

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

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

27 Wright Way
Fairfield, New Jersey

Wednesday, December 17, 2014
Commencing at 3:09 p.m.

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

COMMISSIONER RONALD J. BROWN
COMMISSIONER STEVEN H. KLINGHOFFER
COMMISSIONER GERARD M. SPIESBACH
COMMISSIONER CARLA A. STANZIALE
COMMISSIONER ELEONORE KESSLER COHEN,
Vice Chairperson

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

COMMISSIONER CYNTHIA D. TORO

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

JAMES R. PAGANELLI, Executive Director
NIA H. GILL, ESQ., General Counsel
LUCY SAPINSKI, Director of Operations
JAMES O'TOOLE, JR., ESQ., Special Counsel

I N D E X

1		
2		<u>PAGE</u>
3	SUNSHINE NOTICE	3
4	ROLL CALL	3
5	PUBLIC COMMENT	3
6	EXECUTIVE SESSION	
7	Resolution NO. 14-263	5
8	<u>RESOLUTIONS</u>	
9	Resolution No. 14-264	5
10	ADJOURNMENT	
11	Motion to adjourn meeting	
12	Resolution No. 14-32	7
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

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2 VICE CHAIRPERSON COHEN: Notice was duly
3 given by regular mail and facsimile to the Essex
4 County Executive, the Essex County Clerk, the
5 Clerk of the Board of Chosen Freeholders,
6 Freeholder President Watson, the News Editor of
7 The Herald News, the News Editor of The
8 Star-Ledger, and notice was posted on the
9 bulletin board in the Office of the Essex County
10 Improvement Authority stating that the time,
11 date, location and purpose of this Special
12 Meeting at which formal action may be taken on
13 the items listed on the agenda.

14 MR. PAGANELLI: Roll call.

15 MS. SAPINSKI: Commissioner Brown?

16 COMMISSIONER BROWN: Here.

17 MS. SAPINSKI: Commissioner Cohen?

18 VICE CHAIRPERSON COHEN: Here.

19 MS. SAPINSKI: Commissioner Klinghoffer?

20 COMMISSIONER KLINGHOFFER: Here.

21 MS. SAPINSKI: Commissioner Spiesbach?

22 COMMISSIONER SPIESBACH: Here.

23 MS. SAPINSKI: Commissioner Stanziale?

24 COMMISSIONER STANZIALE: Here.

25 VICE CHAIRPERSON COHEN: Let it be seen on

1 the record that there is no public here for any
2 discussion.

3 You can resume the meeting.

4 MR. PAGANELLI: Right.

5 So purpose of today is for the Board to
6 consider some next actions regarding the Celanese
7 versus the ECIA lawsuit.

8 I think it's appropriate that we go to
9 Executive Session and talk about the steps that
10 we may be taking and the implications.

11 So with that I'd request a motion to go to
12 Executive Session to discuss this litigation.

13 VICE CHAIRPERSON COHEN: So moved for the
14 purpose of --

15 COMMISSIONER SPIESBACH: Second.

16 MS. SAPINSKI: Commissioner Brown?

17 COMMISSIONER BROWN: Yes.

18 MS. SAPINSKI: Commissioner Cohen?

19 VICE CHAIRPERSON COHEN: Yes.

20 MS. SAPINSKI: Commissioner Klinghoffer?

21 COMMISSIONER KLINGHOFFER: Yes.

22 MS. SAPINSKI: Commissioner Spiesbach?

23 COMMISSIONER SPIESBACH: Yes.

24 MS. SAPINSKI: Commissioner Stanziale?

25 COMMISSIONER STANZIALE: Yes.

1 MS. DILLON: Just one second.

2 (Whereupon, there was a pause in the
3 proceedings.)

4
5 (Whereupon, the Board moved to Executive
6 Session at 3:10 p.m., Resolution 14-263.)

7
8 (Whereupon, the Board returned to Open
9 Session at 4:30 p.m.)

10
11 (Whereupon, there was a pause in the
12 proceedings.)

13
14 MR. PAGANELLI: So we are now out of
15 Executive Session.

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

19 **CORRECTIONAL FACILITY/CELANESE LITIGATION**

- 20 1. RESOLUTION NO. 14-264 - RESOLUTION
- 21 AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ALL
- 22 NECESSARY STEPS TO EXECUTE THE LOWER PASSAIC
- 23 RIVER STUDY AREA SITE COOPERATING PARTIES GROUP
- 24 AMENDED AND RESTATED ORGANIZATION AGREEMENT AND
- 25 OTHER STEPS.)

1

2 MR. PAGANELLI: The Administration's only
3 asking for action on the one Resolution, which
4 will authorize me to take the steps we discussed
5 in Executive Session.

6

7 Unless there's any questions or anything
8 anybody wants to say in public, we'd ask for a
9 motion.

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VICE CHAIRPERSON COHEN: I so move.

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COMMISSIONER SPIESBACH: Second.

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MS. SAPINSKI: Commissioner Brown?

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COMMISSIONER BROWN: Yes.

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MS. SAPINSKI: Commissioner Cohen?

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VICE CHAIRPERSON COHEN: Yes.

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MS. SAPINSKI: Commissioner Klinghoffer?

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COMMISSIONER KLINGHOFFER: Yes.

17

MS. SAPINSKI: Commissioner Spiesbach?

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COMMISSIONER SPIESBACH: Yes.

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MS. SAPINSKI: Commissioner Stanziale?

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COMMISSIONER STANZIALE: Yes.

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VICE CHAIRPERSON COHEN: Thank you.

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MR. PAGANELLI: There's no other business.

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There's no other action items.

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VICE CHAIRPERSON COHEN: No action; just a

25

comment.

1 MR. PAGANELLI: Yup.

2 VICE CHAIRPERSON COHEN: My comment is
3 whatever you do, continue operating as the
4 operation we have. So that we don't fold, we
5 don't give up our mission, and we do what we have
6 to do.

7 MR. O'TOOLE: We hear you.

8 Thank you.

9 MR. PAGANELLI: Yup.

10 VICE CHAIRPERSON COHEN: Thank you, Jim.

11 MR. PAGANELLI: You're welcome.

12

13 **ADJOURNMENT**

14

15 MR. PAGANELLI: Okay. We need a motion to
16 adjourn.

17 VICE CHAIRPERSON COHEN: So moved.

18 COMMISSIONER BROWN: Second.

19 MS. SAPINSKI: Commissioner Cohen?

20 VICE CHAIRPERSON COHEN: Yes.

21 MS. SAPINSKI: Commissioner Brown?

22 COMMISSIONER BROWN: Yes.

23 MS. SAPINSKI: Commissioner Klinghoffer?

24 COMMISSIONER KLINGHOFFER: Yes.

25 MS. SAPINSKI: Commissioner Spiesbach?

1 COMMISSIONER SPIESBACH: Yes.

2 MS. SAPINSKI: Commissioner Stanziale?

3 COMMISSIONER STANZIALE: Yes.

4 MR. PAGANELLI: All right, that's it.

5 COMMISSIONER SPIESBACH: Thank you.

6 MR. PAGANELLI: All right.

7 Thanks.

8

9 (Whereupon, the proceedings were concluded

10 at 4:31 p.m., Resolution No. 14-32.)

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1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

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5 I, Karen A. Marino, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript of the SPECIAL BOARD MEETING
8 of the ESSEX COUNTY IMPROVEMENT AUTHORITY heard
9 on Wednesday, December 17, 2014 and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon