



**REGULAR SESSION
BOARD MEETING
MINUTES**

DATE: June 22, 2023

TIME: 10:00 a.m.

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

Members in Attendance:

John Ballantyne, Chairman

Vincent Prieto, President and CEO

Joseph Buckelew, Vice Chairman (via phone)

Robert Dowd, Member

Armando Fontoura, Member

Michael H. Gluck, Esq., Member

Gail B. Gordon, Esq., Member (via phone)

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

Woody Knopf, Member (via phone)

Tom Mullahey, Member

Eric S. Pennington, Esq., Member

Steven Plofker, Esq., Member

Anthony Scardino, Member

Marguerite Schaffer, Esq., Member

Louis J. Stellato, Member

Absent:

Michael Gonnelli, Member

Also Attending:

Paul Juliano, Executive Vice President

Nicholas Mammano, Chief of Staff

Christine Sanz, Senior Vice President/Chief Operating Officer

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 and CFO

Monica Miannecki, Director of Solid Waste

Francisco Artigas, MRRI Co-Director and Chief Scientist

Robert Davidow, Esq., 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.

Before continuing with the agenda, Chairman Ballantyne introduced and welcomed the newest member of the NJSEA Board of Commissioners, Marguerite M. Schaffer. He provided the following details on her background:

- Commissioner Schaffer is President of Schaffer Shain Jalloh PC, a law firm located in Bernardsville, New Jersey and specializes in commercial litigation; land use; real estate; and banking law.
- She is Borough Counsel to Lake Como and Atlantic Highlands, and Special Counsel to South Brunswick and Roselle and has served in the past as counsel to several municipalities.
- Past President of Executive Women of New Jersey (EWNJ), the State's premier organization for Professional Women.
- Former Chair, and Director Emeritus, of the New Jersey State Bar Association, Banking Law Section.
- Founding member of the Essex County Women Lawyers Association.
- Recipient of the Barbara Boggs Sigmund Award from the New Jersey Women's Political Caucus.

He concluded by saying that Commissioner Schaffer's guidance, expertise and experience make her a tremendous addition to the Board.

President Prieto welcomed Commissioner Schaffer to the Board and said that her experience in public law will be an asset to the Board. He noted that Commissioner Schaffer has been a mentor to students through her role as a member of the Advisory Committee of the Institute for Women's Leadership at Rutgers University. He also stated that she had been an adjunct law professor at Seton Hall University and Fairleigh Dickinson University. He said that she is a recipient of the Eleanor Roosevelt Distinguished Service Award from the Somerset County Federation of Democratic Women and has also been honored at the Executive Women of New Jersey Salute to the Policy Makers Dinner. He said that he had no doubt that Commissioner Schaffer was a great fit for the Board.

Commissioner Schaffer thanked Chairman Ballantyne and President Prieto for their accolades and said that she looked forward to serving this body. She said that she felt that there was a lot of good work to be done and a lot that has been done.

III. ROLL CALL

IV. APPROVAL OF MINUTES AND CASH DISBURSEMENTS

Chairman Ballantyne presented the minutes from the May 25, 2023 Regular Session Board meeting.

Upon motion made by Commissioner Fontoura and seconded by Commissioner Gluck the minutes of the Regular Session Board Meeting held on May 25, 2023 were approved with a vote of 14-0, with Commissioner Schaffer abstaining.

Chairman Ballantyne presented the minutes from the May 25, 2023 Executive Session.

Upon motion by Commissioner Plofker and seconded by Commissioner Scardino the minutes of the Executive Session held on May 25, 2023 were approved by a vote of 14-0, with Commissioner Schaffer abstaining.

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

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

V. PUBLIC PARTICIPATION ON RESOLUTIONS - None

VI. APPROVALS

Resolution 2023-24 Consideration of a Resolution Issuing a Decision on the Variance Application Submitted as Part of File No. 22-387 HRP Hudson LLC - Major Subdivision & Variances Block 3101, Lots 21, 22, 23, 24, 25, 26, 36, 37, 42, 43, 44 and Block 7402, Lots 21, 22, 23, 24, 33, 34 and 35 in the City of Jersey City.

