

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

27 Wright Way
Fairfield, New Jersey

Tuesday, July 28, 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 PAUL B. HALLIGAN
COMMISSIONER GERARD M. SPIESBACH
COMMISSIONER CARLA A. STANZIALE
COMMISSIONER RONALD J. BROWN, Vice Chairman

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

COMMISSIONER STEVEN H. KLINGHOFFER, Chairman

A L S O P R E S E N T:

JAMES R. PAGANELLI, Executive Director
NIA H. GILL, ESQ., General Counsel
LUCY SAPINSKI, Director of Operations
THOMAS GOMEZ, Airport Manager
BETSY WILLIAMSON, Administrative Assistant

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1 VICE CHAIRMAN BROWN: Good afternoon,
2 everyone.

3 Sunshine Notice.

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 Edition (sic) of The Herald
9 News, the News Edition (sic) of The Star-Ledger,
10 and notice was posted on the bulletin board in
11 the Office of Essex County Improvement Authority
12 starting the time, date, and location of this
13 Regular Meeting.

14

15 **ROLL CALL**

16

17 VICE CHAIRMAN BROWN: Roll call, please.

18 MS. SAPINSKI: Commissioner Brown?

19 VICE CHAIRMAN BROWN: Present.

20 MS. SAPINSKI: Commissioner Dunec?

21 COMMISSIONER DUNEC: Present.

22 MS. SAPINSKI: Commissioner Halligan?

23 COMMISSIONER HALLIGAN: Present.

24 MS. SAPINSKI: Commissioner Spiesbach?

25 COMMISSIONER SPIESBACH: Here.

1 MS. SAPINSKI: Commissioner Stanziale?

2 COMMISSIONER STANZIALE: Here.

3

4 **PUBLIC COMMENT**

5

6 VICE CHAIRMAN BROWN: Is there anyone here
7 for public comment?

8 Seeing none, we can move on.

9

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

12 **ACCEPTANCE OF MINUTES**

13 **RESOLUTION NO. 15-14**

14 1. REGULAR BOARD MEETING 5-19-15; and

15 2. SPECIAL BOARD MEETING 6-11-15.)

16

17 VICE CHAIRMAN BROWN: Can we get a motion
18 for the Acceptance of Minutes of the Regular
19 Board Meetings of 5/19 and 5/16 (sic) -- 5/11
20 (sic) -- or 6/11 of '15 please?

21 COMMISSIONER STANZIALE: I'll make a
22 motion.

23 COMMISSIONER DUNEC: Second.

24 VICE CHAIRMAN BROWN: Second.

25 Roll call please.

1 MS. SAPINSKI: Commissioner Brown?

2 VICE CHAIRMAN BROWN: Yes.

3 MS. SAPINSKI: Commissioner Dunec?

4 COMMISSIONER DUNEC: Yes.

5 MS. SAPINSKI: Commissioner Halligan?

6 COMMISSIONER HALLIGAN: Yes.

7 MS. SAPINSKI: Commissioner Spiesbach?

8 COMMISSIONER SPIESBACH: Yes.

9 MS. SAPINSKI: Commissioner Stanziale?

10 COMMISSIONER STANZIALE: Yes.

11 MR. PAGANELLI: Just for the record, that
12 was 5/19; and 6/11 was a Special.

13 VICE CHAIRMAN BROWN: Okay. For the
14 record.

15 MR. PAGANELLI: Um-hum.

16 VICE CHAIRMAN BROWN: Jim, is there any
17 reason to go into Closed Session for anything?

18 MR. PAGANELLI: Not unless one of the
19 Commissioners has an issue. I don't.

20 I have a couple comments as we go along but
21 there's nothing that needs to be in Executive.

22 VICE CHAIRMAN BROWN: Okay, seeing any,
23 move on.

24

25 (Whereupon, the Board discussed and took

1 action on the following items:

2 **ADMINISTRATIVE**

3 1. RESOLUTION NO. 15-106 - RESOLUTION
4 AUTHORIZING PAYMENT TO AUDIO-DIGITAL
5 TRANSCRIPTION SERVICES, LLC FOR TRANSCRIPTION OF
6 SPECIAL BOARD MEETING ON 6-11-15;

7 2. RESOLUTION NO. 15-107 - RESOLUTION
8 RATIFYING PAYMENT OF RECURRING BILLS (BILL LIST);
9 and

10 3. RESOLUTION NO. 15-108 - RESOLUTION
11 AUTHORIZING PAYMENT TO DREW & RODGERS FOR ANNUAL
12 COUNTY OPEN HOUSE AND AIRPORT TOUR ITEMS IN THE
13 AMOUNT OF \$3,575.97.)

