

Board Meeting

Thursday, May 25, 2023

10:00 a.m.



**REVISED AGENDA
REGULAR SESSION**

Two DeKorte Park Plaza, Lyndhurst, NJ
Thursday, May 25, 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 April 27, 2023.
- Approval and/or Ratification of Cash Disbursements over \$100,000 for the month of April 2023.

V. **PUBLIC PARTICIPATION ON RESOLUTIONS**

VI. **CONTRACTS/AWARDS**

Resolution 2023-20 Consideration of a Resolution Authorizing the Purchase of Application Tracking and Management Software.

Resolution 2023-21 Consideration of a Resolution Ratifying the Purchase of Nine (9) Chevrolet Tahoe Vehicles for the New Jersey State Police.

Resolution 2023-22 Consideration of a Resolution Authorizing the President and CEO to Enter Into a Contract with Paino Roofing of New Jersey for a Roof Replacement for the Engineering Building in East Rutherford.

VII. **PUBLIC PARTICIPATION**

VIII. **EXECUTIVE SESSION**

Resolution 2023-23 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:

- NJSEA v. ACE American Insurance Company – Settlement Negotiations

IX. **MOTION TO ADJOURN**

APPROVALS



**REGULAR SESSION
BOARD MEETING
MINUTES**

DATE: April 27, 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

Robert Dowd, Member

Armando Fontoura, Member

Michael H. Gluck, Esq., Member

Gail B. Gordon, Member

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

Woody Knopf, Member

Tom Mullahey, Member

Eric S. Pennington, Member

Steven Plofker, Member

Anthony Scardino, Member

Louis J. Stellato, Member

Absent:

Michael Gonnelli, Member

Andrew Scala, Member

Also Attending:

Paul Juliano, Executive Vice President

Nicholas Mammano, Chief of Staff

Christine Sanz, Senior Vice President/Chief Operating Officer

Frank Lanza, Senior Vice President/Chief of Legal & Regulatory Affairs

Adam Levy, Vice President of Legal & Regulatory Affairs

Sara Sundell, Director of Land Use Management and Chief Engineer

Anna Acanfora, Director of Finance

Teresa Doss, MRRI Co-Director and Chief Restoration Scientist

Francisco Artigas, MRRI Co-Director and Chief Scientist

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.

III. ROLL CALL

IV. APPROVAL OF MINUTES AND CASH DISBURSEMENTS

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

Upon motion made by Commissioner Scardino and seconded by Commissioner Plofker the minutes of the Regular Session Board Meeting held on March 23, 2023 were unanimously approved.

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

Upon motion by Commissioner Fontoura and seconded by Commissioner Scardino the minutes of the Executive Session meeting held on March 23, 2023 were unanimously approved.

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

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

V. SPECIAL PRESENTATION

Chairman Ballantyne remarked that April brings Earth Day, and that in celebration of Earth Day, Ms. Terry Doss of the NJSEA's Meadowlands Research and Restoration Institute would remind us how, here in the Meadowlands, it is possible to celebrate the earth every day. He pointed out that MRRI serves as the scientific arm of the NJSEA, and its team of scientists work to preserve, conserve and restore the natural resources that exist in the Meadowlands District and that MRRI's work includes getting out to all parts of the District to document current conditions.

President Prieto stated that Earth Day is a great time to celebrate the urban jewel that is the Meadowlands, and we have seen positive transformations that have been occurring in our wetlands and waterways over the past 30 years. He introduced Ms. Doss and said that she would highlight some of the positive transformations and describe how MRRI's scientists are using cutting-edge technology to uncover some of the Districts' hard to access areas and hard to find wildlife species.

Ms. Doss said that Earth Day is a great opportunity to reflect on our place in the world and our contributions to the health of the planet. She noted that the transformations that have occurred over the past 40 years in the Meadowlands are remarkable, and they are due in part to NJSEA's commitment to properly manage land, balance development and the conservation of open spaces to promote clean air and water, and foster a healthy environment.

