

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

27 Wright Way
Fairfield, New Jersey

Tuesday, June 18, 2019
Commencing at 5:05 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, (Arrived, via telephone, at
5:06 p.m.)
COMMISSIONER GERARD M. SPIESBACH
COMMISSIONER CARLA A. STANZIALE, (Via telephone)
COMMISSIONER JACQUELINE YUSTEIN
COMMISSIONER STEVEN H. KLINGHOFFER, Chairman

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

COMMISSIONER RONALD J. BROWN, Vice Chairman

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
CLYDE L. OTIS, III, ESQ., Director of Development/
Assistant General Counsel
THOMAS GOMEZ, Airport Manager
BETSY WILLIAMSON, Administrative Assistant
JOSEPH CALI, Senior Project Manager/Accounts Receivables

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1 MR. DILLON: We're on the record.

2 CHAIRMAN KLINGHOFFER: Thank you.

3 Notice was duly given by regular mail,
4 electronic 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 Gill, the News Editor of The
8 Herald News, and the News Editor of The
9 Star-Ledger, and notice was posted on the
10 bulletin board in the Office of the Essex County
11 Improvement Authority stating the time, date, and
12 location of this Regular Board Meeting.

13

14 **ROLL CALL:**

15

16 CHAIRMAN KLINGHOFFER: Roll call, please.

17 MS. SAPINSKI: Commissioner Dunec?

18 COMMISSIONER DUNEC: Here.

19 MS. SAPINSKI: Commissioner Spiesbach?

20 COMMISSIONER SPIESBACH: Here.

21 MS. SAPINSKI: Commissioner Stanziale?

22 COMMISSIONER STANZIALE: Here.

23 MS. SAPINSKI: Commissioner Yustein?

24 COMMISSIONER YUSTEIN: Here.

25 MS. SAPINSKI: Chairman Klinghoffer?

1 CHAIRMAN KLINGHOFFER: Here.

2

3 **PUBLIC COMMENTS:**

4

5 CHAIRMAN KLINGHOFFER: Seeing no members of
6 the public present, I'm assuming there's no
7 Public Comments.

8

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

11 **ACCEPTANCE OF MINUTES**

12 **RESOLUTION NO. 19-18**

13 **1. REGULAR BOARD MEETING AND EXECUTIVE SESSION**
14 **MAY 28, 2019.)**

15

16 CHAIRMAN KLINGHOFFER: Would someone like
17 to move Acceptance of the Minutes of May 28,
18 2019, both Regular Board Meeting and Executive
19 Session?

20 COMMISSIONER SPIESBACH: Move to accept.

21 COMMISSIONER YUSTEIN: Second.

22 MS. SAPINSKI: Commissioner Dunec?

23

24 (Whereupon, Commissioner Ross arrived, via
25 telephone, at 5:06 p.m.)

1

COMMISSIONER DUNEC: Yes.

2

3

MS. SAPINSKI: Commissioner Spiesbach?

4

COMMISSIONER SPIESBACH: Yes.

5

MS. SAPINSKI: Commissioner Stanziale?

6

COMMISSIONER STANZIALE: Yes.

7

MS. SAPINSKI: Commissioner Yustein?

8

COMMISSIONER YUSTEIN: Yes.

9

MS. SAPINSKI: Chairman Klinghoffer?

10

CHAIRMAN KLINGHOFFER: Yes.

11

MS. SAPINSKI: Who just joined us?

12

COMMISSIONER ROSS: Cliff Ross.

13

MS. SAPINSKI: Oh.

14

Hello, Commissioner.

15

Okay.

16

COMMISSIONER ROSS: How you doing?

17

Sorry for the -- I'm late.

18

CHAIRMAN KLINGHOFFER: We're -- we were

19

going to defer Executive --

20

Excuse me.

21

-- Executive Session to the latter part of

22

the meeting.

23

24

(Whereupon, the Board discussed and took

25

action on the following items:

1 ADMINISTRATIVE

2 1. RESOLUTION NO. 19-105 - RESOLUTION
3 RATIFYING PAYMENT TO AUDIO-DIGITAL TRANSCRIPTION
4 SERVICES, LLC FOR TRANSCRIPTION OF BOARD MEETING
5 ON 5-28-19; and

6 2. RESOLUTION NO. 19-106 - RESOLUTION
7 RATIFYING PAYMENT OF RECURRING BILLS (BILL
8 LIST).)

9
10 CHAIRMAN KLINGHOFFER: Would someone like
11 to move Administrative?

