

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

27 Wright Way
Fairfield, New Jersey

Tuesday, September 29, 2015
Commencing at 5:20 p.m.

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

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 MARK S. DUNEC
COMMISSIONER STEVEN H. KLINGHOFFER, Chairman

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
SHARIFA R. SALAAM, ESQ., Deputy Freeholder Counsel
THOMAS GOMEZ, Airport Manager
BETSY WILLIAMSON, Administrative Assistant
JOSEPH CALI, Senior Project Manager/Accounts Receivables
LYRA A. KNUST, PE, CME Associates
JAMES C. WATSON, PE, CME Associates

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1 VICE CHAIRMAN BROWN: On the record?

2 MS. DILLON: Yes.

3 VICE CHAIRMAN BROWN: First I'd like to say
4 welcome to our new Executive Director.

5 MR. ROTHER: Thank you.

6 VICE CHAIRMAN BROWN: You're welcome.
7 Sunshine Notice.

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

18

19 **ROLL CALL**

20

21 VICE CHAIRMAN BROWN: Lucy, would you give
22 the roll call, please.

23 MS. SAPINSKI: Commissioner Brown?

24 VICE CHAIRMAN BROWN: Yes.

25 MS. SAPINSKI: Commissioner Halligan?

1 COMMISSIONER HALLIGAN: Yes.

2 MS. SAPINSKI: Commissioner Spiesbach?

3 COMMISSIONER SPIESBACH: Here.

4 MS. SAPINSKI: Commissioner Stanziale?

5 COMMISSIONER STANZIALE: Here.

6 VICE CHAIRMAN BROWN: Thank you.

7

8 **PUBLIC COMMENTS**

9

10 VICE CHAIRMAN BROWN: Is there for public
11 meeting -- public comment?

12 Two, three, four.

13 Okay, seeing no public comment.

14

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

17 **ACCEPTANCE OF MINUTES**

18 **RESOLUTION NO. 15-19**

19 **1. MINUTES FROM AUGUST 21, 2015 SPECIAL BOARD**
20 **MEETING AND THE EXECUTIVE SESSION.)**

21

22 VICE CHAIRMAN BROWN: We'll move on to
23 Acceptance of the Minutes of August 21st, 2015,
24 Special Board Meeting and Executive Session.

25 Lucy?

1 Can I have a motion?

2 COMMISSIONER SPIESBACH: Moved to accept.

3 COMMISSIONER STANZIALE: Second.

4 VICE CHAIRMAN BROWN: Roll call, Lucy.

5 MS. SAPINSKI: Commissioner Brown?

6 VICE CHAIRMAN BROWN: Yes.

7 MS. SAPINSKI: Commissioner Halligan?

8 COMMISSIONER HALLIGAN: Yes.

9 MS. SAPINSKI: Commissioner Spiesbach?

10 COMMISSIONER SPIESBACH: Yes.

11 MS. SAPINSKI: Commissioner Stanziale?

12 COMMISSIONER STANZIALE: Yes.

13 VICE CHAIRMAN BROWN: May we get a motion
14 to go in Executive Session please?

15 COMMISSIONER STANZIALE: I'll move that.

16 COMMISSIONER HALLIGAN: I'll second.

17 VICE CHAIRMAN BROWN: Lucy?

18 MS. SAPINSKI: Commissioner Brown?

19 VICE CHAIRMAN BROWN: 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 MR. ROTHER: For the record, the -- the
2 purpose for the Executive Session is to discuss a
3 negotiated contract matter.

4 MS. DILLON: Hang on one second.

5

6 (Whereupon, the Board moved to Executive
7 Session I at 5:22 p.m., Resolution No. 15-187.)

8

9 (Whereupon, the Board returned to Open
10 Session at 5:32 p.m.)

11

12 MS. DILLON: Okay, whenever you're ready.

13 VICE CHAIRMAN BROWN: Okay, we're back.

14 We're going to do the Improvement
15 Authority's Resolutions of the Commissioners.

16

17 **PRESENTATION BY CME ASSOCIATES**

18

19 MR. ROTHER: No. We're going to get a
20 presentation first.

21 VICE CHAIRMAN BROWN: Oh, the presentation
22 first? Okay.

23 MR. ROTHER: Please.

24 MR. WATSON: Okay, good evening, everybody.
25 Thanks for having us. My name is Jim Watson.

1 I'm from CME Associates and this is my associate
2 Lyra Knust.

3 And we've been asked to come here this
4 evening and present to you the concept plan for
5 the -- for the new County Cedar Grove park.

6 This is located along Fairview Avenue.
7 Fairview Avenue runs north/south. The
8 Verona/Cedar Grove town line is right about over
9 here.

10 The concept that we've laid out is --
11 there's really three different sections of this
12 park. I'll show -- first I'll talk about the --
13 the area in the center of the plan.

14 This is a proposed K. Hovnanian development
15 that's -- currently they're trying to get
16 approval from the Cedar Grove Planning Board and
17 there's recently been a land transfer between the
18 County and K. Hovnanian. And the now the County
19 is in possession of this piece of property here
20 and this piece of property here.

21 There was a former -- a former use of
22 hospital buildings, all -- all in this area.

23 Currently on this side of the site, the
24 west side of the site, there's only one building
25 that remains. This is a -- a fire academy that

1 will be demolished I believe in the next 30
2 days.

3 The different areas of the park; this area
4 up here is really the passive recreation area.
5 It's pathways -- approximately a mile and a half
6 of pathways looping -- looping through the trees.
7 There's existing -- existing forestry in this
8 area. It's going to be selectively thinned and
9 then also filled in. We showed some landscaping
10 trying to heavily buffer it from the roadway. We
11 do intend to get some of the paths up into the
12 wooded areas. Right now the tree line --
13 existing tree line stops approximately around
14 here. So we're trying to get some of these
15 trails up into the woods.

16 We're showing lighting throughout the
17 pathways. There will be benches, trash
18 receptacles, exercise stations for people to stop
19 along the jogging path. There's probably going
20 to be a few crossings of drainage swales, so
21 there might be pedestrian-type small bridges.

22 This is the entrance to the Hilltop
23 Reservation up here. There's another project up
24 on Hilltop trying to make that also a passive
25 recreation area.

1 Small parking lot for about -- to
2 accommodate about 50 cars in here. We're
3 proposing a restroom building; just men and
4 women's restrooms, with some storage, and a
5 picnic area right in this area here.

6 There'd be a -- there'd be a berm and
7 landscaping, buffering from Fairview as I said.
8 A connection here to the second area of the park.
9 This would -- just to show you this -- this we
10 call our -- like our amenities plan or our
11 details plan but this is an archway entrance to
12 the park that would be right in that area there.

13 This is a building -- a proposed senior
14 citizen or community center building that would
15 have approximately space for a gathering of a
16 hundred and fifty people is what it's going to be
17 sized for. About a 4,000 square foot building.

18 There will be bathrooms that are accessible
19 from both inside and outside of the building.
20 There will be a kitchen area, some storage, and I
21 think a -- maybe a rollup concession window on
22 the side is what the --

23 MR. ROTHER: I think you have a -- an
24 elevation or two of that?

25 MR. WATSON: Yes, we do. That's right.

1 Thank you.

2 So this is our elevation view that we had
3 RSC Architects render for us. This is the --

4 MR. ROTHER: And they are a
5 subcontractor --

6 MR. WATSON: They are a sub to us.

7 MR. ROTHER: -- of yours under --

8 MR. WATSON: Yes.

9 MR. ROTHER: -- under that -- under that
10 contract?

11 MR. WATSON: Yes.

12 MR. ROTHER: Okay.

13 MR. WATSON: We've worked with them on
14 other park projects in the past, so.

15 VICE CHAIRMAN BROWN: Would there be heat
16 -- heat in the building?

17 MR. WATSON: Yes.

18 VICE CHAIRMAN BROWN: Air condition?

19 MR. WATSON: Yes.

20 VICE CHAIRMAN BROWN: Will there be
21 something that in the summertime they can open up
22 the whole sides? Or just be a solid structure?

23 MR. WATSON: You know I think it will be a
24 solid structure but what they're going to have is
25 covered porchways all the way around.

1 There's going to be a large porch off the
2 back, which is -- so that -- right, that's off
3 the back. There's going to be some on the sides
4 -- an overhang, and then a drive-thru area where
5 they could drop-off in the front.

