

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

27 Wright Way
Fairfield, New Jersey

Tuesday, September 19, 2017
Commencing at 5:03 p.m.

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

COMMISSIONER MARK S. DUNEC, (Via telephone,
Left at 5:43 p.m.)
COMMISSIONER CLIFFORD ROSS
COMMISSIONER GERARD M. SPIESBACH, (Via telephone)
COMMISSIONER CARLA A. STANZIALE, (Via telephone)
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:

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

STEVEN C. ROTHER, Executive Director
NIA H. GILL, ESQ., General Counsel, (Via telephone)
LUCY SAPINSKI, Director of Operations
THOMAS GOMEZ, Airport Manager
BETSY WILLIAMSON, Administrative Assistant
JOSEPH CALI, Senior Project Manager/Accounts Receivables
KIM DIVINCENZO-ROOT, Executive Assistant

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1 MS. DILLON: On the record.

2 CHAIRMAN KLINGHOFFER: Okay.

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

13

14 **ROLL CALL:**

15

16 CHAIRMAN KLINGHOFFER: Roll call please.

17 MS. SAPINSKI: Commissioner Brown?

18 VICE CHAIRMAN BROWN: Here.

19 MS. SAPINSKI: Commissioner Dunec?

20 COMMISSIONER DUNEC: Here.

21 MS. SAPINSKI: Commissioner Ross?

22 COMMISSIONER ROSS: Present.

23 MS. SAPINSKI: Commissioner Spiesbach?

24 COMMISSIONER SPIESBACH: Here.

25 MS. SAPINSKI: Commissioner Stanziale?

1 COMMISSIONER STANZIALE: Here.

2 MS. SAPINSKI: Commissioner Yustein?

3 COMMISSIONER YUSTEIN: Here.

4 MS. SAPINSKI: Chairman Klinghoffer?

5 CHAIRMAN KLINGHOFFER: Here.

6

7 **PUBLIC COMMENTS:**

8

9 CHAIRMAN KLINGHOFFER: Do we have any
10 members of the public that would like to comment?

11 MR. ROTHER: Doesn't look like it.

12 CHAIRMAN KLINGHOFFER: Seeing none.

13 We'll keep on going.

14

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

17 **ACCEPTANCE OF MINUTES**

18 **RESOLUTION NO. 17-36**

19 **1. REGULAR BOARD MEETING AND EXECUTIVE SESSION**
20 8-22-17.)

21

22 CHAIRMAN KLINGHOFFER: Is there a motion to
23 accept the Minutes, please, Regular Board Meeting
24 and Executive Session of August 22?

25 VICE CHAIRMAN BROWN: I'll move it.

1 COMMISSIONER ROSS: Second.

2 MS. SAPINSKI: Commissioner Brown?

3 VICE CHAIRMAN BROWN: Here. Oh, yes.

4 MS. SAPINSKI: Commissioner Dunec?

5 COMMISSIONER DUNEC: Yes.

6 MS. SAPINSKI: Commissioner Ross?

7 COMMISSIONER ROSS: Yes.

8 MS. SAPINSKI: Commissioner Spiesbach?

9 COMMISSIONER SPIESBACH: Yes.

10 MS. SAPINSKI: Commissioner Stanziale?

11 COMMISSIONER STANZIALE: Yes.

12 MS. SAPINSKI: Commissioner Yustein?

13 COMMISSIONER YUSTEIN: Yes.

14 MS. SAPINSKI: Chairman Klinghoffer?

15 CHAIRMAN KLINGHOFFER: Yes.

16 Okay.

17 We're going to do Executive Session at the
18 end of the meeting.

19

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

22 **ADMINISTRATIVE**

23 1. RESOLUTION NO. 17-187 - RESOLUTION

24 AUTHORIZING PAYMENT TO AUDIO-DIGITAL

25 TRANSCRIPTION SERVICES, LLC FOR TRANSCRIPTION OF

1 BOARD MEETING ON 8-22-17; and

2 **2.** RESOLUTION NO. 17-188 - RESOLUTION
3 RATIFYING PAYMENT OF RECURRING BILLS (BILL
4 LIST).)

