

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

27 Wright Way
Fairfield, New Jersey

Tuesday, April 24, 2018
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 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:

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
THOMAS GOMEZ, Airport Manager
BETSY WILLIAMSON, Administrative Assistant
JOSEPH CALI, Senior Project Manager/Accounts Receivables

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

11

12 **ROLL CALL:**

13

14 CHAIRMAN KLINGHOFFER: Roll call please.

15 MS. SAPINSKI: Commissioner Brown?

16 VICE CHAIRMAN BROWN: Here.

17 MS. SAPINSKI: Commissioner Dunec?

18 COMMISSIONER DUNEC: Here.

19 MS. SAPINSKI: Commissioner Ross?

20 COMMISSIONER ROSS: Here.

21 MS. SAPINSKI: Commissioner Spiesbach?

22 COMMISSIONER SPIESBACH: Here.

23 MS. SAPINSKI: Commissioner Yustein?

24 COMMISSIONER YUSTEIN: Here.

25 MS. SAPINSKI: Chairman Klingoffer?

1 CHAIRMAN KLINGHOFFER: Here.

2

3 **PUBLIC COMMENTS:**

4

5 CHAIRMAN KLINGHOFFER: Are there any
6 members of the public that would like to comment?

7 Seeing none.

8

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

11 **ACCEPTANCE OF MINUTES**

12 **RESOLUTION NO. 18-16**

13 **1. REGULAR BOARD MEETING AND EXECUTIVE SESSION**
14 3-27-18.)

15

16 CHAIRMAN KLINGHOFFER: We'll move on to a
17 motion for Acceptance of Minutes.

18 VICE CHAIRMAN BROWN: Move it.

19 COMMISSIONER YUSTEIN: Second.

20 COMMISSIONER ROSS: Second.

21 MS. SAPINSKI: Commissioner Brown?

22 VICE CHAIRMAN BROWN: Yes.

23 MS. SAPINSKI: Commissioner Dunec?

24 COMMISSIONER DUNEC: Yes.

25 MS. SAPINSKI: Commissioner Ross?

1 COMMISSIONER ROSS: Yes.

2 MS. SAPINSKI: Commissioner Spiesbach?

3 COMMISSIONER SPIESBACH: Yes.

4 MS. SAPINSKI: Commissioner Yustein?

5 COMMISSIONER YUSTEIN: Yes.

6 MS. SAPINSKI: Chairman Klinghoffer?

7 CHAIRMAN KLINGHOFFER: Yes.

8 We're going to hold Executive Session until
9 the end.

10

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

13 **ADMINISTRATIVE**

14 1. RESOLUTION NO. 18-069 - RESOLUTION
15 AUTHORIZING PAYMENT TO AUDIO-DIGITAL
16 TRANSCRIPTION SERVICES, LLC FOR TRANSCRIPTION OF
17 BOARD MEETING ON 3-27-18; and

18 2. RESOLUTION NO. 18-070 - RESOLUTION
19 RATIFYING PAYMENT OF RECURRING BILLS (BILL
20 LIST).)

21

22 CHAIRMAN KLINGHOFFER: Administrative
23 Resolutions 1 and 2.

24 Would someone like to move them?

25 VICE CHAIRMAN BROWN: Move it.

1 COMMISSIONER ROSS: Second.

2 MS. SAPINSKI: Commissioner Brown?

3 VICE CHAIRMAN BROWN: Yes.

4 MS. SAPINSKI: Commissioner Dunec?

5 COMMISSIONER DUNEC: Yes.

6 MS. SAPINSKI: Commissioner Ross?

7 COMMISSIONER ROSS: Yes.

8 MS. SAPINSKI: Commissioner Spiesbach?

9 COMMISSIONER SPIESBACH: 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 PROPERTY ACQUISITION PROJECT**

18 3. RESOLUTION NO. 18-071 - RESOLUTION
19 AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,145.26 TO
20 CHIESA, SHAHINIAN & GIANTOMASI, PC FOR LEGAL
21 SERVICES RENDERED IN THE MONTH OF FEBRUARY 2018.)

