



Virtual Board Meeting

Thursday, September 23, 2021

10:00 a.m.



AGENDA
REGULAR SESSION
Remote Access Meeting via Zoom
Thursday, September 23, 2021 - 10:00 a.m.

Zoom Link: <https://us02web.zoom.us/j/85367178183>

Zoom via phone: **929-205-6099** / Meeting ID: **853 6717 8183**

I. **PLEDGE OF ALLEGIANCE**

II. **OPENING STATEMENT**

III. **ROLL CALL**

IV. **APPROVAL OF MINUTES AND CASH DISBURSEMENTS** (Action)

- Approval of Regular Session Remote Meeting Minutes of July 22, 2021.
- Approval and/or Ratification of Cash Disbursements over \$100,000 for the month of July 2021.
- Approval and/or Ratification of Cash Disbursements over \$100,000 for the month of August 2021.

V. **PUBLIC PARTICIPATION ON RESOLUTIONS**

VI. **APPROVALS**

Resolution 2021-19 Resolution Adopting the 2021 New Jersey Sports and Exposition Authority Budget.

Resolution 2021-20 Resolution Issuing A Decision on the Suitability Recommendation as Required by the NJSEA Interim Policies Governing Affordable Housing Development in the Meadowlands District - File No. 21-225, 35 Meadowlands Holdings, LLC - New Hotel/Convenience Store/Gas Station & Variances (Use Change) - Block 100, Lots 1, 2, 2.01 and 2.02 in the Town of Secaucus.

VII. **CONTRACTS/AWARDS**

Resolution 2021-21 Resolution Authorizing the President and CEO to Enter into a Contract with Modern Facilities of New Jersey for Cleaning Services for the NJSEA Facilities located in the Sports Complex.

VIII. **PUBLIC PARTICIPATION**

IX. **EXECUTIVE SESSION**

Resolution 2021-22 Consideration of a Resolution Authorizing the New Jersey Sports and Exposition Authority to conduct a meeting, to which the general public shall not be admitted for the purposes of discussing legal matters, personnel matters and contract negotiations.

X. **MOTION TO ADJOURN**

MINUTES



**REGULAR SESSION BOARD MEETING
MINUTES
REMOTE VIA ZOOM**

DATE: July 22, 2021
TIME: 10:00 a.m.
PLACE: Remote via Zoom
RE: **REGULAR SESSION MEETING MINUTES**

Members in Attendance:

John Ballantyne, Chairman
Joseph Buckelew, Vice Chairman
Vincent Prieto, President and CEO
Robert Dowd, Member
Armando Fontoura, Member
Michael H. Gluck, Esq., Member
Michael Griffin, NJ State Treasurer's Representative
Woody Knopf, Member
Steven Plofker, Member
Anthony Scardino, Member
Louis J. Stellato, Member
Robert Yudin, Member

Absent:

Arthur Kapoor, Member
Andrew Scala, Member
Michael Gonnelli, Member

Also Attending:

Christine Sanz, Senior Vice President/Chief Operating Officer
Frank Leanza, Senior Vice President/Chief of Legal & Regulatory Affairs
Adam Levy, Vice President of Legal & Regulatory Affairs
John Duffy, Senior Vice President of Sports Complex Operations & Facilities
Sara Sundell, Director of Land Use Management and Chief Engineer
Steven Cattuna, Chief of Staff
Edward Bulmer, Co-Director of Finance/Co-CFO
Brian Aberback, Public Information Officer
Gabrielle Bennett-Meany, Senior Natural Resources Specialist/Open Space Manager
Lauren LaRusso, Governor's Authorities Unit
Colleen Mercado, Senior Operations Administrator

Chairman Ballantyne called the meeting to order.

- I. Opening Statement - Chairman Ballantyne read the Notice of Meeting required under the Sunshine Law.

II. Roll Call

III. APPROVAL OF MINUTES AND CASH DISBURSEMENTS

Chairman Ballantyne presented the minutes from the June 24, 2021 Regular Session Remote Board meeting.

Upon motion made by Commissioner Stellato and seconded by Commissioner Scardino the minutes of the Regular Session Remote Board Meeting held on June 24, 2021, were unanimously approved.

Chairman Ballantyne presented the minutes from the June 24, 2021 Executive Session Remote Board meeting.

