dunec?

8 COMMISSIONER DUNEC: Yes.

9 MS. SAPINSKI: Commissioner Spiesbach?

10 COMMISSIONER SPIESBACH: 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 **ENVIRONMENTAL PROJECTS - HANGAR 1 AND HANGAR 3**

18 **Project Funded:**

19 **AIRPORT BOND - 100%**

20 **23. RESOLUTION NO. 15-211 - RESOLUTION**

21 AUTHORIZING A PAYMENT TO H2M ASSOCIATES INC., IN

22 THE AMOUNT OF \$7,199.28 FOR ENGINEERING SERVICES

23 IN CONNECTION WITH DESIGN AND BID PREPARATION FOR

24 MAINTENANCE GARAGE AND WASH PAD OIL/WATER

25 SEPARATOR REPLACEMENT;

1       **24.** RESOLUTION NO. 15-212 - RESOLUTION  
2 AUTHORIZING DISPOSITION OF BID FOR MAINTENANCE  
3 GARAGE AND WASH PAD OIL/WATER SEPARATOR  
4 REPLACEMENT

5 \*AWARD OF A CONTRACT TO K & D CONTRACTORS; and  
6 **AIRPORT**

7 **TAXIWAY N & TAXILANE H LIGHTING PROJECT**  
8 **(CONSTRUCTION)**

9 **Project Funded:**

10 **FAA GRANT #39-15 (90%)**

11 **NJDOT GRANT #6107307 (5%)**

12 **AIRPORT BOND (5%)**

13       **25.** RESOLUTION NO. 15-213 - RESOLUTION  
14 AUTHORIZING PAYMENT TO C&S ENGINEERS, INC., IN  
15 THE AMOUNT OF \$4,887.45 FOR ENGINEERING  
16 SERVICES.)

17  
18           CHAIRMAN KLINGHOFFER: Now let's do all the  
19 rest then of --

20           Okay, now there's only --

21           MS. SAPINSKI: Okay.

22           CHAIRMAN KLINGHOFFER: There's 22 --

23           I'm sorry.

24           -- 23, 24 and 25 are the rest of the  
25 Airport Resolutions.

1 MS. SAPINSKI: Yes.

2 CHAIRMAN KLINGHOFFER: Right?

3 MS. SAPINSKI: Yes.

4 CHAIRMAN KLINGHOFFER: Okay.

5 COMMISSIONER SPIESBACH: I had a question  
6 just on 24.

7 CHAIRMAN KLINGHOFFER: Okay.

8 COMMISSIONER SPIESBACH: I guess it was the  
9 support documentation.

10 What is the bid price -- the successful  
11 bidder for the maintenance one?

12 MS. SAPINSKI: One hundred forty-five  
13 thousand --

14 COMMISSIONER SPIESBACH: Okay.

15 MS. SAPINSKI: One forty-five three  
16 hundred. I think -- yes, yes, 145,300.

17 COMMISSIONER SPIESBACH: All right.

18 Thank you.

19 CHAIRMAN KLINGHOFFER: Does that make sense  
20 to you, Ger?

21 COMMISSIONER SPIESBACH: Yeah. No, it's  
22 good.

23 MR. ROTHER: Yeah, it's within the  
24 engineer's -- well within the engineer's --

25 COMMISSIONER SPIESBACH: Yeah.



1 MR. ROTHER: -- estimate of what it was  
2 going to go for.

3 CHAIRMAN KLINGHOFFER: Okay.

4 Do we have a motion?

5 COMMISSIONER BROWN: So we're moving what,  
6 23 through 25?

7 CHAIRMAN KLINGHOFFER: Twenty-three, 24 and  
8 25.

9 COMMISSIONER BROWN: I'll move it.

10 COMMISSIONER DUNEC: Second it.

11 MS. SAPINSKI: Commissioner Brown?

12 COMMISSIONER BROWN: Yes.

13 MS. SAPINSKI: Commissioner Dunec?

14 COMMISSIONER DUNEC: Yes.

15 MS. SAPINSKI: Commissioner Spiesbach?

16 COMMISSIONER SPIESBACH: 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 **NEWARK PROPERTY ACQUISITION PROJECT**

23 26. RESOLUTION NO. 15-214 - RESOLUTION  
24 AUTHORIZING PAYMENT IN THE AMOUNT OF \$315.00 FOR  
25 LEGAL SERVICES RENDERED BY CHIESA, SHAHINIAN &