14

15 VICE CHAIRMAN BROWN: Resolutions;
16 Administrative.

17 Questions?

18 Anything?

19 Can I get a motion?

20 COMMISSIONER SPIESBACH: Move items 1
21 through 3.

22 COMMISSIONER STANZIALE: Second.

23 MR. PAGANELLI: Roll call.

24 VICE CHAIRMAN BROWN: Can I get a roll
25 call?

1 MS. SAPINSKI: Commissioner Brown?

2 Commissioner Dunec?

3 COMMISSIONER DUNEC: Yes.

4 MS. SAPINSKI: Commissioner Halligan?

5 COMMISSIONER HALLIGAN: Yes.

6 MS. SAPINSKI: Commissioner Spiesbach?

7 COMMISSIONER SPIESBACH: Yes.

8 MS. SAPINSKI: Commissioner Stanziale?

9 COMMISSIONER STANZIALE: Yes.

10

11 (Whereupon, the Board discussed and took

12 action on the following items:

13 **NEWARK RIVERFRONT PROJECT/LITIGATION**

14 4. RESOLUTION NO. 15-109 - RESOLUTION
15 AUTHORIZING PAYMENT OF \$583.45 TO DeCOTIIS,
16 FITZPATRICK & COLE, LLP FOR LEGAL SERVICES
17 RENDERED IN THE MONTH OF MAY 2015; and

18 5. RESOLUTION NO. 15-110 - RESOLUTION
19 AUTHORIZING PAYMENT OF \$11,625.25 TO DeCOTIIS,
20 FITZPATRICK & COLE, LLP FOR LEGAL SERVICES
21 RENDERED IN THE MONTH OF JUNE 2015.)

22

23 VICE CHAIRMAN BROWN: Moving on to Newark
24 Riverfront Project.

25 Questions?

1 Concerns?

2 Can I get a motion?

3 COMMISSIONER SPIESBACH: Move to accept 4
4 and 5 -- or approve, rather.

5 COMMISSIONER DUNEC: Second.

6 MS. SAPINSKI: Commissioner Brown?

7 VICE CHAIRMAN BROWN: Yes.

8 MS. SAPINSKI: Commissioner Dunec?

9 COMMISSIONER DUNEC: Yes.

10 MS. SAPINSKI: Commissioner Halligan?

11 COMMISSIONER HALLIGAN: Yes.

12 MS. SAPINSKI: Commissioner Spiesbach?

13 COMMISSIONER SPIESBACH: Yes.

14 MS. SAPINSKI: Commissioner Stanziale?

15 COMMISSIONER STANZIALE: Yes.

16

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

19 **HILLTOP**

20 **6.** RESOLUTION NO. 15-111 - RESOLUTION

21 AUTHORIZING AN AGREEMENT WITH DeCOTIIS,

22 FITZPATRICK & COLE, LLP FOR LEGAL SERVICES IN THE
23 AMOUNT OF \$50,000.00; and

24 **7.** RESOLUTION NO. 15-112 - RESOLUTION

25 AUTHORIZING A PAYMENT OF \$4,461.10 TO DeCOTIIS,

1 FITZPATRICK & COLE, LLP FOR LEGAL SERVICES

2 RENDERED IN THE MONTH OF JUNE 2015.)

3 VICE CHAIRMAN BROWN: Moving on to Hilltop;
4 6, 7.

5 Can I get a motion?

6 COMMISSIONER SPIESBACH: Move to approve 6
7 and 7.

8 COMMISSIONER STANZIALE: Second.

9 MS. SAPINSKI: Commissioner Brown?

10 VICE CHAIRMAN BROWN: Yes.

11 MS. SAPINSKI: Commissioner Dunec?

12 COMMISSIONER DUNEC: Yes.

13 MS. SAPINSKI: Commissioner Halligan?

14 COMMISSIONER HALLIGAN: Yes.

15 MS. SAPINSKI: Commissioner Spiesbach?

16 COMMISSIONER SPIESBACH: Yes.

17 MS. SAPINSKI: Commissioner Stanziale?

18 COMMISSIONER STANZIALE: Yes.

19 MR. PAGANELLI: Just on 6 and 7,

20 Commissioners, there was no appeal taken of the

21 Cedar Grove adoption of the Redevelopment

22 Ordinance.

23 So we are now rotating ourselves towards

24 the real estate aspect of the transaction.

25 The \$50,000.00 we have here is money that

1 will be utilized from a Hilltop Project account
2 that we have from when the original deal was
3 done. So this is not our operating dollars.
4 There may even be some left at the end of the
5 day.

6 We anticipate that we're going to close
7 hopefully in the next two or three weeks. We're
8 going through some title work and surveys now.
9 County Executive is making plans to build his
10 passive recreation park in Cedar Grove.

11 So, that's where we are on Hilltop.

12

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

15 **AIRPORT**

16 8. RESOLUTION NO. 15-113 - RESOLUTION
17 AUTHORIZING DISPOSITION OF BIDS FOR RENOVATION OF
18 EXISTING BATHROOMS AT BUILDING/HANGAR I

19 9. RESOLUTION NO. 15-114 - RESOLUTION
20 RATIFYING PAYMENT IN THE AMOUNT OF \$1,323.00 TO
21 BEYER MORRISTOWN FOR ADDITIONAL ITEMS FOR THE
22 DODGE RAM 4500 DUMP TRUCK;

23 10. RESOLUTION NO. 15-115 - RESOLUTION
24 RATIFYING A PURCHASE OF THE AIRPORT GENERAL
25 LIABILITY INSURANCE POLICY IN THE AMOUNT OF

1 \$20,011.50;

2 **11.** RESOLUTION NO. 11-116 - RESOLUTION
3 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
4 THE AMOUNT OF \$2,580.50 FOR ENVIRONMENTAL
5 CONSULTING SERVICES IN CONNECTION WITH THE SITE
6 REMEDIATION AT AIRPORT-HANGAR 1 AREA;