Upon motion by Commissioner Dowd and seconded by Commissioner Scardino the minutes of the Executive Session Remote Board Meeting held on June 24, 2021 were unanimously approved.

Chairman Ballantyne presented the report of cash disbursements over \$100,000 for the month of June 2021.

Upon motion by Commissioner Fontoura and seconded by Commissioner Yudin the cash disbursements over \$100,000 for the month of June 2021 were unanimously approved.

IV. SPECIAL PRESENTATION

Chairman Ballantyne welcomed Gabrielle Bennett-Meany, Senior Natural Resources Specialist and Open Space Manager and stated that she would be giving a presentation on Richard W. DeKorte Park, the home of the NJSEA administrative offices and a true jewel of the Hackensack Meadowlands Park System. He noted that as part of Ms. Bennett-Meany's role as Open Space Manager, her many tasks include supervising and managing daily landscaping tasks at DeKorte Park, performing maintenance-related tasks and working on special outdoor projects including trail maintenance, outdoor classrooms, signage, planting trees and native plants, erosion control, interpretive kiosks and special gardens. He said that those who have been to DeKorte, both first-timers and long-timers, know how special the park is; and commented that if you do a google search for DeKorte Park you'll find more than 200 visitors' testimonials on this spectacular natural resource.

President Prieto commented on how lucky he is to work in DeKorte Park and said that when walking the park he sees everyone from birders to families to school children on field trips. He added that educators actually use DeKorte Park's unique urban ecosystem as a teaching tool and that DeKorte Park is also home to the NJSEA's special public programs and nature walks led by the Bergen County Audubon Society. He noted that the next special event would be the Meadowlands Birding Festival on Saturday, Sept. 12, which will include birding walks and talks and a special live raptor presentation.

Ms. Bennett-Meany began her presentation with an overview of the 3.5 miles of nature trails contained within DeKorte Park and also described the three memorials that are part of the Park. Her presentation included pictures of the various native plants that are flourishing and creating scenic backdrops throughout the Park. She mentioned some of the different birds and wildlife that can be seen when walking the trails. She said that the Park is definitely the

focal point of the Meadowlands DeKorte Park campus and gem of the Meadowlands. She concluded by saying that for whatever reason you visit; whether it be a nature walk, photography, education program, special event or research that all of the staff are involved in, this is such an important place. The accessibility of the park is important to us so that we are able to share it with folks that visit.

Commissioner Scardino thanked Ms. Bennett-Meany for a magnificent presentation and emphasized that she was an excellent teacher. He thanked her and her colleagues for all the work that they have done over the years. He went on to say that all the pictures and photos of DeKorte Park were gorgeous; but he wanted to impress upon everyone that probably all of it, if not most of it, was designated for garbage and unless this Agency had been created who knows what we would be seeing today. He said that instead of mounds of garbage and filth, we're seeing the beautiful pictures that have been shown today.

V. PUBLIC PARTICIPATON ON RESOLUTIONS - None

VI. APPROVALS

Resolution 2021-18 Resolution Authorizing the President and Chief Executive Officer to Enter into a Contract for Insurance Brokerage Services.

Mr. Bulmer explained that the Authority had sent out a request for proposals for insurance brokerage services dated May 26, 2021 and that four responses were received. He stated that the NJSEA Evaluation Committee, which reviewed and ranked the proposals based on established criteria, is recommending Willis Towers Watson, who is the incumbent. He noted that staff has been very pleased with their services during the last contract.

Chairman Ballantyne presented Resolution 2021-18. Upon motion by Commissioner Scardino and seconded by Commissioner Stellato, Resolution 2021-18 was unanimously approved.

VII. CONTRACTS/AWARDS - None

VIII. PUBLIC PARTICIPATION - None

IX. EXECUTIVE SESSION - Chairman Ballantyne stated that there was no need to go into Executive Session.

Before closing, Commissioner Yudin said that he wanted to thank President Prieto for the recent update he had provided to him regarding the damage, specifically by ATV's, being done on the Authority's properties. He thanked staff for moving ahead, being proactive and doing a number of things, such as having cameras installed. He said hopefully it will be successful and the Authority will be able to protect the properties from the environmental damage that it has been undergoing.

Commissioner Fontoura inquired as to whether there was a time frame for when the Board would be able to meet in person.

