



FINAL BOARD BOOK

Board Meeting

Thursday, April 27, 2023

10:00 a.m.



**AGENDA
REGULAR SESSION**

Two DeKorte Park Plaza, Lyndhurst, NJ
Thursday, April 27, 2023 - 10:00 a.m.

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 March 23, 2023.
- Approval of Executive Session Meeting Minutes of March 23, 2023.
- Approval and/or Ratification of Cash Disbursements over \$100,000 for the month of March 2023.

V. **SPECIAL PRESENTATION**

Celebration of Earth Day - Teresa Doss, MRRI Co-Director & Chief Restoration Scientist

VI. **PUBLIC PARTICIPATION ON RESOLUTIONS**

VII. **CONTRACTS/AWARDS**

Resolution 2023-19 Consideration of a Resolution Relating to the use of State Fiscal Recovery Funds for the Attraction and Hosting of Marquee Sporting Events at the Prudential Center in Newark in Response to the Negative Economic Impact on the Tourism, Hospitality, and Travel Industries of the COVID-19 Public Health Emergency.

VIII. **PUBLIC PARTICIPATION**

IX. **EXECUTIVE SESSION**

Resolution 2023-20 Consideration of a Resolution Authorizing the New Jersey Sports and Exposition Authority to conduct a meeting, to which the general public shall not be admitted for the purposes of discussing legal matters, personnel matters and contract negotiations.

X. **MOTION TO ADJOURN**

REGULAR SESSION MINUTES



REGULAR SESSION
BOARD MEETING
MINUTES

DATE: March 23, 2023

TIME: 10:00 a.m.

PLACE: Commission Meeting Room, Two DeKorte Park Plaza, Lyndhurst

Members in Attendance:

John Ballantyne, Chairman

Joseph Buckelew, Vice Chairman (via phone)

Robert Dowd, Member

Armando Fontoura, Member

Michael H. Gluck, Esq., Member (via phone)

Gail B. Gordon, Esq., Member

Michael Griffin, NJ State Treasurer's Representative (via phone)

Woody Knopf, Member

Tom Mullahey, Member

Eric S. Pennington, Esq., Member

Steven Plofker, Member (via phone)

Andrew Scala, Member

Anthony Scardino, Member (via phone)

Louis J. Stellato, Member (via phone)

Absent:

Vincent Prieto, President and CEO

Michael Gonnelli, Member

Also Attending:

Paul Juliano, Executive Vice President

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

Thomas Marturano, Director of Solid Waste

Anna Acanfora, Director of Finance

Steven Cattuna, Chief of Staff

Lauren LaRusso, Governor's Authorities Unit

Robert Davidow, Governor's Authorities Unit

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.

CHAIRMAN REMARKS

Chairman Ballantyne stated that it was a great pleasure to welcome three new Commissioners to the Board. He congratulated and welcomed each of them, and provided some professional information regarding each Commissioner:

Commissioner Eric Pennington, presently the Business Administrator for the City of Newark, is an attorney with an extensive legal career. He has worked at multiple prestigious law firms and was a clerk for both the New Jersey Supreme Court and the United States Court of Appeals for the Sixth Circuit. In his present role he is responsible for the administration of over 3,000 city employees and a budget of \$600 million. He has also served on the Board of Trustees for UMDNJ and was a Commissioner of the New Jersey State Commission of Investigation.

Commissioner Gail Gordon of Fair Lawn, is an attorney, with additional experience in public relations and fundraising. Commissioner Gordon's extensive professional experience has spanned the corporate, government and not-for-profit sectors. She is a trustee of the Hackensack Meridian Health Network and serves on multiple boards including the board of the Joseph A. Sanzari Children's Hospital. Commissioner Gordon has also served on the board of the New Jersey Hall of Fame.

Commissioner Tom Mullahey of Rutherford, is the Athletic Director of Clifton High School and the President of the Executive Committee for the New Jersey Interscholastic Athletic Association. He has held several leadership positions within organizations related to New Jersey high school sports. Commissioner Mullahey holds several certifications from the State of New Jersey Department of Education and has also served his local community of Rutherford both as a Councilman and Council President.