Ms. Sundell advised that NJSEA received an application from HRP Hudson Owner, LLC for the subdivision of 18 existing lots within Block 3101 and Block 7402 in the City of Jersey City into 7 proposed lots to be identified as Block 7402.01, Lots 1, 2, 3, 4, 5, 6 and 7. She stated that the subject tract totals 86.2 acres and is joined in a zoning lot of record with another 24 acre tract. The subject properties are located within the District's Van Keuren Redevelopment Area, which is the site of the former PSE&G Hudson Generating Station. The subdivision proposes to create seven lots to accommodate existing improvements on the site, including a lot for each of the three warehouse facilities that were previously approved by the NJSEA, two lots for continued use by PSE&G for its switchyard operations, one lot to contain a former wastewater treatment facility, and one lot to contain a man-made canal connecting to the Hackensack River and associated natural features. She explained that the applicant requested the three bulk variances as part of its major subdivision application. The first variance is requested from N.J.A.C. 19:5-7.4(a), which requires that all lots located in any subdivision shall have direct access to an improved public or private street; whereas, proposed Lots 1, 2, 3 and 4 do not contain direct access to an improved public or private street. The second variance is requested from Section V.D.1(b) of the Van Keuren Redevelopment Plan, which requires a minimum lot width of 100 feet; whereas, proposed Lot 1 will have a minimum lot width of 89.8 feet. The third variance is requested from Section V.D.2(b) of the Redevelopment Plan, which requires a minimum open space of 15 percent; whereas, open space of 9.3 percent and 4.6 percent will be provided for proposed Lots 2 and 3, respectively. The requested variances result from conditions unique to the subject property that constrain the tract's development and lot configuration, which include the presence of a number of easements crossing the tract that are largely associated with historic and current usage of the land by a large-scale utility company; sensitive environmental characteristics; and existing limited means of access due to its relatively isolated location within the District. Although four of the subject lots will not have direct frontage on a public or private street, the proposed lots will have access from Van Keuren Avenue by means of recorded shared access easements across proposed Lots 5 and 6, and by an off-site roadway across a former Norfolk Southern right of way that is currently owned by NJDEP. There are no public streets or other active development located to the north, east or west of the tract that would promote connections via a public or private street to the subject tract. This configuration also serves to promote public safety by discouraging public access to the PSE&G switchyard on proposed Lot 3. The minimum lot width of 89.8 feet on proposed Lot 1, which contains sensitive environmental features, occurs at the narrowest portion of the existing canal on the property, however, the majority of the proposed lot otherwise complies with the minimum lot width of 100 feet. The strict application of the minimum lot width requirements on an undevelopable lot that is proposed to remain as open space would cause practical difficulties in the overall redevelopment of this underutilized property. The proposed open space of 9.3 percent on proposed Lot 2 and 4.6 percent on proposed Lot 3 are the result of the configuration of the proposed subdivision lines in relation to the existing utility improvements. No change is

proposed to the existing physical conditions on either of these two lots. Although these two individual lots do not comply with the minimum open space requirement, there is an overall reduction of existing impervious surfaces on the overall tract as a result of the redevelopment project, increasing total open space from 21.9 percent to 35 percent. The granting of the requested variances will not result in a substantial detriment to the environment and will not substantially impair the intent and purpose of the District Zoning Regulations, but will effectuate the goals of the Van Keuren Redevelopment Plan. There will be no significant detriment to neighboring properties as a result of the bulk variance requests, and there are no residential uses in this area. No public comments were received. For these reasons and those stated in the recommendation, we are recommending the approval of the requested bulk variances with respect to the minimum lot width and open space requirements, and the conditional approval of the requested bulk variance with respect to site access, conditioned on updating the zoning lot of record to comport to the proposed subdivision, and ensuring that continued easement access will be provided to Lots 1, 2, 3 and 4 from Van Keuren Avenue in the event that any of these lots are conveyed to another affiliate or entity in the future.

Chairman Ballantyne presented Resolution 2023-34. Upon motion by Commissioner Gluck and seconded by Commissioner Dowd, Resolution 2023-24 was approved by a vote of 14-0, with Commissioner Schaffer abstaining.

Resolution 2023-25 Consideration of a Resolution Authorizing Changes to the Official Signatories for NJSEA Accounts.

Ms. Acanfora explained that with the upcoming personnel changes within the Authority, President Prieto would be removed as an authorized signer and Paul Juliano would be added. She stated that all other authorized signers would remain the same.

