

ESSEX COUNTY  
IMPROVEMENT AUTHORITY  
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED  
: PROCEEDINGS  
:  
:

---

27 Wright Way  
Fairfield, New Jersey

Tuesday, August 27, 2019  
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, (Via telephone)  
COMMISSIONER GERARD M. SPIESBACH  
COMMISSIONER CARLA A. STANZIALE  
COMMISSIONER JACQUELINE YUSTEIN  
COMMISSIONER RONALD J. BROWN, Vice Chairman,  
(Via telephone)  
COMMISSIONER STEVEN H. KLINGHOFFER, Chairman,  
(Via telephone)

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

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

STEVEN C. ROTHER, Executive Director, (Via telephone)  
NIA H. GILL, ESQ., General Counsel  
LUCY SAPINSKI, Director of Operations  
CLYDE L. OTIS, III, ESQ., Director of Development/  
Assistant General Counsel, (Via telephone)  
THOMAS GOMEZ, Airport Manager  
BETSY WILLIAMSON, Administrative Assistant  
JOSEPH J. FACCONI, Samuel Klein & Company  
GERARD STANKIEWICZ, Samuel Klein & Company

	<u>I N D E X</u>	
		<u>PAGE</u>
1		
2		
3	SUNSHINE NOTICE	4
4	ROLL CALL	4
5	PUBLIC COMMENTS	5
6	ACCEPTANCE OF MINUTES	
7	Resolution No. 19-24	6
8	EXECUTIVE SESSION	
9	Resolution No. 19-158	32
10	Return to Open Session	
11	Resolution No. 19-25	33
12	<u>RESOLUTIONS</u>	
13	Resolution No. 19-145	7
14	Resolution No. 19-146	22
15	Resolution No. 19-147	22
16	Resolution No. 19-148	24
17	Resolution No. 19-149	24
18	Resolution No. 19-150	24
19	Resolution No. 19-151	25
20	Resolution No. 19-152	27
21	Resolution No. 19-153	27
22	Resolution No. 19-154	27
23	Resolution No. 19-155	27
24	Resolution No. 19-156	29
25	Resolution No. 19-157	33

I N D E X cont'd

1		
2		<u>PAGE</u>
3	Motion to adjourn meeting	
4	Resolution No. 19-026	36
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 COMMISSIONER SPIESBACH: Ready?

2 MS. DILLON: Yes.

3 On the record.

4 COMMISSIONER SPIESBACH: Okay.

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

15

16 **ROLL CALL:**

17

18 COMMISSIONER SPIESBACH: 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 Ross?

24 COMMISSIONER ROSS: Yes.

25 MS. SAPINSKI: Commissioner Spiesbach?

1 COMMISSIONER SPIESBACH: Here.

2 MS. SAPINSKI: Commissioner Stanziale?

3 COMMISSIONER STANZIALE: Yes.

4 MS. SAPINSKI: Commissioner Yustein?

5 COMMISSIONER YUSTEIN: Yes.

6 MS. SAPINSKI: Chairman Klinghoffer?

7 CHAIRMAN KLINGHOFFER: Yes.

8 MS. SAPINSKI: Clyde? Are you on the  
9 phone?

10 MR. OTIS: Yes.

11 MS. SAPINSKI: Okay.

12 And Steve Rother, you on the phone, too?

13 MR. ROTHER: Yeah. Yes.

14 MS. SAPINSKI: Okay.

15 We have everybody.

16 COMMISSIONER SPIESBACH: Okay.

17

18 **PUBLIC COMMENTS:**

19

20 COMMISSIONER SPIESBACH: I see no one from  
21 the public, so therefore we will dispense with  
22 Public Comment.

23

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

1     **ACCEPTANCE OF MINUTES**

2             **RESOLUTION NO. 19-24**

3             **1. REGULAR BOARD MEETING AND EXECUTIVE SESSION**  
4     7-30-19.)

5

6             COMMISSIONER SPIESBACH:    Could I then go to  
7     the Acceptance of Minutes.

8             Can we have a motion to approve the July --  
9     or accept rather, the July 30<sup>th</sup>, 2019, Regular  
10    Board Meeting and Executive Session.

