

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

27 Wright Way
Fairfield, New Jersey

Tuesday, June 27, 2017
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 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
LUCY SAPINSKI, Director of Operations
THOMAS GOMEZ, Airport Manager
BETSY WILLIAMSON, Administrative Assistant
JOSEPH CALI, Senior Project Manager/Accounts Receivables
JOHN J. SCALLY, JR., ESQ., Bond Counsel

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1 CHAIRMAN KLINGHOFFER: We're ready?

2 MS. DILLON: Yes.

3 CHAIRMAN KLINGHOFFER: Okay.

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

14

15 **ROLL CALL:**

16

17 CHAIRMAN KLINGHOFFER: Roll call, please.

18 MS. SAPINSKI: Commissioner Brown?

19 VICE CHAIRMAN BROWN: Here.

20 MS. SAPINSKI: Commissioner Dunec?

21 COMMISSIONER DUNEC: Here.

22 MS. SAPINSKI: Commissioner Ross?

23 COMMISSIONER ROSS: Present.

24 MS. SAPINSKI: Commissioner Spiesbach?

25 COMMISSIONER SPIESBACH: Here.

1 MS. SAPINSKI: Commissioner Yustein?

2 COMMISSIONER YUSTEIN: Here.

3 MS. SAPINSKI: Chairman Klinghoffer?

4 CHAIRMAN KLINGHOFFER: Yes. Here.

5

6 **PUBLIC COMMENTS:**

7

8 CHAIRMAN KLINGHOFFER: Anybody here from
9 the public?

10 Any Public Comment?

11 Seeing none.

12 No Public Comment.

13

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

16 **ACCEPTANCE OF MINUTES**

17 **RESOLUTION NO. 17-27**

18 **1. REGULAR BOARD MEETING AND EXECUTIVE SESSION**
19 5-30-17.)

20

21 CHAIRMAN KLINGHOFFER: Motion to Accept the
22 Minutes of the Board Meeting of May 30th and the
23 Executive Session.

24 VICE CHAIRMAN BROWN: Move it.

25 COMMISSIONER YUSTEIN: Second.

1 MS. SAPINSKI: Commissioner Brown?

2 VICE CHAIRMAN BROWN: Yes.

3 MS. SAPINSKI: Commissioner Dunec?

4 COMMISSIONER DUNEC: Am I allowed to vote
5 on that even though I wasn't --

6 CHAIRMAN KLINGHOFFER: It's just accepting
7 it. You can --

8 COMMISSIONER DUNEC: Okay.
9 Yes.

10 MS. SAPINSKI: Commissioner Ross?

11 COMMISSIONER ROSS: Yes.

12 MS. SAPINSKI: Commissioner Spiesbach?

13 COMMISSIONER SPIESBACH: Yes.

14 MS. SAPINSKI: Commissioner Yustein?

15 COMMISSIONER YUSTEIN: Yes.

16 MS. SAPINSKI: Chairman Klinghoffer?

17 CHAIRMAN KLINGHOFFER: Yes.

18 Executive Session after?

19 MR. ROTHER: Yeah.

20 CHAIRMAN KLINGHOFFER: Okay.

21 We're going to do Executive Session later
22 on.

23

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

1 **FINANCE**

2 **1.** RESOLUTION NO. 17-130 - SUPPLEMENTAL BOND
3 RESOLUTION OF THE ESSEX COUNTY IMPROVEMENT
4 AUTHORITY AUTHORIZING THE ISSUANCE OF ITS NOT TO
5 EXCEED \$43,250,000.00 PROJECT CONSOLIDATION
6 REVENUE REFUNDING BONDS, SERIES 2017.)

7
8 CHAIRMAN KLINGHOFFER: And the first order
9 of business is the Supplemental Bond Resolution
10 of the Improvement Authority Authorizing Issuance
11 Not to Exceed \$43,250,000.00.