12 Resolutions 1 and 2.

13 COMMISSIONER SPIESBACH: I'll move items 1
14 and 2.

15 COMMISSIONER YUSTEIN: Second.

16 MS. SAPINSKI: Commissioner Dunec?

17 COMMISSIONER DUNEC: Yes.

18 MS. SAPINSKI: Commissioner Ross?

19 COMMISSIONER ROSS: Yes.

20 MS. SAPINSKI: Commissioner Spiesbach?

21 COMMISSIONER SPIESBACH: Yes.

22 MS. SAPINSKI: Commissioner Stanziale?

23 COMMISSIONER STANZIALE: Yes.

24 MS. SAPINSKI: Commissioner Yustein?

25 COMMISSIONER YUSTEIN: Yes.

1 MS. SAPINSKI: Chairman Klinghoffer?

2 CHAIRMAN KLINGHOFFER: Yes.

3

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

6 **CORRECTIONAL FACILITY/CELANESE/ENVIRONMENTAL**

7 **EXPOSURE**

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

9 3. RESOLUTION NO. 19-107 - RESOLUTION
10 AUTHORIZING AMENDMENT #2 TO THE AGREEMENT WITH
11 BUCHANAN, INGERSOLL & ROONEY, PC IN THE AMOUNT OF
12 \$200,000.00 FOR ADDITIONAL LEGAL SERVICES; and

13 4. RESOLUTION NO. 19-108 - RESOLUTION
14 AUTHORIZING PAYMENT IN THE AMOUNT OF \$90,730.98
15 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
16 SERVICES RENDERED IN THE MONTH OF MAY.)

17

18 CHAIRMAN KLINGHOFFER: Would anybody like
19 to move the Correctional Facility?

20 Resolutions 3 and 4.

21 I actually have a -- a question for the --
22 Director Rother.

23 It -- it appears that there is a -- a
24 market increase in legal activity.

25 I don't know if you want to address that

1 during Executive Session or --

2 MR. ROTHER: Yeah. Let's --

3 CHAIRMAN KLINGHOFFER: You do.

4 MR. ROTHER: -- let do it there.

5 CHAIRMAN KLINGHOFFER: Okay.

6 In that event, would someone please move 3
7 and 4?

8 COMMISSIONER SPIESBACH: I'll move 3 and 4.

9 COMMISSIONER YUSTEIN: Second.

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 item:

25 **PARKING FACILITY**

1 **5.** RESOLUTION NO. 19-109 - RESOLUTION
2 AUTHORIZING PAYMENT TO AROCHO SERVICES, LLC IN
3 THE AMOUNT OF 2,050.00 FOR LANDSCAPING, ELEVATOR
4 AND STAIRWELLS CLEANING SERVICES AT THE JUROR
5 PARKING FACILITY.)

6
7 CHAIRMAN KLINGHOFFER: Would someone like
8 to move item 4 (sic), for the Parking Facility,
9 payment for landscaping, elevator and other
10 services?

11 COMMISSIONER SPIESBACH: No, actually
12 that's item number 5.

13 MS. SAPINSKI: Five.

14 COMMISSIONER SPIESBACH: But I'll move it.

15 CHAIRMAN KLINGHOFFER: I'm sorry; I
16 misspoke.

17 It's 5.

18 COMMISSIONER SPIESBACH: But I will move
19 it.

20 CHAIRMAN KLINGHOFFER: Thank you.

21 Otherwise it would have -- yeah.

22 COMMISSIONER SPIESBACH: Yeah.

23 COMMISSIONER YUSTEIN: And I'll second it.

24 COMMISSIONER SPIESBACH: You would have
25 gotten everybody confused.

1 MS. SAPINSKI: Commissioner -- Commissioner
2 Dunec?

3 CHAIRMAN KLINGHOFFER: Thank you.

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 items:

18 **AIRPORT**

19 6. RESOLUTION NO. 19-110 - RESOLUTION
20 AUTHORIZING AN AGREEMENT WITH C&S ENGINEERS INC.
21 IN THE AMOUNT NOT TO EXCEED \$120,000.00 FOR
22 ENGINEERING SERVICES IN CONNECTION WITH THE
23 DESIGN OF A NEW FIRE PROTECTION SYSTEM AT
24 HANGAR/BUILDING I AND M;

25 7. RESOLUTION NO. 19-111 - RESOLUTION

1 ACCEPTING A PROPOSAL FROM DIAMOND CONTRACTING OF
2 NJ IN THE AMOUNT OF \$7,500.00 TO CUT AND CLEAR
3 THE VEGETATION FROM THE APPROACH END OF RUNWAY 22
4 (VIBRA SCREW PROPERTY);

5 **8.** RESOLUTION NO. 19-112 - RESOLUTION
6 ACCEPTING A PROPOSAL FROM SUPERIOR GLASS & METAL
7 LLC IN THE AMOUNT OF \$1,140.00 TO REPLACE A
8 BROKEN WINDOW GLASS AT HANGAR/BUILDING I;

9 **9.** RESOLUTION NO. 19-113 - RESOLUTION
10 ACCEPTING A PROPOSAL FROM SUPERIOR GLASS & METAL
11 LLC IN THE AMOUNT OF \$7,465.00 TO REPLACE FRONT
12 GLASS DOOR AT HANGAR/BUILDING M;

13 **10.** RESOLUTION NO. 19-114 - RESOLUTION
14 AUTHORIZING PAYMENT TO SMITH TRACTOR & EQUIPMENT
15 IN THE AMOUNT OF \$5,201.70 FOR TRACTOR REPAIRS
16 AND RENTAL;