22

23 CHAIRMAN KLINGHOFFER: Number 3.

24 Newark Property Acquisition Project.

25 Would anyone like to move that?

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COMMISSIONER ROSS: Move it.
COMMISSIONER YUSTEIN: Second.
MS. SAPINSKI: Commissioner Brown?
VICE CHAIRMAN BROWN: Yes.
MS. SAPINSKI: Commissioner Dunec?
COMMISSIONER DUNEC: Yes.
MS. SAPINSKI: Commissioner Ross?
COMMISSIONER ROSS: Yes.
MS. SAPINSKI: Commissioner Spiesbach?
COMMISSIONER SPIESBACH: Yes.
MS. SAPINSKI: Commissioner Yustein?
COMMISSIONER YUSTEIN: Yes.
MS. SAPINSKI: Chairman Klinghoffer?
CHAIRMAN KLINGHOFFER: Yes.

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

CORRECTIONAL FACILITY/CELANESE/ENVIRONMENTAL

EXPOSURE

ALL EXPENSES PAID FROM ECIA OPERATIONS ACCOUNT

4. RESOLUTION NO. 18-072 - RESOLUTION
AUTHORIZING PAYMENT IN THE AMOUNT OF \$36,979.00
TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
SERVICES RENDERED IN THE MONTH OF MARCH 2018.)

1 CHAIRMAN KLINGHOFFER: Number 4.
2 Resolution Authorizing Payment in the
3 Amount of \$36,979.00 regarding the Correctional
4 Facility/Celanese/ Environmental Exposure.

5 VICE CHAIRMAN BROWN: Move it.

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 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 **JUROR PARKING FACILITY**

23 5. RESOLUTION NO. 18-073 - RESOLUTION
24 AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,118.00 TO
25 PRECISION TECHNOLOGY SOLUTIONS FOR EQUIPMENT

1 REPAIRS NOT COVER BY THE ANNUAL MAINTENANCE
2 AGREEMENT.)

3

4 CHAIRMAN KLINGHOFFER: Number 5, Juror
5 Parking Facility.

6 COMMISSIONER YUSTEIN: Move it.

7 COMMISSIONER ROSS: Move it.

8 Second.

9 MS. SAPINSKI: So, Jackie's going to be the
10 first.

11 And Commissioner Ross is the second.

12 MR. DILLON: I got it.

13 MS. SAPINSKI: Commissioner Brown?

14 VICE CHAIRMAN BROWN: Yes.

15 MS. SAPINSKI: Commissioner Dunec?

16 COMMISSIONER DUNEC: Yes.

17 MS. SAPINSKI: Commissioner Ross?

18 COMMISSIONER ROSS: Yes.

19 MS. SAPINSKI: Commissioner Spiesbach?

20 COMMISSIONER SPIESBACH: Yes.

21 MS. SAPINSKI: Commissioner Yustein?

22 COMMISSIONER YUSTEIN: Yes.

23 MS. SAPINSKI: Chairman Klinghoffer?

24 CHAIRMAN KLINGHOFFER: Yes.

25

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

3 **SPORTSPLEX COMPLEX**

4 6. RESOLUTION NO. 18-074 - RESOLUTION
5 AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,538.84 TO
6 CONNELL FOLEY FOR LEGAL SERVICES RENDERED IN THE
7 MONTH OF MARCH 2018.)

8
9 CHAIRMAN KLINGHOFFER: Number 6 on the
10 Sportsplex Complex.

11 COMMISSIONER ROSS: Move it.

12 COMMISSIONER YUSTEIN: Second.

13 MS. SAPINSKI: Commissioner Brown?

14 VICE CHAIRMAN BROWN: Yes.

15 MS. SAPINSKI: Commissioner Dunec?

16 COMMISSIONER DUNEC: Yes.

17 MS. SAPINSKI: Commissioner Ross?

18 COMMISSIONER ROSS: Yes.

19 MS. SAPINSKI: Commissioner Spiesbach?

20 COMMISSIONER SPIESBACH: Yes.

21 MS. SAPINSKI: Commissioner Yustein?

22 COMMISSIONER YUSTEIN: 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 **AIRPORT**

4 7. RESOLUTION NO. 18-075 - RESOLUTION
5 AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,200.00 TO
6 D. TORLUCCIO FOR SNOW REMOVAL AND SALT SPREADING
7 SERVICES ALONG ACCESS ROAD;

