



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

DATE: January 27, 2022

TIME: 10:00 a.m.

PLACE: Remote via Zoom

**RE: REGULAR SESSION REMOTE 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  
Andrew Scala, Member  
Anthony Scardino, Member  
Louis J. Stellato, Member  
Robert Yudin, Member

**Absent:**

Michael Gonnelli, Member  
Arthur Kapoor, 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  
Edward Bulmer, Co-Director of Finance  
Anna Acanfora, Co-Director of Finance  
Steven Cattuna, Chief of Staff  
Dr. Francisco Artigas, Co-Director Meadowlands Research & Restoration Institute  
Teresa Doss, Co-Director Meadowlands Research & Restoration Institute  
Brian Aberback, Public Information Officer  
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 December 16, 2021 Regular Session Remote Board meeting.

Upon motion made by Commissioner Scala and seconded by Commissioner Fontoura the minutes of the Regular Session Remote Board Meeting held on December 16, 2021, were unanimously approved.

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

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

### IV. **SPECIAL PRESENTATION**

Chairman Ballantyne introduced Ms. Teresa Doss, Co-Director of Meadowlands Research and Restoration Institute who would be presenting a video presentation of the Institute's highlights of 2021 and plans for the coming year. He commended the remarkable work that the Institute carries out every day to improve the Meadowlands and prepare the region to be resilient in the face of climate change and sea level rise. He went on to speak on Ms. Doss's expertise and projects.

President Prieto commented that he is always amazed at the exceptional efforts and dedication of the entire MRRI staff. He stated that the NJSEA has some of the top environmental scientists in the State, who continuously work toward making the Meadowlands a better place, and he is very proud of their efforts.

Ms. Doss narrated a video presentation highlighting the following work of the Institute in 2021:

- Tracking Dissolved Oxygen to Determine Water Quality
- Bird Banding in the Meadowlands
- MOTUS Tower
- Meadowlands Bird Breeding Atlas
- Diamondback Terrapin Mark and Recapture Study

She also highlighted some of the Projects planned for 2022, such as:

- Kearny Freshwater Marsh Floating Island PILOT Project
- EPA Grant to Study Sea Level Rise in the Meadowlands
- EPA Grant to research the Adaptive Capacity of the Sawmill Creek Wildlife Management Area

Ms. Doss concluded her presentation by saying that staff is excited to head into 2022; looking for more ways to reach out to the public and tell them about the different projects; and explore the different technologies on how to bring this information to the public.

Commissioner Scardino, Chairman of the Science and Environment Committee, commented that the Committee had met in the beginning of January at which time they covered a lot of these highlights and noted that he expects a lot more presentations to come from this Committee. He went on to say that the importance of communicating the work that MRRI does can never be underestimated and that MRRI should be looked upon as an exceptional

group of professionals. He said that the Hackensack Meadowlands have been and will continue to be looked upon as a national authority on environmental research and restoration especially as it relates to climate change impacts. He concluded by saying that what was witnessed today through Terry's presentation is just a microcosm of their work in protecting and enhancing our environment. He then thanked Ms. Doss and all of her associates for their dedication and accomplishments.

V. **PUBLIC PARTICIPATON ON RESOLUTIONS** - None.

VI. **APPROVALS**

Resolution 2022-01                      Consideration of a Resolution regarding Tidelands Grant Application for RBD/Liberty Street Pumping Station and Force Main File No. SP-775 Block 105.02, Lot 16 in the Borough of Little Ferry and Block 28, Lot 1 in the Borough of Moonachie.

Ms. Sundell stated that NJSEA is reviewing plans submitted by the NJDEP Bureau of Climate Resilience Design & Engineering for construction of the Liberty Street Pumping Station and Force Main, a portion of which is located within the District in Little Ferry and Moonachie. She noted that the project is an element of the Rebuild By Design – Meadowlands project, which is an urban stormwater management strategy to reduce flood risks and enhance resiliency in Little Ferry, Teterboro, Moonachie, South Hackensack, and Carlstadt. She said that as part of the project, NJDEP Bureau of Climate Resilience Design & Engineering submitted an application to the Tidelands Resource Council for a riparian utility license, specifically for an area of riprap scour protection associated with the proposed pump station outfall and for temporary access to a decommissioned tide gate located within the subject properties. She went on to say that pursuant to State statute, the NJSEA may provide comments to the Tidelands Resource Council on tidelands license applications that are within the District. Ms. Sundell concluded by saying that staff recommends approval of same to the Tidelands Resource Council.

Chairman Ballantyne presented Resolution 2022-01. Upon motion by Commissioner Scardino and seconded by Commissioner Yudin, Resolution 2022-01 was unanimously approved by a vote of 13-0.

