

ESSEX COUNTY  
IMPROVEMENT AUTHORITY  
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING : TRANSCRIPT OF RECORDED  
: PROCEEDINGS  
: \_\_\_\_\_  
:

27 Wright Way  
Fairfield, New Jersey

Tuesday, June 30, 2020  
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 GERARD M. SPIESBACH, (Via telephone)  
COMMISSIONER JACQUELINE YUSTEIN, (Via telephone)  
COMMISSIONER STEVEN H. KLINGHOFFER, Chairman,  
(Via telephone)

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

COMMISSIONER CLIFFORD ROSS  
COMMISSIONER CARLA A. STANZIALE  
COMMISSIONER RONALD J. BROWN, Vice Chairman

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

STEVEN C. ROTHER, Executive Director, (Via telephone)  
NIA H. GILL, Esq., General Counsel, (Via telephone)  
LUCY SAPINSKI, Director of Operations, (In person)  
BETSY WILLIAMSON, Administrative Assistant,  
(Via telephone)  
JOSEPH CALI, Senior Project Manager/Accounts Receivables,  
(Via telephone)

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1 MS. SAPINSKI: Five o'clock.

2 We can start.

3 MS. DILLON: Okay.

4 On the record.

5 CHAIRMAN KLINGHOFFER: Okay.

6 We're ready to -- and recording, everything  
7 else?

8 MS. SAPINSKI: You're ready?

9 MS. DILLON: Yes.

10 MS. SAPINSKI: Yes.

11 CHAIRMAN KLINGHOFFER: Okay.

12 I'll start -- start with the Sunshine  
13 Notice then.

14 Notice was duly given by regular mail,  
15 electronic mail, and facsimile to the Essex  
16 County Executive, the Essex County Clerk, the  
17 Clerk of the Board of Chosen Freeholders,  
18 Freeholder President Gill, the News Editor of The  
19 Herald News, and the News Editor of The  
20 Star-Ledger.

21 And notice was posted on the bulletin board  
22 in the Office of the Essex County Improvement  
23 Authority stating the time, date, and location of  
24 this Regular Board Meeting.

25

1 **ROLL CALL:**

2

3 CHAIRMAN KLINGHOFFER: Roll call, please.

4 MS. SAPINSKI: Commissioner Brown?

5 Commissioner Dunec?

6 COMMISSIONER DUNEC: Present.

7 MS. SAPINSKI: Commissioner Ross?

8 Commissioner Spiesbach?

9 Commissioner Spiesbach?

10 We had him.

11 MS. DILLON: He's your quorum.

12 MS. SAPINSKI: And he's our quorum.

13 Commissioner Yustein?

14 COMMISSIONER YUSTEIN: Present.

15 MS. SAPINSKI: Chairman Klinghoffer?

16 CHAIRMAN KLINGHOFFER: Present.

17 But we got to find --

18 MS. SAPINSKI: Yeah.

19 MS. DILLON: Clicked in --

20 MS. SAPINSKI: Somebody -- he was driving,  
21 so maybe he got disconnected?

22 CHAIRMAN KLINGHOFFER: I actually hear road  
23 sound in the back --

24 MS. SAPINSKI: Yeah. I know.

25 CHAIRMAN KLINGHOFFER: -- but --

1           You want to try his cellphone or --

2           MS. SAPINSKI:  Yeah, I'm calling it right  
3 now --

4           CHAIRMAN KLINGHOFFER:  Otherwise --

5           MS. SAPINSKI:  -- from my cell.

6           CHAIRMAN KLINGHOFFER:  -- (indiscernible).  
7           Okay.

8           (Whereupon, there was a pause in the  
9 proceedings.)

10

11           (Whereupon, Commissioner Gerard M.  
12 Spiesbach rejoined the meeting, via telephone, at  
13 5:02 p.m.)

14

15           CHAIRMAN KLINGHOFFER:  Who just joined us?

16           COMMISSIONER SPIESBACH:  Gerry.  I got  
17 disconnected but I'm back on.

18           CHAIRMAN KLINGHOFFER:  Okay.

19           Lucy's looking for you because you're our  
20 quorum.

21           MS. SAPINSKI:  Okay.

22           So Commissioner --

23           COMMISSIONER SPIESBACH:  Yeah.

24           MS. SAPINSKI:  -- Spiesbach?

25           COMMISSIONER SPIESBACH:  I'm here.

1 MS. SAPINSKI: Here.

2 COMMISSIONER SPIESBACH: Yes, here.

3 MS. SAPINSKI: Thank you.

4 CHAIRMAN KLINGHOFFER: Okay.

5 Okay.

6 We have a quorum, Lucy.

7 Right?

8 MS. SAPINSKI: Yes.

9 CHAIRMAN KLINGHOFFER: Okay.

10

11 **PUBLIC COMMENTS:**

12

13 CHAIRMAN KLINGHOFFER: Are there any  
14 members of the public that are on this line that  
15 would like to comment?

16 Hearing none.

17

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

20 **ACCEPTANCE OF MINUTES**

21 **RESOLUTION NO. 20-14**

22 **1. REGULAR BOARD MEETING AND EXECUTIVE SESSION**  
23 **MAY 26, 2020.)**

24

25 CHAIRMAN KLINGHOFFER: We'll move to the

1 next item on the agenda.