12 And --

13 COMMISSIONER DUNEC: Make a motion.

14 CHAIRMAN KLINGHOFFER: Well, well, well --

15 COMMISSIONER DUNEC: Okay.

16 CHAIRMAN KLINGHOFFER: -- wait a second.

17 We have -- we have someone present to -- to
18 explain this. So, let's -- let's --

19 I want to make his -- his trip worthwhile.

20 MR. SCALLY: Thank you, Mr. Chairman.

21 John Scally. I don't -- is anybody on from
22 that -- any --

23 MS. SAPINSKI: No. No.

24 MR. SCALLY: No.

25 Everything's going well on this. We had

1 approval from the Local Finance Board on -- on
2 June 14th of the application to go forward. There
3 were no questions at all.

4 And the Supplemental Resolution, which you
5 have before you today -- and all the documents
6 are attached to it, Lucy's assembled everything.
7 Really this is what authorizes the issuance of
8 the bonds.

9 And as we've done many times in the past,
10 the Executive Director is delegated a lot of
11 authority to actually do the final details of the
12 bond issue. And he actually -- he does an
13 Executive Director's certificate, which covers
14 it.

15 These bonds will be sold competitively. So
16 there will be a notice of sale published and
17 ACACIA will be here monitoring the bids. So
18 there isn't -- there wasn't an underwriter picked
19 to do the transaction.

20 MR. ROTHER: ACACIA is our financial
21 advisor.

22 MR. SCALLY: Yeah. Sorry. They're the
23 financial --

24 CHAIRMAN KLINGHOFFER: Could you just
25 explain what the issue's for is --

1 MR. SCALLY: Sure.

2 This is -- this is a refunding bond issue.
3 It's taking -- there are bonds in 2005 and 2007
4 that have -- are -- you can call and it's -- it's
5 what we call a current refunding.

6 CHAIRMAN KLINGHOFFER: Um-hum.

7 MR. SCALLY: So the bonds -- these bonds
8 will be issued within 90 days of the call date of
9 the other bonds, which is -- they're in December.

10 So these bonds will not be issued on a
11 timing basis until sometime in September.

12 So the actual sale for these bonds will
13 either be late August/early September. And
14 ACACIA still has to schedule that in consultation
15 with the County Treasurer.

16 So, --

17 MR. ROTHER: The County's really the party
18 in interest here.

19 MR. SCALLY: Yeah.

20 MR. ROTHER: We're -- we're a conduit for
21 -- for the County.

22 MR. SCALLY: Right.

23 MR. ROTHER: And -- and anything that we do
24 will be done in consultation with the County
25 Treasurer.

1 MR. SCALLY: They -- they are guaran-- the
2 County is guarantying the bonds. So they are
3 really the obligor behind the --

4 CHAIRMAN KLINGHOFFER: And -- and we have
5 discussed this before; know there's sufficient
6 savings to make it worth doing.

7 MR. SCALLY: The savings are very big.

8 As you may recall last year we had the
9 smaller deal, --

10 CHAIRMAN KLINGHOFFER: Um-hum.

11 MR. SCALLY: -- the '05 deal, which the
12 savings were about five percent I think it was,
13 present value.

14 CHAIRMAN KLINGHOFFER: Um-hum.

15 MR. SCALLY: The bigger deal, the 2007
16 refund -- bonds that are being refunded, produces
17 savings of over ten percent.

18 So when it's combined, it's a very healthy
19 -- a very healthy savings.

20 MR. ROTHER: Yeah.

21 MR. SCALLY: I mean the -- you know,
22 depending upon where the market's going -- going
23 to be when we sell, could be anywhere from four
24 to five million dollars in present value savings.

25 Yeah.

1 MR. ROTHER: And my discretion really is
2 only to formalize the advice that's going to come
3 from ACACIA and the --

4 MR. SCALLY: Right.

5 MR. ROTHER: -- County Treasurer.

6 So, they -- those are the two parties that
7 -- looking at the market, or making certain calls
8 that tell us when and how we're going to do this
9 deal.

10 MR. SCALLY: We actually have parameters --
11 so nobody gets carried away.

12 Now we have parameters on the issue size,
13 which is the 43 million and change.

14 We have a parameter on the maturity of the
15 bonds. They can't go out beyond 2028.

16 And then we have a parameter on the
17 interest rate, which is set at six percent, which
18 is higher than the rate will actually be.