7 **12.** RESOLUTION NO. 15-117 - RESOLUTION
8 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
9 THE AMOUNT OF \$7,552.50 FOR ENVIRONMENTAL
10 CONSULTING SERVICES IN CONNECTION WITH THE SITE
11 REMEDIATION AT AIRPORT-HANGAR 3 AREA;

12 **13.** RESOLUTION NO. 15-118 - RESOLUTION
13 RATIFYING THE PURCHASE OF CYBER LIABILITY
14 INSURANCE POLICY IN THE AMOUNT OF \$7,215.73;

15 **14.** RESOLUTION NO. 15-119 - RESOLUTION
16 ACCEPTING A PROPOSAL FROM GROFF TRACTOR IN THE
17 AMOUNT OF \$9,518.44 FOR FRONT LOADER REPAIRS;

18 **15.** RESOLUTION NO. 15-120 - RESOLUTION
19 AUTHORIZING AMENDMENT #1 TO THE MAINTENANCE
20 AGREEMENT WITH AIR POWER, INC. IN THE AMOUNT OF
21 \$7,000.00; and

22 **16.** RESOLUTION NO. 15-121 - RESOLUTION
23 AUTHORIZING PAYMENT TO AIR POWER, INC. IN THE
24 AMOUNT OF \$3,794.00 FOR FUEL FARM REPAIRS.)
25

1 VICE CHAIRMAN BROWN: Moving on to Airport.
2 Can I have a motion?
3 COMMISSIONER STANZIALE: I'll move it.
4 COMMISSIONER HALLIGAN: Second.
5 VICE CHAIRMAN BROWN: Roll call please.
6 MS. SAPINSKI: Commissioner Brown?
7 VICE CHAIRMAN BROWN: Yes.
8 MS. SAPINSKI: Commissioner Dunec?
9 COMMISSIONER DUNEC: Yes.
10 MS. SAPINSKI: Commissioner Halligan?
11 COMMISSIONER HALLIGAN: Yes.
12 MS. SAPINSKI: Commissioner Spiesbach?
13 COMMISSIONER SPIESBACH: Yes.
14 MS. SAPINSKI: Commissioner Stanziale?
15 COMMISSIONER STANZIALE: Yes.
16 VICE CHAIRMAN BROWN: Airport --
17 MR. PAGANELLI: That was 8 --
18 VICE CHAIRMAN BROWN: -- does go, Jim,
19 from --
20 COMMISSIONER SPIESBACH: That is 8 --
21 VICE CHAIRMAN BROWN: Airport goes from 8
22 to --
23 COMMISSIONER SPIESBACH: -- through 16.
24 VICE CHAIRMAN BROWN: -- 16.
25 Right?

1 Okay.

2 MR. PAGANELLI: It keeps going through 17
3 and 18, as well --

4 VICE CHAIRMAN BROWN: Okay.

5 MR. PAGANELLI: -- but we can take them
6 separately.

7 So, let's have -- let's have Commissioner
8 Stanziale's motion be 8 through 16.

9

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

12 **TAXIWAY N & TAXILANE H LIGHTING PROJECT**

13 **Project Funded:**

14 **FAA GRANT #**

15 **AIRPORT BOND**

16 **(Contingent on FAA Funding)**

17 **17.** RESOLUTION NO. 15-122 - RESOLUTION
18 AUTHORIZING AN AGREEMENT WITH C&S ENGINEERS, INC.
19 IN THE AMOUNT OF \$89,700.00 FOR CONSTRUCTION
20 OBSERVATION & ADMINISTRATION SERVICES FOR TAXIWAY
21 N & TAXILANE H LIGHTING PROJECT; and

22 **18.** RESOLUTION NO. 15-123 - RESOLUTION
23 AUTHORIZING THE DISPOSITION OF BIDS FOR TAXIWAY N
24 & TAXILANE H LIGHTING PROJECT.)

25

1 MR. PAGANELLI: And now we'll do -- we'll
2 ask the Board to consider 17 and 18.

3 VICE CHAIRMAN BROWN: Can I get a motion on
4 17 and 18 please?

5 COMMISSIONER HALLIGAN: So moved.

6 VICE CHAIRMAN BROWN: Moved here.

7 COMMISSIONER DUNEC: Second.

8 VICE CHAIRMAN BROWN: Second there.

9 MS. SAPINSKI: Commissioner --

10 VICE CHAIRMAN BROWN: May I have a roll
11 call please?

12 MS. SAPINSKI: Commissioner Brown?

13 VICE CHAIRMAN BROWN: Yes.

14 MS. SAPINSKI: Commissioner Dunec?

15 COMMISSIONER DUNEC: Yes.

16 MS. SAPINSKI: Commissioner Halligan?

17 COMMISSIONER HALLIGAN: Yup.

18 MS. SAPINSKI: Commissioner Spiesbach?

19 COMMISSIONER SPIESBACH: Yes.

20 MS. SAPINSKI: Commissioner Stanziale?

21 COMMISSIONER STANZIALE: Yes.

22 VICE CHAIRMAN BROWN: Moving on to Parking
23 Facilities.

24 MR. PAGANELLI: If I can, Commissioner?

25 VICE CHAIRMAN BROWN: Yes.

1 MR. PAGANELLI: On 17 and 18, the
2 Resolutions indicate it, the -- the agenda
3 indicates it, and we've let all the contractors
4 know as well, this is contingent upon our
5 receiving the FAA grant. If it doesn't -- if it
6 doesn't come through, then there's no contracts;
7 we're not going forward.

