



Board Meeting

Thursday, September 22, 2022

10:00 a.m.



**AGENDA
REGULAR SESSION**

Thursday, September 22, 2022 - 10:00 a.m.
Two DeKorte Park Plaza, Lyndhurst, NJ

I. **PLEDGE OF ALLEGIANCE**

II. **OPENING STATEMENT**

III. **ROLL CALL**

IV. **EXECUTIVE SESSION**

Resolution 2022-34 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:

- Collective Bargaining Agreements

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

- Approval of Regular Session Meeting Minutes of July 28, 2022.
- Approval and/or Ratification of Cash Disbursements over \$100,000 for the month of July 2022.
- Approval and/or Ratification of Cash Disbursements over \$100,000 for the month of August 2022.

VI. **PUBLIC PARTICIPATION ON RESOLUTIONS**

VII. **APPROVALS**

Resolution 2022-35 Consideration of a Resolution Readopting the Hackensack Meadowlands District Regulations Governing District Transportation Plan Rules at N.J.A.C. 19:7.

VIII. **CONTRACTS/AWARDS**

Resolution 2022-36 Consideration of a Resolution Authorizing a Contract with Beach Electric Company, of New Jersey for a New Motor Control Center for the Arena Cooling Tower in East Rutherford.

Resolution 2022-37 Consideration of a Resolution Relating to the Hosting of the 2026 FIFA World Cup.

IX. **PUBLIC PARTICIPATION**

X. **MOTION TO ADJOURN**

EXECUTIVE SESSION

RESOLUTION 2022-34

**RESOLUTION AUTHORIZING THE
NEW JERSEY SPORTS AND EXPOSITION AUTHORITY
TO CONDUCT A MEETING TO WHICH
THE GENERAL PUBLIC SHALL NOT BE ADMITTED**

WHEREAS, the Open Public Meetings Act, NJSA 10:4-12 (b), permits the holding of closed sessions by public bodies in certain circumstances; and

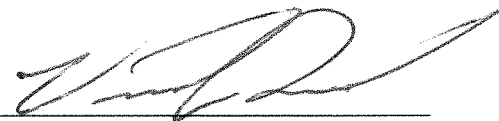
WHEREAS, the New Jersey Sports and Exposition Authority (NJSEA) is of the opinion that those circumstances presently exist.

BE IT RESOLVED by the New Jersey Sports and Exposition authority ("Authority") that it shall conduct a meeting to which the general public shall not be admitted for the purpose of discussing:

- Collective bargaining agreements

This resolution shall become effective immediately.

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 22, 2022.

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

Vincent Prieto
Secretary

REGULAR SESSION MINUTES



**REGULAR SESSION
REMOTE BOARD MEETING
MINUTES**

DATE: July 28, 2022

TIME: 10:00 a.m.

PLACE: Via Zoom

Members in Attendance:

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:

John Ballantyne, Chairman
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
Dr. Francisco Artigas, Co-Director MRRI
Teresa Doss, Co-Director MRRI
Anna Acanfora, Director of Finance
Steven Cattuna, Chief of Staff
Brian Aberback, Public Information Officer
Lauren LaRusso Governor's Authorities Unit
Colleen Mercado, Senior Operations Administrator

President & CEO Prieto called the meeting to order.

- I. Opening Statement – President and CEO Prieto read the Notice of Meeting required under the Sunshine Law.
- II. Roll Call
- III. **APPROVAL OF MINUTES AND CASH DISBURSEMENTS**
President and CEO Prieto presented the minutes from the June 23, 2022 Regular Session Board meeting.

Upon motion made by Commissioner Scala and seconded by Commissioner Dowd the minutes of the Regular Session Board Meeting held on June 23, 2022 were unanimously approved.

President and CEO Prieto presented the report of cash disbursements over \$100,000 for the month of June 2022.

Upon motion by Commissioner Fontoura and seconded by Commissioner Scala the cash disbursements over \$100,000 for the month of June 2022 were unanimously approved.

President and CEO Prieto stated that Butterfly Day held on Sunday, July 17 at DeKorte Park and co-sponsored by the NJSEA and the Bergen County Audubon Society was a great success. He thanked all those involved from the BCAS and NJSEA that made the event so wonderful. He noted that the next BCAS-NJSEA special event, the Meadowlands Festival of Birding, will be held on Sunday, October. 2, at DeKorte Park.