Resolution 2022-02                      Consideration of a Resolution Issuing a Decision on the Variance Application Submitted as Part of File No. 21-005 M-Industries/Mack Management & Construction Corp. (Use Variance) Block 158, Lots 1, 2, 3, 4, and 5 in the Town of Secaucus.

Ms. Sundell stated that Mack Management & Construction Corp. applied for use variance approval for the aforementioned property located in the Town of Secaucus. She explained that the property is currently improved with a 246,000-square-foot building, consisting of warehouse, retail, and accessory office uses and the applicant is proposing to convert the existing 94,233 square feet of retail use to warehouse use. She stated that the property is located in the Regional Commercial zone which does not permit warehouse use and therefore, the applicant requires a use variance for the proposed expansion of a preexisting nonconforming warehouse use of the premises. She went on to explain that the requested variance results from unique characteristics of the property that produce practical difficulties with respect to the ability to accommodate the current market requirements for retail tenants and that access constraints that affect the viability of retail usage of the premises are also

present. She explained that as part of the proposal, the applicant proposes to remove a 2,450-square-foot portion of pavement along Cromakill Creek and convert it to landscaped open space. She said that it is anticipated that the proposed change of use will not significantly impact traffic conditions on surrounding roadways; and the requested use variance will not impair the intent and purpose of the District Zoning Regulations, nor the Regional Commercial zone. She noted that public comment in support of the request was provided at the hearing by Gary Jeffas, Administrator for the Town of Secaucus, and no objections were received. Ms. Sundell stated that staff is recommending the approval of the requested use variance.

Chairman Ballantyne presented Resolution 2022-02. Upon motion by Commissioner Plofker and seconded by Commissioner Fontoura, Resolution 2022-02 was unanimously approved by a vote of 13-0.

**Resolution 2022-03**      Consideration of a Resolution Issuing a Decision on the Variance Application Submitted as Part of File No. 20-226 Commercial SG/Sitex Group - Site Improvement & Variances Block 229, Lot 5 in the Township of Lyndhurst.

Ms. Sundell stated that this matter involves applications by Valley Brook 1201 SG LLC for approval of six bulk variances from the requirements of the Light Industrial A zone and the site plan standards of the District Zoning Regulations. She explained that the property, located at 1201 Valley Brook Avenue in Lyndhurst, is currently improved with a 173,000-square-foot warehouse and distribution facility with associated parking and loading facilities; a total of six loading docks, five drive-in recessed loading doors, and a refuse area that currently exist on the premises. She said that the presence of front yard loading on Clay Avenue, the existing front yard setbacks to paved vehicular use areas along Clay and Valley Brook Avenues and the # of parking spaces on the site are preexisting nonconforming conditions. She went on to provide an overview of the six bulk variances:

Two of the variances are from the regulations which prohibits vehicular use areas in required front yards or within buffer areas. The required front yard setback in this case is 50 feet. The applicant proposes paved vehicular use areas for passenger vehicles within the required front yard facing Clay Avenue at a minimum setback of 4.35 feet. In addition, the applicant proposes trailer parking spaces and maneuvering area within the required front yard facing Clay Avenue at a minimum setback of 4.35 feet.

She stated that staff recommends approval of these variances with conditions that include the provision of clear line of sight triangles, additional landscaping, the elimination of the 6 trailer parking spaces, which are proposed in addition to the number of existing loading doors on the property, and a modification to the requested minimum 4.35-foot setback to minimize the intrusion of pavement into the required front yard to the minimum extent necessary to allow for safe and efficient truck movements into the loading area.

The third variance requested is from the regulation which requires all vehicular use areas be properly screened and landscaped. She stated that the applicant proposes to reconfigure the parking area along the site's Valley Brook Avenue frontage, but does not provide for required landscaped screening of these parking areas.

Ms. Sundell stated that staff recommends conditional approval of the requested variance with the following conditions: the execution of an easement agreement with the Township

of Lyndhurst with respect to landscaping within the Valley Brook Avenue ROW, the provision of clear line of sight triangles at the site driveways and adjacent intersections, traffic control signage for safer on-site circulation, and additional landscaping, both along the Clay Avenue frontage and in curbed and landscaped safety islands within paved vehicular use areas.

The fourth variance requested is from the regulation which prohibits loading in any front yard. Five new loading areas are proposed in the front yard facing Clay Avenue.

Ms. Sundell said that staff recommends conditional approval of the requested variance, as the site's five existing interior loading spaces are proposed to be converted to five new tailboard loading dock spaces in the front yard facing Clay Avenue and therefore, there will be no net increase in the number of loading positions. She said the conditions of approval include size restrictions for trucks utilizing the loading area for public safety reasons, based on a review of the truck turning templates provided by the applicant's traffic engineer.