19 But if -- if anything were to go beyond
20 that the -- the Executive Director could not act
21 without coming back to the Board.

22 CHAIRMAN KLINGHOFFER: I tell you I would
23 love six percent -- bonds for ten years, too.
24 That's --

25 MR. SCALLY: Yeah, that would be good.

1 CHAIRMAN KLINGHOFFER: That would be real
2 nice.

3 MR. SCALLY: But -- so that's right, the
4 ACACIA will advise on all the market side of it.

5 And then, you know, the Executive Director
6 will be authorized to complete the official
7 statement of the disclosure document --

8 CHAIRMAN KLINGHOFFER: Okay.

9 MR. SCALLY: -- that I know many of you've
10 seen before and -- and just do -- do all the
11 closing documents.

12 So, if there are any further questions, I'm
13 happy to answer them.

14 CHAIRMAN KLINGHOFFER: Any further
15 questions?

16 If not, is there a motion?

17 COMMISSIONER DUNEC: Motion.

18 COMMISSIONER ROSS: Second.

19 COMMISSIONER SPIESBACH: Second.

20 MS. SAPINSKI: Commissioner Brown?

21 VICE CHAIRMAN BROWN: Yes.

22 MS. SAPINSKI: Commissioner Dunec?

23 COMMISSIONER DUNEC: Yes.

24 MS. SAPINSKI: Commissioner Ross?

25 COMMISSIONER ROSS: Yes.

1 MS. SAPINSKI: Commissioner Spiesbach?

2 COMMISSIONER SPIESBACH: Yes.

3 MS. SAPINSKI: Commissioner Yustein?

4 COMMISSIONER YUSTEIN: Yes.

5 MS. SAPINSKI: Chairman Klinghoffer?

6 CHAIRMAN KLINGHOFFER: Yes.

7 Thank you very much.

8 MS. SCALLY: Thank --

9 COMMISSIONER SPIESBACH: Thanks, John.

10 MR. SCALLY: Thank you.

11 MR. ROTHER: Thank you.

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

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

17 **FINANCE**

18 2. RESOLUTION NO. 17-131 - RESOLUTION

19 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF

20 THE AUTHORITY'S \$150,000,000.00 POOLED

21 GOVERNMENTAL LOAN PROGRAM, SERIES 1986

22 **PAYMENTS DUE OTHERS FOR PGLP SERVICES**

23 1. GALLEROS-KOH, LLP - FINANCIAL

24 CONSULTANT - JUNE 2017 - \$2,000.00; and

25 2. WELLS FARGO - LETTER OF CREDIT - 4-1-17

1 TO 6-30-17 - \$34,300.39.)

2

3 CHAIRMAN KLINGHOFFER: Next matter is
4 number 2.

5 Resolution Authorizing Payment of Charges
6 and Expenses on the Pooled Government Loan
7 Program.

8 COMMISSIONER SPIESBACH: Move to approve.

9 VICE CHAIRMAN BROWN: 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 items:

25 **ADMINISTRATIVE**

1 **3.** RESOLUTION NO. 17-132 - RESOLUTION
2 AUTHORIZING PAYMENT TO AUDIO-DIGITAL
3 TRANSCRIPTION SERVICES, LLC FOR TRANSCRIPTION OF
4 REGULAR BOARD MEETING ON 5-30-17;

5 **4.** RESOLUTION NO. 17-133 - RESOLUTION
6 RATIFYING PAYMENT OF RECURRING BILLS (BILL LIST);
7 and

8 **5.** RESOLUTION NO. 17-134 - RESOLUTION
9 AUTHORIZING PAYMENT TO DREW & RODGER FOR ARTISTIC
10 ITEMS FOR COUNTY ANNUAL OPEN HOUSE AND AIRPORT
11 TOUR ITEMS IN THE AMOUNT OF \$2,396.10.)