IV. **SCIENCE AND THE ENVIRONMENT COMMITTEE REPORT**

Committee Chairman, Anthony Scardino, Jr., provided the Board with updates on several projects that Terry Doss and Dr. Francisco Artigas presented at last month's Committee meeting. He reminded the Board of the three Federal Environmental Protection Agency grants totaling \$550,000 received by NJSEA in October 2021 and stated that the funding supports Meadowlands Research and Restoration Institute (MRRI) studies to combat threats of sea level rise and climate change vulnerability, and to manage long-term land use monitoring through drone imagery. He specifically mentioned the following activities performed by MRRI:

- A study that will identify wetlands that have the greatest chance of resiliency under challenges from sea level rise and the data collected will assist coastal managers, wetland practitioners, and stakeholders when assessing wetland acquisitions, restoration projects and conservation.
- Research that will help gain a deeper understanding and scientific knowledge of the potential of the Sawmill Creek Wildlife Management Area to provide more habitat for wildlife and to sequester carbon, a harmful greenhouse gas.
- Drone imagery that allows NJSEA to acquire crucial information on terrain elevation and land cover for the entire Meadowlands District. This work will continue to support the NJSEA's storm water management and flood protection efforts, including mapping the region's hydrology.

He went on to say that Brian Aberback informed the Committee of the new MRRI website which would be launched within the next week and would be a user-friendly site that contains copious data, reports on past, present and ongoing scientific research, field work photos, and much more. He said that with the use of social media, NJSEA has been very successful in promoting MRRI and public environmental education programs.

Before concluding, Committee Chairman Scardino mentioned that he had recently watched a segment on Real Sports with Bryant Gumbel on HBO called The World Series of Birding. He noted that this annual competition, held only in New Jersey, is comprised of teams throughout the State to raise money for charity by counting how many birds they had seen and heard over a 24-hour period. He said that he was pleased to learn that the Meadowlands is a destination for many teams, specifically DeKorte Park and that it was wonderful to see a major television program take interest in the area's extraordinary environment and wildlife habitat.

He concluded his report by saying that the thanks goes out to the wonderful, dedicated staff, past and present, who devote themselves every day to improving our precious natural areas. He stated that credit must also go not to the one giving or receiving this report but to those without whom this report would not be possible.

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

VI. **APPROVALS**

Resolution 2022-29 Consideration of a 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. 22-235, SOF/ CoreSite/NY3 - New Building (Variance) Block 57, Lot 5 in the Town of Secaucus.

Ms. Sundell stated that NJSEA received a zoning certificate application for construction of a 156,200-square-foot data center, proposed to be located at 2 Emerson Lane in Secaucus. She explained that the property is located in the Light Industrial A zone and fully developed with an active and operational data center. She noted that the applicant proposes to expand the existing data center on the property by the addition of a new building on the location of an existing surface parking lot. She explained that the construction of any residential uses on the subject property could not be done in a manner that would provide a reasonable separation distance and appropriate buffering between the different uses and that there is also insufficient area available to develop a critical mass of housing. She stated that the site is surrounded by warehouse and industrial development, and while a data center does not generate significant truck or personal vehicle traffic, the surrounding uses all include loading facilities that require significant truck movements. She said that, in addition, the noise generated by truck movements and loading operations are not conducive to residential use. Ms. Sundell stated that staff evaluated the site and prepared a suitability review recommending that the property be deemed unsuitable for housing and requested that the Board concur with the Review Team's recommendation.

President and CEO Prieto presented Resolution 2022-29. Upon motion by Vice Chairman Buckelew and seconded by Commissioner Scala, Resolution 2022-29 was unanimously approved by a vote of 12-0.

Resolution 2022-30 Consideration of a Resolution Issuing a Decision on the Special Exception Application Submitted as Part of File No. 21-471 Hartz/ One Aquarium/ AT&T - Cell Tower (Special Exception) Block 23, Lot 1 in the Town of Secaucus.

Ms. Sundell stated that New Cingular Wireless PCS, LLC (AT&T) applied for special exemption approval for a 3.27-acre property located at One Aquarium Drive in Secaucus in the Light Industrial A zone. She said that the site is developed with an existing warehouse building in the northerly portion and a vacant wooded area to the south. She explained that the applicant proposes to construct a cellular communications transmission tower with associated ground-mounted equipment on the southerly portion of the property; and that the entire compound will occupy approximately 3,300 square feet of the lot. She said that a communications transmission tower is listed as a special exception use in the Light Industrial A zone and noted that the proposed tower is needed to close existing gaps in wireless telecommunications coverage in the area. She said that although the property is wooded, existing trees and vegetation would only be removed to the extent needed for construction of the compound and driveway. She noted that the compound would also be surrounded by a

chain link fence and stated that it is recommended, as a condition of approval, that the easterly fence line facing Aquarium Drive be slatted with privacy slats to further screen the equipment from public view. She went on to say a second condition is recommended for the proposed above-ground utility lines that cross Aquarium Drive to be located underground. She said that there are no residential uses in the immediate vicinity of the tower and that properties in the surrounding area are industrial, and freight rail lines border the property to the west. She explained that the proposed special exception use would not result in a detriment to surrounding properties and would not significantly impact traffic conditions on surrounding roadways, as the facility will be unmanned but rather it would enhance the telecommunications in the area. Ms. Sundell concluded by saying there were no public comments provided at the hearing, and no written objections received. She said that staff recommends the conditional approval of the requested special exception use.