Chairman Ballantyne extended a warm welcome to this very distinguished group on behalf of the entire Board of Commissioners. He stated that over the next month NJSEA staff would fully introduce them to the organization and bring them up to speed on current matters.

III. ROLL CALL

- IV. EXECUTIVE SESSION** – Chairman Ballantyne read the Resolution into record.
- Resolution 2023-11 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:
- New Jersey Meadowlands Commission v. SVD Family Associates, LP.
 - Legal counsel regarding protest of intent to award a lease for the operation of the NJSEA Vegetative Waste Transfer Facility.

Chairman Ballantyne presented Resolution 2023-11. Upon motion by Commissioner Fontoura and seconded by Commissioner Dowd, Resolution 2023-11 to enter into Executive Session was approved unanimously by a vote of 14-0.

Executive Session commenced at 10:12 a.m.
Regular Session recommenced at 10:45 a.m.

Upon returning into Regular Session, Chairman Ballantyne requested that roll call be taken again. It was noted for the record that Commissioner Gluck had dropped off during Executive Session.

Chairman Ballantyne advised the public that Resolution 2023-18 was being distributed and noted that extra time would be given for anyone in the public that wished to speak on this resolution.

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

Chairman Ballantyne presented the minutes from the February 23, 2023 Regular Session Board meeting.

Upon motion made by Commissioner Dowd and seconded by Commissioner Scala the minutes of the Regular Session Board Meeting held on February 23, 2023 were unanimously approved.

Chairman Ballantyne presented the minutes from the February 23, 2023 Executive Session meeting.

Upon motion by Commissioner Dowd and seconded by Commissioner Fontoura the minutes of the Executive Session meeting held on February 23, 2023 were approved, with Commissioner Pennington abstaining.

Chairman Ballantyne presented the report of cash disbursements over \$100,000 for the month of February, 2023.

Upon motion by Commissioner Dowd and seconded by Commissioner Fontoura the cash disbursements over \$100,000 for the month of February 2023 were unanimously approved.

VI. **PUBLIC PARTICIPATION ON RESOLUTIONS** – Chairman Ballantyne advised the public that in regards to Resolution 2023-18 there would be additional time given for participants to speak on this matter later in the meeting. There was no public participation on the other resolutions.

VII. **APPROVALS**

Resolution 2023-12

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. 23-030, BLPF NJ 10 Empire Boulevard LLC - New Building Block 39, Lot 6.02 in the Borough of Moonachie.

Ms. Sundell stated that the NJSEA received a zoning certificate application for a proposed 107,000-square-foot warehouse to be located at 10 Empire Boulevard in Moonachie, which is located within the Light Industrial A zone and is within an area that contains warehouse/distribution, commercial and industrial uses. She said that there were no adjacent residential or other supportive uses such as public schools, local retail stores, or other public amenities that could create a cohesive neighborhood and that pedestrian access to the rest of the community requires traveling through an active warehouse and industrial area, which is heavily utilized by trucks. She noted that neighboring properties have loading doors and tractor trailer parking directly facing the subject property that generate noise which is detrimental to residential uses and the subject property also shares a truck driveway with its neighbor to the east. She also noted that the subject property is listed on the NJDEP's Known Contaminated Site List, and as such, former land uses on the site may expose residents to hazards. She explained that constructing residential uses on the subject property could not be done in a manner that would provide a reasonable separation distance and appropriate buffering from the neighboring warehouse/distribution and industrial uses. She said that staff evaluated the site and prepared a suitability review indicating that the subject property is recommended to be deemed unsuitable for housing.

Commissioner Gordon asked Ms. Sundell what the contaminants were on the subject property.

Ms. Sundell responded that she was not sure what the contaminants were but that the listing includes contaminants that are subject to the NJDEP's applicable standards.

Chairman Ballantyne presented Resolution 2023-12. Upon motion by Commissioner Pennington and seconded by Vice Chairman Buckelew, Resolution 2023-12 was unanimously approved by a vote of 14-0.

Resolution 2023-13 Consideration of a Resolution to Adopt an Amendment to the Secaucus Transit Village Redevelopment Plan (File No. SP-756).

