



REGULAR SESSION  
BOARD MEETING  
MINUTES

DATE: February 23, 2023

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

Robert Dowd, Member

Armando Fontoura, Member

Michael H. Gluck, Esq., Member

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

Woody Knopf, Member

Steven Plofker, Member (via phone)

Andrew Scala, Member

Anthony Scardino, Member

Louis J. Stellato, Member (via phone)

Robert Yudin, Member

**Absent:**

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

Anna Acanfora, Director of Finance

Francisco Artigas, Co-Director MRRI

Teresa Doss, Co-Director MRRI

Steven Cattuna, Chief of Staff

Lauren LaRusso, Governor's Authorities Unit

Robert Davidow, Governor's Authorities Unit

Brian Aberback, Public Information Officer

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**

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

Chairman Ballantyne presented the minutes from the January 26, 2023 Remote Regular Session Board meeting.

Upon motion made by Commissioner Scala and seconded by Commissioner Dowd the minutes of the Remote Regular Session Board Meeting held on January 26, 2023 were unanimously approved.

Chairman Ballantyne presented the minutes from the January 26, 2023 Remote Executive Session meeting.

Upon motion by Commissioner Gluck and seconded by Commissioner Fontoura the minutes of the Remote Executive Session meeting held on January 26, 2023 were unanimously approved.

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

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

#### V. COMMITTEE ON SCIENCE AND THE ENVIRONMENT

Chairman Ballantyne stated that earlier this month the Science and Environment Committee met with staff and the Committee was very pleased to learn about several environmental and scientific research activities that the Authority is undertaking through MRRI.

Committee Chairman Scardino provided the Board with an overview of the topics and presentations given by staff:

- Proposed public access projects:
  - Keegan Landfill/Kearny Marsh – some of the proposed enhancements include a paved walking/bike trail, observation decks, a wildlife preservation area, and other passive and active recreation areas.
  - Losen Slote Creek would include the construction of a wooden boardwalk that would improve access into the meadows and out to Losen Slote Creek.
- Fourth Fishery & Benthic Survey:
  - These surveys go back forty years – with a voluminous amount of information being acquired.
  - Fourth Survey will include eel monitoring and eDNA testing.
- HOPE Spot
  - NY-NJ Harbor Estuary recently selected as a Hope Spot.
  - Hope Spots are special places that are scientifically identified as critical to the health of the ocean.
  - NJSEA, working with the other agencies that compose the NY-NJ Harbor Estuary Program's Restoration Working Group, developed application to create the designation for the Harbor.
  - A formal announcement to made in April/May this year.
- ELM Project Schedule:
  - ELM is the consulting firm coordinating the remediation at Berry's Creek.
  - Remediation area contains hundreds of acres and inundated with mercury.
  - Remedial action planned for Berry's Creek is based on a remedial investigation that lasted over a decade; makes Berry's Creek one of the most studied tidal creeks in the world.

- Water Level Observations 2020-2022:
  - Observations indicate water levels have risen.
  - Berms and tidegates are at a level too low to withstand serious conditions that may occur in the future.
  - This is an area NJSEA needs to stay on top of and hopefully remedy.

He concluded by saying that he looked forward to staff providing presentations to the Board in the future. He reiterated that the Authority still has a lot of work as it relates to the environment and the continuing work on the economic development portion. He said that staff is absolutely on top of this and he appreciates their presence.

President Prieto thanked Commissioner Scardino for his report and said that he shows a great passion for this committee. He commented that he was the right person to be selected as the chairman. He said that he has been as a long-time resident of the Meadowlands and has seen an environmental renaissance of the area, which is due to NJSEA and the staff. He said he has seen the improvement of water quality and an increase in natural resources.

Chairman Ballantyne stated that he was also looking forward to future presentations by staff. He said that the staff is doing amazing work and that it was truly a labor of love.

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

VI. **APPROVALS**

Resolution 2023-04      Consideration of a Resolution Readopting the Hackensack Meadowlands District Regulations Governing Administration at N.J.A.C. 19:3, District Zoning Regulations at N.J.A.C. 19:4, and Subdivision at N.J.A.C. 19:5 File No. SP-781.