Commissioner Yudin asked Ms. Sundell whether there were any construction or other facilities in the area that were this high; and if the 123-foot tower would be the highest in the area. He noted that his concern was in regards to aircraft in the immediate area, as they have to remain, what he believed, was 500 feet above the highest facility and asked whether staff had cleared this with the FAA to make sure there would not be an issue with light or heavy aircraft coming from Teterboro or Newark.

Ms. Sundell responded by saying that the 123-foot tower would be the highest in the area and that in the immediate vicinity there might be some utility lines along the railroad that are that high, but not buildings. She explained that it was the responsibility of the applicant to get all the necessary approvals from other agencies. She also noted that she did believe the tower would be in the flight path of Newark.

Commissioner Dowd stated that he believed the FAA mandates a minimum of 1,000 feet for all aircraft over urban areas, so it would not be an issue regardless.

Further discussion ensued regarding building heights in the area of Secaucus.

President and CEO Prieto presented Resolution 2022-30. A motion was made by Commissioner Fontoura and second by Commissioner Dowd. President and CEO Prieto requested roll call be taken.

Buckelew: Yes

Dowd: Yes

Fontoura: Yes

Gluck: Yes

Griffin: Yes

Knopf: Yes

Plofker: Yes

Scala: Yes

Scardino: Yes

Stellato: Yes

Yudin: Yes

Prieto: Yes

Resolution 2022-30 was unanimously approved by a vote of 12-0.

Resolution 2022-31

Consideration of a Resolution Authorizing First Amendment to the December 15, 2011 Electricity Procurement Agreement with New Meadowlands Stadium Company, LLC and Authorizing Retail Electric Supply Service with Marathon Power LLC, thereunder.

Mr. Leanza stated Resolution 2022-31 applied to the entire Sports Complex, with the exception of American Dream. He noted that electricity is distributed to the Authority through PSE&G. However, the Authority can enjoy substantial savings through the bulk purchase of electricity through a different supplier. He explained that an Agreement between NJSEA and New Meadowlands Stadium (NMSC) entered into ten years ago to procure electricity had recently expired and that both NJSEA and NMSC desired to continue the savings in electricity costs. He stated that the proposed amendment allows the Authority to extend the procurement agreement with NMSC coincide with the term of their Ground Lease and to purchase bulk electricity on the market at five-year periods. He also stated that the Authority would be able to terminate the agreement in five-year intervals and either go out into the market individually or return to PSE&G.

President and CEO Prieto presented Resolution 2022-31. Upon motion by Commissioner Gluck and seconded by Commissioner Yudin, Resolution 2022-31 was unanimously approved by a vote of 12-0.

VII. CONTRACTS/AWARDS

Resolution 2022-32 Consideration of a Resolution Authorizing the President and CEO to Enter into a Contract with All County Mechanical for HVAC Systems Maintenance and Service.

Mr. Duffy stated that the Authority publicly advertised a request for bids for HVAC systems maintenance and services for the Lyndhurst facility in June 2022 and held a mandatory pre-bid walk. He said that out of the two proposals received, All County Mechanical was the lowest bidder. He noted that the lump sum cost for the first year would be slightly lower than the current contract. He stated that staff is recommending that this contract be awarded to All County Mechanical.

President and CEO Prieto presented Resolution 2022-32. Upon motion by Commissioner Stellato and seconded by Commissioner Fontoura Resolution 2022-32 was unanimously approved by a vote of 12-0.

Resolution 2022-33 Consideration of a Resolution to Acquire Hyperspectral Imagery for the Hackensack Meadowlands District.

Dr. Artigas explained that the information provided by hyperspectral images is critical to understanding the District's land use changes and to measure the effect of sea-level rise in District marshlands. He noted that a grant awarded to MRRI by the USEPA in 2021 would fund this procurement. He stated that one proposal was received in response to a public bid published on June 2, 2022. He said that staff reviewed the proposal and it fulfilled all the technical requirements, and was below the upper threshold of \$55,000.00. He stated that since all demands were met, staff is recommending the approval of this resolution.

President and CEO Prieto presented Resolution 2022-33. Upon motion by Commissioner Scardino and seconded by Commissioner Yudin Resolution 2022-33 was unanimously approved by a vote of 12-0.

