



Board Meeting

Thursday, June 23, 2022

10:00 a.m.



AGENDA
REGULAR SESSION

Thursday, June 23, 2022 - 10:00 a.m.
Two DeKorte Park Plaza, Lyndhurst, NJ

I. **PLEDGE OF ALLEGIANCE**

II. **OPENING STATEMENT**

III. **ROLL CALL**

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

- Approval of Regular Session Meeting Minutes of May 26, 2022.
- Approval of Executive Session Meeting Minutes of May 26, 2022.
- Approval and/or Ratification of Cash Disbursements over \$100,000 for the month of May 2022.

V. **PUBLIC PARTICIPATION ON RESOLUTIONS**

VI. **CONTRACTS/AWARDS**

Resolution 2022-26 Consideration of a Resolution Authorizing the President and CEO to Execute a Lease Agreement with Greens Do Good Reed, Inc. and Memorandum of Understanding By and Among the New Jersey Sports and Exposition Authority, Greens Do Good Reed, Inc., and Ramapo College of New Jersey.

Resolution 2022-27 Consideration of a Resolution Authorizing the President and CEO to Purchase Additional Radios and Ancillary Equipment from Motorola Solutions of New Jersey for the NJSEA Fire Department.

Resolution 2022-28 Consideration of a Resolution Authorizing a Third Party Contract Relating to the 2026 FIFA World Cup Host City Bid Announcement.

VII. **PUBLIC PARTICIPATION**

VIII. **EXECUTIVE SESSION**

Resolution 2022-29 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.

IX. **MOTION TO ADJOURN**

MINUTES



**REGULAR SESSION
BOARD MINUTES**

DATE: May 26, 2022

TIME: 10:00 a.m.

PLACE: Two DeKorte Park Plaza, Lyndhurst

Members in Attendance:

John Ballantyne, Chairman

Joseph Buckelew, Vice Chairman – via phone

Vincent Prieto, President and CEO

Armando Fontoura, Member

Michael H. Gluck, Esq., Member

Woody Knopf, Member – via phone

Steven Plofker, Member – via phone

Andrew Scala, Member

Anthony Scardino, Member

Louis J. Stellato, Member

Robert Yudin, Member

Absent:

Robert Dowd, Member

Michael Gonnelli, Member

Michael Griffin, NJ State Treasurer's Representative

Also Attending:

Christine Sanz, Senior Vice President/Chief Operating Officer

Frank Leanza, Senior Vice President/Chief of Legal & Regulatory Affairs – via phone

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

Anna Acanfora, Director of Finance

Terry Doss, Co-Director MRRI

Steven Cattuna, Chief of Staff

Brian Aberback, Public Information Officer

Noreen Giblin, Governor's Authorities Unit – via phone

Colleen Mercado, Senior Operations Administrator

Chairman Ballantyne called the meeting to order.

- I. Pledge of Allegiance
- II. Opening Statement – Chairman Ballantyne read the Notice of Meeting required under the Sunshine Law.
- III. Roll Call

Chairman Ballantyne noted that earlier this month, Meadowlands Research and Restoration Institute Co-Director Terry Doss was interviewed by NJ Spotlight News about the critical wetland restoration work conducted by MRRI to help prepare the Meadowlands to best combat climate change, sea level rise and other environmental matters. He said that the interview is expected to be online early next month at njspotlightnews.org.

President Prieto advised that on Sunday, May 15, the NJSEA and Bergen County Audubon Society co-hosted Native Plant Day at DeKorte Park with 150 people in attendance. He noted that Butterfly Day would be held on Sunday, July 17, also at DeKorte Park. He also updated the Board on the various sporting events that the Authority has been actively bidding on:

- 2026 FIFA World Cup;
- 2025 Army/Navy game;
- 2024 Army/Notre Dame;
- 2030/2031 Men and Women's Rugby World Cup;
- Concacaf – Caribbean Soccer Championships;
- The Authority is also in discussion with World Cup Cricket.

IV. **APPROVAL OF MINUTES AND CASH DISBURSEMENTS**

Chairman Ballantyne presented the minutes from the April 21, 2022 Regular Session Remote Board meeting.