Ms. Sundell stated that the NJSEA is proposing to readopt, without change, the rules at N.J.A.C. 19:3, 19:4 and 19:5, which will continue the existing rules in place to administer the provisions of the Hackensack Meadowlands District regulations regarding Administration, the District Zoning Regulations, and Subdivision regulations. She said that the rules are set to expire on May 4, 2023 and explained that in order to remain effective and enable NJSEA and opt-out municipalities to continue to administer the provisions of these rules in the District, the subject regulations must be readopted prior to their expiration. She explained that staff prepared a Notice of Readoption without change that was forwarded to the Hackensack Meadowlands Municipal Committee on January 9, 2023, for its statutory 30-day comment period and that the HMMC voted to reject the readoption of the rules without change at its meeting held on February 6, 2023. She said that a memo from the HMMC Executive Director explained that the basis of their rejection was to allow additional time for member municipalities to review and discuss the zoning regulations with their planners and governing body members. Ms. Sundell 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. She said that due to the mandatory timeline, staff recommends that the Board readopt without change the rules at N.J.A.C. 19:3, 19:4, and 19:5 prior to their expiration in order to enable the NJSEA and opt-out communities to continue to administer these rules within the District, and authorize the NJSEA staff to file a Notice of Readoption for publication in the New Jersey Register.

President Prieto reiterated the importance of this resolution and said that these regulations have been in place for two decades with no problems.

Chairman Ballantyne presented Resolution 2023-04. Upon motion by Vice Chairman Buckelew and seconded by Commissioner Yudin, Resolution 2023-04 was unanimously approved by a vote of 13-0.

Resolution 2023-05      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. 22-497, Hanover Holdings, LLC/2400 Penhorn Ave. New Building (Variances) Block 451, Lots 19.01 & 20.01 in the Township of North Bergen.

Ms. Sundell stated that the NJSEA received a zoning certificate application for the construction of a 199,000 square-foot, four-story self-storage building, proposed to be located at 2400 Penhorn Avenue in North Bergen, which is located in the District's Highway Commercial zone. She noted that the vacant site is also a service ramp between Route 3 and Route 495. She explained that access to Penhorn Avenue in the location of the subject property is only accessible from Route 3 via a cloverleaf exit that leads to a NJ Transit Park and Ride facility or from a Route 495 exit ramp. She said that the surrounding properties include a small parcel of uplands to the north zoned Highway Commercial that borders NJDOT property containing Route 3 and associated service roads, a large 80+ acre tract of wetlands in the Environmental Conservation zone to the south and west, and railroad tracks to the east. She described the site as: having no residential uses in the vicinity, being remote from other supportive uses that could, from a planning perspective, create a cohesive neighborhood, and that there is no pedestrian access to the rest of the community. She said that traffic and noise from the adjacent highways and railroad uses would be detrimental to any residential use located on the property. She stated that the Site Suitability Review Team evaluated the site and prepared a site suitability review indicating that the subject property is recommended to be deemed unsuitable for housing and that staff requests the Board concur with their recommendation.

Chairman Ballantyne presented Resolution 2023-05. Upon motion by Commissioner Scala and seconded by Commissioner Dowd, Resolution 2023-05 was unanimously approved by a vote of 13-0.

Resolution 2023-06      Consideration of a Resolution Authorizing the President and CEO to Execute a Safe Streets and Roads for All Grant Agreement with the United States Department of Transportation and to Appropriate Funds for the Development of the Meadowlands Action Plan for Safety - File No. SP-787.

Ms. Sundell stated that NJSEA was recently awarded \$877,600 for a Safe Streets and Roads for All (SS4A) Grant through the U.S. Department of Transportation (USDOT) to develop the Meadowlands Action Plan for Safety (MAP4S). She said that the MAP4S will provide the first comprehensive safety plan for the District, with its goal to promote safe streets for all users of District transportation systems. She explained that the Grant requires that the Authority provide twenty percent in matching funds, or \$219,400, towards the overall \$1,097,000 project. She noted that the NJSEA has the authority to appropriate Transportation Planning District (TPD) Fund expenditures for projects in accordance with the MDTP. She concluded by saying that NJSEA staff is requesting Board authorization to execute a grant agreement with the USDOT Federal Highway Administration and to appropriate funding from the TPD Fund to fulfill the USDOT's required twenty percent match.