8 8. RESOLUTION NO. 18-076 - RESOLUTION
9 AUTHORIZING THE EXECUTIVE DIRECTOR TO PROVIDE
10 WRITTEN CONSENT TO AIR BOUND AVIATION TO SUBLEASE
11 OFFICE SPACE IN HANGAR/BUILDING M;

12 **OBSTRUCTION REMOVAL PROJECT**

13 **Project Funded:**

14 **ECIA/AIRPORT 100%**

15 9. RESOLUTION NO. 18-077 - RESOLUTION
16 AUTHORIZING PAYMENT TO JOHN J. CURLEY, LLC IN THE
17 AMOUNT OF \$4,580.00 FOR LEGAL SERVICES RENDERED
18 IN THE MONTH OF MARCH 2018;

19 **RUNWAY 10-28 CRACK REPAIR & SEAL COAT PROJECT**

20 **(CONSTRUCTION)**

21 **Project Funded:**

22 **FAA GRANT #40-17 (90%), NJDOT GRANT #6005317**
23 **(5%), AIRPORT BOND (5%)**

24 10. RESOLUTION NO. 18-078 - RESOLUTION
25 AUTHORIZING PAYMENT TO C & S COMPANIES IN THE

1 AMOUNT OF \$1,138.12 FOR ENGINEERING SERVICES
2 RENDERED THROUGH MARCH 2, 2018

3 **ENVIRONMENTAL PROJECTS - HANGAR 1 AND HANGAR 3**

4 **Project Funded:**

5 **AIRPORT-100%**

6 **11.** RESOLUTION NO. 18-079 - RESOLUTION
7 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
8 THE AMOUNT OF \$18,345.81 FOR ENGINEERING
9 SERVICES, SITE REMEDIATION AT HANGAR 1 AREA; and
10 **12.** RESOLUTION NO. 18-080 - RESOLUTION
11 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
12 THE AMOUNT OF \$1,209.00 FOR ENGINEERING SERVICES,
13 SITE REMEDIATION AT HANGAR AREA 3.)

14
15 CHAIRMAN KLINGHOFFER: Seven and 8 on
16 the --

17 No, strike that.

18 Seven through -- through 12, all related to
19 the Airport.

20 Someone like to move those?

21 COMMISSIONER YUSTEIN: Move it.

22 VICE CHAIRMAN BROWN: 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 Yustein?

7 COMMISSIONER YUSTEIN: Yes.

8 MS. SAPINSKI: Chairman Klinghoffer?

9 CHAIRMAN KLINGHOFFER: Yes.

10

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

13 **FINANCE**

14 **13. RESOLUTION NO. 18-081 - RESOLUTION**
15 **AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF**
16 **THE AUTHORITY'S \$150,000,000 POOLED GOVERNMENT**
17 **LOAN PROGRAM, SERIES 1986**

18 **PAYMENTS DUE OTHERS FOR PGLP SERVICES**

19 1. GALLEROS KOH, LLP, FINANCIAL CONSULTANT
20 - APRIL 2018 - \$2,000.00;

21 2. BONY MELLON - TRUSTEE FEE - 4-1-18 TO
22 6-30-18 - \$4,000.00;

23 3. WELLS FARGO - REMARKETING FEE - 1-1-18
24 TO 3-31-18 - \$4,300.00.)

25

1 CHAIRMAN KLINGHOFFER: And, finally,
2 number --

3 Oh wait, wait, sorry.

4 Number -- not finally but number 13,
5 authorizing payment on the Pooled Government Loan
6 Program.

7 Would someone like to move that?

8 VICE CHAIRMAN BROWN: Move it.

9 COMMISSIONER YUSTEIN: Second.

10 MS. SAPINSKI: Commissioner Brown?

11 VICE CHAIRMAN BROWN: Yes.

12 MS. SAPINSKI: Commissioner Dunec?

13 COMMISSIONER DUNEC: Yes.

14 MS. SAPINSKI: Commissioner Ross?

15 COMMISSIONER ROSS: Yes.

16 MS. SAPINSKI: Commissioner Spiesbach?

17 COMMISSIONER SPIESBACH: 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 item:

25 **LATE STARTER**

1 ADMINISTRATIVE

2 1. RESOLUTION NO. 18-082 - RESOLUTION
3 ESTABLISHING A PROCEDURE PURSUANT TO N.J.S.A.
4 47:1A-1 ET SEQ. TO RESPOND TO REQUESTS FOR PUBLIC
5 RECORDS.)