Upon motion made by Commissioner Gluck and seconded by Commissioner Stellato the minutes of the Regular Session Remote Board Meeting held on April 21, 2022, were unanimously approved.

Chairman Ballantyne presented the report of cash disbursements over \$100,000 for the month of April, 2022.

Upon motion by Commissioner Gluck and seconded by Commissioner Stellato, the cash disbursements over \$100,000 for the month of April, 2022 were unanimously approved.

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

VI. **APPROVALS**

<u>Resolution 2022-18</u>	Consideration of a Resolution Issuing a Decision on the Bulk Variance Application Submitted as Part of File No. 21-289 Transco/PSE&G Gas M & R Station-New Buildings/VariANCES Block 107.03, Lot 10 in the Borough of East Rutherford.
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Ms. Sundell explained that the NJSEA received a zoning certificate application from PSE&G for the proposed reconstruction of portions of its East Rutherford Gas Metering and Regulating Station located along Paterson Plank Road, within the District's Waterfront Recreation zone. She said that the unmanned facility takes high pressure natural gas from Transco and lowers the pressure for distribution to local gas mains. As part of PSE&G's Energy Strong II (ESII) flood mitigation program, the applicant is proposing to upgrade the facility by demolishing two existing buildings and constructing a new regulator building and a new electrical control building along with associated equipment and site improvements. She noted that the project intent is to elevate critical natural gas metering and regulation equipment at least one-foot above FEMA base flood elevations to improve gas transmission reliability. She stated that PSE&G has requested two bulk variances – the first to construct an electrical control building with a minimum setback of 7.9 feet from the easterly property line along Paterson Plank Road, where a 25-foot front yard setback is required; and the second to construct a regulator building with a minimum setback of 22.1 feet from the northerly property line, where a 25-foot side yard setback is required. She explained that the placement and configuration of each of the proposed buildings are dictated by existing structures to remain and the minimum clearances required for safety and maintenance purposes, which present exceptional practical difficulties in the ability to comply with the front and side yard setback requirements. She went on to say that the areas of encroachment within the easterly and northerly side yards will occur within the existing fenced compound

and will not have a negative impact on surrounding properties. She said that the requested variance will not substantially impair the intent and purpose of the regulations and in addition, the proposed improvements will promote general welfare of the public through enhanced energy resiliency. She concluded by saying that there were no public comments received at or prior to the hearing. Staff is recommending the approval of the requested bulk variances.

Commissioner Yudin stated that he was uncomfortable with approval of an almost 75% reduction in the setback on Paterson Plank Road and asked if staff was okay with this exception. He also asked what the actual distance was from the building to the travel lane.

Ms. Sundell replied that she was okay with this and explained that in this area Paterson Plank Road has a very wide right-of-way, as there is kind of a gore section and the actual travel way of Paterson Plank Road is further away from the PSE&G facility. She stated that in reality the 7.9 feet from the right-of-way is not 7.9 feet from the travel lane and that the distance from the building to the travel lane is approximately 70 feet.

Chairman Ballantyne presented Resolution 2022-18. Upon motion by Commissioner Scardino and seconded by Commissioner Yudin, Resolution 2022-18 was unanimously approved by a vote of 11-0.

<u>Resolution 2022-19</u>	Consideration of a Resolution Authorizing the Execution of an Access and Easement Agreement Between New Jersey Sports and Exposition Authority and Berry's Creek Study Area Cooperating Potentially Responsible Party Group.
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Mr. Leanza explained that Berry's Creek Study Area Group has developed a cutting edge remediation plan for this USEPA Superfund designated estuary which runs through the heart of the Meadowlands District and that the USEPA has approved Phase 1 of the remediation plan. He said that an Access and Easement Agreement is required by the USEPA to assure that the group has the necessary access to the Creek through and on NJSEA property to prosecute the remediation. He stated that the executed agreement will allow the Group to commence the contracting procedure for the remediation work, which has an 18-24 month lead time and is seasonally dependent. He noted that the only site which will be occupied by the remediation contractors is the former United Oil property, which the NJSEA acquired to allow construction of the NJ Transit rail spur to the Stadium. He stated that the NJSEA has no current use of this property and development of the property is precluded by the contamination thereon. He said that Honeywell remains responsible for its cleanup which will be coordinated with the Group's remediation. He concluded by saying that to the extent environmentally sensitive NJSEA properties beyond Berry's Creek proper will require remediation under USEPA orders, the Group will be required to obtain written approval from the NJSEA for access to such properties.