12

13 CHAIRMAN KLINGHOFFER: Next are
14 Administrative matters 3, 4 and 5.

15 COMMISSIONER DUNEC: Make a motion.

16 VICE CHAIRMAN BROWN: Second.

17 MS. SAPINSKI: Commissioner Brown?

18 VICE CHAIRMAN BROWN: Yes.

19 MS. SAPINSKI: Commissioner Dunec?

20 COMMISSIONER DUNEC: Yes.

21 MS. SAPINSKI: Commissioner Ross?

22 COMMISSIONER ROSS: Yes.

23 MS. SAPINSKI: Commissioner Spiesbach?

24 COMMISSIONER SPIESBACH: Yes.

25 MS. SAPINSKI: Commissioner Yustein?

1 COMMISSIONER YUSTEIN: Yes.

2 MS. SAPINSKI: Chairman Klinghoffer?

3 CHAIRMAN KLINGHOFFER: Yes.

4

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

7 **SPORTSPLEX COMPLEX (Stadium and Garage)**

8 6. RESOLUTION NO. 17-135 - RESOLUTION
9 AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,635.00 TO
10 CONNELL FOLEY FOR LEGAL SERVICES RENDERED IN
11 CONNECTION WITH THE SPORTSPLEX COMPLEX FOR THE
12 MONTH OF MAY 2017;

13 7. RESOLUTION NO. 17-136 - RESOLUTION
14 AUTHORIZING FINAL PAYMENT IN THE AMOUNT OF
15 \$17,738.80 TO PS&S FOR SERVICES RENDERED IN
16 CONNECTION WITH ENVIRONMENTAL ISSUES AT THE
17 SPORTSPLEX COMPLEX;

18 8. RESOLUTION NO. 17-137 - RESOLUTION
19 RATIFYING THE ACCEPTANCE OF STADIUM USE AGREEMENT
20 BETWEEN ECIA AND AUDIBLE FOR ONETIME EVENT ON
21 JUNE 28, 2017; and

22 9. RESOLUTION NO. 17-138 - RESOLUTION
23 EXTENDING THE STADIUM USE AGREEMENT BETWEEN ECIA
24 AND NJIT UNTIL MAY 31, 2018.)

25

1 CHAIRMAN KLINGHOFFER: Next is Sportsplex
2 Complex, both the Stadium and the Garage, 6, 7, 8
3 and 9.

4 VICE CHAIRMAN BROWN: Move it.

5 COMMISSIONER ROSS: Second.

6 MS. SAPINSKI: Commissioner Brown?

7 VICE CHAIRMAN BROWN: Yes.

8 MS. SAPINSKI: Commissioner Dunec?

9 COMMISSIONER DUNEC: Yes.

10 MS. SAPINSKI: Commissioner Ross?

11 COMMISSIONER ROSS: Yes.

12 MS. SAPINSKI: Commissioner Spiesbach?

13 COMMISSIONER SPIESBACH: Yes.

14 MS. SAPINSKI: Commissioner Yustein?

15 COMMISSIONER YUSTEIN: Yes.

16 MS. SAPINSKI: Chairman Klinghoffer?

17 CHAIRMAN KLINGHOFFER: Yes.

18

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

21 **JUROR PARKING**

22 10. RESOLUTION NO. 17-139 - RESOLUTION
23 AUTHORIZING PAYMENT IN THE AMOUNT OF \$925.02 TO
24 SCHINDLER ELEVATOR CORPORATION FOR ELEVATOR
25 REPAIRS NOT COVERED BY MAINTENANCE; and

1 **11.** RESOLUTION NO. 17-140 - RESOLUTION
2 AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,411.90 TO
3 SOUTHLAND PRINTING FOR PARKING TICKETS.)
4