She began her power-point presentation with visuals of some of the wildlife that return to the District each year once spring arrives. She specifically noted the eagle, which is the earliest to return, followed by tree swallows and then by the osprey. She mentioned some more unusual visitors that have been spotted moving through the District recently such as the glossy ibis, Sandhill crane, black scoter and eared grebe. She explained that MRRI staff monitor wildlife for a variety of reasons, primarily as a barometer of the health of the Meadowlands. She went on to describe some of the new tools and technologies staff is using to help locate some of the harder to find wildlife species such as the Atlantic Coast leopard frog, Great horned owls, secretive marsh birds and the tri-colored bat:

- The Autonomous Recording Unit (“ARU”) - a self-contained audio recording device that staff deploys out at different sites throughout the Meadowlands which will pick up any noise that is being made.
- Video Cameras that can be viewed remotely while live. She said that the long-term goal will be to enable the public to view the live videos by visiting the Authority’s website.
- Environmental DNA, or eDNA. She described how an organism, such as a fish, moves through the environment and constantly sheds dead skin cells, mucus, or faeces, into its surroundings. She said that the DNA in this organic matter is known as eDNA. She explained that staff could then take samples of the water, sift out the organic matter, send the sifting screen out to a qualified lab, and through a sequencing process, they can tell what fish have swum by recently. She noted that MRRI would be using eDNA to try to find mysterious species like Atlantic Sturgeon.

Ms. Doss concluded her presentation by suggesting that the Commissioners join staff for a boat tour so they can see for themselves how amazing the different habitats of the Meadowlands are. Ms. Doss then responded to questions from Chairman Ballantyne relative to her presentation and the work that is being done by MRRI.

Chairman Ballantyne pointed out that Mrs. Paulette Ramsey was in attendance and asked if she would like to make any comments.

Mrs. Ramsey stated that she was representing the DeKorte Family, Bergen County and New Jersey. She said that she follows the NJSEA on Facebook every day and she thanked the Board for all the work they do. She welcomed the new Commissioners and said it is really exciting to have new blood. She mentioned that her youngest son moved across the river and that ever night he sends her a picture of the sunset over in the Meadowlands. She also noted that her youngest granddaughter was accepted into college and her study will be environmental studies and that her first experience in the Meadowlands was Butterfly Day.

Commissioner Scardino also acknowledged Mrs. Ramsey and said she brings back a lot of memories. He said that he couldn’t help but think that we all stand on the shoulders of giants, and Richard DeKorte was one of those giants. He commented that when people ask what we’re doing here in the Meadowlands, you just have to look outside these windows; all of this would have been under garbage if it wasn’t for those giants that created the Meadowlands Commission and that one of its three mandates was environmental preservation. He said that Terry’s presentation is a testimony to that. He then encouraged the Board members to participate in a tour of the Meadowlands. He pointed out that when taking the tour on the Hackensack River you can see the New York skyline, south Newark; and you cannot believe that you are sitting in an area so pristine. He stated that if it had not been for those giants we would not be able to witness and enjoy this.

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

VII. **AWARDS/CONTRACTS**

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.

Mr. Levy stated that this resolution concerns the allocation of monies to the NJSEA from the Coronavirus State Fiscal Recovery Fund. He explained that under this federal program, which is managed at the state level by the NJDCA, \$3.5 million dollars will be provided to the NJSEA and will be used for attracting and hosting marquee sporting events at the Prudential Center in Newark, in particular, UFC 288, a mixed martial arts competition which is scheduled for May 6th. He noted that eligible uses of Coronavirus State Fiscal Recovery Fund monies are set forth in the American Rescue Plan Act of 2021 and include the provision of government services and responding to the negative economic impacts of the COVID-19 public health emergency by providing aid to impacted industries such as tourism, travel, and hospitality. He said that attracting large scale sporting events like UFC 288, is critical to helping revitalize the severely impacted tourism, hospitality, and travel industries in Newark and the surrounding communities. He stated that this resolution will authorize the NJSEA to enter into an MOU with the New Jersey Department of Community Affairs, which shall memorialize the terms and conditions of the use and disbursement of the funds allocated to the NJSEA and that it further authorizes the NJSEA to disburse these funds in conformance with the American Rescue Plan Act and the aforementioned MOU.