Chairman Ballantyne presented Resolution 2023-25. Upon motion by Commissioner Scardino and seconded by Commissioner Dowd, Resolution 2023-25 was unanimously approved by a vote of 15-0.

Resolution 2023-26 Consideration of a Resolution Supporting the Bergen County Fire Mutual Aid Plan in the New Jersey Sports and Exposition Authority's Meadowlands Complex, County of Bergen, State of New Jersey.

Mr. Duffy stated that the resolution was for the renewal of the mutual aid plan with Bergen County under the County Emergency Management Plan and New Jersey Resource Deployment Act. He explained that the program provides for coordination between fire departments and assistance from contiguous and non-contiguous communities. He noted that participation in the Plan did not impose any additional liability to any community.

Chairman Ballantyne presented Resolution 2023-26. Upon motion by Commissioner Gluck and seconded by Commissioner Fontoura, Resolution 2023-26 was unanimously approved by a vote of 15-0.

VII. CONTRACTS/AWARDS

Resolution 2023-27 Consideration of a Resolution Authorizing the President and CEO to Enter Into a Contract with Colonnelli Brothers Inc. for the Kingsland Overlook & Shorewalk Reconstruction - NJSEA Contract #SW 23-01.

Ms. Miannecki stated that this resolution was for the improvements to two of the trails at DeKorte Park; the Kingsland Overlook Trail and the Shorewalk Trail. She explained that the Kingsland trail was constructed in the early 1990's and due to its age and settlement there are sections of the trail that need repairs to address the erosion. She said that in addition, the timber walls would be replaced with module block walls, the steps would be reconstructed and irrigation would also be provided. She said that the second component of the project involved the resetting of the concrete pavers along the Shorewalk trail. She said that the pavers had settled together with the benches and trash receptacles. She explained that as part of the contract the existing pavers would be power-washed, removed and then reset, and the benches and trash receptacles would also be reset. She noted that the contract time for this project was 75 days and that the bid was advertised on May 4, 2023, with eleven contractors requesting bid documents. She said that the only response received at the public bid opening held on June 7, 2023 was from Colonelli Brothers Inc. at an amount of \$248,900.00. She said that staff had reviewed the bid sheets and associated amounts and concurred that the amounts were in order. She noted that an additional quote would be obtained for one of the components of the project to determine whether the item would remain as part of this contract or would be completed by others.

Chairman Ballantyne presented Resolution 2023-27. Upon motion by Commissioner Dowd and seconded by Commissioner Stellato Resolution 2023-27 was unanimously approved by a vote of 15-0.

Resolution 2023-28 Consideration of a Resolution Related to the Stadium Construction Authorization Agreement for the 2026 FIFA World Cup.

Mr. Levy explained that this Resolution was related to the construction work required to meet FIFA's agreed upon field specifications for hosting certain 2026 World Cup matches that will be held at MetLife Stadium. He noted that to accomplish this work the Board had previously authorized a construction agreement with New Meadowlands Stadium Co, LLC, the owner of the stadium. He explained that the agreement included an initial scope of work covering design and pre-construction tasks related to the required work; with the Stadium Company hiring the vendors and managing the work. He said that the work was ongoing and that plans for the construction were being finalized. He said that at this time NJSEA and the Stadium wished to amend the Agreement and the scope of work to include the actual construction and construction-related tasks which would be undertaken in two phases beginning in winter of 2024 and ending in spring of 2025. He stated that the construction work had an estimated cost of approximately \$15,989,782.00, which would be drawn from funds appropriated by the State specifically for the hosting of international events such as the 2026 FIFA World Cup. He added that the estimated construction costs included the demobilization and mobilization at the construction site to accommodate the 2024 NHL Stadium Series, which is a two-day outdoor event being held in February, 2024 featuring four rival NHL hockey teams.

Chairman Ballantyne presented Resolution 2023-28. Upon motion by Commissioner Fontoura and seconded by Commissioner Gluck, Resolution 2023-28 was unanimously approved by a vote of 15-0.

Before moving onto public participation, Chairman Ballantyne announced that Butterfly Day, the NJSEA's most popular public program, would take place on Sunday, July 23, at DeKorte Park and would be co-hosted with the Bergen County Audubon Society. He noted that the program would include butterfly walks, scavenger hunts, a Butterfly Costume Contest, crafts and games, along with presentations and information tables.