11            COMMISSIONER STANZIALE:    I'll make a  
12    motion.

13            COMMISSIONER YUSTEIN:    Second.

14            MS. SAPINSKI:    Commissioner Brown?

15            VICE CHAIRMAN BROWN:    Yes.

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 COMMISSIONER SPIESBACH: Okay.

4 Do we want to talk first about the -- the  
5 audit?

6 Or do you want to go through the agenda and  
7 then we'll come back to the audit?

8 MS. SAPINSKI: I would say let's go through  
9 the audit.

10

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

13 **ADMINISTRATIVE**

14 1. RESOLUTION NO. 19-145 - RESOLUTION  
15 AUTHORIZING ACCEPTANCE OF THE AUTHORITY'S REPORT  
16 OF AUDIT FOR THE YEAR ENDED DECEMBER 31, 2018.)

17

18 COMMISSIONER SPIESBACH: Okay.

19 We'll let these gentlemen begin and then  
20 we'll go through the session.

21 MR. STANKIEWICZ: Okay.

22 My name is Gerry Stankiewicz.

23 I'm a partner in Samuel Klein and Company.

24 And we have our managing partner Joe Faccone  
25 here.

1           This is the audit for the year ended  
2 December 31<sup>st</sup>, 2018. It's four months late; not  
3 by our doing though.

4           The lords of the accounting industry, in  
5 June of '15, mandated that government entities in  
6 the country that follow governmental accounting  
7 standards, which we're required to do, measure  
8 their post-employment retirement obligations  
9 other than pension.

10           In the case of ECIA, it's the value  
11 presently of your obligation for retirement  
12 health benefits.

13           Okay?

14           If you recall, four or five years ago, we  
15 had to add in pension obligation; this year we  
16 had to add in the health benefit obligation.  
17 That information didn't get released until July  
18 14<sup>th</sup> or 15<sup>th</sup> or thereabouts and the DCA has given  
19 us 45 days from that date to issue the report.  
20 That would be Friday.

21           So we finished the -- most of the audit  
22 work was done, that we do, back in April. We  
23 would have been done, had everything been  
24 released on time, but we -- we got an extension  
25 as did every other entity in the State that has



1 post-retirement health -- post-employment health  
2 benefits.

3           So, basically, that information came out  
4 and it's rather significant information. But let  
5 me get through the basic part of the audit first.

6           Most of our audit work is done via testing  
7 and sampling. So we -- as we -- as we do in  
8 every other place we reviewed all your expendit--  
9 not all your expenditures. We review your  
10 expenditures on a test basis. We do random  
11 samples. We look at certain accounts and certain  
12 dollar amounts.

13           As a result of that what we look for are  
14 the key things that you guys passed the test on.  
15 All the documentation was proper on expenditures.  
16 They were properly coded with regards to the  
17 budgetary account. They were all in compliance  
18 with the Local Public Contracts Law. And they  
19 were -- bills were cut off with respect to the  
20 fiscal year.

21           Those are the four basic things; nothing  
22 fancy. That's what we check for.

23           On payroll we made sure everyone was paid  
24 the amount that they were authorized to be paid.  
25 That the payroll taxes were paid timely.

1           Okay?

2           And that all the payroll salary accruals at  
3 year end -- for example, unused sick and  
4 vacation; those were properly accounted for as  
5 well. All built into this basic audit.

6           With regards to revenue, we did extensive  
7 work in the airport fund on the sale of fuel and  
8 diesel. We did work -- extra work this year on  
9 some of the -- the landing fees and the -- the  
10 rents -- the lease rents and all that stuff. So  
11 we -- we did checking on that.

12           Everything passed with flying colors.

13           There was no single audit this year because  
14 our federal expenditures did not exceed 750,000.  
15 They were about three or four hundred thousand  
16 dollars.

17           But we did the same work we would have done  
18 if there were a single audit. We checked to make  
19 sure all the documentation was proper. And we do  
20 have real good files on that. I mean they're at  
21 the point where a federal auditor would come in,  
22 you can hand them a binder like this and say  
23 here, here's your stuff, don't bother me, it's  
24 all here.