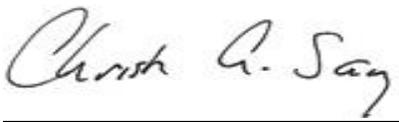
President Prieto responded that the goal right now was the September meeting unless something else happens.

X. ADJOURNMENT

With no further business, motion was made to adjourn by Commissioner Gluck and seconded by Commissioner Fontoura with all in favor.

Meeting adjourned at 10:37 a.m.

I certify that on information and belief this is a true and accurate transcript of the Minutes of the Regular Session of the New Jersey Sports and Exposition Authority Remote Board Meeting held on July 22, 2021.



**Christine Sanz
Assistant Secretary**

July 22, 2021

Commissioner	Roll Call	2021-18
Ballantyne, Chairman	P	Y
Buckelew, Vice Chairman	P	Y
Prieto	P	Y
Dowd	P	Y
Fontoura	P	Y
Gluck	P	Y
Gonnelli	--	--
Kapoor	--	--
Knopf	P	Y
Plofker	P	Y
Scala	--	--
Scardino	P	Y
Stellato	P	Y
Yudin	P	Y
Treasury Rep Griffin	P	Y

P - Present A - Abstain
-- Absent R = Recuse
Y = Affirmative N = Negative

APPROVALS



CASH DISBURSEMENTS
 \$100,000 OR MORE
 JULY 2021

EAST RUTHERFORD - SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF EAST RUTHERFORD	2,172,028.33	I	PAYMENT IN LIEU OF TAXES: 3RD QUARTER 2021
LOCAL 137 - SPORT ARENA EMPLOYEES	306,598.02	A	PENSION WITHDRAWAL LIABILITY PAYMENT: MAY 2021 - JUL 2021
NEW JERSEY RACING COMMISSION	120,000.00	A	RACING PERMIT: 2021
NEW JERSEY STATE POLICE	2,535,962.59	A/L	POLICE OVERTIME SALARIES: 1ST, 2ND, 3RD, & 4TH QTRS 2021
NRG BUSINESS SOLUTIONS	425,553.80	J/L	ELECTRICITY CHARGES: JUN 2021
PUBLIC SERVICE ELECTRIC & GAS COMPANY	144,160.21	J/L	ELECTRIC TRANSMISSION: MAR 2021
STATE OF NEW JERSEY TREASURY DEPARTMENT	240,556.62	A	WORKERS' COMPENSATION COVERAGE: 4TH QTR 2021
WASTE MANAGEMENT OF NEW JERSEY	119,394.71	A	KEEGAN LANDFILL SOIL PLACEMENT & GRADING: JUN 2021 AND WASTE REMOVAL SERVICE: JUL 2021
EAST RUTHERFORD SC TOTAL	6,064,254.28		

LYNDHURST

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
KEARNY MUNICIPAL UTILITIES AUTHORITY	474,030.88	A	SEWER USE CHARGES - KEEGAN & 1A/1E: 1ST QTR 2021
RAMAPO COLLEGE FOUNDATION	300,000.00	A	2021 FUNDING PER MOU
LYNDHURST TOTAL	774,030.88		

MONMOUTH PARK RACETRACK

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF OCEANPORT	364,421.66	I	REAL ESTATE TAXES: 3RD QTR 2021
MONMOUTH PARK RACETRACK TOTAL	364,421.66		



CASH DISBURSEMENTS
\$100,000 OR MORE
AUGUST 2021

EAST RUTHERFORD - SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
NRG BUSINESS SOLUTIONS	443,608.48	A/L	ELECTRICITY CHARGES: JUL 2021
PUBLIC SERVICE ELECTRIC & GAS	157,833.79	A/L	ELECTRIC TRANSMISSION: JUL 2021
EAST RUTHERFORD - SC TOTAL	<u>601,442.27</u>		