Chairman Ballantyne presented Resolution 2022-19. Upon motion by Commissioner Plofker and seconded by Commissioner Scala, Resolution 2022-19 was unanimously approved by a vote of 11-0.

<u>Resolution 2022-20</u>	Consideration of a Resolution Relating to the Review and Approval of Redevelopment Proposals at the Monmouth Park Racetrack Site.
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Mr. Leanza explained that at the time of privatization of NJSEA racetracks, they were operating at a \$17 million loss and this year's NJSEA's costs for the tracks are \$1.7 million. He stated that the Authority's lease with the Monmouth Park operator provides for development

of the NJSEA property adjacent to the track as a potential additional revenue source for the horse racing industry. He said that the lessee has proposed a Phase 1 development of a 150-room hotel and 367 age-restricted residential units with onsite commercial convenience space. He went on to say that it is anticipated that the net revenue from this development will be shared with the NJSEA to offset racing costs with the balance being applied to improving New Jersey's racing industry through increased purses and track improvements. He said that the development should also stimulate the economy by creating both temporary and permanent jobs and boosting tourism in Monmouth County and local businesses. He noted that unlike other projects, no NJSEA bonding would be required, as the lessee will joint venture with a private developer who will supply the necessary funding. He concluded by saying that this resolution does not approve the proposal, but allows staff to review detailed development plans, impact studies, etc., reserving approvals for the Board of Commissioners.

Chairman Ballantyne presented Resolution 2022-20. Upon motion by Commissioner Fontoura and seconded by Commissioner Gluck, Resolution 2022-20 was unanimously approved by a vote of 11-0.

VII. CONTRACTS/AWARDS

Resolution 2022-21 Consideration of a Resolution Authorizing a Contract to Develop a Hydrodynamic and Sediment Transport Model.

Ms. Doss stated that staff is currently working under an EPA grant to study the Sawmill Creek Wildlife Management Area and to determine if it is possible to restore the salt water marshes that were once there. She explained that it is essential to have a better understanding of the hydrodynamic and sediment transport that move through the site in order to determine the best approach for restoration. She said that the EPA grant provides funding to complete a 2D hydrodynamic and sediment transport model of the site. She stated that an RFP was prepared seeking a vendor to prepare this model and in response one proposal was received. After evaluation of the proposal staff is recommending award of the contract to Biohabitats, Inc. to develop the model.

Chairman Ballantyne presented Resolution 2022-21. Upon motion by Commissioner Yudin and seconded by Commissioner Scala, Resolution 2022-21 was unanimously approved by a vote of 11-0.

Resolution 2022-22 Consideration of a Resolution Authorizing the President and CEO to Enter into a Contract with FCS Group of New Jersey for Painting of the Arena Exterior Stair Tower Enclosures.

Mr. Duffy explained that an RFP was prepared in April 2022 to paint the towers at the Arena that are fading and in response, three bids were received. He said that FCS Group, LLC was the low proposer at \$129,000.00 and staff is recommending award of the contract to FCS.

Chairman Ballantyne presented Resolution 2022-22. Upon motion by Commissioner Fontoura and seconded by Commissioner Stellato, Resolution 2022-22 was unanimously approved by a vote of 10-0, with Commissioner Scala recusing.

Resolution 2022-23 Consideration of a Resolution Authorizing the Purchase of a 2022 Caterpillar 908m Compact Wheel Loader.

Mr. Duffy said that there is a need to replace a front-end loader which is used for snow removal and marketplace clean-up. He said that staff reached out to Sourcewell CO-OP, of which the NJSEA is a member, and they were able to obtain competitive pricing and immediate availability

from Foley Incorporated at a price of \$115,073.00.