25           We have good -- good work in that area.

1 It's just is not -- it's not in this report  
2 because it didn't need to be.

3           So, basically, at the end we -- we receive  
4 the trial balances and all the revenue reports,  
5 expenditure reports and the bank reconciliations  
6 through the accounting consultant -- Nora and  
7 Roley. And we take all the information an we put  
8 it all into our work papers that we work -- it  
9 works its way into report format into our audit  
10 report.

11           Okay?

12           We did go through PGLP rather extensively,  
13 making sure all that was properly accounted for.  
14 And then there's not that much in the way of  
15 activity within the restricted funds, at least  
16 presently.

17           And so we basically just have on the  
18 balance sheet of the restricted funds cash and  
19 the offsetting payables that are a part of it --  
20 the reserves, the due to participants.

21           We verified in all cases that all the debt  
22 service was paid from the participants and that  
23 it went back out the door to the DTC, which is  
24 where all debt service works its way through,  
25 it's a central paying agent for debt service in

1 the -- in the country.

2 So all that information was merged into a  
3 couple pages. Now I just want to point out a  
4 couple things.

5 We have our five funds where we operate as  
6 a proprietary fund. And I just wanted to point  
7 out a couple things in that area because I want  
8 to make sure there's no misinterpretations by  
9 let's other people reading this stuff.

10 Our Juror Parking Fund obviously has no  
11 equity and no fund balance. The money is split  
12 evenly with the ECIA and with the County. So  
13 that money came in.

14 We did do a lot of work in that area, too,  
15 in -- in the terms of the daily parking stubs and  
16 the -- you know, the revenues there. The main  
17 revenue is the parking fees, so we checked that  
18 area out.

19 Sportsplex Stadium, obviously, has no  
20 balance sheet left because it's sort of a defunct  
21 fund. And the -- the Sportsplex Garage money, we  
22 -- we reviewed all that. It has about a \$1.2  
23 million restricted fund balance.

24 Airport Fund has \$23 million of fund  
25 balance.

1           However, part of it is a \$20 million  
2 invested in capital assets. Just so you know, in  
3 case you get -- someone says something to you,  
4 it's not a pool of cash. It's the net book value  
5 of the assets. Meaning what we paid for them  
6 over the last, I don't know 40 years, less the  
7 amount that we've depreciated against those,  
8 gives you a net number. It's the net investment  
9 in -- in capital assets. There is not a pool of  
10 cash there.

11           Okay?

12           It's just a -- a balancing act -- a  
13 balancing account because on the asset side we  
14 have the net book value of the assets, which  
15 offsets that.

16           So the Airport Fund ended up the year with  
17 \$3.1 of fund balance.

18           And the Development Financial Assistance  
19 Fund ended up with a fund balance of six and a  
20 half million.

21           Those are slightly down from the prior  
22 years. Part of it has to do with a contribution  
23 towards the -- the airport obstruction -- the  
24 offsite airport obstruction. So, they're --  
25 they're slightly down.

1           Okay?

2           What else?

3           So, basically, what we did was, then we  
4 take -- those are your basic financials as  
5 presented by the accounting consultant. Then we  
6 convert them into what's called governmental  
7 accounting standards. And we have two major  
8 items on here that every entity is required to  
9 have.

10           We have to account for pension liability  
11 and we have to account for the health benefits  
12 liability. I mean let's call it what it is --  
13 it's post-employment but it's health benefits.

14           Okay?

15           And there's some unbelievable numbers that  
16 I just want to point out but keep in mind those  
17 numbers are from June of '18.

18           We're allowed to use for a fiscal year  
19 ended December 31<sup>st</sup> of '18, we could use -- go  
20 backwards 360 days, in terms of other reports  
21 that we can use.

22           These calculations that the Department of  
23 Treasury, Division of Pensions makes, take a long  
24 time to do. They're rather involved and usually  
25 they're a year behind. And that's sort of the

1 entire industry with -- with the actuary.

2           So I just want to point out our -- our  
3 obligation for pension is \$3 million and our  
4 post-retirement -- post-employment obligation is  
5 four and a half million.

6           Now those two never had to be booked on our  
7 report before but they -- they are now required  
8 to be booked. So what they did was it was in  
9 your unrestricted funds, which is your  
10 Development Assistance, Airport, Juror Parking  
11 and the Sportsplex Garage. The report shows,  
12 you'll see, it reports that you're in a deficit  
13 of 400 grand.