6 So, we have not spoken about like glass
7 panels that can open up. But there will be open
8 air areas where they could be covered and they'll
9 probably have tables out there.

10 And then in the -- in the back of this
11 facility and on the side, there's also -- we're
12 proposing four bocce courts in the back area and
13 we're proposing a playground facility in this
14 area with area for two to five year olds, five to
15 12 year olds. A synthetic surface. And then
16 also a nice like knee wall surrounding the
17 playground area. Pathways connecting everything.

18 We're going to try to respect the existing
19 buffer to the residential -- the residential
20 homes here. Right now the tree line is
21 approximately right here. There is an asphalt
22 pad but nothing else.

23 There's an existing roadway that runs right
24 through here that we'll need to relocate in
25 accordance with what K. Hovnanian's proposing.

1 But we will need to build this roadway down to
2 this area for our utilities and also for access
3 to the -- to the third area of the park which is
4 this multipurpose field.

5 The multipurpose field will have -- it will
6 accommodate football, soccer, lacrosse. It will
7 have sports lighting. And we're proposing a
8 small comfort station down here similar to the
9 one up here that would have men's and ladies'
10 rooms and some storage. Also parking lot areas
11 in all three of these locations.

12 This is a small detention basin that we're
13 showing to handle our -- our storm water but we
14 have not designed it yet. Right now it's a
15 conceptual location depending on -- on what we
16 find as far as existing storm water facilities
17 that we could tie into.

18 I think that --

19 MS. KNUST: Covered bocce courts.

20 MR. WATSON: All right, so the bocce
21 courts, there's going to be four of them located
22 behind that community center. And we've -- we've
23 proposed overhanging shade structures on each end
24 where they would toss -- you toss the ball.

25 We visited some of the other bocce courts

1 that they had in like the -- like the Cherry
2 Blossom Center.

3 MS. KNUST: And Verona Park.

4 MR. WATSON: And Verona Park. Yeah.

5 VICE CHAIRMAN BROWN: I have a question for
6 you about --

7 MR. WATSON: Yes?

8 VICE CHAIRMAN BROWN: -- the bocce covers.

9 MR. WATSON: Yeah.

10 VICE CHAIRMAN BROWN: Are they going to be
11 removable during the winter or are they going to
12 stay up and they're durable?

13 Because we get snow -- snow and sometimes
14 they collapse those kind of structures.

15 MR. WATSON: Right. I think what we have
16 proposed right here now I believe is a fabric
17 cover on a frame and that would have to be
18 removed. But it could -- through the design
19 process it could change. It could become a more
20 permanent structure.

21 I don't think we're going to do one of
22 those heavy duty steel frames like they have at
23 the Cherry Blossom Center --

24 MS. KNUST: Because no one uses that bocce
25 court.

1 They have two bocce courts there; --

2 VICE CHAIRMAN BROWN: Yeah.

3 MS. KNUST: -- one that's shaded by trees
4 and one that's completely covered. And
5 apparently something about completely covering
6 the bocce courts affects the play and the way
7 that the -- the clay and the sand --

8 VICE CHAIRMAN BROWN: Um-hum.

9 MS. KNUST: -- are effected by the weather.
10 And so all of the -- all of the main players in
11 the area use the other court and don't even touch
12 the court that's covered.

13 So that's why we're only covering the
14 throwing areas rather than the playing surface.

15 VICE CHAIRMAN BROWN: No, but my concern
16 was that even with the -- with the throwing area,
17 you know, was it -- what kind of cover would it
18 be? Removable? Would it be --

19 MR. WATSON: It would probably have to be
20 brought in.

21 It's yet to be determined when we do the
22 preliminary design. But at this point the way we
23 discussed it and what we rendered is this is
24 going to be some sort of canvas material that
25 would cover a metal frame.

1 VICE CHAIRMAN BROWN: Okay.

2 MR. WATSON: This is typical exercise
3 station. These two pictures.

4 This is a picture of the gas lantern light
5 that we plan on spacing along the pathway system
6 all throughout the areas.

7 That's our typical synthetic field. It's
8 striped for three sports; soccer, lacrosse and
9 football.

10 And then the playground areas, you know
11 they're -- the playground manufacturers are --
12 are doing really innovative things and creative
13 things these days.

14 So there's similar to I think what's at the
15 Zoo right now. We're showing like a -- it looks
16 like a tree, you know, it has the effect of
17 playing in a tree trunk. And so we're going to
18 try to get something --

19 VICE CHAIRMAN BROWN: How many of those are
20 you going to put in the area?

21 MR. WATSON: There would be probably two,
22 maybe three, separate structures in this area
23 here.

24 COMMISSIONER STANZIALE: Is it for
25 different age groups?

1 MR. WATSON: Yes.

2 COMMISSIONER STANZIALE: Um-hum.

3 MR. WATSON: Yeah. So it would be two to
4 five, five to 12, is what we're talking about
5 right now.

6 COMMISSIONER SPIESBACH: What's your
7 preliminary construction estimate?

8 MR. WATSON: So we're at 10 million, 12
9 million, somewhere in there.

10 There's -- there is some funding that I
11 believe has already been secured through Green
12 Acres. The County Executive met with the DEP and
13 they've -- they've made a commitment to, I think,
14 maybe half of the project fund.

15 COMMISSIONER SPIESBACH: Thank you.

16 MR. WATSON: You're welcome.

17 MR. ROTHER: And this is going to be done
18 in phases.

19 Is that correct?

20 Or not?

21 MR. WATSON: I think that's yet to be
22 determined. We -- if -- yesterday for the first
23 time we heard phases. But if we can get it all
24 done quicker, I think we might prefer to do that.

25 Yesterday when we spoke with the County

1 Engineer, the Assistant County Engineer, they
2 talked about phasing this section and getting out
3 to construction first thing this spring.

4 And then following with this area here.
5 This building has a longer lead-time than really
6 anything we're going to do up in this area.

7 MR. ROTHER: Yeah.

8 MR. WATSON: So I think the thought was
9 maybe we can get this up and running quickly and
10 then follow with that.

11 MR. ROTHER: I am sure the Assistant County
12 Engineer took his lead from the County Executive.

13 MR. WATSON: Yes. Yes.

14 So, I plan to do it all as quick as we can.

15 MR. ROTHER: Okay.

16 MR. WATSON: That's the -- that's the
17 marching orders.

18 VICE CHAIRMAN BROWN: What's your
19 timeframe?

20 MR. WATSON: We want to be out to
21 construction next -- this coming spring. Spring
22 of --

23 VICE CHAIRMAN BROWN: Completion time?

24 MR. WATSON: -- 2016.

25 By the end of the year. Twelve -- 12

1 months tops I would say. Maybe -- like the
2 building can -- can take a little time. That
3 could get us into the end of next year. But I
4 think the goal is to have it fully constructed by
5 the end of '16.

6 MR. ROTHER: That's why the County Exec put
7 the pressure on us today quickly here so that
8 this can start in the spring.

9 VICE CHAIRMAN BROWN: Anything else?

10 MR. WATSON: I think that's all.

11 VICE CHAIRMAN BROWN: Well, thank you.

12 MR. ROTHER: No further questions, thank
13 you very much.

14 MR. WATSON: All right.

15 MS. KNUST: Thank you.

16 MR. WATSON: Thank you all.

17 (Whereupon, there was a pause in the
18 proceedings.)

19 MR. ROTHER: All right, you want to go back
20 to the agenda now and --

21 VICE CHAIRMAN BROWN: Okay.

22 Before we do are there any questions or
23 comments about what we just saw, the design
24 program we saw?

25 None.

1 Seeing none, we'll move to agenda.

2

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

5 **ADMINISTRATIVE**

6 **1.** RESOLUTION NO. 15-158 - RESOLUTION
7 AUTHORIZING PAYMENT TO AUDIO-DIGITAL
8 TRANSCRIPTION SERVICES, LLC FOR TRANSCRIPTION OF
9 SPECIAL BOARD MEETING ON 8-21-15;

10 **2.** RESOLUTION NO. 15-159 - RESOLUTION
11 RATIFYING PAYMENT OF RECURRING BILLS (BILL LIST);
12 and

13 **3.** RESOLUTION NO. 15-160 - RESOLUTION
14 AUTHORIZING A PURCHASE OF A NEW SERVER FROM DELL
15 IN THE AMOUNT OF \$5,762.62.)