17 **11.** RESOLUTION NO. 19-115 - RESOLUTION
18 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
19 THE AMOUNT OF \$292.50 FOR ENGINEERING SERVICES IN
20 CONNECTION WITH THE UNDERGROUND STORAGE TANK
21 COMPLIANCE AS PER NEW DEP REGULATIONS;

22 **DRAINAGE IMPROVEMENTS PROJECT**

23 **Project Funded: NJDOT 90%; ECIA 10%**

24 **12.** RESOLUTION NO. 19-116 - RESOLUTION
25 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN

1 THE AMOUNT OF \$1,185.60 FOR ENGINEERING SERVICES
2 IN CONNECTION WITH THE PROJECT DESIGN;

3 13. RESOLUTION NO. 19-117 - DISPOSITION OF BIDS
4 FOR THE DRAINAGE IMPROVEMENTS PROJECT - REJECTION
5 OF ALL BIDS;

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

7 **Project Funded: ECIA/AIRPORT**

8 14. RESOLUTION NO. 19-118 - RESOLUTION
9 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
10 THE AMOUNT OF \$5,854.00 FOR ENGINEERING SERVICES,
11 SITE REMEDIATION AT HANGAR 1 AREA; and

12 15. RESOLUTION NO. 19-119 - RESOLUTION
13 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
14 THE AMOUNT OF \$877.50 FOR ENGINEERING SERVICES,
15 SITE REMEDIATION AT HANGAR 3 AREA.)

16

17 CHAIRMAN KLINGHOFFER: Next up are the
18 Airport Resolutions, which are 6 through 15.

19 You want to move this, Jackie?

20 COMMISSIONER YUSTEIN: I'll move them.

21 COMMISSIONER SPIESBACH: Second.

22 MS. SAPINSKI: Commissioner Dunec?

23 COMMISSIONER DUNEC: Yes.

24 MS. SAPINKSI: Commissioner Ross?

25 COMMISSIONER ROSS: Yes.

1 MS. SAPINSKI: Commissioner Spiesbach?

2 COMMISSIONER SPIESBACH: Yes.

3 MS. SAPINSKI: Commissioner Stanziale?

4 COMMISSIONER STANZIALE: Yes.

5 MS. SAPINSKI: Commissioner Yustein?

6 COMMISSIONER YUSTEIN: Yes.

7 MS. SAPINSKI: Chairman Klinghoffer?

8 CHAIRMAN KLINGHOFFER: Yes.

9

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

12 **FINANCE**

13 **16.** RESOLUTION NO. 19-120 - RESOLUTION
14 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF
15 THE AUTHORITY'S \$150,000,000.00 POOLED GOVERNMENT
16 LOAN PROGRAM, SERIES 1986

17 PAYMENTS DUE FOR PGLP SERVICES

18 GALLEROS-ROBINSON CPAs, LLP, - FINANCIAL
19 CONSULTANT - JUNE 2019 - \$2,000.00;

20 WELLS FARGO - LETTER OF CREDIT 4/1/19 -
21 6/30/19 - \$36,199.31.)

22

23 CHAIRMAN KLINGHOFFER: And item 16.

24 The Resolution on payment of charges and
25 expenses related to our Pooled Government Loan

1 Program.

2 Would someone like to move that?

3 COMMISSIONER SPIESBACH: Move number 16.

4 COMMISSIONER YUSTEIN: Second.

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 Our rationale for going into Executive
18 Session is?

19 MR. ROTHER: Well, one of them is
20 litigation, obviously.

21 And the -- the rest are all pretty much
22 negotiation of various transactions; deals that
23 are -- that are pending.

24 CHAIRMAN KLINGHOFFER: Okay.

25 COMMISSIONER SPIESBACH: Move to -- move to

1 go to Executive Session.

2 COMMISSIONER YUSTEIN: Second.

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 moved to Executive
17 Session at 5:09 p.m., Resolution No. 19-121.)

18

19 (Whereupon, the Board returned to Open
20 Session at 5:34 p.m., Resolution No. 19-19.)

21

22 **ADJOURNMENT:**

23

24 MR. DILLON: Back on --

25 CHAIRMAN KLINGHOFFER: Back on the record.

1 Is there a motion to adjourn?

2 COMMISSIONER SPIESBACH: Motion to adjourn.

3 COMMISSIONER YUSTEIN: Second.

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 Stanziale?

11 COMMISSIONER STANZIALE: Yes.

12 MS. SAPINSKI: Commissioner Yustein?

13 COMMISSIONER YUSTEIN: Yes.

14 MS. SAPINSKI: Chairman Klinghoffer?

15 CHAIRMAN KLINGHOFFER: Yes.

16 Thank you, everybody.

17 MS. SAPINSKI: Thank you.

18

19 (Whereupon, the proceedings were concluded
20 at 5:34 p.m., Resolution No. 19-20.)

21

22

23

24

25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

5 I, Karen A. Marino, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript of the REGULAR BOARD MEETING
8 of the ESSEX COUNTY IMPROVEMENT AUTHORITY heard
9 on Tuesday, June 18, 2019 and recorded on tape.

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24 Monitored by: Kevin Dillon, Sr.

25 Proofread by: Deborah Dillon