14           Okay, now in all honesty, that's not a lot  
15 of money. Okay, to me, that's like break even.  
16 But keep in mind it's a theoretical number.

17           Okay?

18           And the numbers that we booked to get to  
19 that point were all based on a discount rate  
20 that's a year old. Discount rate could be  
21 different today.

22           In fact, the numbers are probably better  
23 today. Probably, the way they churn the numbers,  
24 we could be to the positive. But right now we're  
25 to the negative.

1           It doesn't mean we're in negative and we  
2 have to do something right away about it. All --  
3 all it's telling us is if you were to take our  
4 basic financials and convert them to a corporate  
5 model, that's what we would look like. We would  
6 be in a negative position.

7           But, again, it's December 31<sup>st</sup> numbers  
8 using June 31<sup>st</sup> (sic), '18, calculations that are  
9 using, you know, various different discount rates  
10 that are determined by the investment advisors to  
11 the pension board and a bunch of other people --  
12 the actuaries. And who knows what they do to  
13 massage the numbers. But we're -- we're on the  
14 hook for that over the next 30 years.

15           That number today could change; it could  
16 change every 15 minutes as far as I know. But  
17 that's where we stand with regards to that.

18           So at the end, as a result, good auditing  
19 results.

20           Okay?

21           Excellent account records presented to us.  
22 We have -- we've given an unmodified opinion. In  
23 the old days it was called an unqualified  
24 opinion, otherwise known as a clean opinion.

25           So records as presented were all proper.



1 All of our tests showed that everything was in  
2 real good shape. All things are properly  
3 documented and everything's functioning as it's  
4 intended to function.

5 Two things we want to caution though, we --  
6 we have to keep -- you as Commissioners have to  
7 make sure your -- your administrative personnel  
8 are -- are empowered to just make sure that  
9 there's no blips in your control procedures.

10 The ultimate is -- rests with the Board --  
11 the ultimate responsibility. But you can empower  
12 them to just make sure that everything is lined  
13 up properly with regards to revenue reporting and  
14 expenditure reporting and payroll reporting.

15 Okay?

16 We're not that big of an entity but we  
17 can't have anyone get complacent or, you know,  
18 have a lapse in judgment.

19 So we just have to caution you that that's  
20 the responsibility of you; however, you can  
21 empower management to take care of all that.

22 So in the end when all the smoke clears we  
23 have clean opinion and we have no audit  
24 recommendations. I -- I think that the last  
25 several years the records has gotten every year a

1 | lot better.

2 |           There were no journal entries that we would  
3 | call audit journals.

4 |           COMMISSIONER SPIESBACH: Um-hum.

5 |           MR. STANKIEWICZ: You know an audit journal  
6 | -- in theory, there's two different kinds of  
7 | journals that we can make.

8 |           One is a report re-class to change an  
9 | account to make it look proper for presentation  
10 | purposes.

11 |           The other one is you found an error. Okay,  
12 | well we didn't find errors as -- as the records  
13 | were presented so.

14 |           And I do want to publicly thank -- make  
15 | sure everybody in this building that works here  
16 | and even the guys at the parking deck were  
17 | helpful.

18 |           We called them on the hot-seat for about an  
19 | hour or two. And, you know, we -- we interviewed  
20 | them just to get a flavor for, you know, do -- do  
21 | they know -- like sometimes you can pick up  
22 | things while you're interviewing people. You  
23 | know, what do you do? What happens when this --  
24 | you find this or that? Everybody passed with  
25 | flying colors but we do want to thank everybody

1 publicly.

2 COMMISSIONER SPIESBACH: That's good.

3 MR. STANKIEWICZ: So, in the end, we're --  
4 we're --

5 MR. ROTHER: No and I --

6 MR. STANKIEWICZ: Go ahead, Steve.

7 MR. ROTHER: Yeah and I have to thank --  
8 thank Lucy, who's -- who's the person who's in  
9 charge of all of that on a daily basis, for doing  
10 an outstanding job.