16

17 VICE CHAIRMAN BROWN: First is
18 Administration.

19 Any questions?

20 Anything to move this matter?

21 Motion please?

22 Can I get a motion on Administration?

23 COMMISSIONER STANZIALE: Motion.

24 COMMISSIONER SPIESBACH: Second.

25 VICE CHAIRMAN BROWN: Lucy?

1 MS. SAPINSKI: Commissioner Brown?

2 VICE CHAIRMAN BROWN: Yes.

3 MS. SAPINSKI: Commissioner Halligan?

4 COMMISSIONER HALLIGAN: Yes.

5 MS. SAPINSKI: Commissioner Spiesbach?

6 COMMISSIONER SPIESBACH: Yes.

7 MS. SAPINSKI: Commissioner Stanziale?

8 COMMISSIONER STANZIALE: Yes.

9

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

12 **NEWARK RIVERFRONT PROJECT/LITIGATION**

13 4. RESOLUTION NO. 15-161 - RESOLUTION
14 AUTHORIZING PAYMENT OF \$10,968.01 TO DeCOTIIS,
15 FITZPATRICK & COLE, LLP FOR LEGAL SERVICES
16 RENDERED IN THE MONTH OF AUGUST 2015.)

17

18 VICE CHAIRMAN BROWN: Move to Newark
19 Riverfront Project.

20 COMMISSIONER SPIESBACH: Motion to -- to
21 approve.

22 VICE CHAIRMAN BROWN: Yes, motion to
23 approve.

24 Can I get a motion?

25 COMMISSIONER SPIESBACH: Oh, I gave you a

1 motion.

2 VICE CHAIRMAN BROWN: Oh, you -- oh, you
3 did it.

4 Okay, I'm sorry, Gerry.

5 Can I get a second please?

6 COMMISSIONER HALLIGAN: Second.

7 VICE CHAIRMAN BROWN: Okay.

8 MS. SAPINSKI: Commissioner Brown?

9 VICE CHAIRMAN BROWN: 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 items:

19 **HILLTOP**

20 5. RESOLUTION NO. 15-162 - RESOLUTION
21 AUTHORIZING A PAYMENT OF \$13,836.80 TO DeCOTIIS,
22 FITZPATRICK & COLE, LLP FOR LEGAL SERVICES
23 RENDERED IN THE MONTH OF AUGUST 2015; and

24 6. RESOLUTION NO. 15-163 - RESOLUTION
25 RATIFYING FIRST AMENDMENT TO THE SETTLEMENT

1 | AGREEMENT AND RELEASE IN THE MATTER OF
2 | K HOVNANIAN COMPANIES NORTHEAST INC. v. COUNTY OF
3 | ESSEX AND ESSEX COUNTY IMPROVEMENT AUTHORITY,
4 | DOCKET #C-36-08 AND THE AGREEMENT OF SALE OF 2002
5 | SUPERSEDED BY THE CONTRACTS OF 2004 AND 2005 AND
6 | OTHER MATTERS AND TAKE ALL NECESSARY STEPS TO
7 | EFFECTUATE SAME.)
8 |

9 | VICE CHAIRMAN BROWN: Okay, we'll move on
10 | to Hilltop.

11 | Can I get a motion?

12 | COMMISSIONER SPIESBACH: Motion to approve
13 | 5 and 6.

14 | VICE CHAIRMAN BROWN: Yes.

15 | COMMISSIONER STANZIALE: Second.

16 | COMMISSIONER HALLIGAN: Second.

17 | VICE CHAIRMAN BROWN: Lucy?

18 | MS. SAPINSKI: Commissioner Brown?

19 | VICE CHAIRMAN BROWN: 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
2 (Whereupon, the Board discussed and took
3 action on the following items:

4 **AIRPORT**

5 7. RESOLUTION NO. 15-164 - RESOLUTION
6 AUTHORIZING PAYMENT TO FAIRFIELD MAINTENANCE IN
7 THE AMOUNT OF \$10,109.47 FOR REPAIRS/ALTERATIONS
8 TO FUEL FARM AS PER NJDEP SITE INSPECTION;

9
10 **AIRPORT**

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

12 **Project Funded:**

13 **AIRPORT BOND-100%**

14 8. RESOLUTION NO. 15-165 - RESOLUTION
15 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
16 THE AMOUNT OF \$12,704.58 FOR ENGINEERING
17 SERVICES, SITE REMEDIATION AT HANGAR 1 AREA
18 THROUGH 7-31-15;

19 9. RESOLUTION NO. 15-166 - RESOLUTION
20 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
21 THE AMOUNT OF \$72,440.35 FOR ENGINEERING
22 SERVICES, SITE REMEDIATION AT HANGAR 1 AREA
23 THROUGH 8-28-15;

24 10. RESOLUTION NO. 15-167 - RESOLUTION
25 AUTHORIZING AN AMENDMENT #5 WITH H2M ASSOCIATES

1 INC., IN THE AMOUNT OF \$7,068.55 FOR
2 ENGINEERING SERVICES, SITE REMEDIATION AT HANGAR
3 1 AREA - WATER PIPE REPAIR;

4 **11.** RESOLUTION NO. 15-168 - RESOLUTION
5 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
6 THE AMOUNT OF \$7,068.55 FOR ENGINEERING SERVICES,
7 SITE REMEDIATION AT HANGAR 1 AREA - WATER PIPE
8 REPAIR;

9 **12.** RESOLUTION NO. 15-169 - RESOLUTION
10 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
11 THE AMOUNT OF \$5,723.24 FOR ENGINEERING SERVICES,
12 SITE REMEDIATION AT HANGAR 3 AREA THROUGH
13 7-31-15;

14 **13.** RESOLUTION NO. 15-170 - RESOLUTION
15 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
16 THE AMOUNT OF \$9,667.26 FOR ENGINEERING SERVICES,
17 SITE REMEDIATION AT HANGAR 3 AREA THROUGH
18 8-28-15;

19

20 **AIRPORT**

21 **WILDLIFE HAZARD ASSESSMENT AND MANAGEMENT PLAN**

22 **PROJECT**

23 **Project Funded:**

24 **FAA GRANT #34-12 (90%)**

25 **AIRPORT BOND (10%)**

1 **14.** RESOLUTION NO. 15-171 - RESOLUTION
2 AUTHORIZING PAYMENT TO L.R. KIMBALL IN THE AMOUNT
3 OF \$3,686.73 FOR ENGINEERING SERVICES;

4 **15.** RESOLUTION NO. 15-172 - RESOLUTION
5 AUTHORIZING PAYMENT TO L.R. KIMBALL IN THE AMOUNT
6 OF \$5,493.71 FOR ENGINEERING SERVICES;

7

8 **AIRPORT**

9 **NEW OPERATION BUILDING PROJECT**

10 **Project Funded:**

11 **AIRPORT OPERATION BUDGET**

12 **16.** RESOLUTION NO. 15-173 - RESOLUTION
13 AUTHORIZING PAYMENT TO PS&S IN THE AMOUNT OF
14 \$10,011.48 FOR ENGINEERING SERVICES IN CONNECTION
15 WITH DESIGN OF NEW OPERATION BUILDING;

16

17 **AIRPORT**

18 **RENOVATION OF EXISTING RESTROOMS AT**

19 **HANGAR/BUILDING I PROJECT**

20 **Project Funded:**

21 **AIRPORT OPERATION BUDGET**

22 **17.** RESOLUTION NO. 15-174 - RESOLUTION
23 RESCINDING RESOLUTION #15-113 "DISPOSITION OF
24 BIDS" (AWARDING A CONTRACT WITH LMN LLC); and

25 **18.** RESOLUTION NO. 15-175 - RESOLUTION

1 AUTHORIZING A MEMORANDUM OF AGREEMENT WITH FINE
2 WALL CORPORATION IN THE AMOUNT OF \$53,250.00.)

3

4 VICE CHAIRMAN BROWN: Move on to Airport.

5 Can I get a motion to approve Airport?

6 I think that's 7 through 13; I'm not sure.

7 Oh, 7 through 15.

8 MS. SAPINSKI: Eighteen.

9 COMMISSIONER STANZIALE: I'll make that
10 motion.

11 VICE CHAIRMAN BROWN: Through to 18. Okay,
12 7 through 18.

13 COMMISSIONER STANZIALE: I'll make that
14 motion.

15 COMMISSIONER SPIESBACH: I have a question
16 on number 10.

17 VICE CHAIRMAN BROWN: Okay.

18 COMMISSIONER STANZIALE: Sorry.

19 COMMISSIONER SPIESBACH: The water line.
20 How did that get broken?

21 MR. ROTHER: Well, as --

22 COMMISSIONER SPIESBACH: When they were
23 digging?

24 MR. ROTHER: -- as I understand it, --

25 And why don't you -- why don't you explain

1 | that, Tom, how it happened.