Ms. Sundell stated that a petition to amend the Secaucus Transit Village Redevelopment Plan was submitted by the Town of Secaucus. She noted that the Secaucus Transit Village Redevelopment Area contains approximately 231 acres located in close proximity to the NJ Transit/Secaucus Junction train station. She explained that the amendments requested are in accordance with the 2017 Order Approving Settlement Agreement between the Town of Secaucus and Fair Share Housing Center. She went on to say that the proposed amendments included increasing the number of market rate dwelling units in the Riverfront Landing and Transition Zones, and increasing the number of permitted stories in the Riverfront Landing Zone. She noted that staff held a public hearing on the draft plan amendment on February 28, 2023 and that three written comments were received. She said that the comments supported the amendment. She noted that the final plan amendment was provided to the Hackensack Meadowlands Municipal Committee (HMMC) on March 2, 2023, and was approved at the HMMC meeting held on March 6, 2023. She concluded by saying that staff was requesting Board approval of the amendment to the Secaucus Transit Village Redevelopment Plan.

Chairman Ballantyne presented Resolution 2023-13. Upon motion by Commissioner Fontoura and seconded by Vice Chairman Buckelew Resolution 2023-13 was approved by a vote of 13-0, with Commissioner Dowd abstaining.

Resolution 2023-14 Consideration of a Resolution Issuing a Decision on the Bulk Variance Application Submitted as Part of File No. 22-046 TTOO, LLC - Bio Compression Systems, Inc. - Addition (Variances) Block 60, Lots 6 and 7 in the Borough of Moonachie.

Ms. Sundell stated that this file involved an application by Robert Freidenrich of TTOO, LLC for one bulk variance for the premises at 110 West Commercial Avenue and 120 West Commercial Avenue in Moonachie, which is located in the District's Light Industrial B zone. She said that the subject properties are currently improved with two separate industrial buildings, a 7,899-square-foot warehouse on Lot 6 and an 11,732-square-foot light industrial building on Lot 7; and that the applicant is proposing to construct a 5,000-square-foot addition to connect the two existing structures. She explained that a bulk variance was requested to construct the addition at a minimum 3.03-foot setback from the rear lot line; whereas, the regulations at N.J.A.C. 19:4-5.84(a)3iii, require a minimum setback of 30 feet from the rear property line. She said that staff recommends approval of the requested bulk variance for the following reasons:

- The existing properties contain a number of pre-existing nonconforming conditions that affect the applicant's ability to provide a compliant rear yard setback, including the undersized area of each lot and the placement of existing buildings within required side and rear yard setbacks.

- The proposal will join the properties as a single zoning lot of record, lessening the degree of some of the nonconforming conditions.
- The addition is proposed at a minimum 3.03-foot rear setback to maintain the existing 3-foot setback along the rear building line. Meanwhile, the front portion of the addition will join the existing rear building line on Lot 6, which portion will comply with required setbacks. Therefore, the proposal represents a reasonable approach to infill development given the site's unique characteristics.
- There will be no significant detriment to neighboring properties as a result of the bulk variance request.
- There are no residential uses in this area. Properties in the vicinity also contain buildings situated close to their rear property lines. In this particular case, the neighboring building to the rear provides a 15-foot-wide setback to the common rear property line and in total, 18 feet of open area will remain between the two neighboring structures.
- There are no windows located along the rear building façade on the neighboring property to the south.
- Finally, areas of existing pavement in the southeasterly side yard and in the front yard along West Commercial Avenue, will be replaced with open space. Therefore, adequate light, air and open space will be provided to neighboring properties.

Ms. Sundell concluded by saying that for these reasons and those stated in the recommendation, staff was recommending the approval for the requested bulk variance.

Chairman Ballantyne presented Resolution 2023-14. Upon motion by Commissioner Dowd and seconded by Commissioner Scala Resolution 2023-14 was unanimously approved by a vote of 14-0.

Resolution 2023-15 Consideration of a Resolution Authorizing the Execution of Personal Injury Confidential Settlement Agreement and Release.