11 MR. FACCONI: Good.

12 COMMISSIONER SPIESBACH: Very good.

13 MR. STANKIEWICZ: The honcho.

14 COMMISSIONER SPIESBACH: Well, actually,  
15 that's item number 1 on the agenda.

16 Are there any questions for these gentlemen  
17 from any of the Commissioners?

18 Because what I would like to suggest is  
19 that we just vote on number 1, approve that, and  
20 then these gentlemen --

21 MR. STANKIEWICZ: Right.

22 We --

23 COMMISSIONER SPIESBACH: -- don't have to  
24 stay any longer.

25 MR. STANKIEWICZ: -- we FedEx'd the report

1 from our office in Freehold yesterday to Trenton.

2 COMMISSIONER SPIESBACH: Um-hum.

3 MR. STANKIEWICZ: So it -- it -- two day  
4 FedEx -- it probably got there today but no later  
5 than tomorrow.

6 COMMISSIONER SPIESBACH: Okay.

7 MR. STANKIEWICZ: So it will be on time.

8 And if you're going to the Local Finance  
9 Board on September 11th, --

10 COMMISSIONER SPIESBACH: Um-hum.

11 MR. STANKIEWICZ: -- you -- they're --  
12 they're going to ask you -- that they're going to  
13 check off the question, did you file your audit,  
14 and the answer to that was yes.

15 COMMISSIONER SPIESBACH: Right.

16 MR. STANKIEWICZ: So --

17 COMMISSIONER SPIESBACH: Very good.

18 So is there any questions for either of  
19 these gentlemen?

20 No?

21 With that in mind can we just have a -- a  
22 motion to approve item number 1?

23 COMMISSIONER YUSTEIN: Motion.

24 COMMISSIONER STANZIALE: Second.

25 MS. SAPINSKI: Commissioner Brown?

1 VICE CHAIRMAN BROWN: Yes.

2 MS. SAPINSKI: Commissioner Dunec?

3 COMMISSIONER DUNEC: Yes.

4 MS. SAPINSKI: Commissioner Ross?

5 COMMISSIONER ROSS: Yes.

6 MS. SAPINSKI: Commissioner Spiesbach?

7 COMMISSIONER SPIESBACH: Yes.

8 MR. SAPINSKI: Commissioner Stanziale?

9 COMMISSIONER STANZIALE: Yes.

10 MS. SAPINSKI: Commissioner Yustein?

11 COMMISSIONER YUSTEIN: Yes.

12 MS. SAPINSKI: Chairman Klinghoffer?

13 Chairman?

14 We lost the Chairman?

15 COMMISSIONER SPIESBACH: We lost him

16 somewhere.

17 MS. SAPINSKI: Hello?

18 Okay.

19 COMMISSIONER SPIESBACH: Okay.

20 MS. SAPINSKI: All right.

21 COMMISSIONER SPIESBACH: Thank you,

22 gentlemen.

23 MS. SAPINSKI: Thank you.

24 COMMISSIONER SPIESBACH: We appreciate it.

25 MR. STANKIEWICZ: Okay.

1 Thank you.

2 COMMISSIONER SPIESBACH: Thank you very  
3 much.

4 MR. STANKIEWICZ: We appreciate your  
5 support.

6 Thank you.

7 COMMISSIONER SPIESBACH: Okay.

8 Now we can pick up the rest of the agenda.

9 Good to see you.

10

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

13

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

16 **ADMINISTRATIVE**

17 **2.** RESOLUTION NO. 19-146 - RESOLUTION  
18 RATIFYING PAYMENT TO AUDIO-DIGITAL TRANSCRIPTION  
19 SERVICES, LLC FOR TRANSCRIPTION OF BOARD MEETING  
20 ON 7-30-19; and

21 **3.** RESOLUTION NO. 19-147 - RESOLUTION  
22 RATIFYING PAYMENT OF RECURRING BILLS (BILL LIST).

23

24 COMMISSIONER SPIESBACH: Okay, so we're  
25 back to Resolutions.

1           And the first under Administrative -- we  
2 already did number 1.

3           So if there are any questions -- if there  
4 aren't any questions about items 2 and 3, we  
5 could have a motion to approve.

6           COMMISSIONER STANZIALE: Motion.

7           COMMISSIONER YUSTEIN: Second.

8           MS. SAPINSKI: Commissioner Brown?

9           VICE CHAIRMAN BROWN: Yes.

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          MS. SAPINSKI: Ah, you're back.