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

11 **PARKING FACILITIES**

12 **19.** RESOLUTION NO. 15-124 - RESOLUTION
13 RATIFYING PAYMENT IN THE AMOUNT OF \$1,850.00 TO
14 MSP INDUSTRIAL REFRIGERATION SERVICE, LLC FOR
15 HVAC REPAIRS;

16 **20.** RESOLUTION NO. 15-125 - RESOLUTION
17 RATIFYING THE PURCHASE OF CYBER LIABILITY
18 INSURANCE POLICY IN THE AMOUNT OF \$7,215.73;

19 **21.** RESOLUTION NO. 15-126 - RESOLUTION
20 RATIFYING PAYMENT TO SOUTHLAND PRINTING COMPANY
21 IN THE AMOUNT OF \$2,123.66 FOR PARKING TICKETS;

22 and

23 **22.** RESOLUTION NO. 15-127 - RESOLUTION
24 RATIFYING PAYMENT IN THE AMOUNT OF \$4,008.24 TO
25 FIREMATIC & SAFETY EQUIPMENT CO. INC. FOR

1 SUPPLYING FIRE EXTINGUISHERS TO THE PARKING
2 FACILITIES.)

3

4 VICE CHAIRMAN BROWN: Parking Facilities.

5 Can I have a motion please?

6 COMMISSIONER STANZIALE: I'll move that.

7 COMMISSIONER HALLIGAN: Second.

8 VICE CHAIRMAN BROWN: Roll call please.

9 MS. SAPINSKI: Commissioner Brown?

10 VICE CHAIRMAN BROWN: Yes.

11 MS. SAPINSKI: Commissioner Dunec?

12 COMMISSIONER DUNEC: Yes.

13 MS. SAPINSKI: Commissioner Halligan?

14 COMMISSIONER HALLIGAN: Yes.

15 MS. SAPINSKI: Commissioner Spiesbach?

16 COMMISSIONER SPIESBACH: Yes.

17 MS. SAPINSKI: Commissioner Stanziale?

18 COMMISSIONER STANZIALE: Yes.

19 MR. PAGANELLI: Just, Commissioners, this
20 is the first time we're buying that Cyber
21 Liability Insurance Policy.

22 Lucy worked with outside brokers that will
23 cover transactions done both from the Airport, as
24 well as Parking where we are now accepting credit
25 cards.

1 VICE CHAIRMAN BROWN: Okay.

2

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

5 **STADIUM**

6 **23.** RESOLUTION NO. 15-128 - RESOLUTION
7 AUTHORIZING AMENDMENT #2 TO THE AGREEMENT WITH
8 PS&S IN THE AMOUNT OF \$63,600.00 FOR
9 ENVIRONMENTAL CONSULTING SERVICES; and
10 **24.** RESOLUTION NO. 15-129 - RESOLUTION
11 AUTHORIZING A FEE SCHEDULE FOR EVENTS AT BEARS
12 STADIUM.)

13

14 VICE CHAIRMAN BROWN: Moving on to Stadium.

15 Can I have a motion please?

16 COMMISSIONER HALLIGAN: So moved.

17 COMMISSIONER DUNEC: Second.

18 VICE CHAIRMAN BROWN: Roll call please.

19 MS. SAPINSKI: Commissioner Brown?

20 VICE CHAIRMAN BROWN: Yes.

21 MS. SAPINSKI: Commissioner Dunec?

22 COMMISSIONER DUNEC: Yes.

23 MS. SAPINSKI: Commissioner Halligan?

24 COMMISSIONER HALLIGAN: Yes.

25 MS. SAPINSKI: Commissioner Spiesbach?

1 COMMISSIONER SPIESBACH: Yes.

2 MS. SAPINSKI: Commissioner Stanziale?

3 VICE CHAIRMAN BROWN: Just one quick --

4 COMMISSIONER STANZIALE: Yes.

5 VICE CHAIRMAN BROWN: -- question, Jim.

6 MR. PAGANELLI: Yeah.

7 VICE CHAIRMAN BROWN: What are we doing in
8 here?

9 I'm seeing we're spending money here. What
10 are we doing here?

11 I thought we were trying to wean ourself
12 off of the Stadium.

13 MR. PAGANELLI: The Stadium still has some
14 environmental issues that we're -- we're working
15 out. This is the installation of a new well.

16 VICE CHAIRMAN BROWN: Okay.

17 MR. PAGANELLI: And the second Resolution
18 really is, since the Bears have left, more and
19 more people are coming to the Improvement
20 Authority for softball games, baseball games,
21 concerts, filming commercials. A Muslim prayer
22 we hosted a couple Friday nights ago.

23 And without the Board considering a fee
24 schedule, we'll run into audit problems. So
25 we're trying our best to gauge what we think is

1 fair and marketable. And so far the prices we
2 think we've struck are -- are fair ones.

3 You know next year, after -- we'll take a
4 look at the revenue we get this year. Perhaps
5 next year we'll up it. We'll -- you know, we'll
6 decrease it; whatever we have to do.

7 But we -- we need to set a fee schedule so
8 the auditors know when we rent out the Stadium
9 for a night where did we get that number from and
10 the Board's aware of what we're doing.