Chairman Ballantyne presented Resolution 2022-23. Upon motion by Commissioner Scala and seconded by Commissioner Stellato, Resolution 2022-23 was unanimously approved by a vote of 11-0.

Resolution 2022-24 Consideration of a Resolution Authorizing the President and CEO to Enter into a Contract with Paino Roofing of New Jersey for a Roof Replacement for the Meadowlands Firehouse in East Rutherford.

Mr. Duffy explained that the firehouse roof is an older roof that has had a lot of problems. He said that there was a bid walk-through in April 2022 at which nine companies attended. He stated that four proposals were received of which Paino Roofing was the lowest bidder at \$139,000.00.

Chairman Ballantyne presented Resolution 2022-24. Upon motion by Commissioner Yudin and seconded by Commissioner Gluck, Resolution 2022-24 was unanimously approved by a vote of 11-0.

VIII. PUBLIC PARTICIPATION

Marvin Donadic - resident of Cliffside Park.

- Mr. Donadic stated that bringing 2026 World Cup soccer games to New Jersey so New Yorkers can enjoy it and reap the economic benefits is a bad idea. President Prieto respectfully disagreed and said that the World Cup is not a one-day event like the Super Bowl. He said the World Cup is made up of several games and it attracts people from around the world who just want to be close to the event. He noted that there will be various fan experiences planned for around New Jersey.
- Mr. Donadic asked about the current state of the Arena and if the Authority was looking to partner with a private enterprise to attract a professional basketball franchise and bring the Arena back to its former glory. President Prieto stated that the Arena was used for a brief time for acts to rehearse and that NJSEA currently has a contract with AMC theatres for production of television shows. He said this is currently the best use and that the Authority is always looking for a better opportunity.
- He also asked if the Authority is in talks with Triple Five in regards to American Dream utilizing the Arena. President Prieto responded "no, not at this point in time."

Donald Smith - resident of Gloversville, New York.

- Mr. Smith stated his concerns regarding the Authority's oversight of the District - describing it as becoming lax over the years. He specifically referred to the Guarini property. He said that truckloads of illegal fill were brought onto the property without the owner's knowledge. He stated that the property owner is actively removing the fill as required by an agreement with the Army Corps of Engineers so that when all obligations are met the property can be donated to the Meadowlands Conservation Trust. He said that the Authority should be monitoring sites in the District more closely.
- Mr. Smith mentioned that he had witnessed herbicide spraying on both sides of Valley Brook Avenue, which he said killed all of the cattails and duckweed. He stated that he reached out to NJDEP about this matter. Mr. Smith said that the NJDEP inspector who came to the site said that the contractor of the properties in question should have known exactly what permits were needed and that the contractor did not have the appropriate permits. Mr. Smith said that the Authority needs to build a better rapport

- with the NJDEP; and that the Authority should be notified whenever a spraying permit is issued in the District. He noted that he had also witnessed mowing currently taking place on the old Avon Landfill while mocking birds were nesting there. He said that this is a Federal violation and should never be done at the height of nesting season.
- Mr. Smith concluded by stating that the many people fishing at River Barge Park Marina in Carlstadt is positive as it indicates that the fish have come back to the Meadowlands, the Eagles have come back, and now, the people have come back.

Chairman Ballantyne thanked Mr. Smith for his participation and said that he appreciated his passion for protecting environmentally sensitive areas. He noted that a meeting of the NJSEA Committee on Science and the Environment, chaired by Commissioner Scardino, is scheduled for next week and that each of his comments made today would be addressed.

Commissioner Scardino said that there is no one that he knows of who is alive today that knows as much about the District than Mr. Smith. He said that he worked with Mr. Smith for many years and he's learned from him and that he was not here for any other reason than to do good. He stated that the Authority needs to take the comments made by Mr. Smith to heart and follow up on each of the points he made, particularly as they relate to potential violations. He thanked Mr. Smith and said that he appreciated everything that he has done for the District. He said he was a good friend not only to him but to many people in the District.

X. EXECUTIVE SESSION

Chairman Ballantyne read the Closed Session Resolution in the record.

Resolution 2022-25 - 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 the following:

- New Jersey Meadowlands Commission v. SVD Family Associates, LP

Executive Session commenced at 11:00 a.m.