23          COMMISSIONER SPIESBACH: Ah, you're back.

24          Good.

25

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

3 **PARKING FACILITY**

4 4. RESOLUTION NO. 19-148 - RESOLUTION  
5 RATIFYING PAYMENT TO AROCHO SERVICES, LLC IN THE  
6 AMOUNT OF \$3,200.00 FOR LANDSCAPING, ELEVATOR AND  
7 STAIRWELLS CLEANING SERVICES AT THE JUROR PARKING  
8 FACILITY;

9 5. RESOLUTION NO. 19-149 - RESOLUTION  
10 RATIFYING A PAYMENT IN THE AMOUNT OF \$639.47 TO  
11 SCHINDLER ELEVATOR FOR ELEVATOR REPAIRS NOT  
12 COVERED BY MAINTENANCE AGREEMENT AT JUROR PARKING  
13 FACILITY; and

14 6. RESOLUTION NO. 19-150 - RESOLUTION  
15 RATIFYING PAYMENT IN THE AMOUNT OF \$3,850.00 TO  
16 PRECISION TECHNOLOGY SOLUTIONS FOR EQUIPMENT  
17 REPAIRS NOT COVERED BY MAINTENANCE AGREEMENT AT  
18 JUROR PARKING FACILITY.)

19

20 COMMISSIONER SPIESBACH: Okay.

21 Next item would be Resolutions under the  
22 Parking Facility.

23 Items 4, 5 and 6.

24 If there are any questions?

25 No?



1 Can we have a motion?

2 COMMISSIONER YUSTEIN: Motion.

3 COMMISSIONER STANZIALE: 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 Stanziale?

13 COMMISSIONER STANZIALE: Yes.

14 MS. SAPINSKI: Commissioner Yustein?

15 COMMISSIONER YUSTEIN: Yes.

16 MS. SAPINSKI: Chairman Klinghoffer?

17 CHAIRMAN KLINGHOFFER: Yes.

18 COMMISSIONER SPIESBACH: Okay.

19

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

22 **CORRECTIONAL FACILITY/CELANESE/ENVIRONMENTAL**

23 **EXPOSURE**

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

25 **7. RESOLUTION NO. 19-151 - RESOLUTION**

1 AUTHORIZING PAYMENT IN THE AMOUNT OF \$64,354.50  
2 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL  
3 SERVICES RENDERED IN THE MONTH OF JULY.)

4

5 COMMISSIONER SPIESBACH: Under Correctional  
6 Facility/Celanese/Environmental Exposure, there  
7 is one item.

8 Number 7.

9 Any questions on any of that?

10 If not, can we have a motion?

11 COMMISSIONER STANZIALE: Motion.

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 Stanziale?

22 COMMISSIONER STANZIALE: Yes.

23 MS. SAPINSKI: Commissioner Yustein?

24 COMMISSIONER YUSTEIN: Yes.

25 MS. SAPINSKI: Chairman Klinghoffer?

1 CHAIRMAN KLINGHOFFER: Yes.

2 COMMISSIONER SPIESBACH: Okay.

3

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

6 **AIRPORT**

7 8. RESOLUTION NO. 19-152 - RESOLUTION  
8 AUTHORIZING PAYMENT TO MICRO PAVE SYSTEMS, INC.  
9 IN THE AMOUNT OF \$39,667.82 FOR PAVEMENT CRACK  
10 SEALING REPAIRS AT RAMP B AND C (MORRIS COUNTY  
11 CO-OP PURCHASING AGREEMENT);

12 9. RESOLUTION NO. 19-153 - RESOLUTION  
13 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN  
14 THE AMOUNT OF \$324.88 FOR ENGINEERING SERVICES IN  
15 CONNECTION WITH THE UNDERGROUND STORAGE TANK  
16 COMPLIANCE AS PER NEW DEP REGULATIONS;

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

18 **Project Funded: ECIA/AIRPORT**

19 10. RESOLUTION NO. 19-154 - RESOLUTION  
20 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN  
21 THE AMOUNT OF \$7,656.65 FOR ENGINEERING SERVICES,  
22 SITE REMEDIATION AT HANGAR 1 AREA; and

23 11. RESOLUTION NO. 19-155 - RESOLUTION  
24 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN  
25 THE AMOUNT OF \$931.00 FOR ENGINEERING SERVICES,

1 | SITE REMEDIATION AT HANGAR 3 AREA.)