5

6 CHAIRMAN KLINGHOFFER: First two
7 Resolutions are Administrative, 1 and 2.

8 Someone like to move them?

9 COMMISSIONER ROSS: Move it.

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 Did I just do 1 and 2?

1 MS. SAPINSKI: Um-hum.

2 CHAIRMAN KLINGHOFFER: Okay.

3

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

6 **NEWARK RIVERFRONT PROJECT/LITIGATION**

7 3. RESOLUTION NO. 17-189 - RESOLUTION
8 AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,708.90 TO
9 DE COTIIS, FITZPATRICK, COLE & GIBLIN, LLP FOR
10 LEGAL SERVICES RENDERED IN THE MONTH OF AUGUST
11 2017.)

12

13 CHAIRMAN KLINGHOFFER: Number 3, the Newark
14 Riverfront Project/Litigation.

15 Someone like to move that?

16 VICE CHAIRMAN BROWN: I'll move it.

17 COMMISSIONER ROSS: Second.

18 MS. SAPINSKI: Commissioner Brown?

19 VICE CHAIRMAN BROWN: Yes.

20 MS. SAPINSKI: Commissioner Dunec?

21 COMMISSIONER DUNEC: Yes.

22 MS. SAPINSKI: Commissioner Ross?

23 COMMISSIONER ROSS: Yes.

24 MS. SAPINSKI: Commissioner Spiesbach?

25 COMMISSIONER SPIESBACH: Yes.

1 MS. SAPINSKI: Commissioner Stanziale?

2 COMMISSIONER STANZIALE: Yes.

3 MS. SAPINSKI: Commissioner Yustein?

4 COMMISSIONER YUSTEIN: Yes.

5 MS. SAPINSKI: Chairman Klinghoffer?

6 CHAIRMAN KLINGHOFFER: Yes.

7 MR. ROTHER: And this should be coming to
8 an end now. I think that we shouldn't see many,
9 many more because our case is --

10 CHAIRMAN KLINGHOFFER: On the Riverfront or
11 the -- which -- on the Property --

12 MR. ROTHER: The -- the litigation that
13 we're having --

14 CHAIRMAN KLINGHOFFER: Okay.

15 MR. ROTHER: -- should be -- should be
16 over.

17 CHAIRMAN KLINGHOFFER: I thought there was
18 a ruling on that recently?

19 MR. ROTHER: Pardon?

20 CHAIRMAN KLINGHOFFER: Wasn't there a
21 ruling on that recently?

22 MR. ROTHER: Yeah. In the Appellate
23 Division. Yes.

24 CHAIRMAN KLINGHOFFER: Okay.

25

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

3 **NEWARK PROPERTY ACQUISITION PROJECT**

4 4. RESOLUTION NO. 17-190 - RESOLUTION
5 AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,185.76 TO
6 CHIESA, SHAHINIAN & GIANTOMASI, PC FOR LEGAL
7 SERVICES RENDERED IN THE MONTH OF JULY 2017.)

8
9 CHAIRMAN KLINGHOFFER: Number 4 on the
10 Newark Property Acquisition Project.

