

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

27 Wright Way
Fairfield, New Jersey

Tuesday, March 27, 2018
Commencing at 5:00 p.m.

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

COMMISSIONER MARK S. DUNEC, (Via telephone)
COMMISSIONER CLIFFORD ROSS
COMMISSIONER CARLA A. STANZIALE, (Via telephone)
COMMISSIONER JACQUELINE YUSTEIN
COMMISSIONER RONALD J. BROWN, Vice Chairman
COMMISSIONER STEVEN H. KLINGHOFFER, Chairman

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

COMMISSIONER GERARD M. SPIESBACH

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
THOMAS GOMEZ, Airport Manager
BETSY WILLIAMSON, Administrative Assistant
JOSEPH CALI, Senior Project Manager/Accounts Receivables

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1 MR. DILLON: Okay.

2 CHAIRMAN KLINGHOFFER: Okay?

3 MR. DILLON: On the record.

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

14

15 **ROLL CALL:**

16

17 CHAIRMAN KLINGHOFFER: Roll call please.

18 MS. SAPINSKI: Commissioner Brown?

19 VICE CHAIRMAN BROWN: Present.

20 MS. SAPINSKI: Commissioner Dunec?

21 COMMISSIONER DUNEC: Present.

22 MS. SAPINSKI: Commissioner Ross?

23 COMMISSIONER ROSS: Present.

24 MS. SAPINSKI: Commissioner Stanziale?

25 COMMISSIONER STANZIALE: Present.

1 MS. SAPINSKI: Commissioner Yustein?

2 COMMISSIONER YUSTEIN: Present.

3 MS. SAPINSKI: Chairman Klingoffer?

4 CHAIRMAN KLINGHOFFER: Present.

5

6 **SWEARING IN CEREMONY:**

7 **Re-Appointment of Commissioner Clifford Ross**

8

9 CHAIRMAN KLINGHOFFER: Swearing in
10 ceremony.

11 MS. GILL: We will have the swearing in.

12 COMMISSIONER ROSS: Sure.

13

14 (Whereupon, Clifford Ross was sworn in as
15 Commissioner of the Essex County Improvement
16 Authority by Nia H. Gill, Esquire, General
17 Counsel of the Board.)

18

19 MR. ROTHER: Congratulations.

20 COMMISSIONER YUSTEIN: Congratulations.

21 COMMISSIONER ROSS: Thank you.

22 MR. ROTHER: Very good.

23 COMMISSIONER ROSS: Thank you.

24 MS. SAPINSKI: Four years, I think
25 you're going to be appointed.

1 COMMISSIONER ROSS: Four more, huh?

2

3 **PUBLIC COMMENTS:**

4

5 CHAIRMAN KLINGHOFFER: Any members of the
6 public who would like to make comment?

7 Seeing none.

8

9 (Whereupon, the Board discussed and took
10 action on the following item:

11 **ACCEPTANCE OF MINUTES**

12 **RESOLUTION NO. 18-13**

13 **1. REGULAR BOARD MEETING AND EXECUTIVE**
14 **SESSIONS 2-27-18; and**

15 **2. SPECIAL BOARD MEETING AND EXECUTIVE**
16 **SESSIONS 3-9-18.)**

17

18 CHAIRMAN KLINGHOFFER: Is there a motion to
19 accept the minutes of the Regular Board Meeting
20 of February 27th --

21 COMMISSIONER YUSTEIN: Motion.

22 VICE CHAIRMAN BROWN: Second.

23 CHAIRMAN KLINGHOFFER: -- and the Special
24 Board Meeting of March 9th.

25 VICE CHAIRMAN BROWN: Second.

1 MS. SAPINSKI: Commissioner Brown?

2 Commissioner Brown?

3 VICE CHAIRMAN BROWN: Yes.

4 MS. SAPINSKI: Commissioner Dunec?

5 COMMISSIONER DUNEC: Yes.

6 MS. SAPINSKI: Commissioner Ross?

7 COMMISSIONER ROSS: 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 Mr. Rother, how would you like to handle
15 Executive Session today?