11 COMMISSIONER STANZIALE: Do you have a
12 projection for the revenues?

13 MS. SAPINSKI: Right now, \$17,000.00.

14 COMMISSIONER STANZIALE: Okay.

15 MS. SAPINSKI: For the last three months.

16 MR. PAGANELLI: Right.

17 So, we're hoping maybe we pick up --

18 COMMISSIONER STANZIALE: For three months?

19 MR. PAGANELLI: -- maybe we pick up 30
20 grand by the end of the year.

21 We have two -- two concerts.

22 Caribbean?

23 MS. SAPINSKI: Yeah, one is Caribbean.

24 MR. PAGANELLI: Caribbean and something --

25 MS. SAPINSKI: Brazilian? Or that's the

1 same?

2 MR. PAGANELLI: I don't know. Brazilian.
3 There's a couple of different concerts coming up.

4 And intermittently we're getting calls from
5 baseball leagues. There's a lot men's leagues
6 out there.

7 The County Executive is still in
8 negotiations with some people to try to sell it.

9 So I'm just trying to make a couple dollars
10 as we're going away and we need you guys to set
11 the fees for us.

12 VICE CHAIRMAN BROWN: And this money we're
13 getting in, this will kind of help offset what
14 we're doing there?

15 MR. PAGANELLI: Yes.

16 VICE CHAIRMAN BROWN: Okay.

17 COMMISSIONER SPIESBACH: Well, Jim, if
18 we're having people play, like men's softball
19 leagues, --

20 MR. PAGANELLI: Um-hum.

21 COMMISSIONER SPIESBACH: -- et cetera,
22 we're okay liability-wise.

23 Right?

24 MR. PAGANELLI: Yeah.

25 COMMISSIONER SPIESBACH: Our policy is good

1 for that kind of activity?

2 MR. PAGANELLI: Both our policy is good for
3 it, as well as we require anybody that uses the
4 Stadium for any event to get their own insurance.

5 COMMISSIONER SPIESBACH: Okay.

6 MR. PAGANELLI: We're named as --

7 COMMISSIONER SPIESBACH: Perfect.

8 MR. PAGANELLI: -- additional insured; so's
9 the City and the County.

10 COMMISSIONER SPIESBACH: Thank you, Jim.

11 MR. PAGANELLI: Yes, sir.

12 Thanks.

13 VICE CHAIRMAN BROWN: Did we do a roll call
14 on those?

15 Okay.

16

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

19 **RESOURCE RECOVERY FACILITY PROJECT**

20 ***ALL EXPENSES PAID FROM ESCROW ACCOUNT**

21 **25.** RESOLUTION NO. 15-130 - RESOLUTION OF THE
22 ESSEX COUNTY IMPROVEMENT AUTHORITY CONCERNING
23 REVIEW OF THE FINDINGS OF THE LOCAL FINANCE BOARD
24 MADE AT A MEETING OF SAID BOARD ON MAY 13, 2015
25 IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A.

1 40A:5A-7 WITH RESPECT TO A PROPOSED PROJECT
2 FINANCING TO PROVIDE FOR THE ISSUANCE OF SOLID
3 WASTE DISPOSAL REVENUE BONDS (COVANTA PROJECT)
4 (AMT) SERIES 2015.)

5

6 VICE CHAIRMAN BROWN: So we move on to
7 Resource Recovery Facility.

8 Can I get a motion please?

9 COMMISSIONER HALLIGAN: So moved.

10 COMMISSIONER DUNEC: Second.

11 VICE CHAIRMAN BROWN: Roll call, Lucy,
12 please.

13 MS. SAPINSKI: Commissioner Brown?

14 VICE CHAIRMAN BROWN: Yes.

15 MS. SAPINSKI: Commissioner Dunec?

16 COMMISSIONER DUNEC: Yes.

17 MS. SAPINSKI: Commissioner Halligan?

18 COMMISSIONER HALLIGAN: Yes.

19 MS. SAPINSKI: Commissioner Spiesbach?

20 COMMISSIONER SPIESBACH: Yes.

21 MS. SAPINSKI: Commissioner Stanziale?

22 COMMISSIONER STANZIALE: Yes.

23 MR. PAGANELLI: I don't know if I mentioned
24 it, because I don't remember the last time we
25 met, the Freeholders approved number 25, the

1 Covanta financing as well. This will be the
2 principal.

3 COMMISSIONER SPIESBACH: This is for the
4 baghouses.

5 Right?

6 MR. PAGANELLI: Yes, sir.

7 COMMISSIONER SPIESBACH: Expensive
8 baghouses.

9 MR. PAGANELLI: Yeah.

10

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

13 **FINANCE**

14 **26. RESOLUTION NO. 15-131 - 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 GALLEROS-KOH, LLP, FINANCIAL CONSULTANT -
20 JULY 2015 - \$2,000.00;