The fifth variance requested is from the regulation which requires that all entrances and exits to loading areas be located in a safe and convenient manner with minimal impact on traffic movement on the site and adjacent streets. In order to access the proposed exterior loading areas and the proposed trailer parking area, maneuvering vehicles will encroach within the Clay Avenue ROW.

Ms. Sundell stated that staff recommends conditional approval, with conditions that include the elimination of six trailer parking spaces, which are proposed in addition to the number of existing loading doors on the property, and a modification to allow for less pavement and additional landscaping to balance the need for safe and efficient truck movements into the loading area, with also providing opportunities for additional landscaping and screening of the premises.

The sixth variance requested is from the regulation that requires all loading areas be screened and landscaped in accordance with N.J.A.C. 19:4-8.9(d)6iii. The proposed re-configured loading areas along Clay Avenue do not allow for the sufficient screening of the loading areas and vehicles from the Clay Avenue right-of-way.

Ms. Sundell stated that staff recommends conditional approval with a condition to provide additional landscaping in the Clay Avenue front yard to enhance screening of the site's loading area to the extent possible.

Ms. Sundell said that the conditions of approval for the six bulk variances will insure that vehicular use areas in front yards are appropriately screened to prevent headlight glare toward motorists travelling on adjacent roadways, and to address area aesthetics. She went on to say that the improvements will not increase the existing number of loading spaces at the premises, and will not increase the number of trucks maneuvering into and out of the premises utilizing the Clay Avenue ROW; and that the granting of the requested variances for the expansion of vehicular use and loading areas within the Clay Avenue front yard, with the recommended conditions, is expected to reduce the current level of intrusion of trucks maneuvering in the Clay Avenue ROW by providing additional pavement on the site for loading operations.

Ms. Sundell concluded by saying that staff recommends the conditional approval of the requested bulk variances.

Commissioner Fontoura asked if the applicant had agreed to all these conditions; as it was quite complicated. Ms. Sundell responded that the NJSEA provides applicant with the staff's recommendations and they have an opportunity to appeal it before it goes before the Board; and there was no appeal.

Commissioner Scardino had two questions regarding the variance application. He asked whether the applicant would be able to proceed with the project pending receipt of the easement or did the easement have to be received physically before the Authority would allow anything to go forward. He said he would recommend the latter and that he would like to see this be added as a condition of the zoning certificate. He also inquired into the two objections that were received in response to the Public Notice and asked if there was anything material that the Board should know about in terms of the objections.

Ms. Sundell responded that staff could condition the zoning approval on them providing the easement prior to construction if that was a concern of the Board. She noted that staff does have a letter from the town attorney which stated the town will approve the planting of landscaping within the ROW, but staff would prefer it to be an actual official easement approved by Lyndhurst Council. She also noted that the two objections in question were discussed within the full recommendation and it responded to their concerns.

Chairman Ballantyne presented Resolution 2022-03, stating that the resolution approving the Recommendation for the Bulk Variances will be modified to require that the future zoning certificate approval include a condition requiring the receipt of the easement from the Township of Lyndhurst prior to the start of construction, as requested by Commissioner Scardino. Upon motion by Commissioner Dowd and seconded by Vice Chairman Buckelew, Resolution 2022-03 was unanimously approved by a vote of 13-0.

**Resolution 2022-04**      Consideration of a Resolution Certifying the Meadowlands Adjustment Payments for CY2022.

Mr. Bulmer stated that this resolution is for the annual certification of the Meadowlands Adjustment Payments, which are developed through the tax sharing schedule. He stated that the Schedule and Agreed Upon Procedures process were reviewed by Mercadien, an independent auditor, and there were no substantial findings. Mr. Bulmer requested that the Board certify the Tax Sharing Payments for CY2022.

Chairman Ballantyne presented Resolution 2022-04. Upon motion by Commissioner Scardino and seconded by Commissioner Dowd, Resolution 2022-04 was unanimously approved by a vote of 13-0.

**VII. CONTRACTS/AWARDS**

**Resolution 2022-05**      Consideration of a Resolution Authorizing Agreements with New Jersey Transit for the Acquisition of a Fee Simple Property Interest and a Temporary Construction Easement to be used for Construction of the Portal Bridge Project.

Mr. Levy explained that this Resolution authorizes the conveyance of property from NJSEA to New Jersey Transit in support of the Portal Bridge project, which is part of the effort to increase capacity and service liability along the Northeast Corridor. He stated that the transaction involved an approximate two-acre fee simple parcel along with a 0.416-acre temporary construction easement, which are both a part of Block 287, Lots 33 and 33.01

located in Kearny, New Jersey. He went on to say that the transaction was a condemnation action initiated by NJ Transit and therefore the terms, including the condemnation are the result of bona-fide negotiations between the two agencies pursuant to the Eminent Domain Act. He said that the parties, as a result of the negotiations, reached mutual agreement which was ultimately subject to Federal Transit Administration concurrence, and represents a compromise, in terms of values, acceptable to both parties. Mr. Levy concluded by saying that under the terms of the proposed settlement the purchase price for the fee-simple parcel is \$200,900.00 that will be paid by New Jersey Transit at the time of closing; and the price for the temporary construction easement will be \$10,000.00 per year for a term of five years.