11 VICE CHAIRMAN BROWN: I'll move it.

12 COMMISSIONER YUSTEIN: Second.

13 MS. SAPINSKI: Commissioner Brown?

14 VICE CHAIRMAN BROWN: Yes.

15 MS. SAPINSKI: Commissioner Dunec?

16 COMMISSIONER DUNEC: Yes.

17 MS. SAPINSKI: Commissioner Ross?

18 COMMISSIONER ROSS: Yes.

19 MS. SAPINSKI: Commissioner Spiesbach?

20 COMMISSIONER SPIESBACH: Yes.

21 MS. SAPINSKI: Commissioner Stanziale?

22 COMMISSIONER STANZIALE: Yes.

23 MS. SAPINSKI: Commissioner Yustein?

24 COMMISSIONER YUSTEIN: Yes.

25 MS. SAPINSKI: Chairman Klinghoffer?

1 CHAIRMAN KLINGHOFFER: Yes.

2

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

5 **AIRPORT**

6 5. RESOLUTION NO. 17-191 - RESOLUTION
7 AUTHORIZING PAYMENT IN THE AMOUNT OF \$570.00 TO
8 SJ CARNEY MAINTENANCE FOR ROOF REPAIRS AT THE
9 AIRPORT;

10 6. RESOLUTION NO. 17-192 - RESOLUTION
11 AUTHORIZING PAYMENT IN THE AMOUNT OF \$472.00 TO
12 AIR POWER FOR ELECTRICAL REPAIRS AT THE AIRPORT;

13 7. RESOLUTION NO. 17-193 - RESOLUTION
14 AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,955.00 TO
15 SECURITY101 FOR SECURITY SYSTEM REPAIRS NOT
16 COVERED BY MAINTENANCE AGREEMENT;

17 8. RESOLUTION NO. 17-194 - RESOLUTION
18 AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,374.32 TO
19 VERNER-CADBY FORD FOR 2012 FORD TRUCK REPAIRS;

20 9. RESOLUTION NO. 17-195 - RESOLUTION
21 ACCEPTING A QUOTE/PROPOSAL FROM GREELCO INC., IN
22 THE AMOUNT OF \$11,547.29 TO PURCHASE AN
23 EXPRESSWAY PLOW;

24 10. RESOLUTION NO. 17-196 - RESOLUTION
25 AUTHORIZING PAYMENT #4 TO ACCURATE CONSTRUCTION

1 INC IN THE AMOUNT OF \$33,834.90 FOR SERVICES
2 RENDERED IN CONNECTION WITH THE NEW OPS BUILDING;
3 **11.** RESOLUTION NO. 17-197 - RESOLUTION
4 AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,870.52 TO
5 PS&S FOR ENGINEERING SERVICES RENDERED THROUGH
6 7-31-17 IN CONNECTION WITH THE NEW OPS BUILDING;

7 **OBSTRUCTION REMOVAL PROJECT**

8 **Project Funded:**

9 **ECIA/AIRPORT 100%**

10 **12.** RESOLUTION NO. 17-198 - RESOLUTION
11 AUTHORIZING PAYMENT TO JOHN J. CURLEY, LLC IN THE
12 AMOUNT OF \$2,372.31 FOR LEGAL SERVICES RENDERED
13 IN THE MONTH OF JULY 2017; and

14 **13.** RESOLUTION NO. 17-199 - RESOLUTION
15 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN
16 THE AMOUNT OF \$2,347.88 FOR ENGINEERING SERVICES
17 RENDERED THROUGH AUGUST 2017 (GOLF COURSE
18 PROPERTY.)

19

20 CHAIRMAN KLINGHOFFER: The Airport, which
21 includes the Obstruction Removal Project, 5
22 through 13.

23 Would someone like to move them?

24 COMMISSIONER ROSS: Move it.

25 VICE CHAIRMAN BROWN: Second.

1 MS. SAPINSKI: Commissioner Brown?

2 VICE CHAIRMAN BROWN: Yes.

3 MS. SAPINSKI: Commissioner Dunec?

4 COMMISSIONER DUNEC: Yeah.

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 I just realized, we don't have a bill this
16 month on our Passaic River litigation?