IX. PUBLIC PARTICIPATION – None

X. **EXECUTIVE SESSION**

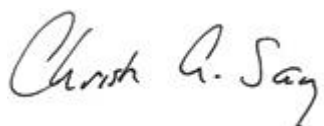
President and CEO Prieto stated there was no need for Executive Session.

XI. **ADJOURNMENT**

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

Meeting adjourned at 10:30 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 Board Meeting held on July 28, 2022.



Christine Sanz
Assistant Secretary

July 28, 2022

| Commissioner | Roll Call | 2022-29 | 2022-30 | 2022-31 | 2022-32 | 2022-33 |
|-------------------------|-----------|---------|---------|---------|---------|---------|
| Ballantyne, Chairman | -- | -- | -- | -- | -- | -- |
| Buckelew, Vice Chairman | P | Y | Y | Y | Y | Y |
| Prieto | P | Y | Y | Y | Y | Y |
| Dowd | P | Y | Y | Y | Y | Y |
| Fontoura | P | Y | Y | Y | Y | Y |
| Gluck | P | Y | Y | Y | Y | Y |
| Gonnelli | -- | -- | -- | -- | -- | -- |
| Knopf | P | Y | Y | Y | Y | Y |
| Plofker | P | Y | Y | Y | Y | Y |
| Scala | P | Y | Y | Y | Y | Y |
| Scardino | P | Y | Y | Y | Y | Y |
| Stellato | P | Y | Y | Y | Y | Y |
| Yudin | P | Y | Y | Y | Y | Y |
| Treasury Rep Griffin | P | Y | Y | Y | Y | Y |

P = Present A = Abstain -- Absent

R = Recuse Y = Affirmative N = Negative

APPROVALS



CASH DISBURSEMENTS
\$100,000 OR MORE
JULY 2022

EAST RUTHERFORD - SPORTS COMPLEX

| <u>PAYEE</u> | <u>\$ AMOUNT</u> | <u>REFERENCE LETTER</u> | <u>ACCOUNT DESCRIPTION</u> |
|---|---------------------|-----------------------------|---|
| BOROUGH OF EAST RUTHERFORD | 2,241,857.88 | I | PAYMENT IN LIEU OF TAXES: 3RD QUARTER 2022 |
| GIBBONS P.C. | 147,419.23 | A | LEGAL SERVICES - AUTHORITY TRANSACTIONS COUNSEL: JUN 2022 |
| LOCAL 137 - SPORT ARENA EMPLOYEES | 306,598.02 | A | PENSION WITHDRAWAL LIABILT Y PAYMENT: MAY-JUL 2022 |
| NEW MEADOWLANDS STADIUM CO., INC. | 970,493.19 | A | GRANDSTAND DEMOLITION REIMBURSEMENT: JUL 2022 |
| NEW JERSEY STATE POLICE | 2,146,123.40 | A/L | POLICE OVERTIME/SALARIES: FY 2022 |
| NRG BUSINESS SOLUTIONS | 1,481,270.98 | J/L | ELECTRICITY CHARGES: MAR-JUN 2022 |
| PREMIER PARTNERSHIPS, INC. | 257,987.60 | A | CONSULTING SERVICES ASSOCIATED WITH FIFA WORLD CUP |
| PUBLIC SERVICE ELECTRIC & GAS COMPANY | 171,920.84 | J/L | ELECTRIC TRANSMISSION: JUN 2022 |
| STATE OF NEW JERSEY TREASURY DEPARTMENT | 288,338.35 | A | WORKERS' COMPENSATION COVERAGE: 4TH QTR 2022 |
| TWO RIVERS WATER RECLAMATION | 100,000.00 | A | 2022 ANNUAL FEE PER SERVICE AGREEMENT |
| EAST RUTHERFORD SC TOTAL | <u>8,112,009.49</u> | | |

LYNDHURST

| <u>PAYEE</u> | <u>\$ AMOUNT</u> | <u>REFERENCE LETTER</u> | <u>ACCOUNT DESCRIPTION</u> |
|--------------------------------------|---------------------|-----------------------------|--|
| HBC COMPANY, INC. | 302,142.45 | A | MASSTR MAINTENANCE: MAY-JUN 2022 |
| KEARNY MUNICIPAL UTILITIES AUTHORITY | 504,547.95 | A | SEWER USE CHARGES - KEEGAN & 1A/1E: 1ST QTR 2022 |
| RAMAPO COLLEGE FOUNDATION | 300,450.00 | A | 2022 FUNDING PER MOU & REFUND FOR SCHOOL PAYMENT |
| LYNDHURST TOTAL | <u>1,107,140.40</u> | | |