21 WELLS FARGO BANK, NA - REMARKETING FEE -
22 4-1-15 TO 6-30-15 - \$4,347.78;

23 BNY MELLON - TRUSTEE FEE - 7-1-15 TO
24 9-30-15 - \$4,000.00;

25 MOODY'S INVESTORS SERVICES - ANNUAL FEE -

1 RATING AGENT - \$5,000.00.)

2

3 VICE CHAIRMAN BROWN: Moving on to Finance.
4 Can I get a motion?

5 COMMISSIONER STANZIALE: I'll move it.

6 COMMISSIONER SPIESBACH: Second.

7 VICE CHAIRMAN BROWN: Roll call, Lucy,
8 please.

9 MS. SAPINSKI: Commissioner Brown?

10 VICE CHAIRMAN BROWN: Yes.

11 MS. SAPINSKI: Commissioner Dunec?

12 COMMISSIONER DUNEC: Yes.

13 MS. SAPINSKI: Commissioner Halligan?

14 COMMISSIONER HALLIGAN: Yes.

15 MS. SAPINSKI: Commissioner Spiesbach?

16 COMMISSIONER SPIESBACH: Yes.

17 MS. SAPINSKI: Commissioner Stanziale?

18 COMMISSIONER STANZIALE: Yes.

19

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

22 **CORRECTIONAL FACILITY/CELANESE LITIGATION**

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

24 **27. RESOLUTION NO. 15-132 - RESOLUTION**

25 AUTHORIZING PAYMENT IN THE AMOUNT OF \$21,297.20

1 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
2 SERVICES RENDERED THROUGH 5-31-15 2015; and
3 **28.** RESOLUTION NO. 15-133 - RESOLUTION
4 AUTHORIZING PAYMENT IN THE AMOUNT OF \$39,574.30
5 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
6 SERVICES RENDERED THROUGH 6-30-15.)

7
8 VICE CHAIRMAN BROWN: Moving on,
9 Correctional Facility/Celanese Litigation.

10 Can I get a motion please?

11 COMMISSIONER SPIESBACH: I would move items
12 27 and 28.

13 COMMISSIONER STANZIALE: Second.

14 VICE CHAIRMAN BROWN: Roll call, Lucy,
15 please.

16 MS. SAPINSKI: Commissioner Brown?

17 VICE CHAIRMAN BROWN: Yes.

18 MS. SAPINSKI: Commissioner Dunec?

19 COMMISSIONER DUNEC: Yes.

20 MS. SAPINSKI: Commissioner Halligan?

21 COMMISSIONER HALLIGAN: Yes.

22 MS. SAPINSKI: Commissioner Spiesbach?

23 COMMISSIONER SPIESBACH: Yes.

24 MS. SAPINSKI: Commissioner Stanziale?

25 COMMISSIONER STANZIALE: Yes.

1 COMMISSIONER SPIESBACH: Jim, just a quick
2 clarification, although we just approved it.

3 But this is in lieu of just paying Celanese
4 attorneys, which we would have to do under our
5 agreement.

6 Right?

7 So now we've taken over our own defense?
8 That's what some of this --

9 MR. PAGANELLI: Yeah.

10 COMMISSIONER SPIESBACH: -- activity is all
11 about?

12 MR. PAGANELLI: Some of that is certainly
13 that. Mr. O'Toole's been aggressive working with
14 our cooperating partners group.

15 Also, some of this is Mr. O'Toole still
16 trying to see if he can get a resolution of --

17 COMMISSIONER SPIESBACH: No.

18 MR. PAGANELLI: -- the past. So, --

19 COMMISSIONER SPIESBACH: No, admittedly.

20 MR. PAGANELLI: Yeah.

21 COMMISSIONER SPIESBACH: But I just think
22 it's well worth everybody's recollection that
23 we'd be paying somebody else's lawyer --

24 MR. PAGANELLI: Correct.

25 COMMISSIONER SPIESBACH: -- for

1 representing our interests.

2 This way we have our own attorney doing it.

3 MR. PAGANELLI: Just for another note,
4 Chairman Klinghoffer was down at the Hall of
5 Records yesterday. I met with him, Phil Alagia,
6 and the County Executive.

7 This issue came up. So anytime we can get
8 this on the record that we're briefing the
9 County, that the County's fully aware of this
10 lawsuit. You know, we -- we did talk to the
11 County about not taking title to the Jail at some
12 point in time, which is, you know, something that
13 we've talked about in the past. But, you know,
14 the County -- County Chief of Staff's fully
15 apprised.

16 I sent around to everybody -- there was a
17 meeting of the congressional delegation from New
18 Jersey, so I sent that around to everybody. I
19 don't really feel that there's going to be any
20 seismic movement by the EPA off of what their
21 initial stance is but, you know, they -- they are
22 trying to work it.

23 And I understand the Freeholders are going
24 to pass a resolution but I haven't seen it. So,
25 I don't know if they're going to. But just kind

1 of in support of having the EPA back off this
2 bank to bank dredging of the lower eight miles.
3 So, whether that has any impact, we'll see.

4

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

7 **ADDITIONAL INFORMATION**

8 **A. Report of PGLP Administrator - May**

9 **B. Report of PGLP Administrator - June**

10 **C. Letter from FAA Regarding Wildlife Hazard**
11 **Assessment Project.)**

12

13 VICE CHAIRMAN BROWN: Okay, Jim, do we have
14 to move the Additional Information?

15 Or it's just for the --

16 Because that's number 7. We moved --
17 number 6 was the agenda all the way through 6;
18 and 7, Additional Information, Report of the PG
19 --

20 MR. PAGANELLI: No, just -- just our PGLP
21 reports that we give to the Board monthly.

22 And then I guess we got an FAA letter on
23 our Wildlife Assessment that said they accepted
24 what our -- our plan will be, so.