President Prieto stated that Butterfly Day was especially important as many species of butterflies are on the decline due to several factors including climate change. He said that butterflies are crucial species to the environment and this event was a great way of instilling the importance of protecting butterflies among all ages.

VIII. PUBLIC PARTICIPATION

Mr. Donald Smith, Gloversville, New York. Mr. Smith made the following comments:

- He commented that he was frustrated about the mowing of the milkweed that was growing around the Authority property on the median between Route 120 and Route 3. He said that the milkweed is the only plant that the Monarch butterfly can reproduce on. He said that years ago he had an arrangement where he would mark off the area where the milkweed was growing and DOT would not mow that area. He said that he recently noticed the milkweed was being mowed and that this should not be done as it was against the orders of the home office. He commented that he thought MRRI could set up a rapport with DOT and come up with a plan to prevent the mowing of the milkweed.
- He said that he had spoken to Mr. Joseph Seebode of the Army Corps of Engineers relative to the Portal Bridge project. He said that he had asked Mr. Seebode if any consideration was given to putting flood gates with the new railroad bridge that would stop future storms such as Superstorm Sandy. He said that Mr. Seebode thought this would definitely meet the Federal criteria since this project was a big expenditure and the Feds like to see a project solve more than one problem. He asked if the Authority would raise this question with the ACOE to see if this was feasible and if it could still be done.
- He commented that he had witnessed herbicide being sprayed into the wetlands on both sides of Valley Brook Avenue. He stated that he had reached out to NJDEP about this matter and was advised that the permit for spraying was questionable and that a separate permit was required when spraying in wetlands, which they did not have and they were fined. He said that driving in today he saw that it had been sprayed again, the cattails and other vegetation were all sprayed and died; and that the wildlife coming in to use those areas are subject to the toxins in the spray. Mr. Smith said he would appreciate if someone from the Authority would question this spraying. He said that that going forward he felt that any future permits given for that type of activity should be run before MRRI to see if the Agency has any concerns, as far as it related to the wetlands and the time of the year it is being done.
- He commented that he had an idea for a mitigation project on Sports Authority property that could possibly bring in approximately \$7 million. He said he looked forward to sitting down with a representative of the Authority to discuss this possibility.

Chairman Ballantyne responded to Mr. Smith's comments regarding the milkweed and he said that the milkweed was a very big concern of the Authority. He said that staff would look into this immediately and look into building a good rapport with DOT. He advised Mr. Smith that he should set up a meeting with staff regarding his idea of a mitigation project and the possibility of flood gates at the Portal Bridge project.

Commissioner Scardino stated that he would like to have an update from staff on this matters. He noted that Mr. Smith used to be our Chief Naturalist and that he knows this region like the back of his hand. He said that he appreciated working with Mr. Smith and appreciated him speaking before the Board today.

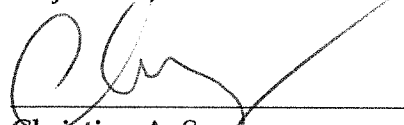
IX. **EXECUTIVE SESSION**

X. **ADJOURNMENT**

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

Meeting adjourned at 10:40 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 June 22, 2023.


Christine A. Sanz
Assistant Secretary

June 22, 2023

Commissioner	Roll Call	2023-24	2023-25	2023-26	2023-27	2023-28
Ballantyne, Chairman	P	Y	Y	Y	Y	Y
Buckelew, Vice Chairman -via phone	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	--	--	--	--	--	--
Gordon - via phone	P	Y	Y	Y	Y	Y
Knopf - via phone	P	Y	Y	Y	Y	Y
Mullahey	P	Y	Y	Y	Y	Y
Pennington	P	Y	Y	Y	Y	Y
Plofker	P	Y	Y	Y	Y	Y
Scardino	p	Y	Y	Y	Y	Y
Schaffer	P	A	Y	Y	Y	Y
Stellato	P	Y	Y	Y	Y	Y
Treasury Rep Griffin - via phone	P	Y	Y	Y	Y	Y

P = Present A = Abstain -- Absent

R = Recuse Y = Affirmative N = Negative