MONMOUTH PARK RACETRACK

| <u>PAYEE</u> | <u>\$ AMOUNT</u> | <u>REFERENCE LETTER</u> | <u>ACCOUNT DESCRIPTION</u> |
|--------------------------------------|-------------------|-----------------------------|---------------------------------|
| BOROUGH OF OCEANPORT | 405,849.98 | I | REAL ESTATE TAXES: 3RD QTR 2022 |
| MONMOUTH PARK RACETRACK TOTAL | <u>405,849.98</u> | | |



CASH DISBURSEMENTS
\$100,000 OR MORE
AUGUST 2022

EAST RUTHERFORD - SPORTS COMPLEX

| <u>PAYEE</u> | <u>\$ AMOUNT</u> | <u>REFERENCE LETTER</u> | <u>ACCOUNT DESCRIPTION</u> |
|-----------------------------------|---------------------|-----------------------------|--|
| FOLEY INCORPORATED | 114,253.00 | A | PURCHASE OF CATERPILLAR WHEEL LOADER & FORK CARRIAGE |
| NEW MEADOWLANDS STADIUM CO., INC. | 3,220,903.08 | A | GRANDSTAND DEMOLITION REIMBURSEMENT: AUG 2022 |
| PAINO ROOFING CO., INC. | 125,100.00 | A | ROOF REPLACEMENT - MEADOWLANDS FIRE HOUSE |
| PUBLIC SERVICE ELECTRIC & GAS | 783,101.64 | A/L | ELECTRIC TRANSMISSION: JUL 2022 |
| EAST RUTHERFORD - SC TOTAL | <u>4,243,357.72</u> | | |

LYNDHURST

| <u>PAYEE</u> | <u>\$ AMOUNT</u> | <u>REFERENCE LETTER</u> | <u>ACCOUNT DESCRIPTION</u> |
|--------------------------------------|---------------------|-----------------------------|---|
| ALLIED PAINTING, INC. | 264,775.00 | A | CLEANING & COATING OF PILES SERVICES - ADMIN & EC BLDGS |
| JERSEY CITY, CITY OF | 368,631.00 | I | TAX SHARING - 2ND INSTALLMENT : CY 2022 |
| KEARNY, TOWN OF | 2,284,529.00 | I | TAX SHARING - 2ND INSTALLMENT : CY 2022 |
| KEARNY MUNICIPAL UTILITIES AUTHORITY | 504,547.95 | A | SEWER USE CHARGES - KEEGAN & 1A/1E: 2ND QTR 2022 |
| NORTH ARLINGTON, BOROUGH OF | 400,032.00 | I | TAX SHARING - 2ND INSTALLMENT : CY 2022 |
| RIDGEFIELD, BOROUGH OF | 281,993.00 | I | TAX SHARING - 2ND INSTALLMENT : CY 2022 |
| LYNDHURST TOTAL | <u>4,104,507.95</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 |

RESOLUTION 2022 - 35

**RESOLUTION READOPTING
THE HACKENSACK MEADOWLANDS DISTRICT
REGULATIONS GOVERNING
DISTRICT TRANSPORTATION PLAN RULES AT N.J.A.C. 19:7**

WHEREAS, the New Jersey Sports and Exposition Authority (NJSEA) is authorized by N.J.S.A. 5:10A-1 et seq., specifically N.J.S.A. 5:10A-7(b), to adopt codes and standards regarding the zoning and rezoning of lands within the Hackensack Meadowlands District (District); and

WHEREAS, N.J.A.C. 19:7, District Transportation Plan Rules, will expire on November 25, 2022, pursuant to N.J.S.A. 52:14B-5.1(c), and must be readopted to remain effective; and

WHEREAS, the NJSEA staff has reviewed the rules at N.J.A.C. 19:7, and has determined that the existing rules are necessary to administer the provisions of the Hackensack Meadowlands Transportation Planning District Act of 2015 ("Act") (N.J.S.A. 5:10A-69 through 5:10A-81), to provide for the administration, management, development, update, amendment, and supplement of the Meadowlands District Transportation Plan and the Meadowlands Transportation Planning District, including the continued assessment and collection of development fees, and deposits and expenditures from the Transportation Planning District Fund; and

WHEREAS, the NJSEA is in the process of preparing the Meadowlands District Transportation Plan 2045, which, upon adoption, may recommend future rule amendments; and

WHEREAS, the NJSEA staff has prepared a Notice of Readoption, without changes to the existing rules in place; and

WHEREAS, the matter was forwarded to the Hackensack Meadowlands Municipal Committee (HMMC) on August 2, 2022, for a 30-day review period, pursuant to N.J.S.A. 5:10A-9(b); and