17 MS. SAPINSKI: No, he was very late. We
18 just got it today. So it was too late to put in.

19 CHAIRMAN KLINGHOFFER: That's very unusual
20 to see.

21 MS. SAPINSKI: Yeah, very. He was -- he
22 was late --

23 CHAIRMAN KLINGHOFFER: Okay.

24 MS. SAPINSKI: -- with sending the bill.

25 CHAIRMAN KLINGHOFFER: Okay.

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

4 **FINANCE**

5 **14.** RESOLUTION NO. 17-200 - RESOLUTION
6 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF
7 THE AUTHORITY'S \$150,000,000 POOLED GOVERNMENTAL
8 LOAN PROGRAM, SERIES 1986

9 PAYMENTS DUE OTHERS FOR PGLP SERVICES

10 1. GALLEROS-KOH, LLP, FINANCIAL CONSULTANT
11 - SEPTEMBER 2017 - \$2,000.00.)

12
13 CHAIRMAN KLINGHOFFER: Number 14.

14 Finance.

15 VICE CHAIRMAN BROWN: Move it.

16 COMMISSIONER YUSTEIN: 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 Stanziale?

1 COMMISSIONER STANZIALE: Yes.

2 MS. SAPINSKI: Commissioner Yustein?

3 COMMISSIONER YUSTEIN: Yes.

4 MS. SAPINSKI: Chairman Klinghoffer?

5 CHAIRMAN KLINGHOFFER: Yes.

6 Now, rationale for going into Executive
7 Session?

8 MR. ROTHER: Litigation and contract
9 negotiation.

10 CHAIRMAN KLINGHOFFER: Okay.

11 So motion to go into Executive Session?

12 VICE CHAIRMAN BROWN: I'll move it.

13 MR. ROTHER: We have someone -- I'm not
14 sure --

15 MR. HOLT: Yes, I'm -- my name's Tom Holt.

16 I'm with Sterling National Bank. I'm just
17 attending the meeting.

18 MR. ROTHER: Oh. It's okay.

19 You -- you missed Public Comment. Maybe
20 the --

21 MR. HOLT: No, no, I'm good.

22 MR. ROTHER: You're good?

23 CHAIRMAN KLINGHOFFER: No, you've -- you've
24 been here before.

25 MR. HOLT: I was.

1 CHAIRMAN KLINGHOFFER: Yeah, I think when
2 you -- when you were away last time.

3 MR. ROTHER: Okay.

4 Okay.

5 All right?

6 MS. SAPINSKI: Motion to go to Executive?
7 Commissioner Brown.

8 And second?

9 COMMISSIONER ROSS: 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 MS. DILLON: Just give me one moment.

25 CHAIRMAN KLINGHOFFER: Sure.

1

2 (Whereupon, the Board moved to Executive
3 Session at 5:08 p.m., Resolution No. 17-201.)

4

5 (Whereupon, Commissioner Mark S. Dunec left
6 the meeting at 5:43 p.m.)

7

8 (Whereupon, the Board returned to Open
9 Session at 5:45 p.m., Resolution No. 17-37.)

10

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

13

14 MS. DILLON: Okay.

15 Whenever you're ready.

16 MS. SAPINSKI: We're ready.

17 Yes?

18 CHAIRMAN KLINGHOFFER: Yeah, we're ready.

19

20 **ADJOURNMENT:**

21

22 CHAIRMAN KLINGHOFFER: No further business.
23 Is there a motion to adjourn?

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 Ross?

5 COMMISSIONER ROSS: Yes.

6 MS. SAPINSKI: Commissioner Spiesbach?

7 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 MS. DILLON: Chairman, Commissioner Dunec

16 say yes?

17 MS. SAPINSKI: No. He left after Executive

18 Session --

19 MS. DILLON: Okay.

20 MS. SAPINSKI: -- before Executive Session.

21 CHAIRMAN KLINGHOFFER: Thanks, everybody.

22

23 (Whereupon, the proceedings were concluded

24 at 5:46 p.m., Resolution No. 17-38.)

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, September 19, 2017, and digitally
10 recorded.

11

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25 Monitored and Proofread by: Deborah Dillon