Commissioner Scardino inquired about the timeline of the grant and asked whether the

conditions of the roads in the District would be a part of the review. Ms. Sundell replied that the project is required to be completed within two years. She said that she believes the conditions of the roads will factor into the study.

Commissioner Dowd congratulated the Authority on obtaining this grant. He noted that there has been a rise in pedestrian fatalities especially on Route 1 and 9 over the last year. He said that it has been a serious concern through Jersey City into North Bergen, which has caught the attention of some of the Senators and the Commissioner of NJDOT. He said that he is aware that NJSEA staff has been actively engaged in trying to minimize the impact with the Authority's traffic signal program.

Chairman Ballantyne presented Resolution 2023-06. Upon motion by Vice Chairman Buckelew and seconded by Commissioner Scardino, Resolution 2023-06 was unanimously approved by a vote of 13-0.

Resolution 2023-07                      Consideration of a Resolution Accepting the 2021 Audit Report

Ms. Acanfora stated that the audit report prepared by the auditing firm of Mercadien issued the Authority an unmodified opinion (clean opinion) on its financial statements. She explained that consistent with prior years the valuation of the Arena and the disclosure related to the union sponsored pension plans continues to be a source for a qualified opinion. She noted that there were no findings associated with internal controls or with financial reporting, and no findings related to non-compliance with laws, regulations, contracts and agreements. She said that in accordance with Executive Order 122 an exit conference was held with Mercadien and the Audit Committee.

Chairman Ballantyne congratulated Anna and her staff. He said that the auditing firm was very complimentary of the entire staff and the work that they have done.

Chairman Ballantyne presented Resolution 2023-07. Upon motion by Vice Chairman Gluck and seconded by Commissioner Dowd Resolution 2023-07 was unanimously approved by a vote of 13-0.

**VII.      AWARDS/CONTRACTS**

Resolution 2023-08                      Consideration of a Resolution Authorizing the President and CEO to  
Enter into A Contract with Eii, Inc. of New Jersey for a Generator  
Replacement for the Meadowlands Pump Station in East Rutherford.

Mr. Duffy explained that a public bid for the generator replacement was advertised in December and that three firms attended the subsequent bid walk. He said that out of the two responses received in January, Eii of Cranford was the lowest qualified bidder and that staff is recommending that Eii be awarded the contract for \$1,571,050.

Commissioner Yudin asked Mr. Duffy if the generator was run by natural gas. Upon Mr. Duffy's response that it was diesel fuel not natural gas, Commissioner Yudin inquired as to what the back-up would be if the diesel failed and if the diesel fuel was supplied by a tanker. He also asked if there was a possibility of eventually switching to natural gas. Mr. Duffy responded that staff has the capability to roll the generator in and that the Authority has its own diesel distribution station. He stated that the Authority has been using diesel since 1975 and noted that the code calls for diesel.

Chairman Ballantyne presented Resolution 2023-08. Upon motion by Commissioner Dowd and seconded by Commissioner Gluck, Resolution 2023-08 was unanimously approved by a vote of 13-0.

## VIII. PUBLIC PARTICIPATION

Mr. Donadic of Cliffside Park made the following comments:

- He addressed President Prieto and referred to his comments from a previous Board meeting where he had said that he felt bringing a basketball team to Newark or the Meadowlands would be good for the State. He asked if President Prieto had acted upon bringing the Philadelphia 76er's to the Prudential Arena. President Prieto responded that the NJSEA does not oversee the Prudential Arena.
- He commented that as long as the Authority calls itself the New Jersey Sports and Exposition Authority, he is going to talk about sports. President Prieto reminded Mr. Donadic that since he began at the Authority five years ago, the NJSEA has attracted a lot of major events at MetLife
- Mr. Donadic referred to the USFL and said he was under the impression that all the teams in that league would be playing in their home cities but apparently, that was not going to happen this year. He asked if President Prieto had reached out to the League. President Prieto responded that the League had not made that decision and they had not contacted MetLife Stadium.
- He commented that the Arena was underutilized, it was going to waste and that someone should come up with a better idea to utilize the Arena. He asked if NJSEA had made any outreach. President Prieto responded that there has been outreach by the Authority and there have been conversations on many levels.