WHEREAS, the HMMC voted to reject the readoption of N.J.A.C. 19:7, District Transportation Plan Rules, at its meeting held on August 29, 2022; and

WHEREAS, thereafter, Adam Levy, NJSEA Vice President of Legal and Regulatory Affairs, in a letter dated September 6, 2022, to Mayor James Cassella, HMMC Executive Director, and Mayor Michael J. Gonnelli, HMMC Chairman, provided a

response to certain comments made by HMMC members at their meeting of August 29, 2022, including an explanation that statements by HMMC members concerned provisions in the Act that are statutory in nature, whereas the subject matter is a regulatory readoption; and

WHEREAS, based on the record in this matter, the staff recommends that the NJSEA Board of Commissioners readopt without change the rules at N.J.A.C. 19:7, governing the District Transportation Plan Rules, as the principal basis of the HMMC rejection is beyond the scope of the regulatory readoption of N.J.A.C. 19:7, and authorize the NJSEA staff to file a Notice of Readoption with the New Jersey Office of Administrative Law to be readopted upon publication in the New Jersey Register; and

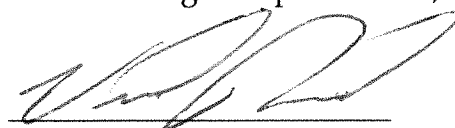
WHEREAS, pursuant to N.J.S.A. 5:10A-9(c), the NJSEA Board shall not take action on any matter that has been formally rejected by the HMMC, except by an affirmative vote of the majority of members of the NJSEA Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, having reviewed the record in this matter, that action on this matter shall be taken notwithstanding rejection by the HMMC.

BE IT FURTHER RESOLVED, that the Board of Commissioners of the New Jersey Sports and Exposition Authority hereby readopts the rules at N.J.A.C. 19:7, governing the District Transportation Plan Rules, without change, as set forth in the Notice of Readoption.

BE IT FURTHER RESOLVED, that the Board of Commissioners of the New Jersey Sports and Exposition Authority hereby authorizes the NJSEA staff to submit the Notice of Readoption to the Office of Administrative Law for publication in the New Jersey Register.

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 22, 2022.

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

Vincent Prieto
Secretary



MEMORANDUM

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

From: Sara J. Sundell *Date:* September 22, 2022

Subject: Rulemaking – Readoption of N.J.A.C. 19:7, District Transportation Plan Rules (File #SP-777)

The New Jersey Sports and Exposition Authority (NJSEA) proposes to readopt, without change, N.J.A.C. 19:7, District Transportation Plan Rules, which will expire on November 25, 2022, pursuant to N.J.S.A. 52:14B-5.1(c).

The readoption of N.J.A.C. 19:7 continues the existing rules in place to administer the provisions of the Hackensack Meadowlands Transportation Planning District Act of 2015 (“Act”) (N.J.S.A. 5:10A-69 through 5:10A-81), to provide for the administration, management, development, update, amendment, and supplement of the Meadowlands District Transportation Plan and the Meadowlands Transportation Planning District, including the continued assessment and collection of development fees, and deposits and expenditures from the Transportation Planning District Fund.

No changes to the rules are proposed upon readoption. The NJSEA is in the process of preparing the Meadowlands District Transportation Plan 2045, which, upon adoption, may recommend future rule amendments.

On August 2, 2022, the proposed Notice of Readoption was forwarded to the Hackensack Meadowlands Municipal Committee (HMMC) for a 30-day comment period, pursuant to N.J.S.A. 5:10A-9b. The HMMC voted to reject the readoption of N.J.A.C. 19:7, District Transportation Plan Rules, at its meeting held on August 29, 2022.

Thereafter, Adam Levy, NJSEA Vice President of Legal and Regulatory Affairs, in a letter dated September 6, 2022, to Mayor James Cassella, HMMC Executive Director, and Mayor Michael J. Gonnelli, HMMC Chairman, provided a response to comments made by HMMC members at their meeting of August 29, 2022,

including an explanation that certain statements by HMMC members concerned provisions in the Act that are statutory in nature, whereas the subject matter is a regulatory readoption.

It is noted that, by statute at N.J.S.A. 5:10A-9(c), the NJSEA Board may take action on any matter that has been formally rejected by the HMMC by an affirmative vote of the majority of members of the NJSEA Board of Commissioners.

At this time, staff is requesting that the NJSEA Board of Commissioners readopt N.J.A.C. 19:7 District Transportation Plan Rules, without change, and authorize the staff to file a Notice of Readoption with the Office of Administrative Law for publication in the New Jersey Register. A resolution requesting the same is attached for your consideration.