Regular Session recommenced at 11:50 a.m.

XI. ADJOURNMENT

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

Meeting adjourned at 11:51 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 May 26, 2022.



Christine Sanz
Assistant Secretary

May 26, 2022

Commissioner	Roll Call	2022-18	2022-19	2022-20	2022-21	2022-22	2022-23	2022-24	2022-25
Ballantyne, Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y
Buckelew, Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y
Prieto	P	Y	Y	Y	Y	Y	Y	Y	Y
Dowd	--	--	--	--	--	--	--	--	--
Fontoura	P	Y	Y	Y	Y	Y	Y	Y	Y
Gluck	P	Y	Y	Y	Y	Y	Y	Y	Y
Gonnelli	--	--	--	--	--	--	--	--	--
Knopf	P	Y	Y	Y	Y	Y	Y	Y	Y
Plofker	P	Y	Y	Y	Y	Y	Y	Y	Y
Scala	P	Y	Y	Y	Y	R	Y	Y	Y
Scardino	P	Y	Y	Y	Y	Y	Y	Y	Y
Stellato	P	Y	Y	Y	Y	Y	Y	Y	Y
Yudin	P	Y	Y	Y	Y	Y	Y	Y	Y
Treasury Rep Griffin	--	--	--	--	--	--	--	--	--

P = Present A = Abstain -- Absent

R = Recuse Y = Affirmative N = Negative

APPROVALS



CASH DISBURSEMENTS
\$100,000 OR MORE
MAY 2022

EAST RUTHERFORD - SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
GIBBONS P.C.	155,288.95	A	LEGAL SERVICES - AUTHORITY TRANSACTIONS COUNSEL: APR 2022
HONEYWELL INTERNATIONAL, INC.	105,292.24	A	HVAC MAINTENANCE: APR-JUN 2022 AND VARIOUS REPAIRS AT RACETRACK GRANDSTAND & POLICE STATION
NEW JERSEY RACING COMMISSION	1,666,412.79	A	NJRC BUDGET FOR FISCAL YEAR 2022 (50%)
NEW MEADOWLANDS STADIUM CO., INC.	627,138.11	A	GRANDSTAND DEMOLITION REIMBURSEMENT: MAY 2022
PUBLIC SERVICE ELECTRIC & GAS COMPANY	219,873.84	J/L	ELECTRIC TRANSMISSION: APR 2022
EAST RUTHERFORD - SC TOTAL	<u>2,774,005.93</u>		

LYNDHURST

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
JERSEY CITY, CITY OF	368,631.00	I	TAX SHARING: CY 2022 1ST INSTALLMENT
KEARNY, TOWN OF	2,284,529.00	I	TAX SHARING: CY 2022 1ST INSTALLMENT
NORTH ARLINGTON, BOROUGH OF	400,032.00	I	TAX SHARING: CY 2022 1ST INSTALLMENT
RIDGEFIELD, BOROUGH OF	281,993.00	I	TAX SHARING: CY 2022 1ST INSTALLMENT
LYNDHURST TOTAL	<u>3,335,185.00</u>		



CASH DISBURSEMENTS
\$100,000 OR MORE

REFERENCE LETTER	TYPE
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

AWARDS / CONTRACTS

RESOLUTION 2022-26

**RESOLUTION AUTHORIZING THE PRESIDENT AND CEO TO EXECUTE A
LEASE AGREEMENT WITH GREENS DO GOOD REED, INC. AND
MEMORANDUM OF UNDERSTANDING BY AND AMONG THE NEW JERSEY
SPORTS AND EXPOSITION AUTHORITY, GREENS DO GOOD REED, INC., AND
RAMAPO COLLEGE OF NEW JERSEY**

WHEREAS, Greens Do Good REED, a not-for-profit corporation of the State of New Jersey ("GDG") provides vocational training and employment opportunities in a controlled agricultural environment to individuals on the autism spectrum to expose said individuals to all aspects of indoor agriculture (the "Program"); and