16 MR. ROTHER: We can do it at the end.

17 We have one Added Starter, which I would
18 like to hold the vote on until after the
19 Executive Session.

20 CHAIRMAN KLINGHOFFER: At the end.

21

22 (Whereupon, the Board discussed and took
23 action on the following items:

24 **ADMINISTRATIVE**

25 1. RESOLUTION NO. 18-047 - RESOLUTION

1 AUTHORIZING PAYMENT TO AUDIO-DIGITAL
2 TRANSCRIPTION SERVICES, LLC FOR TRANSCRIPTION OF
3 BOARD MEETING ON 2-27-18; and

4 **2.** RESOLUTION NO. 18-048 - RESOLUTION
5 RATIFYING PAYMENT OF RECURRING BILLS (BILL
6 LIST).)

7

8 CHAIRMAN KLINGHOFFER: Okay.

9 Would someone like to move Administrative
10 Resolutions 1 and 2?

11 COMMISSIONER ROSS: Move it.

12 VICE CHAIRMAN BROWN: Second.

13 MS. SAPINSKI: Commissioner Brown?

14 VICE CHAIRMAN BROWN: Yes.

15 MS. SAPINSKI: Commissioner Dunec?

16 COMMISSIONER DUNEC: Yes.

17 MS. SAPINSKI: Commissioner Ross?

18 COMMISSIONER ROSS: 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

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

3 **NEWARK PROPERTY ACQUISITION PROJECT**

4 3. RESOLUTION NO. 18-049 - RESOLUTION
5 AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,129.58 TO
6 CHIESA, SHAHINIAN & GIANTOMASI, PC FOR LEGAL
7 SERVICES RENDERED IN THE MONTH OF JANUARY 2018.)

8

9 CHAIRMAN KLINGHOFFER: Next we have Newark
10 Property Acquisition Project.

11 And it's number 3 on the agenda.

12 COMMISSIONER ROSS: So moved.

13 VICE CHAIRMAN BROWN: Second.

14 MS. SAPINSKI: Commissioner Brown?

15 VICE CHAIRMAN BROWN: Yes.

16 MS. SAPINSKI: Commissioner Dunec?

17 COMMISSIONER DUNEC: Yes.

18 MS. SAPINSKI: Commissioner Ross?

19 COMMISSIONER ROSS: 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 items:

4 **CORRECTIONAL FACILITY/CELANESE/ENVIRONMENTAL**
5 **EXPOSURE**

6 **ALL EXPENSES PAID FROM ECIA OPERATIONS ACCOUNT**

7 4. RESOLUTION NO. 18-050 - RESOLUTION
8 AUTHORIZING PAYMENT IN THE AMOUNT OF \$62,789.80
9 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
10 SERVICES RENDERED IN THE MONTH OF FEBRUARY 2018;
11 and

12 5. RESOLUTION NO. 18-051 - RESOLUTION
13 RATIFYING PAYMENT IN THE AMOUNT OF \$2,956.50 TO
14 BUCHANAN, INGERSOLL & ROONEY, PC FOR SERVICES
15 RENDERED BY HYDROGEOLOGIC, INC.)

16
17 CHAIRMAN KLINGHOFFER: Next is the
18 Correctional Facility.

19 Items 4 and 5 on the agenda.

20 COMMISSIONER ROSS: Move it.

21 VICE CHAIRMAN BROWN: Second.

22 MS. SAPINSKI: Commissioner Brown?

23 VICE CHAIRMAN BROWN: Yes.

24 MS. SAPINSKI: Commissioner Dunec?

25 COMMISSIONER DUNEC: Yes.

1 MS. SAPINSKI: Commissioner Ross?

2 COMMISSIONER ROSS: Yes.

3 MS. SAPINSKI: Commissioner Stanziale?

4 COMMISSIONER STANZIALE: Yes.

5 MS. SAPINSKI: Commissioner Yustein?

6 COMMISSIONER YUSTEIN: Yes.

7 MS. SAPINSKI: Chairman Klinghoffer?

8 CHAIRMAN KLINGHOFFER: Yes.

9

10 (Whereupon, the Board discussed and took
11 action on the following items:

12 **AIRPORT**

13 6. RESOLUTION NO. 18-052 - RESOLUTION
14 AUTHORIZING PAYMENT IN THE AMOUNT OF \$11,680.00
15 TO D. TORLUCCIO FOR SNOW REMOVAL AND SALT
16 SPREADING SERVICES ALONG ACCESS ROAD;