2 |

3 | COMMISSIONER SPIESBACH: Under Airport  
4 | would be Resolutions 8 through --

5 | MS. SAPINSKI: Eleven.

6 | COMMISSIONER SPIESBACH: -- 11.

7 | If there are no questions, can we have a  
8 | motion to approve?

9 | COMMISSIONER STANZIALE: Motion.

10 | COMMISSIONER YUSTEIN: Second.

11 | MS. SAPINSKI: Commissioner Brown?

12 | VICE CHAIRMAN BROWN: Yes.

13 | MS. SAPINSKI: Commissioner Dunec?

14 | COMMISSIONER DUNEC: Yes.

15 | MS. SAPINSKI: Commissioner Ross?

16 | COMMISSIONER ROSS: Yes.

17 | MS. SAPINSKI: Commissioner Spiesbach?

18 | COMMISSIONER SPIESBACH: Yes.

19 | MS. SAPINSKI: Commissioner Stanziale?

20 | COMMISSIONER STANZIALE: 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 **FINANCE**

4 **12.** RESOLUTION NO. 19-156 - RESOLUTION  
5 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF  
6 THE AUTHORITY'S \$150,000,000.00 POOLED GOVERNMENT  
7 LOAN PROGRAM, SERIES 1986

8 PAYMENTS DUE FOR PGLP SERVICES

9 GALLEROS-ROBINSON CPAs, LLP, - FINANCIAL  
10 CONSULTANT - AUGUST 2019 - \$2,000.00;

11 MOODY'S INVESTOR SERVICES - RATING AGENT  
12 - ANNUAL FEE - \$5,000.00.)

13

14 CHAIRMAN KLINGHOFFER: And the last item on  
15 the Regular Agenda is under Finance.

16 Resolution number 12.

17 Any questions?

18 Then can we have a motion?

19 COMMISSIONER YUSTEIN: Motion.

20 COMMISSIONER STANZIALE: 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 Stanziale?

5 COMMISSIONER STANZIALE: Yes.

6 MS. SAPINSKI: Commissioner Yustein?

7 COMMISSIONER YUSTEIN: Yes.

8 MS. SAPINSKI: Chairman Klinghoffer?

9 CHAIRMAN KLINGHOFFER: Yes.

10 COMMISSIONER SPIESBACH: Okay.

11 That brings us to the end of our formal  
12 agenda. But there is a Late Starter and I know  
13 that we wanted to have an Executive Session.

14 So we can have a motion to go into  
15 Executive Session?

16 CHAIRMAN KLINGHOFFER: You --

17 COMMISSIONER SPIESBACH: Oop.

18 CHAIRMAN KLINGHOFFER: I think we -- Gerry,  
19 I think we're going to vote on these first and  
20 then go into Executive Session.

21 MR. ROTHER: Yeah. But yeah, except we do  
22 have Clyde now on the phone, so we could have  
23 that Executive Session with Clyde.

24 Clyde, are you there?

25 COMMISSIONER SPIESBACH: Okay.

1 MR. OTIS: Yes, I'm still here. But I'm  
2 driving, so it could be kind of loud. So, yes,  
3 I'm here. I can pull over.

4 MR. ROTHER: How close are you -- how close  
5 are you to the -- to the Airport?

6 MR. OTIS: Not close enough. I'm on 280  
7 now. I just got out of Newark because they just  
8 finished their Chosen -- the Board of Freeholders  
9 Meeting and so I'm just en route.

10 So I'm 20 minutes away at least.

11 MR. ROTHER: Okay.

12 Then -- then maybe it would be good if we -  
13 - if -- if you pull over somewhere and we have  
14 that discussion in Executive Session first.  
15 Because, you know, it will take --

16 MR. OTIS: Okay. I'll -- somewhere.

17 MR. ROTHER: Okay. With --

18 MR. OTIS: I'll -- I'll pull over on -- put  
19 you on mute for a second and I'm going to pull  
20 over.

21 MR. ROTHER: Okay.

22 So if everybody -- if -- if everybody will  
23 vote on an Executive Session and -- and the basis  
24 for the Executive Session is that there is

25

1 -- well it's part of contract negotiation and  
2 potential litigation.