Mr. Leanza explained that this matter resulted from an accident that occurred during the construction of the American Dream project approximately four to five years ago. He noted that it was a very substantial accident which involved a very substantial amount and for this reason, the court allowed this to be a confidential settlement and release agreement. He said that as owners of the property, the NJSEA was named a defendant, however contractually American Dream is required to have the NJSEA named as additional insured on their insurance policy. He noted that American Dream's insurance carrier had already paid the claim and that this resolution was just to request authorization to sign off on the confidential settlement and release agreement and the NJSEA will be protected henceforth from any further action.

Chairman Ballantyne presented Resolution 2023-15. Upon motion by Commissioner Dowd and seconded by Commissioner Fontoura Resolution 2023-15 was unanimously approved by a vote of 14-0.

VII. **AWARDS/CONTRACTS**

Resolution 2023-16 Consideration of a Resolution Authorizing the President and CEO to Enter into a Contract for Outdoor Market Operators.

Mr. Duffy stated that a request for proposals was issued in February 2023 for an operator for the outdoor market at the Sports Complex. He advised that one proposal was received in response to the RFP and it was from the present operator, State Fair Amusement Corp. He explained that staff reviewed the proposal and they determined that the proposal met the criteria established in

the RFP. He said that staff is recommending a three-year contract with two (1) year renewals with State Fair, with the understanding that per the terms of the agreement the operator is entitled to a \$10,000.00 cancellation fee if greater than three Saturdays are cancelled (up to 10 cancellations). He noted that NJSEA receives 30% of gross proceeds that exceed \$530,000.00 per year.

Chairman Ballantyne presented Resolution 2023-16. Upon motion by Commissioner Pennington and seconded by Commissioner Dowd, Resolution 2023-16 was unanimously approved by a vote of 14-0.

Resolution 2023-17 Consideration of a Resolution Authorizing the President and CEO to Enter Into a Contract with Netovo Group, LLC for On-Call and Project Based IT Services.

Mr. Levy advised that an RFP was issued in December 2022 for on-call and project-based IT services to assist with the NJSEA service systems that run the very successful MASSTR system, an adaptive traffic signalization system in the District. He stated that proposals were received from four firms and said that upon initial review of the proposals it was determined that one of the firms did not meet the threshold qualifications and also failed to provide relevant prior work references; this firm was rejected outright. He said that staff evaluated the remaining three firms and after a preliminary evaluation of those firms the top two firms were invited to give in-person presentations and interviews. He explained that staff continued the ranking process of the two firms, and that following that evaluations based on established methodology, which included some subjected measures and as well as price evaluations, it was determined that Netovo was the highest ranking firm and that their proposal was the most advantageous to NJSEA based on price and other factors. He said that therefore this resolution authorizes entering into a three-year contract with the option to extend the term for two one-year periods at the proposed On-Call Regular IT Services rate of \$4,000 per month and proposed Project-based IT Services labor rates of \$150 per hour during regular business hours and \$225 per hour during non-business hours and \$0 per hour for travel.

Chairman Ballantyne presented Resolution 2023-17. Upon motion by Commissioner Dowd and seconded by Commissioner Fontoura, Resolution 2023-17 was unanimously approved by a vote of 14-0.

PUBLIC PARTICIPATION ON RESOLUTION 2023-18

Thomas J. Molica, Jr. from Vogel, Chait, Collins and Schneider of Morristown spoke on behalf of RER Supply LLC. He stated that they were disappointed and respectfully disagreed with the decision of the Board memorializing the resolution today. He said that they felt that the materials submitted in connection with this matter, and are part of the record, speak for themselves, are very clear and convincing evidence that RER should have been awarded bid and lease. He said that his client, RER, is aware of its remedies at law and inequities. He thanked the Board for their time.

Eugene Boffa from Schumann Hanlon Margulies LLC representing Nature's Choice. He stated that he read the resolution and thanked the Board.

Resolution 2023-18 Consideration of a Resolution Regarding the Award of a Lease for the NJSEA Vegetative Waste Transfer Facility.