Chairman Ballantyne that as part of the negotiations the property would be fully restored at the end of the temporary use and that there was mention of a docking system that staff had negotiated that would become a viewing platform.

Mr. Levy responded affirmatively, adding that the hope is for a full restoration but obviously there will be some impacts. He also said that there is a construction platform which will be turned over to the NJSEA and used as a wildlife viewing platform.

Chairman Ballantyne presented Resolution 2022-05. Upon motion by Commissioner Yudin and seconded by Commissioner Scala, Resolution 2022-05 was unanimously approved by a vote of 13-0.

**Resolution 2022-06**      Consideration of a Resolution Authorizing an Additional \$142,087.13 to Repair Subsurface Damage at the Meadowlands Arena.

Mr. Leanza stated that at the October meeting, the Board authorized an emergency contract to repair erosions at the entrances to the Arena and at that time the estimated cost of \$135,000 was subject to conditions revealed after excavation. He explained that once the contractor began work, it was discovered that there was some additional underground erosion, along with the need for additional repairs to both drainage and manholes. He added that the largest item was the determination that the flooding into the EMT/ambulance entrance was exacerbated by the slope and low curb, which allowed the water to flow right into the arena. He said that while the contractor was on site, NJSEA authorized the necessary milling and repaving, raising of the curbing and changes to be made to the slope to preclude the flooding in the future.

Chairman Ballantyne presented Resolution 2022-06. Upon motion by Vice Chairman Buckelew seconded by Commissioner Plofker, Resolution 2022-06 was unanimously approved by a vote of 13-0.

**Resolution 2022-07**      Consideration of a Resolution to Enter into a Contract for Professional Services to Acquire LiDAR for the Hackensack Meadowlands District.

Dr. Artigas stated that Resolution 2022-07 is requesting approval to enter into a contract with Kucera International to acquire higher resolution topographic data for the Meadowlands District. He said that NJSEA was awarded a grant from USEPA that provides funding to acquire LiDAR data to update the existing topographic information of the District. He noted that the NJSEA had issued an RFP on December 20, 2021 seeking a vendor to acquire LiDAR data and that three proposals were received from qualified vendors. He explained that an evaluation committee consisting of staff reviewed and ranked the proposals and staff is

recommending the award of the contract to Kucera International Inc. as they are the highest qualified firm with pricing and other factors considered.

Chairman Ballantyne presented Resolution 2022-07. Upon motion by Commissioner Scardino and seconded by Commissioner Fontoura, Resolution 2022-07 was unanimously approved by a vote of 13-0.

VIII. **PUBLIC PARTICIPATION** - None.

IX. **EXECUTIVE SESSION**

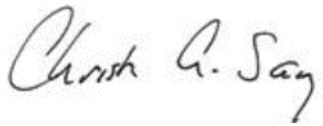
Chairman Ballantyne stated that there was no need to go into Executive Session.

X. **ADJOURNMENT**

With no further business, motion was made to adjourn by Commissioner Scardino, seconded by Commissioner Scala followed by all in favor.

Meeting adjourned at 11.00 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 January 27, 2022.**



**Christine Sanz**  
**Assistant Secretary**

January 27, 2022

Commissioner	Roll Call	2022-01	2022-02	2022-03	2022-04	2022-05	2022-06	2022-07
Ballantyne, Chairman	P	Y	Y	Y	Y	Y	Y	Y
Buckelew, Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y
Prieto	P	Y	Y	Y	Y	Y	Y	Y
Dowd	P	Y	Y	Y	Y	Y	Y	Y
Fontoura	P	Y	Y	Y	Y	Y	Y	Y
Gluck	P	Y	Y	Y	Y	Y	Y	Y
Gonnelli	--	--	--	--	--	--	--	--
Kapoor	--	--	--	--	--	--	--	--
Knopf	P	Y	Y	Y	Y	Y	Y	Y
Plofker	P	Y	Y	Y	Y	Y	Y	Y
Scala	P	Y	Y	Y	Y	Y	Y	Y
Scardino	P	Y	Y	Y	Y	Y	Y	Y
Stellato	P	Y	Y	Y	Y	Y	Y	Y
Yudin	P	Y	Y	Y	Y	Y	Y	Y
Treasury Rep Griffin	P	Y	Y	Y	Y	Y	Y	Y

P = Present A = Abstain -- Absent

R = Recuse Y = Affirmative N = Negative