WHEREAS, the New Jersey Sports and Exposition Authority ("NJSEA") has an existing relationship with Ramapo College of New Jersey, a public college located in Mahwah, New Jersey ("Ramapo"), and whereby Ramapo operates the NJSEA's Science Center and has developed a renowned environmental education program for schools and the general public with activities focused on the New Jersey Meadowlands unique urban ecosystem of wetlands in northeastern New Jersey; and

WHEREAS, Ramapo received funding from a federal grant earmarked in 2022 in the amount of \$455,000 ("Ramapo Funds") for Ramapo to establish an expanded vertical farm with the use of retro-fitted shipping container pods ("Pods") in partnership with GDG (the "Project"); and

WHEREAS, GDG shall contribute \$460,200 towards the cost of purchasing the Pods for the Project ("GDG Contribution"); and

WHEREAS, among the powers of the NJSEA are to plan, establish and implement programs promoting and facilitating economic development opportunities in the district, as well as preserving and protecting the environment and providing programs for environmental education that benefit the general public; and

WHEREAS, the Project embodies these concepts as it promotes workforce development opportunities that are a key part of economic development and does so in a way that provides education about a sustainable form of agriculture; and

WHEREAS, the NJSEA proposes to lease to GDG certain land owned by the NJSEA on Disposal Road, North Arlington, New Jersey ("Premises") for \$1 per annum for the purpose of GDG, in collaboration with Ramapo, maintaining and operating a vertical farm thereon, inclusive of the Pods; and

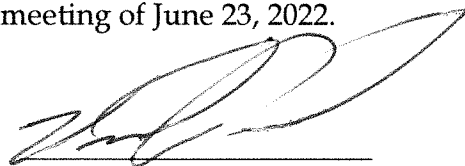
WHEREAS, in addition to operating the vertical farm on the Premises throughout the term of the lease in furtherance of the Project, GDG shall (i) offer both training and employment opportunities to individuals on the autism spectrum at the Premises, and (ii) sell produce produced from the vertical farm at the Premises and reinvest the net revenues derived therefrom in GDG to offset operational costs of the Program and the Project; and

WHEREAS, as part of the Project and in collaboration with GDG, Ramapo shall establish, launch and operate a certificate program in environmental sustainability for individuals on the autism spectrum to be implemented at the Premises ("Certificate Program"); and

WHEREAS, any portion of the Ramapo Funds not utilized to establish the vertical farm at the Premises or the Certificate Program shall be used to cover ancillary costs of establishing the vertical farm including, without limitation, site preparation, utilities, Project staffing and operational costs associated with the Project and Premises ("Ancillary Costs").

NOW, THEREFORE, BE IT RESOLVED, that the President and CEO is hereby authorized to execute a lease agreement with GDG and an MOU by and among the NJSEA, GDG and Ramapo College of New Jersey for a term of ten (10) years, commencing on July 1, 2022, and continuing through June 30, 2032, for the purposes of effectuating the Project.

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 June 23, 2022.

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

Vincent Prieto
Secretary

RESOLUTION 2022-27

**RESOLUTION AUTHORIZING THE PRESIDENT AND CEO TO PURCHASE
ADDITIONAL RADIOS AND ANCILLARY EQUIPMENT FROM MOTOROLA
SOLUTIONS OF NEW JERSEY FOR THE NJSEA FIRE DEPARTMENT**

WHEREAS, the New Jersey Sports and Exposition Authority requires additional Communication Radios and ancillary devices for the Meadowlands Fire Department located in the Sports Complex in East Rutherford and

WHEREAS, the Authority requested a proposal from Motorola solutions, Inc. of Woodcliff Lake, NJ for additional radios and ancillary equipment necessary for the Meadowlands Fire Department under State procurement contract: and

WHEREAS, the additional radio equipment is necessary for the safety of the firemen and to protect life and property; and

WHEREAS, the radios will enhance the communications and interoperability between the Meadowlands Fire Department and their mutual aid partners; and

WHEREAS, both the New Jersey State Police and Bergen County Fire Departments and services utilize the same radio system for communications; and

WHEREAS, the radio system is compliant with NFPA-1802 standards for two way portable communications;

WHEREAS, Motorola Solutions, Inc. submitted a price of \$102,970.50 for the equipment requested by the Meadowlands Fire Department under State Contract number 83909 as presented in the proposal dated May 24, 2022 Contract Numbers 726-88-085633, 920-46-085647, 726-90-085643, 920-46-085647 & 961-53-085650; 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 purchase agreement with Motorola Solutions, Inc. for a cost not to exceed \$102,970.50.