2 | MR. GOMEZ: Yes.

3 | MS. DILLON: Can -- maybe go over by Lucy?

4 | MR. ROTHER: I asked the same question.

5 | MR. GOMEZ: On our --

6 | COMMISSIONER SPIESBACH: They're poking a
7 | lot of holes --

8 | MR. ROTHER: Yup.

9 | COMMISSIONER SPIESBACH: -- in the ground
10 | out there and digging a lot of holes.

11 | MR. ROTHER: Yup.

12 | MR. GOMEZ: Yes.

13 | They was doing the -- starting to do the
14 | geo and part of the investigation on that Hangar
15 | I area.

16 | COMMISSIONER SPIESBACH: Okay. But you
17 | have to be specific, Tom.

18 | What broke the line?

19 | MR. GOMEZ: The line was broke through a
20 | drill that went underground.

21 | COMMISSIONER SPIESBACH: So their
22 | subcontractor who --

23 | MR. GOMEZ: Yup.

24 | COMMISSIONER SPIESBACH: -- was doing the
25 | soil boring --

1 MR. GOMEZ: Yeah.

2 COMMISSIONER SPIESBACH: -- hit a water
3 line?

4 MR. GOMEZ: Yes.

5 The water line on our map that we have and
6 marked as built is indicating it was cut out of
7 the main and cut right at the main, actually
8 approximately 95, hundred feet --

9 COMMISSIONER SPIESBACH: Um-hum.

10 MR. GOMEZ: -- away from where it was --

11 COMMISSIONER SPIESBACH: And they didn't
12 pick this up when they did the geophysical as an
13 anomaly --

14 MR. GOMEZ: When they did the radar --

15 COMMISSIONER SPIESBACH: -- that there's
16 another --

17 MR. GOMEZ: -- it was --

18 COMMISSIONER SPIESBACH: -- piece of metal
19 down there?

20 MR. GOMEZ: -- it was not --

21 MS. DILLON: One at a time please.

22 MR. GOMEZ: -- it was not showing in that.
23 They did not pick that up.

24 And then we end now with -- know that it
25 was there when we saw water coming out of the

1 ground.

2 COMMISSIONER SPIESBACH: Why isn't that
3 covered by their insurance?

4 MR. GOMEZ: I was not a -- question on it.
5 But we -- at that time we will ask the -- you
6 know, our main thing was let's get it repaired
7 and see who's responsible for it.

8 COMMISSIONER SPIESBACH: Okay. That's
9 fine.

10 So, it's -- just all I wanted to
11 understand.

12 MR. GOMEZ: Yes. Okay.

13 COMMISSIONER SPIESBACH: They were doing a
14 soil boring; they bored through and broke the
15 water line.

16 MR. GOMEZ: The water line. Yes.

17 MR. ROTHER: But our -- our records didn't
18 show the line.

19 COMMISSIONER SPIESBACH: Well, I understand
20 that, --

21 MR. ROTHER: Yeah. Yeah.

22 COMMISSIONER SPIESBACH: -- Mr. Executive
23 Director, --

24 MR. ROTHER: Yeah.

25 COMMISSIONER SPIESBACH: -- but they also

1 | did a geophysical investigation because they
2 | found anomalies, like underground tanks and
3 | things like that. So that's why I was curious as
4 | to why this pipe, -- which couldn't have been
5 | that deep, --

6 | How deep was this pipe? About five feet?

7 | MR. GOMEZ: Yeah, about four feet, four or
8 | five feet.

9 | MR. ROTHER: But -- but it was a plastic
10 | pipe.

11 | Right?

12 | MR. GOMEZ: No. Is -- is a metal --

13 | MR. ROTHER: It was metal?

14 | MR. GOMEZ: Is a metal pipe.

15 | COMMISSIONER SPIESBACH: Absolutely.

16 | MR. ROTHER: I'm sorry. I'm sorry. Then
17 | I --

18 | MR. GOMEZ: Yeah.

19 | MR. ROTHER: -- I mis --

20 | MR. GOMEZ: It was a metal --

21 | COMMISSIONER SPIESBACH: Okay.

22 | MR. GOMEZ: -- it was a metal 8-inch pipe.

23 | COMMISSIONER SPIESBACH: Not a problem.

24 | MR. GOMEZ: They never cut it at the main
25 | like indicated on the as built. Is a note in it

1 as in the as built.

2 The line was cut that will service the old
3 hangar to -- the line was cut -- supposedly it
4 was cut and kept there. I guess they made a --

5 COMMISSIONER SPIESBACH: Well, that's --
6 they -- that makes sense to me. They would --

7 MR. GOMEZ: Yeah.

8 COMMISSIONER SPIESBACH: -- cut off the
9 line; they'd abandon in place, they'd stop the
10 service but the line would not be excavated and
11 removed.

12 MR. GOMEZ: Yeah.

13 COMMISSIONER SPIESBACH: It's counter-
14 productive --

15 MR. GOMEZ: Yeah, but it was not --

16 COMMISSIONER SPIESBACH: -- and it's
17 expensive.

18 MR. GOMEZ: -- never capped. It was kept
19 it --

20 COMMISSIONER SPIESBACH: So was it an
21 active water main?

22 MR. GOMEZ: Yeah. It -- that's why --

23 COMMISSIONER SPIESBACH: Oh. Interesting.

24 MR. GOMEZ: -- that's why we noticed it.

25 There was a -- there was water there.

1 COMMISSIONER SPIESBACH: Okay. No.

2 Thank you. That was the only question. I
3 was a --

4 MR. GOMEZ: Um-hum.

5 COMMISSIONER SPIESBACH: -- little curious
6 as to how that situation arose.

7 COMMISSIONER HALLIGAN: I have a question.

8 COMMISSIONER SPIESBACH: Thank you for your
9 explanation.

10 MR. GOMEZ: Yes.

11 COMMISSIONER HALLIGAN: Are 10 and 11 just
12 the same thing? Is it like a typo or something?
13 Because they seem --

14 MS. SAPINSKI: No. One is we're adding
15 money to the amendment to pay for that and that's
16 the inference.

17 MR. ROTHER: They're two different actions.

18 COMMISSIONER SPIESBACH: We're amending
19 their contract to incorporate that and then
20 we're --

21 MS. SAPINSKI: Paying.

22 COMMISSIONER SPIESBACH: -- authorizing the
23 payment of it.

24 MR. ROTHER: They're two different actions.

25 VICE CHAIRMAN BROWN: Number 10 is the

1 amendment.

2 COMMISSIONER HALLIGAN: Okay.

3 VICE CHAIRMAN BROWN: Number 11 is the
4 action.

5 MR. ROTHER: Related to the same.

6 COMMISSIONER HALLIGAN: Okay.

7 Thanks.

8 VICE CHAIRMAN BROWN: Okay, now we're going
9 to go -- we -- we have a motion to approve 7
10 through 18.

11 Can I get a motion?

12 COMMISSIONER STANZIALE: I'll move.

13 COMMISSIONER HALLIGAN: So moved.

14 COMMISSIONER STANZIALE: Second.

15 VICE CHAIRMAN BROWN: Lucy?

16 MS. SAPINSKI: Commissioner Brown?

17 VICE CHAIRMAN BROWN: Yes.

18 MS. SAPINSKI: Commissioner Halligan?

19 COMMISSIONER HALLIGAN: Yes.

20 MS. SAPINSKI: Commissioner Spiesbach?

21 COMMISSIONER SPIESBACH: Yes.

22 MS. SAPINSKI: Commissioner Stanziale?

23 COMMISSIONER STANZIALE: Yes.

24

25 (Whereupon, the Board discussed and took

1 action on the following item:

2 **CORRECTIONAL FACILITY/CELANESE LITIGATION**

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

4 **19.** RESOLUTION NO. 15-176 - RESOLUTION
5 AUTHORIZING PAYMENT IN THE AMOUNT OF \$38,385.11
6 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
7 SERVICES RENDERED THROUGH 8-31-15.)