Mr. Levy stated that this resolution authorizes a contract for a lease at the vegetative waste transfer facility. He noted that a challenge was issued and that counsels for both parties have

spoken on this resolution. He said that the contract is for a 60-month lease with the option of an additional five years provided there are no default or major violations on the site during that time. He stated that in response to the RFP issued in October 2022, four bid packages were picked up and two proposals were received; one was from Nature's Choice for approximately \$40,000/month and the other was from RER for approximately \$36,000/month. He advised that staff initially evaluated the proposals and determined they were in compliance. He said staff issued a notice of intent to award at which point correspondence was received from RER advising that they were going to challenge the award. He stated that staff is comfortable based on the written hearing officer's report that was issued as well as the hearing officer's process where submissions from both parties were received and evaluated by staff.. He noted that staff also looked at public records and determined that the claims made by RER accusing Nature's Choice of submitting information that was incomplete and submitting a non-compliant bid were without merit and that this was all detailed in the memorandum from the hearing officers report. He concluded by stating that staff is comfortable with the recommendation to reject the challenge and recommend award of this lease to Nature's Choice.

Chairman Ballantyne presented Resolution 2023-18. Upon motion by Commissioner Plofker and seconded by Commissioner Scala, Resolution 2023-18 was approved by a vote of 13-0, with Commissioner Fontoura abstaining.

VIII. **PUBLIC PARTICIPATION** - none

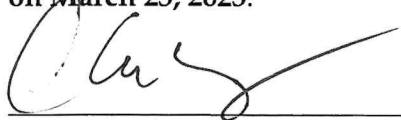
Before adjourning, Chairman Ballantyne recognized the service of former Commissioner Robert Yudin. He stated that Mr. Yudin was a long-standing active member of the board and that the board was grateful for all his work and dedication to the NJSEA. He stated that Mr. Yudin had been very active especially when it came to the EMT's and fire department. He specifically mentioned how Commissioner Yudin not only guided the Board through the procurement of fire trucks but also helped design them.

IX. **ADJOURNMENT**

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

Meeting adjourned at 11:20 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 March 23, 2023.



Christine A. Sanz
Assistant Secretary

March 23, 2023

Commissioner	Roll Call	2023-11	2023-12	2023-13	2023-14	2023-15	2023-16	2023-17	2023-18
Ballantyne, Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y
Buckelew, Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y
Prieto	--	--	--	--	--	--	--	--	--
Dowd	P	Y	Y	A	Y	Y	Y	Y	Y
Fontoura	P	Y	Y	Y	Y	Y	Y	Y	A
Gluck	P	Y	Y	Y	Y	Y	Y	Y	Y
Gonnelli	--	--	--	--	--	--	--	--	--
Gordon	P	Y	Y	Y	Y	Y	Y	Y	Y
Knopf	P	Y	Y	Y	Y	Y	Y	Y	Y
Mullahey	P	Y	Y	Y	Y	Y	Y	Y	Y
Pennington	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	Y	Y	Y	Y
Scardino	P	Y	Y	Y	Y	Y	Y	Y	Y
Stellato	P	Y	Y	Y	Y	Y	Y	Y	Y
Treasury Rep Griffin	P	Y	Y	Y	Y	Y	Y	Y	Y

P = Present A = Abstain -- Absent

R = Recuse Y = Affirmative N = Negative

APPROVALS



CASH DISBURSEMENTS
\$100,000 OR MORE
MARCH 2023

EAST RUTHERFORD - SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF EAST RUTHERFORD	225,000.00	I	PILOT SETTLEMENT WEST SIDE 3RD ADDENDUM: 2023
DELL MARKETING, LP	152,957.52	A	PURCHASE OF DELL POWER RACK STORAGE AND SERVER, POWER SWITCH, LAPTOPS, TOWER PCs, WINDOWS 10 PRO, AND VMWARE PROCESSORS AND SUBSCRIPTION
ENERGO POWER & GAS, LLC	537,293.36	J/L	ELECTRICITY CHARGES: FEB 2023
GIBBONS P.C.	188,357.91	A	LEGAL SERVICES - AUTHORITY TRANSACTIONS COUNSEL: FEB 2023
NEW JERSEY STATE POLICE	2,055,365.86	A/L	POLICE SUPPLEMENTAL OVERTIME: OCT2022-FEB2023
NEW MEADOWLANDS STADIUM CO., INC.	1,926,009.53	A	REIMBURSEMENT FOR GRANDSTAND DEMOLITION AND WORLD CUP PROJECTS: MAR 2023
PHILADELPHIA INSURANCE COMPANIES	111,934.25	A	GL AND \$5M UMBRELLA PREMIUMS - SPORTS COMPLEX & WILDWOODS CONV CTR: 2023
PUBLIC SERVICE ELECTRIC & GAS COMPANY	148,857.01	J/L	ELECTRIC TRANSMISSION: FEB 2023
EAST RUTHERFORD - SC TOTAL	<u>5,345,775.44</u>		