Chairman Ballantyne presented Resolution 2023-19. Upon motion by Commissioner Dowd and seconded by Commissioner Fontoura, Resolution 2023-19 was unanimously approved by a vote of 14-0.

VIII. PUBLIC PARTICIPATION

Mr. Marvin Donadic of Cliffside Park made the following comments:

- He addressed President Prieto and noted that at the last meeting he attended he had asked President Prieto if he would consider sitting down with the ownership of the New Jersey Devils, who also own the Philadelphia 76er's, to try to bring the 76er's to the Newark Arena. He said that from what he recalls the response was that the Authority doesn't do that. He asked for an explanation. President Prieto responded that as previously explained, the Authority was not entertaining this idea.
- Mr. Donadic said that he thought it would be a good idea to bring the Battleship New Jersey to the Jersey City waterfront and asked if the Authority had looked into this idea. President Prieto stated that at this time there were no plans to bring the Battleship to the Jersey City waterfront. Chairman Ballantyne pointed out that the Battleship New Jersey has a permanent home in Camden and that there was a whole other entity that deals with the Battleship.
- Mr. Donadic asked what was going on with the Arena. President Prieto reminded Mr. Donadic of his previous response which was that the arena currently houses AMC Studios. He said that he had nothing to report regarding the future of the arena.
- Mr. Donadic asked President Prieto if he had been in contact with the Commissioner of the U.S. Football League in regards to having games played in New Jersey. President Prieto stated that as he explained previously the USFL had made the decision to host all of their games out of Birmingham, Alabama. He noted that the Authority had previously been in contact.
- Mr. Donadic spoke about an idea to have a statue erected at MetLife Stadium of soccer great Pele, which he referred to as one of the greatest soccer players of all times. He commented that with the World Cup coming to the area, he thought this would be a great idea and since New York City would be benefitting from the World Cup, they should pay for it. He asked if there were any thoughts on this. Chairman Ballantyne stated that he too felt Pele was a legendary sports player. He said that he would reach out to the New Jersey Hall of Fame and mention Mr. Donadic's suggestion to them. He said that he thought a statue would be a great addition to the New Jersey Hall of Fame Museum when it is completed.

Chairman Ballantyne addressed Mr. Donadic's repeated concerns of drawing sporting events to the area and stated that this has also been a major concern of the Board. He emphasized specific sporting events that President Prieto has engaged in bringing to the area such as the UFC event, which rivals boxing right now, and the World Cup, which he said will be epic events for the State of New Jersey. He noted that these events are going to bring people to the area to stay at the hotels, use the restaurants, and will also create jobs.

Mr. Michael Ciallella, Business Manager for Local 1412 representing NJSEA Fire and EMT. He stated the following relative to the ongoing contract negotiations:

- He noted that he had appeared before the Board a couple of months ago regarding the contract negotiations and he thanked the Board. He said that after meeting with President Prieto negotiations started moving forward, but soon after the negotiations became deadlocked.
- He said that outside counsel had advised him at that time that they would get back to him within two days to finalize the contract and that they did not get back to him.
- He mentioned that there were two different issues going on at the time; one being a jurisdictional issue, about which he noted a decision made by PERC ruled in their favor but after that ruling it seems to him that the issue of the contract was put on a back burner.
- He said that this matter has been going on for twenty seven months and that there are a lot of disgruntled workers.
- He stated that they have a busy summer coming up and he just needs an answer; good or bad. He then thanked the Board for their time.

President Prieto said that the Board appreciates Mr. Ciallella coming to the meeting. He noted that the Board could not comment on this matter since this was an ongoing negotiation. He said that the Authority was trying to make sure this process was done as quickly as possible. Chairman Ballantyne thank Mr. Ciallella for his participation and said that Mr. Ciallella has had a great relationship with the Authority.

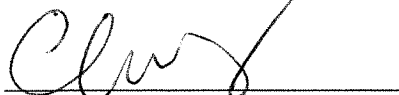
IX. **EXECUTIVE SESSION** – Chairman Ballantyne advised there was no need for Executive Session.

X. **ADJOURNMENT**

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

Meeting adjourned at 10:50 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 April 27, 2023.



Christine A. Sanz
Assistant Secretary

April 27, 2023

Commissioner	Roll Call	2023-19
Ballantyne, Chairman	P	Y
Buckelew, Vice Chairman -via phone	P	Y
Prieto	P	Y
Dowd	P	Y
Fontoura	P	Y
Gluck	P	Y
Gonnelli	--	--
Gordon	P	Y
Knopf	P	Y
Mullahey	P	Y
Pennington	P	Y
Plofker	P	Y
Scala	--	--
Scardino	P	Y
Stellato	P	Y
Treasury Rep Griffin - via phone	P	Y

P = Present A = Abstain -- Absent

R = Recuse Y = Affirmative N = Negative



CASH DISBURSEMENTS
\$100,000 OR MORE
APRIL 2023

EAST RUTHERFORD - SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF EAST RUTHERFORD	2,350,101.55	I	PAYMENT IN LIEU OF TAXES: 2ND QUARTER 2023
ENERGO POWER & GAS, LLC	444,616.32	J/L	ELECTRICITY CHARGES: MAR 2023
GIBBONS P.C.	192,858.50	A	LEGAL SERVICES - AUTHORITY TRANSACTIONS COUNSEL: MAR 2023
NEW MEADOWLANDS STADIUM CO., INC.	1,855,208.40	A	GRANDSTAND DEMOLITION AND WORLD CUP REIMBURSEMENTS: APR 2023
PUBLIC SERVICE ELECTRIC & GAS COMPANY	112,607.86	J/L	ELECTRIC TRANSMISSION: MAR 2023
SPORTS ARENA EMPLOYEES RETIREMENT FUND LOCAL 137	306,598.02	A	PENSION WITHDRAWAL LIABILITY PAYMENT: FEB 2023 - APR 2023
STATE OF NEW JERSEY TREASURY DEPARTMENT	200,135.29	A	WORKERS' COMPENSATION COVERAGE: 3RD QTR 2023
EAST RUTHERFORD - SC TOTAL	<u>5,462,125.94</u>		

MONMOUTH PARK RACETRACK

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF OCEANPORT	421,980.20	I	REAL ESTATE TAXES: 2ND QTR 2023
MONMOUTH PARK RACETRACK TOTAL	<u>421,980.20</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 2023-20

**RESOLUTION AUTHORIZING THE PURCHASE OF APPLICATION
TRACKING AND MANAGEMENT SOFTWARE**

WHEREAS, the New Jersey Sports and Exposition Authority through its Land Use Management Division ("LUM") utilizes software to track and manage land use/zoning and construction code plan review applications, approvals, inspections and violations, among other activities and tasks undertaken by staff; and

WHEREAS, the NJSEA is seeking to replace its existing application management software with a more capable and user-friendly product; and

WHEREAS, Spatial Data Logic municipal management software is utilized by numerous localities throughout the State, including several District municipalities, and is available for purchase through Dell under New Jersey State Contract T3121; and

WHEREAS, Spatial Data Logic offers an end-to-end permitting and plan review software solution that provides a web-based portal for applicants and allows for online coordination between NJSEA staff and District municipalities that also employ the system; and

WHEREAS, the total annual cost of the product is \$96,414.17 for the first year, including licensing, hosting, installation, and training, and \$73,129.07 for licenses and hosting during subsequent years; and

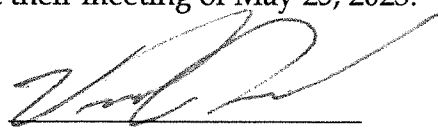
WHEREAS, subject to a final evaluation of the platform by staff, the NJSEA desires to contract with Spatial Data Logic to provide the software and necessary associated services for a period of up to two years; and

WHEREAS, the NJSEA further desires to contract with Spatial Data Logic to provide software development professional services at a cost not to exceed \$50,000.00 to ensure that the application is properly tailored to meet the unique needs of the Authority; and

NOW, THEREFORE, BE IT RESOLVED BY THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY, that the President & CEO hereby authorizes the purchase of the Spatial Data Logic software solution described herein, including software development professional services, for an amount not to exceed \$219,543.24.