LYNDHURST

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
JERSEY CITY, CITY OF	445,865.61	I	TAX SHARING FINAL PAYMENT : CY 2020-2021
KEARNY, TOWN OF	2,773,686.81	I	TAX SHARING FINAL PAYMENT : CY 2020-2021
KEARNY MUNICIPAL UTILITIES AUTHORITY	447,756.18	A	SEWER USE CHARGES - KEEGAN & 1A/1E: 2ND QTR 2021
NORTH ARLINGTON, BOROUGH OF	482,806.10	I	TAX SHARING FINAL PAYMENT : CY 2020-2021
RIDGEFIELD, BOROUGH OF	336,194.48	I	TAX SHARING FINAL PAYMENT : CY 2020-2021
WASTE MANAGEMENT OF NEW JERSEY	125,439.29	A	KEEGAN LANDFILL SOIL PLACEMENT & GRADING: JUL 2021 AND WASTE REMOVAL SERVICE: AUG 2021
LYNDHURST TOTAL	<u>4,611,748.47</u>		



CASH DISBURSEMENTS
\$100,000 OR MORE

<u>REFERENCE LETTER</u>	<u>TYPE</u>
A	CONTRACT ON FILE
B	PURCHASE AWARDS - APPROVED AT MONTHLY BOARD MEETING
C	STATE REQUIREMENT FOR RACING
D	STATE VENDOR
E	SOLE SOURCE*
F	APPOINTED BY RACING COMMISSION
G	ADVERTISED BID
H	PRESIDENT/CEO APPROVAL
I	STATUTORY PAYMENT
J	UTILITIES
K	LOWEST PROPOSAL
L	REIMBURSABLE
M	OUTSTANDING PROFESSIONAL INVOICES APPROVED AT MONTHLY BOARD MEETING
N	PURCHASES ON BASIS OF EXIGENCY
*	PURCHASES DIRECT FROM SOURCE
	EXPENDITURE TO BE CHARGED TO MAINTENANCE RESERVE FUND

RESOLUTION 2021-19

**RESOLUTION ADOPTING THE
2021 NEW JERSEY SPORTS AND EXPOSITION AUTHORITY BUDGET**

BE IT RESOLVED by the New Jersey Sports and Exposition Authority that the attached Operations budget is hereby approved and adopted as the 2021 New Jersey Sports and Exposition Authority Budget.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of September 23, 2021.

A handwritten signature in black ink, appearing to read 'Vincent Prieto', is written over a horizontal line.

Vincent Prieto
Secretary



NEW JERSEY SPORTS & EXPOSITION AUTHORITY
 Operating Budget-DRAFT DELIBERATIVE
 For the Twelve Months Ending Friday, December 31, 2021

	Actual 2020	Proposed Budget 2021	Proposed vs Actual H/(L)
REVENUES			
Operating Revenue			
NMSCO Ground Lease	\$6,300,000.00	\$6,300,000.00	\$0.00
NMR Shared Services/Ground Lease	\$6,892,223.46	\$6,900,000.00	\$7,776.54
MP Shared Services/Interest Income	\$2,777,232.52	\$2,731,655.52	-\$45,577.00
Lease Revenue	\$1,306,313.47	\$1,019,085.35	-\$287,228.12
Land Use Fee Income	\$877,780.40	\$650,000.00	-\$227,780.40
Market Place	\$302,500.00	\$440,000.00	\$137,500.00
Solid Waste Revenue	\$4,691,217.48	\$2,200,000.00	-\$2,491,217.48
Vaccine Center - COVID 19	\$0.00	\$393,800.00	\$393,800.00
Wireless	\$468,189.38	\$350,000.00	-\$118,189.38
Wildwood Management Fees	\$315,000.00	\$315,000.00	\$0.00
Arena Revenue	\$2,348,246.52	\$925,000.00	-\$1,423,246.52
AD Shared Services	\$1,345,305.50	\$1,400,000.00	\$54,694.50
Misc. Other	\$757,795.26	\$773,709.00	\$15,913.74
Total Operating Revenue	\$28,381,803.99	\$24,398,249.87	-\$3,983,554.12
TOTAL REVENUES	\$28,381,803.99	\$24,398,249.87	-\$3,983,554.12
EXPENSES			
Operating Expenses			
Salaries/Fringe	\$17,633,831.55	\$18,023,718.01	\$389,886.46
Supplies	\$517,767.46	\$616,293.00	\$98,525.54
Services - Non Discretionary	\$12,901,470.56	\$11,430,759.59	-\$1,470,710.97
Services - Discretionary	\$4,344,198.31	\$4,392,134.09	\$47,935.78
Repairs/Maintenance	\$1,250,397.24	\$1,265,322.00	\$14,924.76
Utilities	\$3,505,310.51	\$3,628,748.00	\$123,437.49
Other	\$20,944,757.96	\$16,800,437.00	-\$4,144,320.96
TOTAL EXPENSES	\$61,097,733.59	\$56,157,411.69	-\$4,940,321.90
Operating Gain/(Loss)	-\$32,715,929.60	-\$31,759,161.82	\$956,767.78
Non - Operating Income and (Expenses)			
Kingsland Sale Proceeds	\$10,834,887.00	\$0.00	-\$10,834,887.00
Triple-5 Funds Reserve	\$5,909,529.00	\$0.00	-\$5,909,529.00
SW Closure Fund Reserve	\$1,282,977.30	\$0.00	-\$1,282,977.30
Reserve Fund Utilization	\$3,188,536.30	\$0.00	-\$3,188,536.30
State Appropriations	\$11,500,000.00	\$31,759,161.82	\$20,259,161.82
Total Non - Operating Income and (Expenses)	\$32,715,929.60	\$31,759,161.82	-\$956,767.78
Change in Net Position	\$0.00	\$0.00	-\$0.00