5 CHAIRMAN KLINGHOFFER: Juror Parking,
6 numbers 10 and 11.

7 COMMISSIONER ROSS: Move it.

8 COMMISSIONER DUNEC: Second.

9 MS. SAPINSKI: Commissioner Brown?

10 VICE CHAIRMAN BROWN: Yes.

11 MS. SAPINSKI: Commissioner Dunec?

12 COMMISSIONER DUNEC: Yes.

13 MS. SAPINSKI: Commissioner Ross?

14 COMMISSIONER ROSS: Yes.

15 MS. SAPINSKI: Commissioner Spiesbach?

16 COMMISSIONER SPIESBACH: Yes.

17 MS. SAPINSKI: Commissioner Yustein?

18 COMMISSIONER YUSTEIN: Yes.

19 MS. SAPINSKI: Chairman Klinghoffer?

20 CHAIRMAN KLINGHOFFER: Yes.

21 Executive Session; okay, after the Airport?

22 or do you want to do it midway or --

23 It's -- it's up to you.

24 MR. ROTHER: I'm -- I -- I don't think -- I
25 don't think that anything we'll discuss in

1 Executive Session should impact the vote.

2 CHAIRMAN KLINGHOFFER: Okay.

3 Okay.

4

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

7 **AIRPORT**

8 **12.** RESOLUTION NO. 17-141 - RESOLUTION
9 AUTHORIZING THE DISPOSITION OF BIDS FOR
10 CONSTRUCTION OF RUNWAY 10-28 CRACK REPAIR &
11 SEALCOAT (REJECTION OF ALL BIDS);

12 **13.** RESOLUTION NO. 17-142 - RESOLUTION
13 AUTHORIZING PAYMENT IN THE AMOUNT OF \$750.00 TO
14 JAMES ISABEL FOR WELDING SERVICES;

15 **14.** RESOLUTION NO. 17-143 - RESOLUTION
16 AUTHORIZING PAYMENT TO PARK POLICE PROPERTY
17 MAINTENANCE LLC IN THE AMOUNT OF \$11,069.00 FOR
18 PLANTING 23 TREES ON PROPERTIES OFF THE AIRPORT
19 WHERE OBSTRUCTIONS (TREES AND VEGETATION) WERE
20 REMOVED;

21 **15.** RESOLUTION NO. 17-144 - RESOLUTION
22 AUTHORIZING PAYMENT TO AFA PROTECTIVE SYSTEMS IN
23 THE AMOUNT OF \$826.22 FOR SERVICES RENDERED IN
24 CONNECTION WITH ACCIDENTAL FOAM DISCHARGE AT
25 HANGAR/BUILDING I;

1 **16.** RESOLUTION NO. 17-145 - RESOLUTION
2 ACCEPTING A PROPOSAL FROM UNITED AUTOMATIC FIRE
3 SPRINKLER IN THE AMOUNT OF \$21,100.00 TO REPLACE
4 EXISTING 6" VIKING DELUGE SYSTEM AS PER INSURANCE
5 COMPANY REQUEST IN CONNECTION WITH ACCIDENTAL
6 FOAM DISCHARGE AT HANGAR/BUILDING I;

7 **NEW OPERATION BUILDING PROJECT**

8 **Project Funded:**

9 **AIRPORT BUDGET**

10 **17.** RESOLUTION NO. 17-146 - RESOLUTION
11 AUTHORIZING PAYMENT #3 TO ACCURATE CONSTRUCTION
12 INC. IN THE AMOUNT OF \$293,196.60 FOR SERVICES
13 RENDERED THROUGH JUNE 19, 2017);

14 **18.** RESOLUTION NO. 17-147 - RESOLUTION
15 AUTHORIZING PAYMENT IN THE AMOUNT OF \$11,973.50
16 TO PS&S FOR ENGINEERING SERVICES RENDERED THROUGH
17 APRIL 28, 2017 (CONSTRUCTION OVERSIGHT AND
18 INSPECTION); and

19 **19.** RESOLUTION NO. 17-148 - RESOLUTION
20 AUTHORIZING A PAYMENT IN THE AMOUNT OF \$8,335.45
21 TO SECURITY 101 TO ASSIST THE AUTHORITY WITH RE-
22 CONNECTING ALL SECURITY EQUIPMENT AND HARDWARE.)