3 Those are the reasons why we would be going  
4 into Executive Session.

5 COMMISSIONER SPIESBACH: Okay.

6 Can we have a motion to go to Executive  
7 Session then?

8 COMMISSIONER STANZIALE: Motion.

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 Stanziale?

19 COMMISSIONER STANZIALE: Yes.

20 MS. SAPINSKI: Commissioner Yustein?

21 COMMISSIONER YUSTEIN: Yes.

22 MS. SAPINSKI: Chairman Klinghoffer?

23 CHAIRMAN KLINGHOFFER: Yes.

24

25 (Whereupon, the Board moved to Executive



1 Session at 5:18 p.m., Resolution No. 19-158.)

2

3 (Whereupon, the Board returned to Open  
4 Session at 5:40 p.m., Resolution No. 19-25.)

5

6 MS. DILLON: Whenever you're ready.

7 MS. SAPINSKI: She's ready.

8 COMMISSIONER SPIESBACH: Okay.

9 We're now back in Regular.

10

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

13 **LATE STARTER**

14 **FINANCE**

15 1. RESOLUTION NO. 19-157 - RESOLUTION  
16 OF THE ESSEX COUNTY IMPROVEMENT AUTHORITY  
17 DIRECTING APPLICATION BE MADE TO THE LOCAL  
18 FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6 FOR  
19 THE REPLACEMENT OF LEAD SERVICE LINES WITHIN THE  
20 CITY OF NEWARK IN AN AGGREGATE PRINCIPAL AMOUNT  
21 NOT TO EXCEED \$120,000,000.00.)

22

23 COMMISSIONER SPIESBACH: And we finished  
24 the formal agenda but we do have one Late  
25 Starter.

1 Under Finance, one item.

2 And it's Resolution 19-157.

3 And just for clarity, let's read this  
4 because it's very short.

5 This is a Resolution of the Essex County  
6 Improvement Authority Directing Application be  
7 Made to the Local Finance Board Pursuant to  
8 N.J.S.A. 40A:5A-6 for the Replacement of Lead  
9 Service Lines within the City of Newark in an  
10 Aggregate Principal Amount Not to Exceed  
11 \$120,000,000.00.

12 Can we have a motion to approve the  
13 Resolution?

14 COMMISSIONER YUSTEIN: Motion.

15 COMMISSIONER STANZIALE: Second.

16 MS. SAPINSKI: Commissioner Brown?

17 VICE CHAIRMAN BROWN: Yes.

18 MS. SAPINSKI: Commissioner Dunec?

19 COMMISSIONER DUNEC: Yes.

20 MS. SAPINSKI: Commissioner Ross?

21 COMMISSIONER ROSS: Yes.

22 MS. SAPINSKI: Commissioner Spiesbach?

23 COMMISSIONER SPIESBACH: Yes.

24 MS. SAPINSKI: Commissioner Stanziale?

25 COMMISSIONER STANZIALE: Yes.

1 MS. SAPINSKI: Commissioner Yustein?

2 COMMISSIONER YUSTEIN: Yes.

3 MS. SAPINSKI: Chairman Klinghoffer?

4 CHAIRMAN KLINGHOFFER: Yes.

5

6 **ADJOURNMENT :**

7

8 COMMISSIONER SPIESBACH: Okay, that brings  
9 us to the end of our formal agenda and Late  
10 Starter.

11 So can we have a motion to adjourn?

12 COMMISSIONER STANZIALE: Motion.

13 COMMISSIONER YUSTEIN: Second.

14 MS. SAPINSKI: Commissioner Brown?

15 VICE CHAIRMAN BROWN: Yes.

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: Commissioner -- Chairman  
2 Klinghoffer?

3 CHAIRMAN KLINGHOFFER: Yes.

4 COMMISSIONER SPIESBACH: Very good.

5 Thank you.

6 MS. SAPINSKI: Thank you.

7 CHAIRMAN KLINGHOFFER: Thank you everybody.

8

9 (Whereupon, the proceedings were concluded  
10 at 5:42 p.m., Resolution No. 19-26.)

11

12

13

14

15

16

17

18

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, August 27, 2019 and digitally  
10 recorded.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 Monitored and Proofread by: Deborah Dillon