RESOLUTION 2021-20

**RESOLUTION ISSUING A DECISION ON THE
SUITABILITY RECOMMENDATION AS REQUIRED BY THE
NJSEA INTERIM POLICIES GOVERNING AFFORDABLE HOUSING
DEVELOPMENT IN THE MEADOWLANDS DISTRICT
FILE No. 21-225, 35 Meadowlands Holdings, LLC - New Hotel/Convenience
Store/Gas Station & Variances (Use Change)
BLOCK 100, LOTS 1, 2, 2.01 and 2.02
IN THE TOWN OF SECAUCUS**

WHEREAS, in a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing; and

WHEREAS, on July 25, 2007, the Commission adopted Resolution No. 07-68, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing"; and

WHEREAS, on May 6, 2008, COAH adopted new rules, which became effective upon publication in the New Jersey Register on June 2, 2008 and, in addition, adopted new rules on September 22, 2008, which became effective on October 20, 2008; and

WHEREAS, on July 17, 2008, P.L. 2008, Chapter 46 became law, revising various parts of the statutory law concerning affordable housing; and

WHEREAS, on July 23, 2008, the Commission adopted Resolution No. 08-80, which approved the "*Interim Policies Governing Affordable Housing Development in the Meadowlands District*," in order to govern the review of and restraints upon applications for further development in the Meadowlands District in a manner consistent with these regulatory and statutory changes, prior to the implementation of new regulations regarding same; and

WHEREAS, pursuant to Public Law 2015, Chapter 19, the New Jersey Meadowlands Commission (NJMC) has become part of the New Jersey Sports and Exposition Authority (NJSEA), effective February 5, 2015; and

WHEREAS, the *Interim Policies*, last revised by Resolution No. 11-29 on July 27, 2011, govern all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a redevelopment plan pertaining to new proposed uses or changes to existing uses,

received on or after July 24, 2008, and remain in effect until the NJSEA promulgates new regulations concerning affordable housing, or the *Interim Policies* are withdrawn or rescinded by Commission action or court order, whichever occurs first; and

WHEREAS, the *Interim Policies* set forth the criteria for a Review Team, comprised of three NJSEA staff members including one New Jersey-licensed professional engineer and one New Jersey-licensed professional planner, and also a professional planner representing the municipality in which the proposed development is located, to review each applicable application to determine the suitability of the subject site for residential use; and

WHEREAS, a zoning certificate application was submitted to the NJSEA on June 14, 2021, by Francis X. Regan, Esq., of DeCotiis, FitzPatrick, Cole & Giblin, LLP, on behalf of 35 Meadowlands Holdings, LLC, for the premises identified as 35 Meadowland Parkway, Block 100, Lots 1, 2, 2.01 and 2.02, in the Town of Secaucus, New Jersey, which is located in the District's Commercial Park zone; and

WHEREAS, the subject application proposes the construction of a hotel, fuel service station, and convenience store, and, as such, is not exempt from the *Interim Policies*; and

WHEREAS, the application was forwarded to the Review Team for review of the application in accordance with the *Interim Policies*; and

WHEREAS, the Review Team evaluated the suitability of the subject property taking into consideration the specific application submitted for construction of a hotel, fuel service station and convenience store; and