17 7. RESOLUTION NO. 18-053 - RESOLUTION
18 AUTHORIZING PAYMENT IN THE AMOUNT OF \$450.00 TO
19 JAMES ISABEL FOR WELDING SERVICES;

20 8. RESOLUTION NO. 18-054 - RESOLUTION
21 AUTHORIZING AN AGREEMENT WITH COMITO ASSOCIATES
22 PC IN THE AMOUNT NOT TO EXCEED \$5,000.00 FOR
23 ARCHITECTURAL SERVICES IN CONNECTION WITH THE
24 HANGAR P;

25 9. RESOLUTION NO. 18-055 - RESOLUTION

1 AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,900.00 TO
2 COMITO ASSOCIATES PC FOR SERVICES RENDERED
3 THROUGH FEBRUARY 2018;

4 **OBSTRUCTION REMOVAL PROJECT**

5 **Project Funded:**

6 **ECIA/AIRPORT 100%**

7 **10.** RESOLUTION NO. 18-056 - RESOLUTION
8 AUTHORIZING PAYMENT TO JOHN J. CURLEY, LLC IN THE
9 AMOUNT OF \$2,460.00 FOR LEGAL SERVICES RENDERED
10 IN THE MONTH OF FEBRUARY 2018;

11 **ENVIRONMENTAL PROJECTS - HANGAR 1 AND HANGAR 3**

12 **Project Funded:**

13 **AIRPORT-100%**

14 **11.** RESOLUTION NO. 18-057 - RESOLUTION
15 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
16 THE AMOUNT OF \$10,597.90 FOR ENGINEERING
17 SERVICES, SITE REMEDIATION AT HANGAR 1 AREA; and

18 **12.** RESOLUTION NO. 18-058 - RESOLUTION
19 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN
20 THE AMOUNT OF \$4,186.00 FOR ENGINEERING SERVICES,
21 SITE REMEDIATION AT HANGAR 3 AREA.)

22

23 CHAIRMAN KLINGHOFFER: Next, Airport
24 Resolutions.

25 Six -- items 6 through 12.

1 Someone like to move that?

2 COMMISSIONER YUSTEIN: Move it.

3 COMMISSIONER ROSS: Second.

4 MS. SAPINSKI: Commissioner Brown?

5 VICE CHAIRMAN BROWN: Yes.

6 MS. SAPINSKI: Commissioner Dunec?

7 COMMISSIONER DUNEC: Yes.

8 MS. SAPINSKI: Commissioner Ross?

9 COMMISSIONER ROSS: 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 COMMISSIONER KLINGHOFFER: Yes.

16

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

19 **SPORTSPLEX COMPLEX**

20 **13.** RESOLUTION NO. 18-059 - RESOLUTION
21 AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,125.00 TO
22 CONNELL FOLEY FOR LEGAL SERVICES RENDERED IN THE
23 MONTH OF FEBRUARY 2018;

24 **14.** RESOLUTION NO. 18-060 - RESOLUTION
25 AUTHORIZING PAYMENT TO PPMG, LLC IN THE AMOUNT OF

1 \$2,760.00 FOR SNOW/ICE REMOVAL;

2 **15.** RESOLUTION NO. 18-061 - RESOLUTION
3 AUTHORIZING AN AGREEMENT WITH COMITO ASSOCIATES
4 PC IN THE AMOUNT NOT TO EXCEED \$25,000.00 FOR
5 ARCHITECTURAL SERVICES IN CONNECTION WITH THE
6 DESIGN OF THE NEW LOTUS/ECIA PARKING GARAGE; and

7 **16.** RESOLUTION NO. 18-062 - RESOLUTION
8 AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,875.00 TO
9 COMITO ASSOCIATES PC FOR SERVICES RENDERED
10 THROUGH FEBRUARY 2018.)