25 VICE CHAIRMAN BROWN: Okay.

1 It's time for adjournment.

2 Can I have a motion?

3 MR. PAGANELLI: No, no, no.

4

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

7 **LATE STARTER**

8 **AIRPORT**

9 1. RESOLUTION NO. 15-134 - RESOLUTION
10 AUTHORIZING AN AGREEMENT WITH HATCH MOTT McDONALD
11 IN THE AMOUNT OF \$18,900.00 FOR DESIGN SERVICES
12 IN CONNECTION WITH IMPROVEMENTS OF THE AIRPORT
13 SOUTH PARCEL;

14 2. RESOLUTION NO. 15-135 - RESOLUTION
15 AUTHORIZING AN AGREEMENT WITH PS&S IN THE AMOUNT
16 OF \$35,000.00 FOR DESIGN AND CONSTRUCTION
17 OBSERVATION SERVICES IN CONNECTION WITH A NEW
18 AIRPORT OPERATION BUILDING;

19 3. RESOLUTION NO. 15-136 - RESOLUTION
20 ACCEPTING A PROPOSAL FROM D. TORUCCIO LANDSCAPING
21 IN THE AMOUNT NOT TO EXCEED \$11,900.00 FOR
22 INSTALLATION OF RAILROAD TIE STEPS BETWEEN
23 HANGARS; and

24 4. RESOLUTION NO. 15-137 - RESOLUTION
25 ACCEPTING A PROPOSAL FROM D. TORUCCIO LANDSCAPING

1 | IN THE AMOUNT NOT TO EXCEED \$5,200.00 FOR
2 | CLEARING AT THE END OF RUNWAY 4-22 AND ALONG
3 | RUNWAY 10-28 BY NEW DUTCH LANE.)

4 |

5 | MR. PAGANELLI: If we can, Commissioner, we
6 | -- we have four Late Starters.

7 | If you could ask the Board to consider
8 | them?

9 | VICE CHAIRMAN BROWN: For the Airport,
10 | okay.

11 | MR. PAGANELLI: Right, so quickly, if I can
12 | and then if there's questions, we can go through
13 | them.

14 | The first Resolution, you may have a -- not
15 | a great -- a great photo attached to your
16 | Resolution but it is this parcel down here, it
17 | also -- looking -- you know, we're -- we're
18 | looking at the old overhead of the Airport map
19 | here -- Debbie's records.

20 | We are -- or I guess I have -- I'm standing
21 | alone on this one -- for the last, you know, ten
22 | years, I've been looking to try to get this
23 | parcel, which is separated away from the airfield
24 | side by our access road into the Airport to try
25 | to turn it into a tie down area at least for now

1 and maybe future development down the road.

2 So that's the first -- that's the first
3 Late Starter Resolution. We went through a
4 process; as everybody I think now knows, we have
5 an approved list. Went out to all of our people
6 on the list, sat down with them. And one of the
7 problems we were having was how to -- how to
8 reconfigure a road -- because this actually cuts
9 off the access road. We think this -- this
10 design does it.

11 If you want to pass it around.

12 But you're seeing we're going to bring the
13 access road down along the -- the left hand side
14 of the new development.

15 So, it's in its infancy but at least I'm
16 excited about it because I -- I think it's -- I
17 think we need to bring that area into the Airport
18 and start to see if we can generate a little
19 revenue off of it.

20 COMMISSIONER SPIESBACH: So these design
21 services are related to the road relocation?

22 MR. PAGANELLI: It's going to be both.
23 It's going to be -- it's going to be --

24 COMMISSIONER SPIESBACH: Repaving the
25 new --

1 MR. PAGANELLI: Repaving the new.

2 COMMISSIONER SPIESBACH: Okay.

3 MR. PAGANELLI: Bringing it into the area.

4 It may be some storm water, things like that.

5 COMMISSIONER SPIESBACH: Yeah.

6 MR. PAGANELLI: The second one is -- again,
7 maybe I'm on my own on this one but I'm not happy
8 with the -- the operations trailer that we have
9 for the Airport. The Airport has done a
10 tremendous job, particularly with this Board over
11 the last 12, 13 years.

12 But I think the operations trailer that we
13 have needs to -- needs to have an uplift, it
14 needs to have a facelift, it needs to have Botox
15 -- whatever these words are. But it needs to
16 have a more professional appeal to those who are
17 just entering the Airport.

18 So, we are working off a -- we're hoping a
19 module design. We have given -- you know, again,
20 we went through our pool, we sent -- we sent our
21 ideas to everybody and we're hopeful to be able
22 to construct a better more permanent and slightly
23 more professional building than just kind of the
24 Scotsman trailer that -- that we've been working
25 out of.

1 So, that's -- that's that project.

2 The next two are -- three is two areas
3 along the access road between the first set of
4 T hangars. It's been kind of a -- a source of --
5 of some complaints by -- by pilots who go through
6 the access gates there and kind of slide down.
7 There's a dirt hill there; they've been kind of
8 sliding down it.

9 In all frankness, I have been reluctant to
10 put stairwells in there and things like that
11 because of liability issues. But now the
12 conditions have kind of changed there, so we have
13 -- looking to award this. It will be a tie -- it
14 will be railroad ties, a stairwell down with some
15 -- with concrete platforms with railings.