WHEREAS, a suitability review, dated September 13, 2021, and attached hereto, has been prepared, indicating the recommendation of the Review Team in this matter; and

WHEREAS, the suitability review recommends that the subject property is unsuitable for residential use; and

WHEREAS, the Board of Commissioners of the NJSEA has reviewed the suitability review and recommendation prepared by the Review Team, regarding the subject property; and

WHEREAS, the Board of Commissioners of the NJSEA concurs with the recommendation of the Review Team; and

WHEREAS, the Board of Commissioners of the NJSEA hereby determines that the subject property is unsuitable for residential use.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority that the property located at 35 Meadowland Parkway, Block 100, Lots 1, 2, 2.01 and 2.02, in the Town of Secaucus, New Jersey, is deemed to be unsuitable for residential use.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of September 23, 2021.

A handwritten signature in black ink, appearing to read 'Vincent Prieto', written over a horizontal line.

Vincent Prieto
Secretary



MEMORANDUM

To: NJSEA Board Members and Vincent Prieto, President/CEO

From: Sara J. Sundell *Date:* September 23, 2021

Subject: Site Suitability Recommendation for Block 100, Lots 1, 2, 2.01 and 2.02, in the Town of Secaucus (File No. 21-225)

In a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC or Commission) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing. The Commission followed up by adopting Resolution No. 07-68, on July 25, 2007, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing." Thereafter, on July 23, 2008, the Commission adopted Resolution No. 08-80, which approved the "*Interim Policies Governing Affordable Housing Development in the Meadowlands District*," which was last revised by Resolution No. 11-29 on July 27, 2011, in order to govern the review of and restraints upon applications for further development in the Meadowlands District in a manner consistent with regulatory and statutory changes regarding affordable housing, prior to the implementation of new regulations regarding same.

Pursuant to Public Law 2015, Chapter 19, the New Jersey Meadowlands Commission (NJMC) has become part of the New Jersey Sports and Exposition Authority (NJSEA), effective February 5, 2015.

The *Interim Policies* apply to all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a redevelopment plan pertaining to new proposed uses or changes to existing uses, received on or after July 24, 2008, and will remain in effect until the NJSEA promulgates new regulations concerning affordable housing, or the *Interim Policies* are withdrawn or rescinded by Authority action or court order, whichever occurs first. The *Interim Policies* set forth the criteria for a Review Team, comprised of three NJSEA staff members, including one New Jersey-licensed professional

engineer and one New Jersey-licensed professional planner, and also a professional planner representing the municipality in which the proposed development is located, to review each applicable application to determine the suitability of the subject site for residential use.

The NJSEA received an application for the construction of a hotel, fuel service station, and convenience store on the premises identified as Block 100, Lots 1, 2, 2.01 and 2.02, in the Town of Secaucus, New Jersey. The subject property is located within the District's Commercial Park zone and is currently vacant. Lot 1 is predominantly a wetland containing small tributaries to the Hackensack River. Lots 2, 2.01 and 2.02 were the site of the former Amerada Hess Secaucus Terminal.

The matter was forwarded to the Review Team for review of the proposed site in accordance with the *Interim Policies*. A suitability review, dated September 13, 2021, has been prepared, indicating that the Review Team recommends that the subject property is not suitable for residential use.

At this time, the NJSEA staff is recommending that the members of the NJSEA concur with the site suitability recommendation prepared by the Review Team, which determines that the subject property is not suitable for residential use.

Suitability Review - Summary

File No. 21-225

35 Meadowlands Holdings, LLC - New Hotel/Convenience Store/Gas Station
& Variances (Use Change)

Block 100, Lots 1, 2, 2.01 and 2.02 in the Town of Secaucus
September 13, 2021

The NJSEA received a zoning certificate application for the proposed construction of a hotel, fuel service station and convenience store, proposed to be located at 35 Meadowland Parkway, Block 100, Lots 1, 2, 2.01 and 2.02, in the Town of Secaucus, New Jersey. The property is currently vacant and is located adjacent to the Hackensack River. Lot 1 is predominantly a wetland containing small tributaries to the river. Lots 2, 2.01 and 2.02 were the site of a former Hess Oil Company facility. The subject property is currently located in the District's Commercial Park zone and, as such, is not exempt from the site suitability review process. In keeping with the review process, the site characteristics of the property have been evaluated in accordance with the "Interim Policies Governing Affordable Housing Development in the Meadowlands District," adopted by the NJMC on July 24, 2008, and last revised on July 27, 2011.