AWARDS / CONTRACTS

RESOLUTION 2022-36

**RESOLUTION AUTHORIZING A CONTRACT WITH BEACH ELECTRIC
COMPANY, OF NEW JERSEY FOR A NEW MOTOR CONTROL CENTER FOR THE
ARENA COOLING TOWER IN EAST RUTHERFORD**

WHEREAS, the New Jersey Sports and Exposition Authority requires replacement of the motor control center for the Meadowlands Arena Cooling Tower located in East Rutherford; and

WHEREAS, on or about July 21, 2022 the Authority publicly issued a Request for Bids CN-254, for "East Rutherford Meadowlands Arena Cooling Tower Plant Motor Control Center Replacement"; and

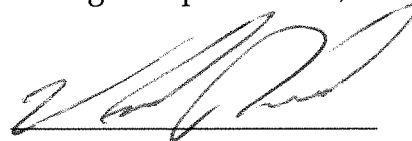
WHEREAS, three (3) companies attended the mandatory pre-bid walk through and three (3) bids were received on August 11, 2022; and

WHEREAS, the NJSEA staff reviewed the bids, and ranked the bids based on established criteria; and

WHEREAS, the staff determined that the bid supplied by Beach Electric Company of Paterson, NJ is the lowest qualified responsible bidder with a lump sum cost of \$326,689.00, and recommends award of a contract; 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 contract for replacement of the motor control center associated with the Meadowlands arena cooling tower with Beach Electric Company, LLC.

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 22, 2022.

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

Vincent Prieto
Secretary

RESOLUTION 2022-37

RESOLUTION RELATING TO THE HOSTING OF THE 2026 FIFA WORLD CUP

WHEREAS, the City of New York and the State of New Jersey chose to participate in the bidding process to host matches for the 2026 FIFA World Cup ("**FIFA World Cup**") through a joint bid, with matches to be played at MetLife Stadium at the Meadowlands Sports Complex ("**MetLife Stadium**");

WHEREAS, as part of the joint bidding process, in 2018: (i) The City of New York (the "**New York Host City Authority**") executed a Host City Agreement with the Federation Internationale de Football Association ("**FIFA**") and United States Soccer Federation, Inc. ("**Member Association**") (the "**New York Host City Agreement**"), and (ii) the New Jersey Sports and Exposition Authority ("**NJSEA**") executed a Host City Agreement with FIFA and the Member Association (the "**New Jersey Host City Agreement**");

WHEREAS, in June 2022, in connection with the final selection of host cities for the FIFA World Cup, the NJSEA, the New York Host City Authority and New Meadowlands Stadium Company, LLC ("**Stadium Authority**") entered into an Addendum to Hosting Agreements executed by the NJSEA, New York Host City Authority, and Stadium Authority (the "**Addendum**", and together with the New York Host City Agreement and the New Jersey Host City Agreement, the "**Hosting Agreements**");

WHEREAS, FIFA selected New York and New Jersey to serve as a joint Host City for certain matches during the FIFA World Cup, with said matches to be held at MetLife Stadium;

WHEREAS, pursuant to the Addendum, FIFA requires the establishment of a dedicated host committee or other hosting-specific entity (the "**Hosting SPV**"), which will become bound to perform certain obligations under the Hosting Agreements;

WHEREAS, pursuant to Resolution 2018-16, the Board of Commissioners of the NJSEA authorized, instructed, and directed the NJSEA 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 NJSEA's participation in the FIFA World Cup (collectively, the "**FIFA World Cup Documents**"), and approved, authorized and directed the President of the NJSEA or any other officer authorized by the President of

the NJSEA to, amongst other things, to (i) enter into the FIFA World Cup Documents; and (ii) take all such further actions and to execute and deliver all such further instruments and documents as determined to be reasonable or necessary, in the name and on behalf of the NJSEA to fully carry out the intent and to accomplish the purposes of Resolution 2018-16 ("**FIFA World Cup Actions**"); and

WHEREAS, in light of the success of the New York and New Jersey joint bid to host matches at MetLife Stadium, the Board of Commissioners of the NJSEA desires to supplement the authority provided pursuant to Resolution 2018-16, in order to provide financial and other support relating to the NJSEA's general commitments made under the Hosting Agreements, to continue the bidding process with the goal of hosting premier games, and generally in order to support the hosting of the FIFA World Cup in New York and New Jersey, including the matches at MetLife Stadium, with comparable financial support to be provided by the New York Host City Authority; and

WHEREAS, pursuant to the Fiscal Year 2023 Appropriations Act, P.L. 2023, c. 49 (the "**FY 2023 Appropriations Act**"), an amount has been appropriated by the New Jersey State Legislature to support the hosting of international events, including relating to the hosting of the FIFA World Cup.