Mr. Mark Jackson of Ridgewood stated that he represented an owner of industrial buildings in Moonachie and Hackensack that are impacted by the flood issue. He specifically noted that Losen Slote Creek impacts their Hackensack site and is rendering part of the property almost un-useable. He inquired about a proposal in the past for a Meadowlands flood protection project that he believed had been approved by the DEP. He asked if there had been any movement on initiating that project.

President Prieto asked Ms. Sundell to weigh in on this subject.

Ms. Sundell stated that she believed Mr. Jackson was referring to the NJDEP's Rebuild by Design Meadowlands project, which is in the permitting process before several agencies and is moving forward, but she did not have the specific timeline. She noted that a portion of Losen Slote is in the District, but Hackensack is not. She explained that the Authority does not have control over the project and that he would have to reach out to the NJDEP to obtain the timeline. She advised Mr. Jackson that she could provide him with a contact at the NJDEP for the project.

Commissioner Yudin wanted to thank the Board publicly for supporting the additional expenditure for acquiring a back-up camera for the fire truck that the Authority procured recently. He said that he has always be an advocate for back-up cameras on fire trucks.

## IX. EXECUTIVE SESSION

### Resolution 2023-09

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:

- Personnel Matters

Chairman Ballantyne presented Resolution 2023-09. Upon motion by Commissioner Scardino and seconded by Commissioner Dowd, Resolution 2023-09 to enter into Executive Session was approved unanimously by a vote of 13-0.

Executive Session commenced at 10:48 a.m.

Regular Session recommenced at 11:06 a.m.

Before adjourning, Chairman Ballantyne stated that there was one more piece of business to be taken care of which was a resolution that came out of Executive Session.

Resolution 2023-10      Consideration of a Resolution Appointing Paul Juliano as President and Chief Executive Officer

Chairman Ballantyne presented Resolution 2023-10 and read the resolution into the record. Upon motion by Commissioner Scardino and seconded by Commissioner Stellato roll call was taken:

President Prieto: Yes  
Vice Chairman Buckelew: Yes  
Commissioner Dowd: Yes  
Commissioner Fontoura: Yes  
Commissioner Gluck: Yes  
Commissioner Griffin: Yes  
Commissioner Knopf: Yes  
Commissioner Plofker: Yes  
Commissioner Scala: Yes  
Commissioner Scardino: Yes  
Commissioner Stellato: Yes  
Commissioner Yudin: Yes  
Chairman Ballantyne: Yes

Resolution 2023-10 was unanimously approved by a vote of 13-0.

President Prieto invited Mr. Paul Juliano to say a few words.

Mr. Juliano extended a special thank you to everyone for the opportunity to serve at the NJSEA and stated that he was very excited about this new career. He gave special thanks to President Prieto for a lifetime of friendship and for his good service. He said that he looked forward to working closing with staff on furthering the objectives of this great body.

**ADJOURNMENT**

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

Meeting adjourned at 11:00 a.m.

**I certify that on information and belief this is a true and accurate transcript of the Minutes of the Regular Session of the New Jersey Sports and Exposition Authority Board Meeting held on February 23, 2023.**



**Christine A. Sanz**  
Assistant Secretary

February 23, 2023

<b>Commissioner</b>	<b>Roll Call</b>	2023-04	2023-05	2023-06	2023-07	2023-08	2023-09	2023-10
Ballantyne, Chairman	P	Y	Y	Y	P	Y	Y	Y
Buckelew, Vice Chairman	P	Y	Y	Y	P	Y	Y	Y
Prieto	P	Y	Y	Y	P	Y	Y	Y
Dowd	P	Y	Y	Y	P	Y	Y	Y
Fontoura	P	Y	Y	Y	P	Y	Y	Y
Gluck	P	Y	Y	Y	P	Y	Y	Y
Gonnelli	--	--	--	--	--	--	--	--
Knopf	P	Y	Y	Y	P	Y	Y	Y
Plofker	P	Y	Y	Y	P	Y	Y	Y
Scala	P	Y	Y	Y	P	Y	Y	Y
Scardino	P	Y	Y	Y	P	Y	Y	Y
Stellato	P	Y	Y	Y	P	Y	Y	Y
Yudin	P	Y	Y	Y	P	Y	Y	Y
Treasury Rep Griffin	P	Y	Y	Y	P	Y	Y	Y

P = Present A = Abstain -- Absent

R = Recuse Y = Affirmative N = Negative