In accordance with Section IV(c)1 of the Interim Policies, the criteria to deem a site suitable for housing are as follows:

- i. The site is adjacent to compatible land uses and has access to appropriate streets.**
 - The subject property, which has a total area of approximately 8.73 acres, is located within the Commercial Park zone. The uses within the zone are predominantly office, commercial, hotel and multi-family residential along with several essential public services, such as a New Jersey Department of Transportation (NJDOT) maintenance yard and Secaucus DPW facility.
 - The subject property is located on Meadowland Parkway at the signalized intersection with the State Highway Route 3 East exit/entrance ramp. The property to the north is an NJDOT maintenance yard, which is located under the elevated portion of the Route 3 East Bridge over the Hackensack River. Existing office buildings within the Commercial Park zone are located south of the site, and across Meadowland Parkway to the east. Snipes Park, in the Parks and Recreation zone, is to the south of the existing wetlands located on the southern portion of the subject property.
 - The nearest residential structure is located to the southeast on the

opposite side of Meadowland Parkway. Further to the east, there is an established single- and two-family residential area. Any physical connection between a residential structure on the subject property and the established residential uses would be hampered by traffic utilizing Meadowland Parkway near this busy intersection.

- The intersection of Meadowland Parkway and the Route 3 East exit/entrance ramp acts as a gateway into the warehouse, industrial and commercial district of Secaucus, and, as such, is subject to intense usage by heavy trucks and commercial and employees' vehicles. The exit ramp off of the highway consists of sharp turn with a down gradient, which may result in truck air-brake usage that can be a contributor to noise pollution in the area. Glare from vehicle headlights, shining directly into the subject property from the exit ramp, is also a detriment to a residential use of the site. Additionally, the portion of Meadowland Parkway immediately adjacent to the site exhibits a unique configuration with additional width and diverging lanes of travel to accommodate traffic traveling to and from Route 3.
- As such, this criterion is not met by the subject property.

ii. The site has access to water and sewer infrastructure with sufficient capacity.

- This criterion is met by the subject property.

iii. The site can be developed consistent with the rules of the NJSEA.

- This criterion is met by the subject property.

iv. Former and existing land uses, either on the site or in the vicinity, may not expose residents to environmental hazard. Alternatively, the site shall be remediated to NJDEP residential standards as a condition of the Board's approval.

- The subject property is the site of the former Amerada Hess Secaucus Terminal, which included multiple above-ground storage tanks and docking and unloading of petroleum products from barges on the Hackensack River.
- The subject property is listed on the NJDEP's Known Contaminated Site List for New Jersey; with its status listed as "active" and Deed Notice status and Engineering Controls status listed as "on-going."
- The site's Remedial Action Plan (RAP) is listed as Active, and the REM level, which is the level of complexity of the remediation for the site, is C3. A value of C3 indicates a multi-phased remedial action with unknown or uncontrolled discharge to soil or ground water.

- A deed notice is required for the property and provides notice that the contamination on the real property exists at a level above the applicable unrestricted use soil remediation standards; the restrictions to the applicable property are due to contamination; and the engineering controls are applicable to the property.
 - Information provided by the applicant includes the Soil Remedial Action Permit Transfer/Change of Ownership approval from the NJDEP, associated with an NJDEP Soil Remedial Action Permit, and the corresponding Deed Notice. The previous owner, Hess, remediated contaminated soil at the property such that soil contamination remains in certain areas in such concentrations that do not allow for the unrestricted use of the property.
 - The property is also listed in the NJDEP's Groundwater Contamination Area (CEA) as containing Historic Fill related contaminants.
 - Restricted Area soil sample information has also been provided by the applicant and indicates a number of samples across the site contain historic fill that exceeds both residential and non-residential contact soil cleanup criteria.
 - The entire site is considered a restricted area due to contaminated historic fill.
 - As such, this criterion is not met by the subject property.
- v. **The size, shape, or layout of any existing structure that shall remain, or other physical limitation(s) not listed previously, do not preclude residential use.**
- The existing property is vacant. As such, this criterion is met by the subject property.
- vi. **The site is suitable for residential use pursuant to sound planning principles.**
- The subject property is located in an area predominated by uses that are commonly found at an exit along a major highway, with hotels and motels, restaurants and fast food, and commercial businesses, which cater more to a transient population.
 - The area beyond the immediate Commercial Park zone is also a major employment center, consisting of warehouse, industrial and commercial uses, which is accessed from the exits off of Route 3 onto Meadowland Parkway. As a result, there is a significant volume of trucks and commercial and personal vehicles traveling through the intersection located directly in front of the subject property. Such traffic generates noise, glare and pollution both day and night, which would be detrimental to the quality of life of potential residents on the subject