NOW, THEREFORE, BE IT:

RESOLVED, that any and all FIFA World Cup Documents and any and all FIFA World Cup Actions taken prior to the date of this Resolution are hereby approved, confirmed and ratified as the act and deed of the NJSEA; and be it further

RESOLVED, that the President and CEO of the NJSEA or any officer authorized by the President and CEO of the NJSEA (each an "**Authorized Authority Official**"), shall be, and are hereby, authorized to, enter into one or more Memorandum of Understanding or other documents with the New Jersey Department of Treasury, in such form and substance as shall be approved by the Authorized Authority Official executing such document, for the purpose of securing funds appropriated for the purpose of hosting international events pursuant to the FY 2023 Appropriations Act and any amounts appropriated by the State Legislature in subsequent years to fund international events, including the FIFA World Cup ("**Appropriated Funds**"); and be it further

RESOLVED, that the President and CEO of the NJSEA or other Authorized Authority Official shall be, and is hereby, authorized to, expend Appropriated Funds in furtherance of fulfilling the NJSEA's general commitments made under the Hosting

Agreements, and generally in order to support the hosting of the FIFA World Cup in New York and New Jersey, including the matches at MetLife Stadium; and be it further

RESOLVED, that the President and CEO of the NJSEA or other Authorized Authority Official, shall be, and are hereby, authorized to, enter into one or more agreements with the Stadium Authority, in such form and substance as shall be approved by the Authorized Authority Official executing such document, for the purpose of fulfilling the NJSEA's general commitments made under the Hosting Agreements, , and generally in order to support the hosting of the FIFA World Cup in New York and New Jersey, including renovations required to meet agreed upon field specifications for hosting World Cup matches at MetLife Stadium; and be it further

RESOLVED, that the President and CEO of the NJSEA or other Authorized Authority Official, shall be, and are hereby, authorized to, enter into one or more agreements with the Hosting SPV, in such form and substance as shall be approved by the Authorized Authority Official executing such document, for the purpose of fulfilling the NJSEA's general commitments made under the Hosting Agreements, and generally in order to support the hosting of the FIFA World Cup in New York and New Jersey, including the matches at MetLife Stadium;

RESOLVED, that the President and CEO of the NJSEA or other Authorized Authority Official, continues to be, and hereby is, authorized, instructed, and directed to prepare, enter into, execute, deliver, amend, modify and finalize all World Cup Documents as necessary, desirable and/or advisable in order to confirm, effectuate, implement, memorialize, consummate and/or perfect participation in the FIFA World Cup, including without limitation, for the purpose of fulfilling the NJSEA's general commitments made under the Hosting Agreements, and generally in order to support the hosting of the FIFA World Cup in New York and New Jersey, including the matches at MetLife Stadium; and be it further

RESOLVED, that the President and CEO of the NJSEA or other Authorized Authority Officials continue to be and are hereby authorized and directed on behalf of the NJSEA to prepare, enter into, execute, deliver, amend, modify and finalize such documents, instruments, declarations, opinions and certificates as are necessary, desirable and/or advisable for the NJSEA to participate as a host city for the FIFA World Cup, including without limitation, for the purpose of fulfilling the NJSEA's general commitments made under the Hosting Agreements, and generally in order to support the hosting of the FIFA World Cup in New York and New Jersey, including the matches at MetLife Stadium, in such form and substance, and with such reasonable or necessary changes thereto, as shall be approved by the Authorized Authority Official executing

such document, instrument, declaration, opinion or certificate, and containing such information as shall be approved by such Authorized Authority Official, such approval to be conclusively evidenced by his or her execution of such document, instrument, declaration, opinion or certificate; and be it further

RESOLVED, that the President and CEO of the NJSEA and other Authorized Authority Officials are authorized and directed on behalf of the NJSEA to take any and all actions 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 this Resolution; and be it further

RESOLVED, that the President and CEO of the NJSEA and other Authorized Authority Officials be, and hereby are, authorized and directed to take all such further actions and to execute and deliver all such further instruments and documents, and expend the Appropriated Funds, as the Authorized Authority Officials shall determine to be reasonable or necessary, in the name and on behalf of the NJSEA to fully carry out the intent and to accomplish the purposes of the foregoing Resolutions, and the execution by the Authorized Authority Officials of any of such instrument or document, or the doing by such officer of any act in connection with the foregoing matters, including, without limitation, the expenditure of the Appropriated Funds, shall conclusively establish such Authorized Authority Official's authority therefore from the NJSEA and the approval and ratification by the NJSEA of the instruments and documents so executed and the actions so taken as the act and deed of the NJSEA.

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 22, 2022.

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

Vincent Prieto
Secretary