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 June 23, 2022.

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

Vincent Prieto
Secretary

RESOLUTION 2022 – 28
RESOLUTION AUTHORIZING A THIRD PARTY CONTRACT RELATING TO THE
2026 FIFA WORLD CUP HOST CITY BID ANNOUNCEMENT

WHEREAS, pursuant to Public Law 1971, Chapter 137, codified at *N.J.S.A. 5:10-1 et seq.*, as thereafter amended and modified, the New Jersey Sports and Exposition Authority Law (the “**Sports Authority Law**”), the Legislature of the State of New Jersey established the Sports Authority to, inter alia, promote athletic contests, spectator sporting events, trade shows and other expositions and to carry out projects as set forth in the Sports Authority Law; and

WHEREAS, the Sports Authority owns fee title to certain real property located in the Borough of East Rutherford, County of Bergen in the State of New Jersey and commonly known as the “**Meadowlands Sports Complex**”; and

WHEREAS, the 2026 FIFA World Cup (“**FIFA World Cup**”) will be the first soccer world cup tournament with the expanded 48-team format and will require world-class facilities and infrastructure to ensure a successful tournament, stadiums must have a capacity of at least 40,000 for group round matches and at least 80,000 for the Opening Match and Final; and

WHEREAS, in July 2017, a United Bid Committee was officially formed by the National Federations of Canada, Mexico and the United States, to manage the bidding process to bring the FIFA World Cup to North America; and

WHEREAS, the FIFA World Cup is the world’s largest sporting event and the most widely viewed sporting event in the world. The FIFA World Cup has a significant impact on the global economy. The United Bid Committee estimates a conservative domestic economic impact of \$5 billion if the United States is chosen to host the FIFA World Cup; and

WHEREAS, the States of New York and New Jersey have chosen to participate in the bidding process with the United Bid Committee and FIFA for the FIFA World Cup through a joint bid with matches to be played at MetLife Stadium; and

WHEREAS, the Authority, as the owner of the Meadowlands Sports Complex that includes, amongst other things, MetLife Stadium, is designated as a “Host City” for purposes of the Official Bid and the FIFA World Cup; and

WHEREAS, pursuant to Resolution 2018-16, the Board of Commissioners of the Sports Authority approved, authorized and directed the President of the Authority or any other officer authorized by the President of the Authority (each an “**Authorized Authority Official**”), to, amongst other things, (a) take any and all action which they deem necessary, desirable or advisable in order to effect submission of the documents, instruments, declarations, opinions or certificates authorized to be submitted pursuant to Resolution 2018-16 and to respond to any questions or other requests from the United Bid Committee and/or FIFA, and (b) to finalize and enter into all documents, instruments, declarations, opinions and certificates contemplated as necessary, desirable and/or advisable in order to confirm, effectuate, implement, memorialize, consummate and/or perfect the Authority’s participation in the FIFA World Cup; and

WHEREAS, in June 2018, FIFA announced that the bid submitted by the United Bid Committee was successful and that the 2026 FIFA World Cup would be held in North America; and

WHEREAS, since June 2018, FIFA has conducted a process of reviewing and selecting the cities and venues that will host games and events at the 2026 FIFA World Cup from the initial list of stadiums and metropolitan markets across the three nations sent by the United Bid Committee to FIFA; and

WHEREAS, on June 16, 2022, FIFA announced that New York/New Jersey had been selected as a host city to stage matches for the 2026 FIFA World Cup ("**Host City Announcement**"); and

WHEREAS, pursuant to Resolution 2016-18, to respond to questions or other requests from FIFA and to effectuate and implement the Authority's participation in the FIFA World Cup, an Authorized Authority Official has, deemed it necessary, desirable or advisable for the Authority to enter into an agreement with ESP Productions, Inc. ("**ESP Agreement**") to provide services in connection with FIFA's Host City Announcement; and