23

24 CHAIRMAN KLINGHOFFER: Then we have the
25 Airport and -- including New Operation Building

1 Project, 12 through 19.

2 VICE CHAIRMAN BROWN: Move it.

3 COMMISSIONER DUNEC: Second.

4 MS. SAPINSKI: Commissioner Brown?

5 VICE CHAIRMAN BROWN: Yes.

6 MS. SAPINSKI: Commissioner Dunec?

7 COMMISSIONER DUNEC: Yes.

8 MS. SAPINSKI: Commissioner Ross?

9 COMMISSIONER ROSS: Yes.

10 MS. SAPINSKI: Commissioner Spiesbach?

11 COMMISSIONER SPIESBACH: Yes.

12 MS. SAPINSKI: Commissioner Yustein?

13 COMMISSIONER YUSTEIN: Yes.

14 MS. SAPINSKI: Chairman Klinghoffer?

15 CHAIRMAN KLINGHOFFER: Yes.

16 MR. ROTHER: And, by the way, we're going
17 to have a formal ribbon-cutting, if you will, at
18 the opening of the Op's Building.

19 The County Executive would like to have a
20 big splash when -- when that does.

21 CHAIRMAN KLINGHOFFER: Do we have a date
22 yet?

23 MR. ROTHER: Not yet.

24 MS. SAPINSKI: Not yet.

25 MR. ROTHER: No.

1 MS. SAPINSKI: Waiting --

2 MR. ROTHER: No.

3 But we're --

4 CHAIRMAN KLINGHOFFER: Do we know when
5 we're targeting? What -- what time of year?

6 MR. ROTHER: Roughly we're --

7 MR. CALI: We're still about three or four
8 weeks out.

9 MR. ROTHER: Just so that you know we're
10 going to --

11 COMMISSIONER YUSTEIN: The end of July?

12 MR. ROTHER: We'll -- and we'll -- we'll
13 give you as much advance notice as we can.

14 MS. SAPINSKI: Yeah.

15 MR. ROTHER: That ribbon-cutting.

16 Okay?

17 CHAIRMAN KLINGHOFFER: Okay.

18

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

21 **NEWARK RIVERFRONT PROJECT/LITIGATION**

22 **20. RESOLUTION NO. 17-149 - RESOLUTION**
23 **AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,570.30 TO**
24 **DE COTIIS, FITZPATRICK, COLE & GIBLIN, LLP FOR**
25 **LEGAL SERVICES RENDERED IN THE MONTH OF MAY**

1 2017.)

2

3

CHAIRMAN KLINGHOFFER: Item 20.

4

Newark Riverfront Project/Litigation?

5

COMMISSIONER DUNEC: Motion.

6

COMMISSIONER ROSS: Second.

7

MS. DILLON: I'm sorry; who moved?

8

MS. SAPINSKI: Commissioner Dunec.

9

MS. DILLON: Thank you.

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 the

24 following item:

25

CORRECTIONAL FACILITY/CELANESE/ENVIRONMENTAL

1 EXPOSURE

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

3 **21.** RESOLUTION NO. 17-150 - RESOLUTION
4 AUTHORIZING PAYMENT IN THE AMOUNT OF \$70.157.20
5 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
6 SERVICES RENDERED IN THE MONTH OF MAY 2017.)

7
8 CHAIRMAN KLINGHOFFER: On item 21, where
9 does this put at year-to-date and how much are we
10 against our authorization?