1 GIANTOMASI, PC FOR THE MONTH OF AUGUST.)

2

3 CHAIRMAN KLINGHOFFER: And 26; \$315.00.

4 Somebody want to move that?

5 COMMISSIONER SPIESBACH: Yeah, I'll move  
6 that.

7 CHAIRMAN KLINGHOFFER: Sure.

8 COMMISSIONER BROWN: I'll second.

9 MS. SAPINSKI: Commissioner Brown?

10 COMMISSIONER BROWN: Yes.

11 MS. SAPINSKI: Commissioner Dunec?

12 COMMISSIONER DUNEC: Yes.

13 MS. SAPINSKI: Commissioner Spiesbach?

14 COMMISSIONER SPIESBACH: 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 **FINANCE**

21 **28.** RESOLUTION NO. 15-216 - RESOLUTION

22 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF  
23 THE AUTHORITY'S \$150,000,000 POOLED GOVERNMENT  
24 LOAN PROGRAM, SERIES 1986

25 PAYMENTS DUE OTHERS FOR PGLP SERVICES

1 GALLEGOS (sic) - KOH, LLP, FINANCIAL  
2 CONSULTANT - OCTOBER 2015 - \$2,000.00;  
3 BANK OF NEW YORK MELLON - TRUSTEE FEE -  
4 10-1-15 TO 12-31-15 - \$4,000.00;  
5 CONNELL FOLEY - LEGAL FEE - \$217.39; and  
6 PEARLMAN & MIRANDA - LEGAL FEE - \$315.00.)  
7  
8 CHAIRMAN KLINGHOFFER: And then --  
9 MS. SAPINSKI: Twenty-eight.  
10 CHAIRMAN KLINGHOFFER: -- 28.  
11 We've already done -- we've already moved  
12 27. Okay.  
13 Boy you're really confusing me today.  
14 Twenty -- okay, is there a motion on 28?  
15 COMMISSIONER DUNEC: Sure; make a motion.  
16 COMMISSIONER SPIESBACH: Second.  
17 MS. SAPINSKI: Commissioner Brown?  
18 COMMISSIONER BROWN: Yes.  
19 MS. SAPINSKI: Commissioner Dunec?  
20 COMMISSIONER DUNEC: Yes.  
21 MS. SAPINSKI: Commissioner Spiesbach?  
22 COMMISSIONER SPIESBACH: Yes.  
23 MS. SAPINSKI: Chairman Klinghoffer?  
24 CHAIRMAN KLINGHOFFER: Yes.  
25

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

3 **NEWARK RIVERFRONT PROJECT/LITIGATION**

4 **29.** RESOLUTION NO. 15-217 - RESOLUTION  
5 AUTHORIZING AM#1 IN THE AMOUNT OF \$45,000.00 TO  
6 THE AGREEMENT WITH DE COTIIS, FITZPATRICK & COLE,  
7 LLP FOR LEGAL SERVICES; and

8 **30.** RESOLUTION NO. 15-218 - RESOLUTION  
9 AUTHORIZING PAYMENT OF \$17,786.60 TO DE COTIIS,  
10 FITZPATRICK & COLE, LLP FOR LEGAL SERVICES  
11 RENDERED IN THE MONTH OF SEPTEMBER 2015.)

12

13 CHAIRMAN KLINGHOFFER: And the last two are  
14 29 and 30, which is Riverfront Project.

15 COMMISSIONER BROWN: Litigation.

16 COMMISSIONER SPIESBACH: Move 29 and 30.

17 COMMISSIONER DUNEC: Second.

18 CHAIRMAN KLINGHOFFER: Did you have a --

19 COMMISSIONER BROWN: No, no. I was just  
20 talking.

21 CHAIRMAN KLINGHOFFER: Oh, okay.

22 MS. SAPINSKI: Commissioner Brown?

23 COMMISSIONER BROWN: Yes.

24 MS. SAPINSKI: Commissioner Dunec?

25 COMMISSIONER DUNEC: Yes.

1 MS. SAPINSKI: Commissioner Spiesbach?

2 COMMISSIONER SPIESBACH: Yes.

3 MS. SAPINSKI: Chairman Klinghoffer?

4 CHAIRMAN KLINGHOFFER: Yes.

5 You want to motion now --

6 MR. ROTHER: Yup.

7 CHAIRMAN KLINGHOFFER: -- for Executive

8 Session?

9 MR. ROTHER: Yes. Yes.

10 And the Executive Session would be

11 basically litigation and contract negotiation.

12 Those are the items that are going to be

13 discussed.

14 COMMISSIONER SPIESBACH: Is there a motion

15 to go into Executive?

16 COMMISSIONER BROWN: Second.

17 CHAIRMAN KLINGHOFFER: Second.

18 MS. SAPINSKI: Commissioner Brown?

19 VICE CHAIRMAN BROWN: Yes.

20 MS. SAPINSKI: Commissioner Dunec?

21 COMMISSIONER DUNEC: Yes.

22 MS. SAPINSKI: Commissioner Spiesbach?

23 COMMISSIONER SPIESBACH: Yes.

24 MS. SAPINSKI: Chairman Klinghoffer?

25 CHAIRMAN KLINGHOFFER: Yes.

1 MS. DILLON: Just give me one moment.

2

3 (Whereupon, the Board moved to Executive  
4 Session at 5:19 p.m., Resolution Number 15-219.)