16 So we think it will be a little bit safer
17 for everybody to go down.

18 And then the last one is the end of the
19 runway. If you look at the Vibra Screw property,
20 where we have an avigation easement, you could
21 see it's pretty -- pretty well demarcated on that
22 map. The overhead again.

23 We have the right to go on that property
24 and keep the property well of growth -- that's
25 what a avigation is. Gives -- give us -- gives

1 us the authority to go in and cut down anything
2 kind of above ground level.

3 So, that's what this contract is going to
4 do; it's going to go out there and cut the stuff
5 down so that we don't end up having obstructions.

6 That's it.

7 COMMISSIONER SPIESBACH: On the second one,
8 Jim, there seems to be a real wide variation in
9 the estimates of construction cost.

10 One with -- the one awarding PS&S.

11 MR. PAGANELLI: We --

12 COMMISSIONER SPIESBACH: I'm just seeing,
13 you know, you have --

14 MR. PAGANELLI: We agree.

15 COMMISSIONER SPIESBACH: -- anywhere from
16 two eighty-seven down to like seventy-five and,
17 you know, up to one sixty-one, which seemed like
18 a very wide -- it almost sounds like we're
19 talking of a prefab-type building here.

20 MR. PAGANELLI: That's exactly what we're
21 talking about.

22 COMMISSIONER SPIESBACH: That's all you
23 really need.

24 MR. PAGANELLI: We interviewed all -- all
25 four of these firms, --

1 COMMISSIONER SPIESBACH: Um-hum.

2 MR. PAGANELLI: -- Commissioner, and their
3 numbers somewhat fluctuated. Whether they
4 thought there was more or less site work, things
5 like that involved.

6 The one company that was kind of way off on
7 their estimate was Hatch Mott --

8 COMMISSIONER SPIESBACH: Um-hum.

9 MR. PAGANELLI: -- and it didn't seem like
10 they even reached out to them because their
11 building number was way over -- was over
12 \$200,000.00.

13 COMMISSIONER SPIESBACH: Yeah.

14 MR. PAGANELLI: We have the building.

15 COMMISSIONER SPIESBACH: They had to design
16 your building.

17 MR. PAGANELLI: Right.

18 We had the building about 85,000. That's
19 -- that's what we have. We --

20 COMMISSIONER SPIESBACH: Okay.

21 MR. PAGANELLI: -- we know the
22 manufacturer; went and looked at it.

23 I should also just mention that the
24 contractor themselves really can't control what a
25 bidder may come back and --

1 COMMISSIONER SPIESBACH: Of course.

2 MR. PAGANELLI: -- and bid this on.

3 COMMISSIONER SPIESBACH: Um-hum.

4 MR. PAGANELLI: We really did it so we
5 would get some sense of their familiarity with
6 the product, see how much homework they did. And
7 I think that kind of vetted itself out as we went
8 through our interviews with everybody.

9 COMMISSIONER SPIESBACH: Fair enough.

10 VICE CHAIRMAN BROWN: Any other questions?
11 Concerns?

12 Can I get a motion on the Late Starter for
13 the Airport?

14 MR. PAGANELLI: One through 4 please.

15 VICE CHAIRMAN BROWN: One through 4.

16 COMMISSIONER SPIESBACH: I'll move to
17 approve 1 through 4.

18 COMMISSIONER DUNEC: Second.

19 VICE CHAIRMAN BROWN: Second here.
20 Roll call, Lucy, please.

21 MS. SAPINSKI: Commissioner Brown?

22 VICE CHAIRMAN BROWN: Yes.

23 MS. SAPINSKI: Commissioner Dunec?

24 COMMISSIONER DUNEC: Yes.

25 MS. SAPINSKI: Commissioner Halligan?

1 COMMISSIONER HALLIGAN: Yes.

2 MS. SAPINSKI: Commissioner Spiesbach?

3 COMMISSIONER SPIESBACH: Yes.

4 MS. SAPINSKI: Commissioner Stanziale?

5 COMMISSIONER STANZIALE: Yes.

6 VICE CHAIRMAN BROWN: Any other questions
7 or concerns?

8

9 **ADJOURNMENT**

10

11 VICE CHAIRMAN BROWN: Okay, motion to
12 adjourn please?

13 COMMISSIONER HALLIGAN: So moved.

14 VICE CHAIRMAN BROWN: He moved it.

15 COMMISSIONER STANZIALE: Second.

16 VICE CHAIRMAN BROWN: She second it.

17 MS. SAPINSKI: Commissioner Brown?

18 VICE CHAIRMAN BROWN: Yes.

19 MS. SAPINSKI: Commissioner Dunec?

20 COMMISSIONER DUNEC: Yes.

21 MS. SAPINSKI: Commissioner Halligan?

22 COMMISSIONER HALLIGAN: Yes.

23 MS. SAPINSKI: Commissioner Spiesbach?

24 COMMISSIONER SPIESBACH: Yes.

25 MS. SAPINSKI: Commissioner Stanziale?

1 COMMISSIONER STANZIALE: Yes.

2 MR. PAGANELLI: Enjoy July. No, Enjoy

3 August.

4

5 (Whereupon, the proceedings were concluded

6 at 5:18 p.m., Resolution No. 15-15.)

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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, July 28, 2015 and digitally recorded.

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25 Monitored and Proofread by: Deborah Dillon