WHEREAS, the Sports Authority Law (§ 5:10-21.3) provides that any purchase, contract, or agreement may be made, negotiated, or awarded without advertisement for bids when the subject matter comprise of, amongst other things, (a) services which are professional or technical in nature or services which are original and creative in character in a recognized field of artistic endeavor (§ 5:10-21.3(a)), (b) items which are specialized equipment or specialized machinery necessary to the conduct of authority business (§ 5:10-21.3(c)), and/or (c) items or services which, in order to compete successfully with other sports and entertainment facilities, the authority deems necessary to provide quality athletic contests, horse racing, or other spectator sporting events and trade shows, expositions, concerts, and other public events, including items or services which are part of or related to promotional or advertising efforts (§ 5:10-21.3(f)); and

WHEREAS, the Authority has determined that the above subject-matter exemptions apply to the ESP Agreement, and accordingly, pursuant to the Sports Authority Law (§ 5:10-21.2), the Authority may make, negotiate, or award the purchase, contract, or agreement in any manner which the Authority deems necessary to serve its unique interests and purposes and which promotes, whenever practicable, full and free competition by the acceptance of quotations or proposals or by the use of other suitable methods; and

WHEREAS, because of the nature of the services provided pursuant to the ESP Agreement, the significant time pressures imposed by FIFA's Host City Announcement, the continued competition between successful host city candidates to stage marquee matches at the 2026 FIFA World Cup, and the enquiries and investigations made of other potential providers, it was necessary, desirable or advisable for the Authority to enter into the ESP Agreement and it was not practicable for the Authority to publicly seek alternative bidders; and

WHEREAS, Executive Order 37 (Corzine) (“EO37”) provides, amongst other things, that all procurement contracts to be awarded by State authorities are to be advertised in a way designed to ensure that potentially interested, qualified firms receive appropriate notice of the proposed contract and a fair opportunity to seek it; provided, however, that the provisions concerning public advertisement and competitive processes do not apply in several enumerated circumstances as set forth therein; and

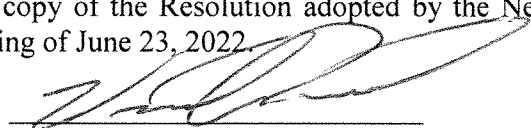
WHEREAS, an Authorized Authority Official has determined that the above subject-matter exemptions in the Sports Authority Law apply to the ESP Agreement and that the awarding of such agreement is in accordance with EO37, and accordingly, pursuant to the Sports Authority Law (§ 5:10-21.2), the Authority may make, negotiate, or award the purchase, contract, or agreement in any manner which the Authority deems necessary to serve its unique interests and purposes and which promotes, whenever practicable, full and free competition by the acceptance of quotations or proposals or by the use of other suitable methods.

NOW, THEREFORE, BE IT RESOLVED, that in relation to the ESP Agreement, the subject matter exceptions set forth in the Sports Authority’s Law § 5:10-21.3(a), § 5:10-21.3(c) and § 5:10-21.3(f) apply because the services provided pursuant to the ESP Agreement are professional or technical in nature or are original and creative in character in a recognized field of artistic endeavor, and/or consist of items which are specialized equipment or specialized machinery necessary to the conduct of authority business, and/or notwithstanding the Host City Announcement, competition amongst selected host cities to stage marquee matches at the FIFA World Cup remains highly competitive, and that the awarding of such agreement is in compliance with EO37; and

BE IT FURTHER RESOLVED that the execution of the ESP Agreement by any Authorized Authority Official is hereby confirmed and ratified, and that the Authorized Authority Officials be, and hereby are, authorized and directed to enter into such reasonable or necessary changes or amendments thereto as such official shall approve in his/her sole discretion, such approval to be conclusively evidenced by the execution and delivery thereof; and

BE IT FURTHER RESOLVED, that any and all actions heretofore taken by the Authorized Authority Officials in connection with the FIFA Host City selection process and/or the FIFA World Cup are hereby confirmed and ratified.

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 June 23, 2022.



Vincent Prieto
Secretary