BE IT FURTHER RESOLVED that the President & CEO, or their designee, is authorized to negotiate the terms and conditions of any contract with the vendor and to take all necessary actions to implement this resolution.

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 May 25, 2023.



Vincent Prieto
Secretary

RESOLUTION 2023-21

**RESOLUTION RATIFYING THE PURCHASE OF NINE (9) CHEVROLET TAHOE
VEHICLES FOR THE NEW JERSEY STATE POLICE**

WHEREAS, pursuant to the New Jersey Sports and Exposition Authority's ("NJSEA") Memorandum of Understanding with the New Jersey State Police, the NJSEA provides vehicles for the New Jersey State Police ("NJSP") barracks located at the Meadowlands Sports Complex; and

WHEREAS, the current NJSP vehicles at the Meadowlands Sports Complex are approximately ten (10) to fourteen (14) years old and are in very poor condition; and

WHEREAS, the New Jersey Department of Treasury has recently funded the NJSEA with a Supplemental Appropriation to purchase nine (9) NJSP replacement vehicles as soon as possible; and

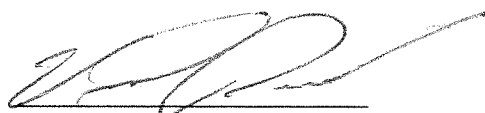
WHEREAS, because of supply chain disruptions, particularly a shortage of semiconductor chips, it has proven to be most difficult, if not impossible, to replace NJSP vehicles in a timely manner to assure the safety of the NJSEA's patrons and troopers; and

WHEREAS, the NJSP had located nine (9) suitable new vehicles available for sale at Gentilini Motors, Woodbine, New Jersey under New Jersey State Contract T-2776; and

WHEREAS, on April 28, 2023 the NJSEA invoked the provisions set forth in Executive Order #37 (Corzine) to purchase such vehicles in the amount of Four Hundred Thirty One Thousand Nine Hundred Sixty Six Dollars and Seventy Cents (\$431,966.70) without the otherwise required Board of Commissioners' resolution.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Sports and Exposition Authority that the purchase of nine (9) Chevrolet Tahoe vehicles on or about April 28, 2023 in the amount of Four Hundred Thirty One Thousand Nine Hundred Sixty Six Dollars and Seventy Cents (\$431,966.70) is hereby ratified.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of May 25, 2023.



Vincent Prieto
Secretary

RESOLUTION 2023-22

**RESOLUTION AUTHORIZING THE PRESIDENT AND CEO TO ENTER INTO A
CONTRACT WITH PAINO ROOFING OF NEW JERSEY FOR A ROOF
REPLACEMENT FOR THE ENGINEERING BUILDING IN EAST RUTHERFORD**

WHEREAS, the New Jersey Sports and Exposition Authority requires a roof replacement for the NJSEA Engineering Building located in East Rutherford; and

WHEREAS, on or about April 5, 2023 the Authority publicly issued a Request for Bids CN-283, for "NJSEA Engineering Building Roof Replacement"; and

WHEREAS, four (4) companies attended the mandatory pre-bid walk through and four (4) bids were received on April 27, 2023; 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 Paino Roofing Co, Inc. of Hackensack, NJ is the lowest qualified responsible bidder with a lump sum cost of \$160,000.00 and recommends award of a contract.

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 a roof replacement with Paino Roofing Co, Inc.

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 May 25, 2023.



Vincent Prieto
Secretary

EXECUTIVE SESSION

RESOLUTION 2023-23

**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 to discuss the following:

- NJSEA v. ACE American Insurance Company - Settlement Negotiations

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 May 25, 2023.

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

Vincent Prieto
Secretary