6

7 CHAIRMAN KLINGHOFFER: And we have one Late
8 Starter, Administrative Regulation --

9 I'm sorry.

10 -- Administrative Resolution dealing with
11 OPRA requests.

12 MR. ROTHER: Yeah.

13 We've -- we've gotten a number of OPRA
14 requests recently. And we -- we have never
15 adopted a Resolution creating -- and the statute
16 essentially requires us to do that. And so we're
17 complying with the statute so that there's a
18 process.

19 There's an individual who's going to be the
20 designated keeper of the public records. And --

21 VICE CHAIRMAN BROWN: So nothing's happened
22 to make this move; it's just in -- in regular
23 course of duties?

24 MR. ROTHER: Well, we're -- we're getting
25 them now so we -- we should let the public know

1 | how they should do it.

2 | So we're going to post this on the website
3 | and have it attached to our form and so everybody
4 | knows who they have to contact.

5 | COMMISSIONER YUSTEIN: Who's making the
6 | requests?

7 | MR. ROTHER: It's the newspapers and
8 | whatnot.

9 | COMMISSIONER YUSTEIN: Oh.

10 | CHAIRMAN KLINGHOFFER: And -- and if I'm
11 | reading this quickly for the first time, Lucy
12 | would be the individual --

13 | MR. ROTHER: Absolutely. Yup. Yup. Yup.

14 | CHAIRMAN KLINGHOFFER: Congratulations,
15 | Lucy.

16 | MS. SAPINSKI: Thank you.

17 | CHAIRMAN KLINGHOFFER: Another job.

18 | VICE CHAIRMAN BROWN: Another job.

19 | CHAIRMAN KLINGHOFFER: Would someone like
20 | to move this?

21 | VICE PRESIDENT BROWN: I'll move it for her
22 | to do the job.

23 | COMMISSIONER ROSS: 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 Yustein?
8 COMMISSIONER YUSTEIN: Yes.
9 MS. SAPINSKI: Chairman Klinghoffer?
10 CHAIRMAN KLINGHOFFER: Yes.
11 The rationale before we move to go into --
12 Okay?
13 MR. DILLON: I'm good.
14 CHAIRMAN KLINGHOFFER: Oh, okay. You
15 looked at me --
16 Okay.
17 Rationale for going into Executive Session?
18 MR. ROTHER: Litigation and contract
19 negotiations.
20 CHAIRMAN KLINGHOFFER: Is there a motion to
21 go into Executive Session?
22 VICE CHAIRMAN BROWN: Move it.
23 COMMISSIONER YUSTEIN: 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 Yustein?

8 COMMISSIONER YUSTEIN: Yes.

9 MS. SAPINSKI: Chairman Klinghoffer?

10 CHAIRMAN KLINGHOFFER: Yes.

11

12 (Whereupon, the Board moved to Executive
13 Session at 5:06 p.m., Resolution No. 18-083.)

14

15 (Whereupon, the Board returned to Open
16 Session at 5:36 p.m., Resolution No. 18-17.)

17

18 **ADJOURNMENT:**

19

20 CHAIRMAN KLINGHOFFER: Is there a motion to
21 adjourn?

22 VICE CHAIRMAN BROWN: Move it.

23 COMMISSIONER YUSTEIN: 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 Yustein?

8 COMMISSIONER YUSTEIN: Yes.

9 MS. SAPINSKI: Chairman Klinghoffer?

10 CHAIRMAN KLINGHOFFER: Yes.

11 MS. SAPINSKI: Thank you.

12 CHAIRMAN KLINGHOFFER: Thank you everybody.

13 MR. ROTHER: Thank you.

14

15 (Whereupon, the proceedings were concluded

16 at 5:37 p.m., Resolution No. 18-18.)

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25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

5 I, Karen A. Marino, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript of the REGULAR BOARD MEETING
8 of the ESSEX COUNTY IMPROVEMENT AUTHORITY heard
9 on Tuesday, April 24, 2018 and recorded on tape.

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24 Monitored by: Kevin Dillon, Sr.

25 Proofread by: Deborah Dillon