8
9 VICE CHAIRMAN BROWN: Okay, moving onto
10 Correction Facilities/Celanese.

11 COMMISSIONER SPIESBACH: I'll move item 19.

12 COMMISSIONER STANZIALE: Second.

13 VICE CHAIRMAN BROWN: Lucy?

14 MS. SAPINSKI: Commissioner Brown?

15 VICE CHAIRMAN BROWN: Yes.

16 MS. SAPINSKI: Commissioner Halligan?

17 COMMISSIONER HALLIGAN: Yes.

18 MS. SAPINSKI: Commissioner Spiesbach?

19 COMMISSIONER SPIESBACH: Yes.

20 MS. SAPINSKI: Commissioner Stanziale?

21 COMMISSIONER STANZIALE: Yes.

22

23 (Whereupon, the Board discussed and took
24 action on the following items:

25 **NEWARK PROPERTY ACQUISITION PROJECT**

1 **20.** RESOLUTION NO. 15-177 - RESOLUTION
2 AUTHORIZING PAYMENT IN THE AMOUNT OF \$918.60 FOR
3 LEGAL SERVICES RENDERED BY CHIESA, SHAHINIAN &
4 GIANTOMASI, PC FOR THE MONTH OF JULY; and

5 **21.** RESOLUTION NO. 15-178 - RESOLUTION
6 AUTHORIZING PAYMENT IN THE AMOUNT OF \$8,700.00
7 FOR SERVICES RENDERED BY APPRAISAL CONSULTANTS
8 CORP.)

9
10 VICE CHAIRMAN BROWN: We'll move on to
11 Newark Property Acquisitions, 20 through 21.

12 Can I get a motion please?

13 COMMISSIONER HALLIGAN: So moved.

14 COMMISSIONER SPIESBACH: Second.

15 VICE CHAIRMAN BROWN: Lucy?

16 MS. SAPINSKI: Commissioner Brown?

17 VICE CHAIRMAN BROWN: Yes.

18 MS. SAPINSKI: Commissioner Halligan?

19 COMMISSIONER HALLIGAN: Yes.

20 MS. SAPINSKI: Commissioner Spiesbach?

21 COMMISSIONER SPIESBACH: Yes.

22 MS. SAPINSKI: Commissioner Stanziale?

23 COMMISSIONER STANZIALE: Yes.

24

25 (Whereupon, the Board discussed and took

1 action on the following items:

2 **SPORTSPLEX COMPLEX**

3 **22.** RESOLUTION NO. 15-179 - RESOLUTION
4 AUTHORIZING PAYMENT OF \$10,933.90 FOR
5 ENVIRONMENTAL CONSULTING ENGINEERING SERVICES
6 RENDERED BY PS&S IN CONNECTION WITH ENVIRONMENTAL
7 ISSUES FOR THE PERIOD THROUGH 8-31-15;

8 **23.** RESOLUTION NO. 15-180 - RESOLUTION
9 AUTHORIZING PAYMENT IN THE AMOUNT OF \$269.00 TO
10 PROTECTIVE MEASURES FOR ELEVATOR ALARM REPAIRS AT
11 STADIUM; and

12 **24.** RESOLUTION NO. 15-181 - RESOLUTION
13 AUTHORIZING PAYMENT TO STANDARD ELEVATOR
14 CORPORATION IN THE AMOUNT OF \$640.00 FOR PRESSURE
15 RELIEF TEST AS PER NJ REQUIREMENTS AT SPORTSPLEX
16 GARAGE.)

17

18 VICE CHAIRMAN BROWN: Move to Sportsplex,
19 22 through 24, please.

20 Can I get a motion?

21 COMMISSIONER STANZIALE: I'll move it.

22 COMMISSIONER HALLIGAN: Second.

23 VICE CHAIRMAN BROWN: Lucy?

24 MS. SAPINSKI: Commissioner Brown?

25 VICE CHAIRMAN BROWN: Yes.

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

3 COMMISSIONER HALLIGAN: Yes.

4 MS. SAPINSKI: Commissioner Spiesbach?

5 COMMISSIONER SPIESBACH: Yes.

6 MS. SAPINSKI: Commissioner -- Commissioner
7 Stanziale?

8 COMMISSIONER STANZIALE: Yes.

9

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

12 **FINANCE**

13 **25. RESOLUTION NO. 15-182 - RESOLUTION**

14 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF
15 THE AUTHORITY'S \$150,000,000 POOLED GOVERNMENT
16 LOAN PROGRAM, SERIES 1986

17 PAYMENTS DUE OTHERS FOR PGLP SERVICES

18 GALLEGOS KOH, LLP, FINANCIAL CONSULTANT -
19 SEPTEMBER 2015 - \$2,000.00;

20 WELLS FARGO - LETTER OF CREDIT - 7-1-15 TO
21 9-30-15 - \$26,462.40;

22 WELLS FARGO - REMARKETING FEE - 7-1-15 TO
23 9-30-15 - \$4,395.56.)

24

25 VICE CHAIRMAN BROWN: Move onto Finance,

1 number 25.

2 Can I get a motion please?

3 COMMISSIONER SPIESBACH: I'll move that.

4 COMMISSIONER STANZIALE: Second.

5 MS. SAPINSKI: Commissioner Brown?

6 VICE CHAIRMAN BROWN: Yes.

7 MS. SAPINSKI: Commissioner Halligan?

8 COMMISSIONER HALLIGAN: Yes.

9 MS. SAPINSKI: Commissioner Spiesbach?

10 COMMISSIONER SPIESBACH: Yes.

11 MS. SAPINSKI: Commissioner Stanziale?

12 COMMISSIONER STANZIALE: Yes.

13

14 (Whereupon, the Board discussed and took

15 action on the following items:

16 **LATE STARTER**

17 **AIRPORT**

18 1. RESOLUTION NO. 15-183 - RESOLUTION

19 AUTHORIZING THE ACCEPTANCE OF A MATCHING GRANT

20 FROM NJDOT IN THE AMOUNT OF \$42,693.00 FOR

21 TAXIWAY LIGHTING PROJECT, CONSTRUCTION PHASE

22 (AGREEMENT #6107307);

23 2. RESOLUTION NO. 15-184 - RESOLUTION

24 AUTHORIZING THE ACCEPTANCE OF A MATCHING GRANT

25 FROM NJDOT IN THE AMOUNT OF \$5,850.00 FOR RUNWAY

1 10-28 CRACK REPAIR AND REJUVENATION & RUNWAY
2 10-28 THRESHOLD LIGHTING PROJECT, DESIGN PHASE
3 (AGREEMENT # 6107308); and

4 **3.** RESOLUTION NO. 15-185 - RESOLUTION
5 AUTHORIZING AN AMENDMENT #2 TO THE AGREEMENT WITH
6 H2M ASSOCIATES, INC. IN THE AMOUNT OF \$47,400.00
7 FOR ENGINEERING SERVICES IN CONNECTION WITH THE
8 SITE REMEDIATION INVESTIGATION - HANGAR 3 AREA.)
9

10 VICE CHAIRMAN BROWN: Okay, now before we
11 move any further, we didn't move --

12 MR. ROTHER: That's right.

13 VICE CHAIRMAN BROWN: -- we didn't move the
14 Late Starters, 1, 2, -- 1, 2 and 3. And they
15 were under --

16 MS. SAPINSKI: You have it?

17 VICE CHAIRMAN BROWN: Yeah, they were under
18 Airport.

19 The Late Starters; we'll deal with Airport
20 Starters, 1, 2 and 3, 15-183 through 15-185.

21 Can I get a motion please?

22 COMMISSIONER HALLIGAN: So moved.

23 COMMISSIONER STANZIALE: So moved.

24 Second.

25 VICE CHAIRMAN BROWN: Good.

1 MS. SAPINSKI: Okay.

2 VICE CHAIRMAN BROWN: Lucy?

3 MS. SAPINSKI: Commissioner Brown?

4 VICE CHAIRMAN BROWN: 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

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

14 **LATE STARTER**

15 **NEW COUNTY PARK/CEDAR GROVE PARK**

16 4. RESOLUTION NO. 15-186 - RESOLUTION
17 ACCEPTING A TECHNICAL PROPOSAL FROM CME
18 ASSOCIATES AND AUTHORIZING THE EXECUTIVE DIRECTOR
19 TO ENTER INTO AN AGREEMENT WITH CME ASSOCIATES IN
20 THE AMOUNT NOT TO EXCEED \$650,000.00 FOR
21 ENGINEERING SERVICES IN CONNECTION WITH THE
22 DEVELOPMENT OF A NEW COUNTY PARK.)

23

24 MS. SAPINSKI: Number 4.

25 VICE CHAIRMAN BROWN: Okay, now we're

1 moving to --

2 Huh?

3 MS. SAPINSKI: Number 4 on the Late
4 Starters, we didn't do yet.

5 VICE CHAIRMAN BROWN: We didn't move it?

6 MS. SAPINSKI: No, we didn't move it. We
7 went to --

8 VICE CHAIRMAN BROWN: Okay, we talked about
9 it. I'm sorry.

10 We'll take number 4, the Late Starter, can
11 I get a motion please?

12 COMMISSIONER HALLIGAN: So moved.

13 COMMISSIONER STANZIALE: Second.

14 VICE CHAIRMAN BROWN: Thank you.

15 MS. SAPINSKI: Commissioner Brown?

16 VICE CHAIRMAN BROWN: Yes.

17 MS. SAPINSKI: Commissioner -- Commissioner
18 Halligan?

19 COMMISSIONER HALLIGAN: Yes.

20 MS. SAPINSKI: Commissioner Spiesbach?

21 COMMISSIONER SPIESBACH: Yes.

22 MS. SAPINSKI: Commissioner Stanziale?

23 COMMISSIONER STANZIALE: Yes.

24 VICE CHAIRMAN BROWN: Okay.

25 One second.

1
2 **REPORT FROM EXECUTIVE DIRECTOR AND STAFF**

3
4 MR. ROTHER: I want to add --

5 VICE CHAIRMAN BROWN: Report from the
6 Director first.

7 MR. ROTHER: -- to our agenda --

8 And I don't know whether you'd like to do
9 it today or not, we could do it today, we can
10 hold it for the next meeting. I understand your
11 birthday celebration is -- is awaiting you. We
12 can -- we can postpone it until the next time.

13 But I want to -- I want to add to our
14 Regular Agenda a section where the staff
15 discusses what's happening. Where we can tell
16 you what we did during the past month and what we
17 are expecting to do going forward.

18 I think it's -- it's important for you to
19 get a feel from -- from all of us what we've been
20 doing and where we intend to go.

21 I think dealing with the agenda will be
22 much more meaningful for you if you have that
23 sort of ongoing information.

24 We can do it now but as I understand --

25 COMMISSIONER SPIESBACH: No. No, no, no,

1 | by all means.

2 | MR. ROTHER: But --

3 | Okay.

4 | COMMISSIONER SPIESBACH: But I wanted to
5 | make a comment about -- we went through items and
6 | before we approved, with regard to our
7 | environmental investigation going on here,
8 | there's a number of items on that. And I noticed
9 | in the report that further delineation, further
10 | investigation, and we're well over a million
11 | dollars just with this particular consultant;
12 | we've spent several hundred thousand dollars with
13 | previous consultants.

14 | And I'd like somehow ask staff to maybe get
15 | an understanding of what's our exit strategy?

16 | What are we going to do?

17 | MR. ROTHER: Well, --

18 | COMMISSIONER SPIESBACH: How much longer
19 | are we going to continue to poke holes in the
20 | ground and investigate before we determine what
21 | the remedy is?

22 | Because it's getting very expensive?

23 | MR. ROTHER: Um-hum.

24 | COMMISSIONER SPIESBACH: And I see that
25 | they're going to put another work scope together

1 and do additional delineations, et cetera.

2 My point being delineate to what purpose?

3 If we're going to delineate to be setting
4 up for some sort of excavation, removal
5 et cetera, that I can understand. But if we're -
6 - if we're doing further delineation to simply
7 say we're going to put a deed notice on top of
8 the property that says don't dig here because
9 your liable to find this, that or the other; when
10 are we going to be able to bring this to a
11 closure?

12 MR. ROTHER: Okay.

13 Well, can I --

14 COMMISSIONER SPIESBACH: I continue to be
15 a --

16 MR. ROTHER: -- can I suggest --

17 COMMISSIONER SPIESBACH: -- little
18 concerned.

19 MR. ROTHER: Yeah. Well, let me suggest
20 that -- that perhaps we need to have a -- a
21 planning session where we can get together with
22 you and talk through some of that -- those
23 concerns.

24 And perhaps bring in our consultants and
25 get some sort of an understanding about -- and I

1 | must admit to you, you know, I -- I haven't
2 | begun to deal with that issue and it's obviously
3 | one that we should. And we should you in on the
4 | discussions since you have that -- that
5 | expertise.

6 | COMMISSIONER SPIESBACH: Well, it's not a
7 | question of my expertise, Steve, because we -- we
8 | did bring them in months ago and I asked them the
9 | same question. And the question was we're not
10 | sure yet.

11 | So my point is what amount of additional
12 | investigation is really going to be necessary
13 | until we can get to a point where the exit
14 | strategy is.

15 | So I would really just request that staff,
16 | continue to maybe pressure them for what it is
17 | the endgame, where are we going?

18 | Because, frankly, this is just a municipal
19 | airport. That's all it really was. Now if we're
20 | setting up for a cost recovery action against the
21 | former owners, --

22 | MR. ROTHER: Yeah, no, no.

23 | COMMISSIONER SPIESBACH: -- which I
24 | doubt --

25 | MR. ROTHER: Doubt, right, --

1 COMMISSIONER SPIESBACH: -- that we're
2 doing, --

3 MR. ROTHER: That's not -- that's not in
4 the cards.

5 COMMISSIONER SPIESBACH: But considering
6 who the former owners were or what we're adjacent
7 to, the former Curtiss-Wright facilities, I mean
8 it's reasonable to expect that some of this
9 historical contamination with maybe legacy
10 issues.

11 MR. ROTHER: Um-hum.

12 COMMISSIONER SPIESBACH: So I would just
13 like to see where we can get an end to this.
14 Whether it's a deed notification or whatever the
15 case may be. That's really what I'm --

16 MR. ROTHER: Okay.

17 COMMISSIONER SPIESBACH: -- pushing for.
18 Because if we were dealing with the State, I am
19 not exactly sure that we'd be chasing
20 contamination continually, continually,
21 continually and with delineation.

22 MR. ROTHER: Um-hum.

23 COMMISSIONER SPIESBACH: With the LSRP
24 program, it's a little bit different. And I
25 understand why it's different because someone's a

1 licensed site remediation professional.

2 They're putting their license on the line. But
3 at some point in time we have to figure out where
4 are we going, --

5 MR. ROTHER: Um-hum.

6 COMMISSIONER SPIESBACH: -- where are we
7 getting there.

8 And I know, Joe, that you're talking to
9 these guys and I appreciate that but I think we
10 have a responsibility to try and understand how
11 much money realistically are we, as an
12 Authority, --

13 MR. ROTHER: And what's the benefit --

14 COMMISSIONER SPIESBACH: -- expected to
15 be --

16 MR. ROTHER: What's the benefit?

17 COMMISSIONER SPIESBACH: Yeah, before --

18 MR. ROTHER: No, I understand.

19 COMMISSIONER SPIESBACH: -- we even got to
20 remedies.

21 MR. ROTHER: Yeah.

22 COMMISSIONER SPIESBACH: You know we're
23 going to investigate, investigate. And then, if
24 there is a remedy, the remedy is even more
25 expensive.

1 MR. ROTHER: Um-hum.

2 COMMISSIONER SPIESBACH: So, that's -- that
3 was just the one comment I wanted to make.

4 MR. ROTHER: Okay.

5 COMMISSIONER SPIESBACH: In conjunction
6 with voting on them, I certainly don't have any
7 problem with paying for the work that was done
8 previously. They -- they got authorized, we
9 authorized them and we're paying them. But I'm
10 still looking for what --

11 MR. ROTHER: The endgame is. Yup.

12 COMMISSIONER SPIESBACH: -- what the
13 endgame is going to be.

14 MR. ROTHER: Got it. Got it.

15 COMMISSIONER SPIESBACH: And I appreciate
16 that.

17 MR. ROTHER: Got it.

18 COMMISSIONER SPIESBACH: Thank you.

19 MR. ROTHER: Okay.

20 VICE CHAIRMAN BROWN: Thank you, Gerry.

21 MR. ROTHER: We'll put that --

22 COMMISSIONER SPIESBACH: With that in mind
23 I would --

24 MR. ROTHER: -- we'll put that on the -- on
25 the top of the agenda.

1 And just to give you -- I'll give you a
2 quick summary of what I've been doing since the
3 last meeting. And I want to talk to you a little
4 bit more in detail in an Executive Session about
5 some of the things I've done.

6 I've -- I sat with O'Toole for the better
7 part of a day in Philadelphia and really getting
8 -- getting briefed. And one of the things we
9 decided that we had to do is to set up a meeting
10 with you, with the Chairman, O'Toole and myself,
11 to talk about some of the strategies to try and
12 bring that case to an end, particularly with
13 regard to the retaining of additional consultants
14 in the matter.

15 COMMISSIONER SPIESBACH: Um-hum.

16 MR. ROTHER: We know that you had some
17 concerns about that. And so I suggested to
18 O'Toole that we -- we have a meeting.

19 And I think you're trying to --

20 MS. SAPINSKI: Get some dates from --

21 MR. ROTHER: -- get that put together.

22 So that was one of the things that -- that
23 came out of that.

24 I've been attending any number of meetings
25 here with regard to the changing of the south

1 entrance and the moving of the fence out to the
2 road.

3 And just this -- this afternoon we had a
4 discussion about that, whether -- whether the
5 utilization of a grant from the State to do tie-
6 downs in there was a wise thing to do. And I
7 think we've concluded that it's not.

8 We don't need tie-downs. And simply to
9 take the money from the State because it's
10 available, it's not the best idea, when we really
11 don't know ultimately what will go inside that
12 fence.

13 And we've talked in the past about -- about
14 perhaps putting a school for aviation mechanics
15 on that site, which would be a very, very
16 interesting use. And it doesn't make a heck of a
17 lot of sense to take the grant money just because
18 it's available and create tie-downs.

19 Here also for some meetings with regard to
20 runway lighting and the new ops building that's
21 going to replace the trailer.

22 But I'd like to turn it over to Joe now and
23 let him give you a rundown of where those
24 projects all are and --

25 He can sit there.

1 And I would like the rest of the staff to
2 chime in when -- when there's something of
3 interest with regard to any one of those projects
4 that they can help you better understand.

5 MR. CALI: Sure. Good afternoon. Joe
6 Cali, Airport Project Manager.

7 So, as the Executive Director was saying we
8 have multiple projects going on here at the
9 airport. The one he had mentioned was the
10 taxiway lighting project.

11 On September 18th we had the
12 pre-construction meeting with Con-El and we had
13 the pre-con meeting with them and we had set up a
14 notice to proceed to have them start on October
15 12th. So this month they'll be starting that
16 project. It's 35 working days.

17 MR. ROTHER: The FAA was here for the
18 meeting. Our consultants were in it. It was an
19 interesting start.

20 MR. CALI: Another project that's been
21 going is the environmental, Hangar 1 and Hangar
22 3.

23 This month they sampled 22 monitoring
24 wells. They also performed the test pit. On the
25 area where the anomalies were found they did the

1 test pit and they did find two tanks there in
2 that area. So that proposal was put together.

3 It was just recently approved so we'll give
4 them the approval on that and we'll go ahead and
5 get that started.

6 The sub-parcel development. As the
7 Executive Director was saying we attended two
8 meetings with Hatch Mott MacDonald for the design
9 of that. We were exploring some grant funding
10 but as he said we've -- we may have other ideas
11 pertaining to that. So, --

12 MR. ROTHER: Could you make some -- some
13 comment on the cost to do the project? Because
14 that's something that really brought to mind that
15 maybe we shouldn't do it.

16 MR. CALI: Yeah the cost proposal to tie
17 that part of the area into the Airport and put
18 tie-down spots out in that area; it was
19 \$850,000.00 to fund that.

20 So, I know as we talked about it, to just
21 bring it inside the Airport it may be a lot lower
22 without making tie-down spaces there so we're
23 going to explore that and have the engineer out
24 here to throw some ideas at them to see if --

25 MR. ROTHER: And I gather that the earlier

1 estimates were a lot lower than the estimates -
2 -

3 MR. CALI: Yeah.

4 MR. ROTHER: -- you got right now.

5 MR. CALI: Yeah.

6 MR. ROTHER: So they had a bit of a
7 surprise that the estimates to do the work were
8 so much more.

9 And that's when we said let's take another
10 look at this whether it makes sense to do that
11 work when you really don't need tie-downs.

12 MR. CALI: Correct.

13 Another project that's going on is the
14 design for the operations building. We had a
15 meeting with them where they presented the
16 design. Also they completed soil borings of that
17 area to make sure that the grounds there were
18 stable for building foundation. The test came
19 back good.

20 So they should have the design completed to
21 us. They're going to come back for another
22 meeting to make sure the design is okay and
23 they're on track for mid-October for completion.
24 And then if all goes well we'll go ahead and do
25 that.

1 COMMISSIONER SPIESBACH: That's
2 completion of the design.

3 Right?

4 MR. CALI: The design. Correct.

5 COMMISSIONER SPIESBACH: Okay.

6 So, they're -- they're looking to go out to
7 bid --

8 MR. CALI: Mid-October. Upon approval.

9 COMMISSIONER SPIESBACH: Really?

10 But they're going to have to do foundation
11 work so they're really running out of time at
12 this point in time.

13 MR. CALI: Yeah.

14 COMMISSIONER SPIESBACH: By the time we get
15 all the paperwork, et cetera. You're not going
16 to start the construction in November or in
17 December.

18 MR. ROTHER: Well, you got to remember
19 something, if they can get the foundations in,
20 this -- this is a -- you know, they're going to
21 bring in the building all -- it's a --

22 MR. CALI: Yeah, it's a --

23 COMMISSIONER SPIESBACH: Pre-fab?

24 MR. CALI: -- it's a pre-fab building, --

25 MR. ROTHER: -- pre-fab building.

1 MR. CALI: -- so --

2 COMMISSIONER SPIESBACH: Okay. Makes sense
3 then.

4 MR. ROTHER: They're just going --

5 COMMISSIONER SPIESBACH: Okay.

6 MR. ROTHER: -- to drop it in and --

7 COMMISSIONER SPIESBACH: I take back my
8 comment.

9 MR. ROTHER: -- put it down.

10 COMMISSIONER SPIESBACH: Okay.

11 MR. CALI: And then the last project that
12 we recently completed.

13 Last year there were two offsite properties
14 where there were some obstructions removed.

15 The trees were cleared on two offsite
16 properties and as part of the restoration we
17 replanted low growing trees. Approximately 35 of
18 those trees on the combined sites didn't survive
19 through the bad winter, so the contractor had
20 just come out here last week and replaced those
21 trees. All a part of his warranty work. So,
22 that grant plans to be closed at the end of this
23 year.

24 VICE CHAIRMAN BROWN: Okay.

25 MR. CALI: Okay.

1 If anybody has any --

2 MS. SAPINSKI: There's been -- oil/water
3 separators.

4 MR. CALI: Oh. The oil/water separators.
5 H2M Associates, as part of -- I guess it was
6 the --

7 MS. SAPINSKI: Amendment 3 and 4.

8 MR. CALI: -- Amendment 3 and 4 -- was to
9 do our water separator work.

10 One of the -- the tanks down at the wash
11 rack was near the end of its life and the
12 cathodic pressure was failing. So they needed to
13 replace that tank and this bid is going to
14 replace that one and at the maintenance garage
15 there's another tank there as well that's going
16 to be replaced.

17 MS. SAPINSKI: And it's ready for pickup
18 tomorrow, starting --

19 MR. CALI: Yeah.

20 MS. SAPINSKI: -- tomorrow. The bid is due
21 October 15th. And we're ready with that project.

22 And that's it for the Airport.

23 VICE CHAIRMAN BROWN: Okay.

24 Is there someone else?

25 MS. SAPINSKI: Tommy? Anything else --

1 MR. GOMEZ: Yeah.

2 MS. SAPINSKI: -- for the Airport?

3 MR. GOMEZ: In overall --

4 Tom Gomez; I'm the Airport Manager.

5 The -- in overall the group of project that
6 has been going on the -- on the Airport
7 altogether as Joe and our Executive Director
8 indicated, is being completed some of them and
9 some of them continues acting.