11

12 CHAIRMAN KLINGHOFFER: Sportsplex project.

13 Items 13 through 16 on the agenda.

14 VICE CHAIRMAN BROWN: I'll move it.

15 COMMISSIONER YUSTEIN: Second.

16 MS. SAPINSKI: Commissioner Brown?

17 VICE CHAIRMAN BROWN: Yes.

18 MS. SAPINSKI: Commissioner Dunec?

19 COMMISSIONER DUNEC: Yes.

20 MS. SAPINSKI: Commissioner Ross?

21 COMMISSIONER ROSS: Yes.

22 MS. SAPINSKI: Commissioner Stanziale?

23 COMMISSIONER STANZIALE: Yes.

24 MS. SAPINSKI: Commissioner Yustein?

25 COMMISSIONER YUSTEIN: Yes.

1 MS. SAPINSKI: Chairman Klinghoffer?

2 CHAIRMAN KLINGHOFFER: Yes.

3 You okay? I don't want to get too far in
4 front of you.

5 MS. SAPINSKI: No. Fine.

6 CHAIRMAN KLINGHOFFER: Oh, you're okay.
7 Okay.

8 MS. SAPINSKI: Yes.

9

10 (Whereupon, the Board discussed and took
11 action on the following items:

12 **JUROR PARKING FACILITY**

13 **17.** RESOLUTION NO. 18-063 - RESOLUTION
14 AUTHORIZING PAYMENT IN THE AMOUNT OF \$450.00 TO
15 PRECISION TECHNOLOGY SOLUTIONS FOR EQUIPMENT
16 REPAIRS NOT COVER BY THE ANNUAL MAINTENANCE
17 AGREEMENT;

18 **18.** RESOLUTION NO. 18-064 - RESOLUTION
19 AUTHORIZING PAYMENT IN THE AMOUNT OF \$12,523.00
20 TO PRECISION TECHNOLOGY SOLUTIONS FOR IMPROVING
21 THE ENTRANCE TO THE PARKING FACILITY TO HELP WITH
22 THE TRAFFIC FLOW DURING MORNING RUSH; and

23 **19.** RESOLUTION NO. 18-065 - RESOLUTION
24 AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,800.00 TO
25 AROCHO SERVICES LLC FOR CLEANING OF THE GARAGE

1 STAIRWELL AND INSIDE BOTH ELEVATORS.)

2

3 CHAIRMAN KLINGHOFFER: Juror Parking
4 Facility.

5 Items 17, 18 and 19.

6 COMMISSIONER ROSS: Move it.

7 COMMISSIONER YUSTEIN: Second.

8 MS. SAPINSKI: Commissioner Brown?

9 VICE CHAIRMAN BROWN: Yes.

10 MS. SAPINSKI: Commissioner Dunec?

11 COMMISSIONER DUNEC: Yes.

12 MS. SAPINSKI: Commissioner Ross?

13 COMMISSIONER ROSS: Yes.

14 MS. SAPINSKI: Commissioner Stanziale?

15 COMMISSIONER STANZIALE: Yes.

16 MS. SAPINSKI: Commissioner Yustein?

17 COMMISSIONER YUSTEIN: Yes.

18 MS. SAPINSKI: Chairman Klinghoffer?

19 CHAIRMAN KLINGHOFFER: Yes.

20

21 (Whereupon, the Board discussed and took
22 action on the following item:

23 **FINANCE**

24 **20.** RESOLUTION NO. 18-066 - RESOLUTION

25 AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF

1 THE AUTHORITY'S \$150,000,000 POOLED GOVERNMENT
2 LOAN PROGRAM, SERIES 1986

3 PAYMENTS DUE OTHERS FOR PGLP SERVICES

4 1. GALLEROS-KOH, LLP, FINANCIAL CONSULTANT
5 - MARCH 2018 - \$2,000.00;
6 2. WELLS FARGO - LETTER OF CREDIT - 1-1-18
7 TO 3-31-18 - \$35,309.75.)

8
9 CHAIRMAN KLINGHOFFER: And Finance
10 Resolution.