11 I think it's the standard authorization
12 not --

13 MS. SAPINSKI: We just did.

14 CHAIRMAN KLINGHOFFER: -- not that long --

15 MR. ROTHER: Yeah.

16 If -- if you want to, we could go into
17 Executive Session and -- now and then vote on
18 this when we come out?

19 CHAIRMAN KLINGHOFFER: Okay.

20 MR. ROTHER: If it's -- there are some
21 things I can -- I could share with you.

22 MS. SAPINSKI: Okay.

23 CHAIRMAN KLINGHOFFER: And the rationale
24 for going into Executive Session besides
25 litigation?

1 MR. ROTHER: Is going to be attorney/client
2 confidentiality and contract negotiation. That's
3 -- those two things.

4 CHAIRMAN KLINGHOFFER: You want to talk
5 about prospective litigation, too?

6 MR. ROTHER: Well, attorney -- attorney --

7 CHAIRMAN KLINGHOFFER: Okay.

8 MR. ROTHER: It's a combination of --

9 CHAIRMAN KLINGHOFFER: This is close
10 enough.

11 MR. ROTHER: -- attorney/client, --

12 COMMISSIONER KLINGHOFFER: Okay.

13 MR. ROTHER: -- as well --

14 CHAIRMAN KLINGHOFFER: Okay.

15 MR. ROTHER: -- litigation --

16 CHAIRMAN KLINGHOFFER: Okay.

17 COMMISSIONER SPIESBACH: Move to go to
18 Executive.

19 COMMISSIONER DUNEC: Second.

20 MS. SAPINSKI: Commissioner Brown?

21 VICE CHAIRMAN BROWN: Yes.

22 MS. SAPINSKI: Commissioner Dunec?

23 COMMISSIONER DUNEC: Yes.

24 MS. SAPINSKI: Commissioner Ross?

25 COMMISSIONER ROSS: Yes.

1 MS. SAPINSKI: Commissioner Spiesbach?

2 COMMISSIONER SPIESBACH: Yes.

3 MS. SAPINSKI: Commissioner Yustein?

4 COMMISSIONER YUSTEIN: Yes.

5 MS. SAPINSKI: Chairman Klinghoffer?

6 CHAIRMAN KLINGHOFFER: Yes.

7 Boy, you got that down to a science.

8 MS. SAPINSKI: I have --

9

10 (Whereupon, the Board moved to Executive
11 Session at 5:10 p.m., Resolution No. 17-151.)

12

13 (Whereupon, the Board returned to Open
14 Session at 5:42 p.m., Resolution No. 17-28.)

15

16 MS. DILLON: Okay.

17 On the record.

18

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

21 **CORRECTIONAL FACILITY/CELANESE/ENVIRONMENTAL**

22 **EXPOSURE**

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

24 **21. RESOLUTION NO. 17-150 - RESOLUTION**

25 **AUTHORIZING PAYMENT IN THE AMOUNT OF \$70.157.20**

1 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
2 SERVICES RENDERED IN THE MONTH OF MAY 2017.)

3

4 CHAIRMAN KLINGHOFFER: Okay.

5 We have one remaining item, which is number
6 21.

7 Resolution Authorizing Payment to Buchanan,
8 Ingersoll and Rooney.

9 And I believe we're going to change the
10 language of this Resolution to authorize the
11 Executive Director to pay it at such time as he's
12 satisfied that the -- the bill's been thoroughly
13 explained -- adequately explained.

14 Is that okay with you?

15 MR. ROTHER: Sure.

16 CHAIRMAN KLINGHOFFER: Okay.

17 Is there a motion?

18 VICE CHAIRMAN BROWN: Move it.

19 COMMISSIONER SPIESBACH: Second.

20 MS. SAPINSKI: Commissioner Brown?

21 VICE CHAIRMAN BROWN: Yes.

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 Yustein?

4 COMMISSIONER YUSTEIN: Yes.

5 MS. SAPINSKI: Chairman Klinghoffer?

6 COMMISSIONER KLINGHOFFER: Yes.

7

8 **ADJOURNMENT :**

9

10 CHAIRMAN KLINGHOFFER: I think we're done
11 with the agenda.

12 Is there a motion to adjourn?

13 VICE CHAIRMAN BROWN: Motion.

14 COMMISSIONER DUNEC: Second.

15 MS. SAPINSKI: Commissioner Brown?

16 VICE CHAIRMAN BROWN: Yes.

17 MS. SAPINSKI: Commissioner Dunec?

18 COMMISSIONER DUNEC: Yes.

19 MS. SAPINSKI: Commissioner Ross?

20 COMMISSIONER ROSS: Yes.

21 MS. SAPINSKI: Commissioner Spiesbach?

22 COMMISSIONER SPIESBACH: Yes.

23 MS. SAPINSKI: Commissioner Yustein?

24 CHAIRMAN YUSTEIN: Yes.

25 MS. SAPINSKI: Chairman Klinghoffer?

1 CHAIRMAN KLINGHOFFER: Yes.

2 Thank you, everybody.

3 MS. SAPINSKI: Thank you.

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5 (Whereupon, the proceedings were concluded

6 at 5:43 p.m., Resolution No. 17-29.)

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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, June 27, 2017 and digitally recorded.

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25 Monitored and Proofread by: Deborah Dillon