10 One that is almost towards the end of life
11 and has been indicating pretty good result is
12 wildlife and hazardous assessment and plan, which
13 is through a grant of the Federal Aviation
14 Administration. There is a report of the
15 previous year was a very bad one. Deer strike.
16 Bird strike. Wildlife strike up on the Airport
17 is good enough today that we can -- the last full
18 year there has not been an accident with an
19 aircraft and wildlife.

20 Right now is coming to an end. Kimball
21 Engineering is submitting the final management
22 plan to the FAA for comment but pretty much it's
23 going to be probably continuation of what we
24 doing today's date and that would be the end and
25 we will be able to close the -- the grant.

1 I have to say that on the environmental,
2 overall, of the project that has been going, the
3 initial environmental assessment that was done
4 here was done based on plants that we had, pipe
5 that was sticking out of the ground, so we
6 assumed there was a tank there.

7 But the -- at this age now with the
8 technology and this radar on the ground and
9 mapping, is actually showing the entire
10 everything that was there, which it was may more
11 than we -- we saw on the past by the history of
12 the Airport.

13 And as you indicated, you know back in
14 those days, Curtiss-Wright which was the owner of
15 the Airport that those tanks was not a concern
16 but it is on today's modern life and
17 environmentally conscientious life that we live
18 in. So, that's why it is frustrating because you
19 want to get to -- to the end of it and know at
20 least what it is going to happen.

21 Another project that we have and you have
22 probably seen information on is a construction of
23 a small hangar for -- the company that is
24 building is -- actually the main person on this
25 group is Air Bound Aviation but is under the name

1 of Eitilt, Eitilt Aviation which is -- that's
2 what the ground lease was issued the first time
3 for the -- for the Improvement Authority.

4 As we getting to the point of --

5 And this is located right here on the -- on
6 the Airport on this little section. So this is
7 the entrance.

8 MR. ROTHER: It's where the restaurant used
9 to be.

10 MR. GOMEZ: This is the entrance where the
11 94 used to be. When they left we build this
12 T hangar, parking, and this ramp was already
13 existing. But this little area we inherited
14 after the 94 left and we decided to put tie-downs
15 in here.

16 Right now we're planning on building this
17 building there. We encountered some issue with
18 utility. We will -- all on the assumption that
19 the water main that goes through here to provide
20 water for a hydrant back there, it was okay to
21 build over. The town was going to be okay with
22 us in that issue as long as we know that if
23 something ever happen we will have to re-route
24 that water main and abandon under the building.

25 The problem that we have now is that PSE&G

1 has a line from Passaic Avenue to a transformer
2 to power this T hangar. They consider that line
3 primary line and there's zero, no way Jose, you
4 can build over that. It'd have to be re-routed.

5 They gave us an estimate of four to six
6 month by the time they design new routing to
7 power that building and there will probably cost
8 to us too.

9 So, we got together sort of like an
10 emergency situation to determine whether we stop
11 the project or we re-route the power line or we
12 just shift the building 35 feet forward and we're
13 still able to accommodate the building and the
14 individual utilize pretty much the same amount of
15 ground that he was --

16 The building is not changing. But -- the
17 footing of the building is not changing, remains
18 the same, but it just have to move forward to
19 avoid that and be able to initiate that project
20 this year.

21 MR. ROTHER: Yeah. You see the two -- the
22 two drawings --

23 MR. GOMEZ: The two drawings indicating
24 what was -- how the building was going to be on
25 exhibit A and how the building's need be now in

1 order to -- to accommodate and do the
2 construction and avoid the utility.

3 MR. ROTHER: So we're going to have to
4 amend our agreement with them and have some
5 understanding of how the space behind that
6 building over toward the access road is going to
7 be used. But at least that way the project can
8 go forward without relocating utilities.

9 VICE CHAIRMAN BROWN: Okay.

10 Thank you.

11 MR. GOMEZ: And that's about it.

12 Something that I don't know if you
13 Commissioners know, this Airport, as it
14 previously was tagged -- tasked for providing
15 service to something not necessarily meant for
16 the Airport, this time we will task to bring in
17 the air defense command to provide security here
18 to -- radar was been here since the 22nd providing
19 airport security for the visit of Pope and also
20 for the General -- United Nations General
21 Assembly meeting that was going in New York.

22 The reason is this area here is under the
23 radar of Newark Terminal.

24 MR. ROTHER: It's under the scope. They --

25 MR. GOMEZ: But --

1 MR. ROTHER: -- they can see what's going
2 to on here.

3 MR. GOMEZ: But at 900 feet this area is
4 not shown at Newark because the ridge.

5 So in order to have a complete air defense
6 security, they brought in radar and place it
7 here. And they be done on the October 1st and
8 they will be gone.

9 And that's it.

10 VICE CHAIRMAN BROWN: Thank you.

11 MR. GOMEZ: Thank you.

12 MR. ROTHER: All right, if we could go into
13 a final Executive Session?

14 VICE CHAIRMAN BROWN: Just one second.

15 MR. ROTHER: Um-hum.

16 VICE CHAIRMAN BROWN: You know I really
17 appreciate the staff presenting this information
18 to us.

19 What I would suggest is that you have a
20 Director's Report that you said you're going to
21 be presenting to us each week.

22 Right?

23 MR. ROTHER: Um-hum.

24 VICE CHAIRMAN BROWN: Well, if you could
25 get that Director's Report and the summaries of

1 each one of your staff to us via the same way
2 you do the agendas, we could read it prior to
3 coming here and then if we had any questions for
4 Mr. Gomez or any of your staff we could do that
5 then.

6 MR. ROTHER: Okay. We'll give you --

7 VICE CHAIRMAN BROWN: Because that makes
8 it --

9 MR. ROTHER: We'll give you a written --

10 VICE CHAIRMAN BROWN: -- easier for all of
11 us to have read your understanding and if there's
12 any questions -- I'm quite sure there will be
13 questions -- we can go over that before we get
14 here and then when we see Mr. Gomez we could talk
15 about it.

16 Okay?

17 So, --

18 MR. ROTHER: Okay.

19 VICE CHAIRMAN BROWN: -- the Director's
20 Report, which you will be given us each week,
21 will be emailed to us --

22 MR. ROTHER: Okay.

23 VICE CHAIRMAN BROWN: -- or sent to us so
24 that we have it prior to that.

25 MR. ROTHER: We will do that.

1 VICE CHAIRMAN BROWN: Okay, thank you.

2 In agreement?

3 COMMISSIONER STANZIALE: Yes, good idea.

4 VICE CHAIRMAN BROWN: Thank you.

5 MR. ROTHER: Okay, if we could go into a
6 final Executive Session so I can --

7 COMMISSIONER SPIESBACH: Move to go to
8 Executive.

9 VICE CHAIRMAN BROWN: Second someone?

10 COMMISSIONER STANZIALE: Second.

11 COMMISSIONER HALLIGAN: Second that.

12 MR. ROTHER: The purposes are --

13 VICE CHAIRMAN BROWN: Lucy? Lucy, could
14 you --

15 MR. ROTHER: -- I'm going to be relaying
16 information -- attorney/client privilege
17 information that I've received from our counsel
18 primarily. That's -- that's the purpose.

19 MS. SAPINSKI: Commissioner Brown?

20 VICE CHAIRMAN BROWN: 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 MS. DILLON: All right, hold on one second.

3

4 (Whereupon, the Board moved to Executive
5 Session II at 6:17 p.m., Resolution No. 15-188.)

6

7 (Whereupon, the Board returned to Open
8 Session at 6:34 p.m.)

9

10 **ADJOURNMENT**

11

12 MR. ROTHER: And now a motion to adjourn.

13 VICE CHAIRMAN BROWN: Okay, can I get a
14 motion to adjourn?

15 COMMISSIONER HALLIGAN: So moved.

16 COMMISSIONER STANZIALE: Motion.

17 Second.

18 VICE CHAIRMAN BROWN: Lucy?

19 MS. SAPINSKI: Commissioner Brown?

20 VICE CHAIRMAN BROWN: 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 (Whereupon, there was a pause in the
2 proceedings.)

3

4 (Whereupon, the proceedings were concluded
5 at 6:34 p.m., Resolution No. 15-22.)

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1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

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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 29, 2015 and digitally
10 recorded.

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