11 Item 20.

12 COMMISSIONER ROSS: So moved.

13 COMMISSIONER YUSTEIN: Second.

14 MS. SAPINSKI: Commissioner Brown?

15 VICE CHAIRMAN BROWN: Yes.

16 MS. SAPINSKI: Commissioner Dunec?

17 Commissioner Dunec?

18 COMMISSIONER DUNEC: Yes.

19 MS. SAPINSKI: Commissioner Ross?

20 COMMISSIONER DUNEC: Yes.

21 COMMISSIONER ROSS: Yes.

22 MS. SAPINSKI: Commissioner Stanziale?

23 COMMISSIONER STANZIALE: Yes.

24 MS. SAPINSKI: Commissioner Yustein?

25 COMMISSIONER YUSTEIN: Yes.

1 MS. SAPINSKI: Chairman Klinghoffer?

2 CHAIRMAN KLINGHOFFER: Yes.

3 Mr. Rother, rationale for going into
4 Executive Session?

5 MR. ROTHER: Litigation and contract
6 negotiation.

7 CHAIRMAN KLINGHOFFER: Is there a motion to
8 go into Executive Session?

9 COMMISSIONER YUSTEIN: Make a motion to go
10 into Executive Session.

11 COMMISSIONER ROSS: Second.

12 MS. SAPINSKI: Commissioner Brown?

13 VICE CHAIRMAN BROWN: Yes.

14 MS. SAPINSKI: Commissioner Dunec?

15 Commissioner Dunec?

16 COMMISSIONER DUNEC: Yes.

17 MS. SAPINSKI: Commissioner Ross?

18 COMMISSIONER ROSS: 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 (Whereupon, there was a pause in the

1 proceedings.)

2

3 (Whereupon, the Board moved to Executive
4 Session at 5:06 p.m., Resolution No. 18-068.)

5

6 (Whereupon, the Board returned to Open
7 Session at 5:32 p.m., Resolution No. 18-14.)

8

9 (Whereupon, the Board discussed and took
10 action on the following item:

11 **LATE STARTER**

12 **OBSTRUCTION REMOVAL PROJECT**

13 **Project Funded:**

14 **ECIA/AIRPORT 100%**

15 **1. RESOLUTION NO. 18-067 - RESOLUTION**
16 **AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO**
17 **AN AGREEMENT WITH MOUNTAIN RIDGE COUNTRY CLUB IN**
18 **THE AMOUNT NOT TO EXCEED \$28,513.29 FOR**
19 **PRELIMINARY TREES REMOVAL AROUND THE CLUB HOUSE.)**

20

21 CHAIRMAN KLINGHOFFER: We have one
22 remaining item.

23 Obstruction --

24 It's a Late Starter on the Obstruction
25 Removal Project.

1 18-067.

2 Would someone like to move?

3 VICE CHAIRMAN BROWN: I'll move it.

4 COMMISSIONER ROSS: Second.

5 MS. SAPINSKI: Commissioner Brown?

6 VICE CHAIRMAN BROWN: Yes.

7 MS. SAPINSKI: Commissioner Dunec?

8 COMMISSIONER DUNEC: Yes.

9 MS. SAPINSKI: Commissioner Ross?

10 COMMISSIONER ROSS: Yes.

11 MS. SAPINSKI: Commissioner Stanziale?

12 COMMISSIONER STANZIALE: Yes.

13 MS. SAPINSKI: Commissioner Yustein?

14 COMMISSIONER YUSTEIN: Yes.

15 MS. SAPINSKI: Chairman Klinghoffer?

16 CHAIRMAN KLINGHOFFER: Yes.

17

18 **ADJOURNMENT :**

19

20 MR. ROTHER: Okay.

21 CHAIRMAN KLINGHOFFER: Nothing further?

22 Okay.

23 MR. ROTHER: Nope.

24 CHAIRMAN KLINGHOFFER: Is there a motion to

25 adjourn?

1 VICE CHAIRMAN BROWN: Move it.

2 COMMISSIONER ROSS: Second.

3 COMMISSIONER YUSTEIN: Second.

4 MS. SAPINSKI: Commissioner Brown?

5 VICE CHAIRMAN BROWN: Yes.

6 MS. SAPINSKI: Commissioner Dunec?

7 COMMISSIONER DUNEC: Yes.

8 MS. SAPINSKI: Commissioner Ross?

9 COMMISSIONER ROSS: 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 MS. SAPINSKI: Thank you.

17

18 (Whereupon, the proceedings were concluded

19 at 5:33 p.m., Resolution No. 18-15.)

20

21

22

23

24

25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

5 I, Karen A. Marino, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript of the REGULAR BOARD MEETING
8 of the ESSEX COUNTY IMPROVEMENT AUTHORITY heard
9 on Tuesday, March 27, 2018 and recorded on tape.

10

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24 Monitored by: Kevin Dillon, Sr.

25 Proofread by: Deborah Dillon