5

6 (Whereupon, the Board returned to Open  
7 Session at 6:02 p.m.)

8

9 MS. DILLON: Just one moment.

10 MR. ROTHER: Okay and now we just got --

11 MS. DILLON: You're in Open Session.

12

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

15 **AIRPORT**

16 15. RESOLUTION NO. 15-203 - RESOLUTION  
17 AUTHORIZING AN AGREEMENT WITH JOHN J. CURLEY, LLC  
18 IN THE AMOUNT NOT TO EXCEED \$35,000.00 FOR LEGAL  
19 SERVICES IN CONNECTION WITH CONDEMNATION  
20 PROCEDURES FOR OBSTRUCTION REMOVAL ON PROPERTY  
21 SURROUNDING AIRPORT.)

22

23 COMMISSIONER SPIESBACH: We just need item  
24 number --

25 MR. ROTHER: Fifteen.

1 CHAIRMAN KLINGHOFFER: Fifteen is --

2 COMMISSIONER SPIESBACH: -- 15.

3 When we're back on I'll move number 15.

4 MS. DILLON: You're on.

5 COMMISSIONER SPIESBACH: Okay. Then I

6 would make a motion to move -- after the

7 Executive Session and the explanation, I would

8 make a motion to move item number 15.

9 CHAIRMAN KLINGHOFFER: Is there a second?

10 COMMISSIONER DUNEC: Second.

11 MS. SAPINSKI: Commissioner Brown?

12 COMMISSIONER BROWN: Yes.

13 MS. SAPINSKI: Commissioner Dunec?

14 COMMISSIONER DUNEC: Yes.

15 MS. SAPINSKI: Commissioner Spiesbach?

16 COMMISSIONER SPIESBACH: Yes.

17 MS. SAPINSKI: Chairman Klinghoffer?

18 CHAIRMAN KLINGHOFFER: Yes.

19 We're done?

20 MS. SAPINSKI: We're done.

21 CHAIRMAN KLINGHOFFER: Motion to --

22 Anything else?

23 MR. ROTHER: Just to let you know what

24 we're going to be doing in the future. At your

25 suggestion, Commissioner Brown, we're going to be

1 | sending staff reports -- written reports. You'll  
2 | get one next month from -- from our staff,  
3 | including myself, to the extent that we can  
4 | report to you things that don't have to go into  
5 | Executive Session matters and so that you can  
6 | question us, you know, during the course of the  
7 | meeting on any ongoing matters.

8 |           CHAIRMAN KLINGHOFFER: Where does that fall  
9 | in terms of OPRA?

10 |           Does that become --

11 |           MR. ROTHER: It's going to -- that's why I  
12 | said we -- it would -- obviously it would be  
13 | OPRA-able, yes.

14 |           CHAIRMAN KLINGHOFFER: Okay.

15 |           MR. ROTHER: But that's why I excluded, you  
16 | know, confidential matters.

17 |           CHAIRMAN KLINGHOFFER: So would this  
18 | actually then become -- the report become part of  
19 | the minutes of each meeting?

20 |           MR. ROTHER: Sure. Sure. But we thought  
21 | -- we thought that it's -- it's important that  
22 | you not wait until a project is, you know, ready  
23 | for your action or even projects that you have  
24 | already approved, you should know how they're  
25 | progressing. So, --



1 CHAIRMAN KLINGHOFFER: It's a great idea.

2 MR. ROTHER: -- I think it's --

3 CHAIRMAN KLINGHOFFER: Thank you.

4 COMMISSIONER BROWN: Thank you.

5 MR. ROTHER: -- it's an improvement.

6 CHAIRMAN KLINGHOFFER: Anything else?

7

8 **ADJOURNMENT**

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10 CHAIRMAN KLINGHOFFER: Motion to adjourn?

11 COMMISSIONER BROWN: Gerry?

12 COMMISSIONER SPIESBACH: Motion to adjourn.

13 COMMISSIONER BROWN: Second.

14 MS. SAPINSKI: Commissioner Brown?

15 VICE CHAIRMAN BROWN: Yes.

16 MS. SAPINSKI: Commissioner Dunec?

17 COMMISSIONER DUNEC: Yes.

18 MS. SAPINSKI: Commissioner Spiesbach?

19 COMMISSIONER SPIESBACH: Yes.

20 MS. SAPINSKI: Chairman Klinghoffer?

21 CHAIRMAN KLINGHOFFER: Yes.

22

23 (Whereupon, the proceedings were concluded

24 at 6:04 p.m., Resolution No. 15-25.)

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 in the matter of the REGULAR  
8 BOARD MEETING of the ESSEX COUNTY IMPROVEMENT  
9 AUTHORITY heard on Tuesday, October 27, 2015 and  
10 digitally recorded.

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25 Monitored and Proofread by: Deborah Dillon