

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING: : TRANSCRIPT OF RECORDED
: PROCEEDINGS
: _____:

27 Wright Way
Fairfield, New Jersey

Tuesday, October 24, 2017
Commencing at 5:06 p.m.

M E M B E R S P R E S E N T:

COMMISSIONER GERARD M. SPIESBACH,
COMMISSIONER CARLA A. STANZIALE
COMMISSIONER JACQUELINE YUSTEIN, (Via telephone)
COMMISSIONER STEVEN H. KLINGHOFFER, Chairman

M E M B E R S A B S E N T:

COMMISSIONER MARK S. DUNEC
COMMISSIONER CLIFFORD ROSS
COMMISSIONER RONALD J. BROWN, Vice Chairman

A L S O P R E S E N T:

STEVEN C. ROTHER, Executive Director
NIA H. GILL, ESQ., General Counsel
LUCY SAPINSKI, Director of Operations
CLYDE L. OTIS, III, ESQ., Director of Development/
Assistant General Counsel
THOMAS GOMEZ, Airport Manager
BETSY WILLIAMSON, Administrative Assistant
JOSEPH CALI, Senior Project Manager/
Accounts Receivable

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1 MS. DILLON: On the record.

2 CHAIRMAN KLINGHOFFER: Okay.

3 Hey, how you doing?

4 MR. OTIS: I'm all right. How are you?

5 CHAIRMAN KLINGHOFFER: Good, good, good.

6 Okay.

7 Notice was duly given by regular mail and
8 facsimile to the Essex County Executive, the
9 Essex County Clerk, the Clerk of the Board of
10 Chosen Freeholders, Freeholder President
11 Timberlake, the News Editor of The Herald News,
12 the News Editor of The Star-Ledger, and notice
13 was posted on the bulletin board in the Office of
14 the Essex County Improvement Authority, stating
15 the time, date and location of this Regular Board
16 Meeting.

17 Roll -- roll call.

18 Where's Lucy?

19 MS. SAPINSKI: I'm here. I -- I thought we
20 were going to have other people there.

21 Commissioner Spiesbach?

22 COMMISSIONER SPIESBACH: Here.

23 MS. SAPINSKI: Commissioner Stanziale?

24 COMMISSIONER STANZIALE: Here.

25 MS. SAPINSKI: Commissioner Yustein?

1 COMMISSIONER YUSTEIN: Here.

2 MS. SAPINSKI: Chairman Klinghoffer?

3 CHAIRMAN KLINGHOFFER: Here.

4 Okay.

5 We're going to go into Executive Session
6 first.

7 Is that correct, Mr. Rother?

8 MR. ROTHER: Yes.

9 CHAIRMAN KLINGHOFFER: Okay.

10 MR. ROTHER: If you would, please.

11 CHAIRMAN KLINGHOFFER: And the rationale
12 for going into Executive Session is?

13 MR. ROTHER: We have mainly contract
14 negotiation and -- and counsel advice are the --
15 are the two, and of course, litigation, as well.

16 CHAIRMAN KLINGHOFFER: Is there a motion to
17 go into Executive Session?

18 COMMISSIONER STANZIALE: I'll make a
19 motion.

20 COMMISSIONER SPIESBACH: Second.

21 MS. SAPINSKI: Commissioner Spiesbach?

22 COMMISSIONER SPIESBACH: Yes.

23 MS. SAPINSKI: Commissioner Stanziale?

24 COMMISSIONER STANZIALE: Yes.

25 MS. SAPINSKI: Commissioner Yustein?

1 COMMISSIONER YUSTEIN: Yes.

2 MS. SAPINSKI: Chairman Klinghoffer?

3 CHAIRMAN KLINGHOFFER: Yes.

4 MS. SAPINSKI: And you want Jack to call
5 in?

6 MR. ROTHER: Please.

7 MS. SAPINSKI: Okay. Call Jack. Yeah.
8 Have him call in.

9

10 (Whereupon, the Board moved to Executive
11 Session at 5:07 p.m., Resolution No. 17-217.)

12

13 (Whereupon, the Board returned to Open
14 Session at 5:48 p.m., Resolution No. 17-40.)

15

16 MS. DILLON: Okay.

17 On the record.

18 CHAIRMAN KLINGHOFFER: On the record?

19 Okay.

20 COMMISSIONER SPIESBACH: We never went to
21 Public Comment, by the way.

22 MS. SAPINSKI: No, we didn't.

23 CHAIRMAN KLINGHOFFER: No. We've got to go
24 to --

25 Okay.

1 Do we have any members of the public that
2 would like to comment?

3 Seeing none.

4

5 (Whereupon, the Board discussed and took
6 action on the following item:

7 **ACCEPTANCE OF MINUTES**

8 RESOLUTION NO. 17-39 - Regular Board
9 Meeting and Executive Session 9-19-17.)

10

11 CHAIRMAN KLINGHOFFER: We'll move on to
12 Acceptance of Minutes.

13 Is there a motion to accept the minutes of
14 9/19?

15 COMMISSIONER STANZIALE: Make a motion.

16 COMMISSIONER SPIESBACH: Second.

17 MS. SAPINSKI: Commissioner Spiesbach?

18 COMMISSIONER SPIESBACH: Yes.

19 MS. SAPINSKI: Commissioner Stanziale?

20 COMMISSIONER STANZIALE: Yes.

21 MS. SAPINSKI: Commissioner Yustein?

22 COMMISSIONER YUSTEIN: Yes.

23 MS. SAPINSKI: Chairman Klinghoffer?

24 CHAIRMAN KLINGHOFFER: Yes.

25 You okay, Lucy?

1 MS. SAPINSKI: Um hum.

2

3 (Whereupon, the Board discussed and took
4 action on the following items:

5 **ADMINISTRATIVE**

- 6 **1.** RESOLUTION NO. 17-202 - RESOLUTION APPROVING
7 THE AUTHORITY'S 2018 ANNUAL OPERATING BUDGET
8 INCLUDING SUPPLEMENTAL SCHEDULES AND THE CAPITAL
9 BUDGET/PROGRAM; and
- 10 **2.** RESOLUTION NO. 17-203 - RESOLUTION
11 AUTHORIZING PAYMENT TO AUDIO-DIGITAL
12 TRANSCRIPTION SERVICES, LLC FOR TRANSCRIPTION OF
13 BOARD MEETING ON 9-19-17; and
- 14 **3.** RESOLUTION NO. 17-204 - RESOLUTION RATIFYING
15 PAYMENT OF RECURRING BILLS (BILL LIST).)

16

17 CHAIRMAN KLINGHOFFER: Administrative
18 Resolutions, 1 through 3.

19 COMMISSIONER STANZIALE: Motion.

20 COMMISSIONER SPIESBACH: Second.

21 MS. SAPINSKI: Commissioner Spiesbach?

22 COMMISSIONER SPIESBACH: Yes.

23 MS. SAPINSKI: Commissioner Stanziale?

24 COMMISSIONER STANZIALE: Yes.

25 MS. SAPINSKI: Commissioner Yustein?

1 COMMISSIONER YUSTEIN: Yes.

2 MS. SAPINSKI: Chairman Klinghoffer?

3 CHAIRMAN KLINGHOFFER: Yes.

4

5 (Whereupon, the Board discussed and took
6 action on the following item:

7 **NEWARK RIVERFRONT PROJECT/LITIGATION**

8 **4.** RESOLUTION NO. 17-205 - RESOLUTION
9 AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,169.37 TO
10 DeCOTIIS, FITZPATRICK, COLE & GIBLIN, LLP FOR
11 LEGAL SERVICES RENDERED THROUGH SEPTEMBER 30,
12 2017.)

13

14 CHAIRMAN KLINGHOFFER: Number 4.

15 Newark Riverfront Project/Litigation.

16 COMMISSIONER STANZIALE: Motion.

17 COMMISSIONER SPIESBACH: Second.

18 MS. SAPINSKI: Commissioner Spiesbach?

19 COMMISSIONER SPIESBACH: Yes.

20 MS. SAPINSKI: Commissioner Stanziale?

21 COMMISSIONER STANZIALE: Yes.

22 MS. SAPINSKI: Commissioner Yustein?

23 COMMISSIONER YUSTEIN: Yes.

24 MS. SAPINSKI: Chairman Klinghoffer?

25 CHAIRMAN KLINGHOFFER: Yes.

1
2 (Whereupon, the Board discussed and took
3 action on the following item:

4 **NEWARK PROPERTY ACQUISITION PROJECT**

5 5. RESOLUTION NO. 17-206 - RESOLUTION RATIFYING
6 PAYMENT IN THE AMOUNT OF \$1,355.00 TO CHIESA,
7 SHAHINIAN & GIANTOMASI, PC FOR LEGAL SERVICES
8 RENDERED THROUGH SEPTEMBER 30, 2017.)
9

10 CHAIRMAN KLINGHOFFER: And number 5.

11 The Newark Property Acquisition Project.

12 Is it -- is this coming to an end, the --
13 or is this ongoing?

14 MS. SAPINSKI: Acquisition -- no. They
15 still have a few property that they buying.

16 MR. ROTHER: This is around the -- the new
17 school.

18 CHAIRMAN KLINGHOFFER: Yeah.

19 MR. ROTHER: So, I -- I'm not sure I know
20 how many more there are.

21 MS. SAPINSKI: I don't know. We will get
22 the update from it.

23 MR. ROTHER: We'll find out and let you
24 know.

25 MS. SAPINSKI: Yes. Yes.

1 CHAIRMAN KLINGHOFFER: Okay. Is there a
2 motion?

3 COMMISSIONER STANZIALE: I'll make a
4 motion.

5 COMMISSIONER SPIESBACH: Second.

6 MS. SAPINSKI: Commissioner Spiesbach?

7 COMMISSIONER SPIESBACH: Yes.

8 MS. SAPINSKI: Commissioner Stanziale?

9 COMMISSIONER STANZIALE: Yes.

10 MS. SAPINSKI: Commissioner Yustein?

11 COMMISSIONER YUSTEIN: Yes.

12 MS. SAPINSKI: Chairman Klinghoffer?

13 CHAIRMAN KLINGHOFFER: Yes.

14

15 (Whereupon, the Board discussed and took
16 action on the following item:

17 **SPORTSPLEX COMPLEX (STADIUM AND GARAGE)**

18 6. RESOLUTION NO. 17-207 - RESOLUTION
19 AUTHORIZING PAYMENT IN THE AMOUNT OF \$6,075.00 TO
20 CONNELL FOLEY FOR LEGAL SERVICES RENDERED IN
21 CONNECTION WITH THE SPORTSPLEX COMPLEX THROUGH
22 SEPTEMBER 30, 2017.)

23

24 CHAIRMAN KLINGHOFFER: Number 6.

25 The Sportsplex Complex.

1 COMMISSIONER STANZIALE: I'll move that.

2 COMMISSIONER SPIESBACH: Second.

3 MS. SAPINSKI: Commissioner Spiesbach?

4 COMMISSIONER SPIESBACH: Yes.

5 MS. SAPINSKI: Commissioner Stanziale?

6 COMMISSIONER STANZIALE: Yes.

7 MS. SAPINSKI: Commissioner Yustein?

8 COMMISSIONER YUSTEIN: Yes.

9 MS. SAPINSKI: Chairman Klinghoffer?

10 CHAIRMAN KLINGHOFFER: Yes.

11

12 (Whereupon, the Board discussed and took

13 action on the following items:

14 **AIRPORT**

15 **7.** RESOLUTION NO. 17-208 - RESOLUTION

16 AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,475.00 TO

17 AFA PROTECTIVE SYSTEMS FOR A NEW ALARM PANEL AT

18 HANGAR I; and

19 **8.** RESOLUTION NO. 17-209 - RESOLUTION

20 AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,919.20 TO

21 POWER PLACE FOR FRONTIER HITCH GROUND BLOWER FOR

22 AIRPORT MAINTENANCE; and

23 **9.** RESOLUTION NO. 17-210 - RESOLUTION

24 AUTHORIZING PAYMENT TO JOHN J. CURLEY, LLC IN THE

25 AMOUNT OF \$1,811.12 FOR LEGAL SERVICES RENDERED

1 THROUGH SEPTEMBER IN CONNECTION WITH OBSTRUCTION
2 REMOVAL AT GOLF COURSE.)

3

4 CHAIRMAN KLINGHOFFER: Seven through 9, the
5 Airport.

6 COMMISSIONER STANZIALE: Motion.

7 COMMISSIONER SPIESBACH: Second.

8 MS. SAPINSKI: Commissioner Spiesbach?

9 COMMISSIONER SPIESBACH: Yes.

10 MS. SAPINSKI: Commissioner Stanziale?

11 COMMISSIONER STANZIALE: Yes.

12 MS. SAPINSKI: Commissioner Yustein?

13 COMMISSIONER YUSTEIN: Yes.

14 MS. SAPINSKI: Chairman Klinghoffer?

15 CHAIRMAN KLINGHOFFER: Yes.

16

17 (Whereupon, the Board discussed and took
18 action on the following items:

19 **CORRECTIONAL FACILITY/CELANESE/ENVIRONMENTAL**

20 **EXPOSURE**

21 *ALL EXPENSES PAID FROM ECIA OPERATIONS ACCOUNT*

22 **10. RESOLUTION NO. 17-211 - RESOLUTION**

23 **AUTHORIZING AMENDMENT #2 TO THE AGREEMENT WITH**

24 **BUCHANAN, INGERSOLL & ROONEY, PC IN THE AMOUNT OF**

25 **\$200,000.00 FOR LEGAL SERVICES; and**

1 **11.** RESOLUTION NO. 17-212 - RESOLUTION
2 AUTHORIZING PAYMENT IN THE AMOUNT OF \$50,094.29
3 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
4 SERVICES RENDERED IN AUGUST AND SEPTEMBER.)

5

6 CHAIRMAN KLINGHOFFER: Correctional
7 Facility.

8 Ten and 11. I guess we're expanding what
9 we're paying --

10 COMMISSIONER SPIESBACH: Well, quick
11 question on 10.

12 We're -- we're authorizing another two.
13 For what period of time? Is that for the --

14 MR. ROTHER: Yeah.

15 COMMISSIONER SPIESBACH: -- time?

16 MR. ROTHER: On -- on --

17 MS. SAPINSKI: Until the end of December.

18 COMMISSIONER SPIESBACH: Until it runs out
19 or --

20 MR. ROTHER: Yeah. No, no.

21 MS. SAPINSKI: No, no.

22 MR. ROTHER: Until the end of December.

23 MS. SAPINSKI: Till December. Till
24 December.

25 MR. ROTHER: No. No. And I -- I think

1 we're going to --

2 COMMISSIONER SPIESBACH: To the end of
3 December?

4 MR. ROTHER: -- it's going to be --

5 MS. SAPINSKI: Yeah. Only for this year.

6 MR. ROTHER: -- that's going to be more
7 than enough. That's going to be more than
8 enough. And -- and I think, as you can see, the
9 -- the bill for -- for what -- I think it was for
10 two months --

11 MS. SAPINSKI: It is. August, September.

12 MR. ROTHER: -- is -- it's -- it's much
13 reduced, over where we have been.

14 COMMISSIONER STANZIALE: Sure.

15 CHAIRMAN KLINGHOFFER: Well, whatever you
16 did, you did a good job, Steve.

17 MR. ROTHER: Okay.

18 CHAIRMAN KLINGHOFFER: So thank you very
19 much.

20 COMMISSIONER SPIESBACH: Okay.

21 CHAIRMAN KLINGHOFFER: Numbers are much
22 lower.

23 MR. ROTHER: Good.

24 CHAIRMAN KLINGHOFFER: So, we need a motion
25 on 10 and 11.

1 COMMISSIONER STANZIALE: I'll make a
2 motion.

3 COMMISSIONER SPIESBACH: Second.

4 MS. SAPINSKI: Commissioner Spiesbach?

5 COMMISSIONER SPIESBACH: Yes.

6 MS. SAPINSKI: Commissioner Stanziale?

7 COMMISSIONER STANZIALE: Yes.

8 MS. SAPINSKI: Commissioner Yustein?

9 COMMISSIONER YUSTEIN: Yes.

10 MS. SAPINSKI: Chairman Klinghoffer?

11 CHAIRMAN KLINGHOFFER: Yes.

12

13 (Whereupon, the Board discussed and took
14 action on the following items:

15 **COFFEE SHOP PROJECT AT PARKING FACILITY**

16 **12.** RESOLUTION NO. 17-213 - RESOLUTION
17 AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,902.50 TO
18 COMITO ASSOCIATES PC FOR SERVICES RENDERED
19 THROUGH SEPTEMBER 30, 2017; and

20 **13.** RESOLUTION NO. 17-214 - RESOLUTION ACCEPTING
21 A PROPOSAL FROM MOTT MacDONALD IN THE AMOUNT OF
22 \$14,076.06 FOR ENGINEERING SERVICES IN CONNECTION
23 WITH THE IMPLEMENTATION OF A COFFEE SHOP.)

24

25 CHAIRMAN KLINGHOFFER: Twelve and 13.

1 The Coffee Shop Project at the parking
2 facility.

3 COMMISSIONER STANZIALE: I'll make a
4 motion.

5 COMMISSIONER SPIESBACH: Second.

6 MS. SAPINSKI: Commissioner Spiesbach?

7 COMMISSIONER SPIESBACH: Yes.

8 MS. SAPINSKI: Commissioner Stanziale?

9 COMMISSIONER STANZIALE: Yes.

10 MS. SAPINSKI: Commissioner Yustein?

11 COMMISSIONER YUSTEIN: Yes.

12 MS. SAPINSKI: Chairman Klinghoffer?

13 CHAIRMAN KLINGHOFFER: Yes.

14

15 (Whereupon, the Board discussed and took
16 action on the following item:

17 **FINANCE**

18 **14.** RESOLUTION NO. 17-215 - RESOLUTION

19 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF

20 THE AUTHORITY'S \$150,000,000 POOLED GOVERNMENT

21 LOAN PROGRAM, SERIES 1986

22 **PAYMENTS DUE OTHERS FOR PGLP SERVICES**

23 1. GALLEROS-KOH, LLP \$2,000.00

24 FINANCIAL CONSULTANT

25 OCTOBER 2017

1	2.	BANK OF NEW YORK MELLON	\$4,000.00
2		TRUSTEE FEE	
3		10/1/17 - 12/31/17	
4	3.	WELLS FARGO	\$4,395.56
5		REMARKETING FEE	
6		7/1/17 - 9/30/17	
7	4.	WELLS FARGO	\$36,088.86
8		LETTER OF CREDIT	
9		10-1-17 TO 12-31-17	
10		(RATIFYING PAYMENT).)	
11			
12		CHAIRMAN KLINGHOFFER: And I believe the	
13		last one is number 14, on the -- our Pooled	
14		Governmental Loan Program.	
15		COMMISSIONER STANZIALE: Motion.	
16		COMMISSIONER SPIESBACH: Second.	
17		MS. SAPINSKI: Commissioner Spiesbach?	
18		COMMISSIONER SPIESBACH: Yes.	
19		MS. SAPINSKI: Commissioner Stanziale?	
20		COMMISSIONER STANZIALE: Yes.	
21		MS. SAPINSKI: Commissioner Yustein?	
22		Chairman --	
23		COMMISSIONER YUSTEIN: Yes.	
24		MS. SAPINSKI: -- Klinghoffer?	
25		CHAIRMAN KLINGHOFFER: Yes.	

1
2 (Whereupon, the Board discussed and took
3 action on the following item:

4 **LATE STARTER**

5 **AIRPORT**

6 1. RESOLUTION NO. 17-216 - RESOLUTION
7 AUTHORIZING AN AGREEMENT WITH APPRAISAL
8 CONSULTANTS CORP. IN THE AMOUNT NOT TO EXCEED
9 \$25,000.00 TO PROVIDE A REVIEW APPRAISAL IN
10 CONNECTION WITH AVIGATION EASEMENT AND
11 OBSTRUCTION REMOVAL AT GOLF COURSE.)

12

13 COMMISSIONER SPIESBACH: We have a Late
14 Starter.

15 CHAIRMAN KLINGHOFFER: We have a Late
16 Starter on the Airport.

17 COMMISSIONER STANZIALE: I'll move that.

18 COMMISSIONER SPIESBACH: Quick question,
19 just for my edification, Steve.

20 This is the review of the appraisal that
21 was already done?

22 MR. ROTHER: Yes. And as you may have
23 heard on the phone, from Jack Curley, that is a
24 requirement.

25 COMMISSIONER SPIESBACH: It's an FAA.

1 Yeah.

2 MR. ROTHER: It's a statutory requirement
3 that there be --

4 CHAIRMAN KLINGHOFFER: Well, it's a
5 statutory requirement but --

6 MR. ROTHER: Yeah.

7 CHAIRMAN KLINGHOFFER: Yeah.

8 MR. ROTHER: Yup.

9 CHAIRMAN KLINGHOFFER: Okay.

10 COMMISSIONER SPIESBACH: All right.

11 Thank you.

12 CHAIRMAN KLINGHOFFER: Either way, we got
13 to do it.

14 MS. SAPINSKI: You're going to second?

15 COMMISSIONER SPIESBACH: Yes. I will
16 second.

17 MS. SAPINSKI: Thank you.

18 Commissioner Spiesbach?

19 COMMISSIONER SPIESBACH: Yes.

20 MS. SAPINSKI: Commissioner Stanziale?

21 COMMISSIONER STANZIALE: Yes.

22 MS. SAPINSKI: Commissioner Yustein?

23 COMMISSIONER YUSTEIN: Yes.

24 MS. SAPINSKI: Chairman Klinghoffer?

25 CHAIRMAN KLINGHOFFER: Yes.

1 Anything else?

2 No?

3 Motion to adjourn?

4 COMMISSIONER STANZIALE: I'll move that.

5 COMMISSIONER SPIESBACH: Second.

6 MS. SAPINSKI: Commissioner Spiesbach?

7 COMMISSIONER SPIESBACH: Yes.

8 MS. SAPINSKI: Commissioner Stanziale?

9 COMMISSIONER STANZIALE: Yes.

10 MS. SAPINSKI: Commissioner Yustein?

11 COMMISSIONER YUSTEIN: Yes.

12 MS. SAPINSKI: Chairman Klinghoffer?

13 CHAIRMAN KLINGHOFFER: Yes.

14 COMMISSIONER SPIESBACH: You don't need to
15 sign.

16 MS. SAPINSKI: No.

17 CHAIRMAN KLINGHOFFER: Good moving today.

18 MS. SAPINSKI: No.

19 MS. DILLON: Chairman Klinghoffer?

20 MS. SAPINSKI: Chairman Klinghoffer. He's
21 going to give you a --

22 MS. DILLON: To adjourn? I didn't hear.

23 CHAIRMAN KLINGHOFFER: Oh, I'm sorry. I
24 said yes. I thought I said yes.

25 MS. DILLON: Okay. I -- I didn't hear you.

1 | You may have.

2 | CHAIRMAN KLINGHOFFER: No, I apologize.

3 | MS. DILLON: You may have.

4 | Thank you.

5 | MR. ROTHER: Thank you.

6 |

7 | (Whereupon, the proceedings were concluded
8 | at 5:53 p.m., Resolution No. 17-41.)

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1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

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5

6 I, DEBRA A. KASZNIAK, assigned transcriber,
7 do hereby affirm that the foregoing is a true and
8 accurate transcript of the REGULAR BOARD MEETING
9 of the ESSEX COUNTY IMPROVEMENT AUTHORITY heard
10 on Tuesday, October 24, 2017 and digitally
11 recorded.

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25 Monitored and proofread by: Deborah Dillon