MONMOUTH PARK RACETRACK MAINTENANCE RESERVE/CAPITAL

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF OCEANPORT	564,057.22	A	CAFO SPECIAL ASSESSMENT AGREEMENT: 2ND QTR 2023
MPR MAINTNANCE R/C TOTAL	<u>564,057.22</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 2023-19

RESOLUTION RELATING TO THE USE OF STATE FISCAL RECOVERY FUNDS FOR THE ATTRACTION AND HOSTING OF MARQUEE SPORTING EVENTS AT THE PRUDENTIAL CENTER IN NEWARK IN RESPONSE TO THE NEGATIVE ECONOMIC IMPACT ON THE TOURISM, HOSPITALITY, AND TRAVEL INDUSTRIES OF THE COVID-19 PUBLIC HEALTH EMERGENCY

WHEREAS, in response to the COVID-19 Pandemic, Congress enacted a series of laws to address the impacts of the public health emergency including the American Rescue Plan Act of 2021, P.L. 117-2 (the “ARP Act”); and

WHEREAS, subtitle M of the ARP Act established the “Coronavirus State Fiscal Recovery Fund” (“CSFRF”); and

WHEREAS, the State of New Jersey received CSFRF monies, for use in conformance with the requirements of the ARP Act; and

WHEREAS, in general, CSFRF monies may be used for one or more of the purposes described in the ARP Act including, but not limited to, the provision of government services and to respond to the negative economic impacts of the public health emergency by providing aid to impacted industries such as tourism, travel, and hospitality; and

WHEREAS, the Executive Director of Governor’s Office of Disaster Recovery is responsible for determining the eligibility of specific programs, projects and uses recommended to be funded by legislative appropriation; and

WHEREAS, the New Jersey Department of Community Affairs (the “DCA”) is responsible for overseeing the entire portfolio of funds, consistent with CSFRF requirements, as the State-designated Grants Manager; and

WHEREAS, \$3.5 million in CSFRF monies will be allocated to the New Jersey Sports and Exposition Authority for use in support of sporting events, attractions and promotions at the Prudential Center in Newark including marquee sporting events like UFC 288, a mixed martial arts competition scheduled for May 6, 2023; and

WHEREAS, attracting large scale sporting events and competitions, including UFC 288, is critical in helping to revitalize the severely impacted tourism, hospitality, and travel industries in the City of Newark and the surrounding region; and

WHEREAS, the hosting of UFC 288 is anticipated to bring more than 17,000 attendees to the City of Newark and offer global visibility to both Newark and the surrounding region, with the UFC organization having 688 million fans worldwide, 198 million followers across social platforms, and events that reach millions of television households.

NOW, THEREFORE, BE IT RESOLVED, that the President and CEO of the NJSEA is hereby authorized to enter into one or more Memorandum of Understanding or other documents with the New Jersey Department of Community Affairs, which shall memorialize the terms and conditions of the use and disbursement of the Coronavirus State Fiscal Recovery Fund monies allocated to the NJSEA.

BE IT FURTHER RESOLVED, that the President and CEO of the NJSEA is authorized and directed to take all such further actions and to execute and deliver all such further instruments and documents, as the President and CEO shall determine to be reasonable or necessary to accomplish the purposes of the foregoing Resolution, and is further authorized to disburse the State Fiscal Recovery Fund monies in conformance with the terms and conditions of the Memorandum of Understanding to be entered into with the New Jersey Department of Community Affairs.

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 April 27, 2023.

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

Vincent Prieto
Secretary