- property.
- The nearest residential development is the multi-family apartment structure located across Meadowland Parkway and a large single and two-family residential area further to the east. As this roadway is a major thoroughfare for the warehouse/distribution, industrial and commercial center of Secaucus, proposed residential development in this area to the west of Meadowland Parkway could be considered to be isolated from the rest of the residential development in the area and other supportive uses that could, from a planning perspective, create a cohesive neighborhood.
 - The site is isolated from public schools, local retail stores, recreation facilities and other public amenities, as pedestrian access to the rest of the community requires traveling across Meadowland Parkway near this busy intersection. There are no crosswalks across Meadowland Parkway in the vicinity of the subject property, and providing a crosswalk at the signalized intersection of the Route 3 ramp would prove challenging due to the configuration of Meadowland Parkway immediately adjacent to the site and the resultant traffic patterns associated with the state highway.
 - Most of the municipality's public services are located outside of the immediate area and require motorized transportation to access them.
 - As such, this criterion is not met by the subject property.

In summary, only three (3) of the above criteria, as per Section IV(c)1 of the Interim Policies, apply to the subject property.

Conclusion

The subject property, located at 35 Meadowland Parkway, Block 100, Lots 1, 2, 2.01 and 2.02, in the Town of Secaucus, is recommended to be deemed unsuitable for housing.

Contingent upon the approval of this recommendation by the NJSEA Board of Commissioners, the review of the submitted zoning certificate application for the proposed hotel, fuel service station and convenience store may proceed for this site. As a condition of zoning certificate approval, the applicant shall be required to satisfy the project's affordable housing requirements as per Section VII(a) of the Interim Policies or as required by law.

AWARDS / CONTRACTS

RESOLUTION 2021-21

RESOLUTION AUTHORIZING THE PRESIDENT AND CEO TO ENTER INTO A CONTRACT WITH MODERN FACILITIES OF NEW JERSEY FOR CLEANING SERVICES FOR THE NJSEA FACILITIES LOCATED IN THE SPORTS COMPLEX

WHEREAS, the New Jersey Sports and Exposition Authority requires Cleaning Services for the facilities located in the Sports Complex in East Rutherford and

WHEREAS, on or about June 17, 2021 the Authority publicly issued a Request for Proposals SC-475-R-1, for "Cleaning Services for the MetLife Sports Complex NJSEA Facilities" with a requirement for small business set-aside: and

WHEREAS, nine (9) companies attended the mandatory RFP walk through and two (2) bids were received on July 8, 2021; and

WHEREAS, an evaluation committee comprised of NJSEA staff reviewed the proposals, and ranked the proposals based on established criteria; and

WHEREAS, the committee determined that the proposal supplied by Modern Facilities Services, Inc. of Hackettstown, NJ is the most advantageous to the NJSEA, price and other factors considered, and recommends award of a four-year contract with two additional optional years to be exercised at the sole discretion of the NJSEA; and

WHEREAS, the RFP included a scope of work and an estimate of the required annual hours of work;

WHEREAS, as part of its bid, Modern Facilities Services, Inc. submitted a price proposal consisting of hourly rates and equipment costs for a total four-year estimated price of \$2,297,964.86; and

WHEREAS, under this contract, the NJSEA will be billed for actual hours worked at the proposed rates and actual cost for materials and supplies, with the cost of materials and supplies subject to the not to exceed amounts in bid; and

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Sports and Exposition Authority that the President and CEO is hereby authorized to enter into a four-year contract for cleaning services with Modern Facilities Services, Inc.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of September 23, 2021.



Vincent Prieto
Secretary