2 Acceptance of Minutes.

3 Is there a motion to accept the Regular  
4 Board Meeting and Executive Session Minutes of  
5 May 26, 2020?

6 COMMISSIONER DUNEC: I'll make a motion.

7 COMMISSIONER SPIESBACH: (Indiscernible).

8 MS. SAPINSKI: Okay.

9 COMMISSIONER SPIESBACH: All right, --

10 CHAIRMAN KLINGHOFFER: Please identify  
11 yourselves when you move and second.

12 Who moved?

13 COMMISSIONER SPIESBACH: Gerry will second.

14 COMMISSIONER DUNEC: Mark; moved.

15 MS. SAPINSKI: Thank you.

16 And Gerry second.

17 COMMISSIONER SPIESBACH: Gerry; second.

18 MS. SAPINSKI: Thank you.

19 Commissioner -- Commissioner Dunec?

20 COMMISSIONER DUNEC: Yes.

21 MS. SAPINSKI: Commissioner Spiesbach?

22 COMMISSIONER SPIESBACH: Yes.

23 MS. SAPINSKI: Commissioner Yustein?

24 COMMISSIONER YUSTEIN: Yes.

25 MS. SAPINSKI: Chairman Klinghoffer?



1 COMMISSIONER KLINGHOFFER: Yes.

2 We're going to defer Executive Session to  
3 the end of the meeting.

4

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

7 **ADMINISTRATIVE**

8 1. RESOLUTION NO. 20-077 - RESOLUTION  
9 RATIFYING PAYMENT TO AUDIO-DIGITAL TRANSCRIPTION  
10 SERVICES, LLC FOR TRANSCRIPTION OF BOARD MEETING  
11 ON 5-26-20;

12 2. RESOLUTION NO. 20-078 - RESOLUTION  
13 RATIFYING PAYMENT OF RECURRING BILLS (BILL LIST);  
14 and

15 3. RESOLUTION NO. 20-079 - RESOLUTION  
16 AUTHORIZING AN AGREEMENT WITH THE EDUCATIONAL  
17 SERVICES COMMISSION OF NEW JERSEY FOR  
18 CO-OPERATIVE PRICING PROGRAM FOR 2020.)

19

20 CHAIRMAN KLINGHOFFER: Would someone like  
21 to move Administrative?

22 Resolutions 1 through 3?

23 COMMISSIONER DUNEC: I'll move it.

24 MS. SAPINSKI: That's Commissioner --

25 CHAIRMAN KLINGHOFFER: Thank you, Mark.

1 MS. SAPINSKI: -- Dunec.

2 COMMISSIONER SPIESBACH: Second.

3 COMMISSIONER DUNEC: Yes.

4 MS. SAPINSKI: And Commissioner Spiesbach  
5 as a second.

6 Thank you.

7 COMMISSIONER SPIESBACH: Gerry.

8 MS. SAPINSKI: Commissioner Dunec?

9 COMMISSIONER DUNEC: Yes.

10 MS. SAPINSKI: Commissioner Spiesbach?

11 COMMISSIONER SPIESBACH: 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 **4.** RESOLUTION NO. 20-080 - RESOLUTION  
22 RATIFYING PAYMENT IN THE AMOUNT OF \$84,686.50 TO  
23 BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL  
24 SERVICES RENDERED IN MARCH 2020;

25 **5.** RESOLUTION NO. 20-081 - RESOLUTION

1 AUTHORIZING PAYMENT IN THE AMOUNT OF \$68,170.83  
2 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL  
3 SERVICES RENDERED IN APRIL 2020;

4       **6.** RESOLUTION NO. 20-082 - RESOLUTION  
5 AUTHORIZING PAYMENT IN THE AMOUNT OF \$87,714.00  
6 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL  
7 SERVICES RENDERED IN MAY 2020; and

8       **7.** RESOLUTION NO. 20-083 - RESOLUTION  
9 RATIFYING PAYMENT IN THE AMOUNT OF \$20,242.00 TO  
10 BUCHANAN, INGERSOLL & ROONEY, PC FOR SERVICES  
11 RENDERED BY HYDROGEOLOGIC, INC.)

12

13               CHAIRMAN KLINGHOFFER: Next up is our  
14 Correctional Facility.

15               I guess they're all invoices for -- related  
16 to the environmental litigation.

17               Four through 7.

18               Would someone like to move them?

19               COMMISSIONER DUNEC: I'll move it.

20               COMMISSIONER SPIESBACH: Gerry; second.

21               MS. SAPINSKI: Thank you.

22               Commissioner Dunec?

23               COMMISSIONER DUNEC: Yes.

24               MS. SAPINSKI: Commissioner Spiesbach?

25               COMMISSIONER SPIESBACH: Yes.

1 MS. SAPINSKI: Commissioner Yustein?

2 COMMISSIONER YUSTEIN: Yes.

3 MS. SAPINSKI: Chairman Klinghoffer?

4 CHAIRMAN KLINGHOFFER: Yes.

5

6 (Whereupon, the Board discussed and took  
7 action on the following items:

8 **AIRPORT**

9 8. RESOLUTION NO. 20-084 - RESOLUTION  
10 RATIFYING PAYMENT TO THOMAS J. O'BEIRNE & CO. IN  
11 THE AMOUNT OF \$1,868.25 FOR PLUMBING REPAIRS AT  
12 BUILDING/HANGAR P;

13 9. RESOLUTION NO. 20-085 - RESOLUTION  
14 RATIFYING PAYMENT TO AIR POWER, INC. IN THE  
15 AMOUNT OF \$744.00 FOR HVAC REPAIRS AND  
16 MAINTENANCE AT BUILDING/HANGAR P AND M;

17 10. RESOLUTION NO. 20-086 - RESOLUTION  
18 AUTHORIZING PAYMENT TO H2M ASSOCIATES INC., IN  
19 THE AMOUNT OF \$1,050.00 FOR ENGINEERING SERVICES  
20 IN CONNECTION WITH THE UNDERGROUND STORAGE TANK  
21 COMPLIANCE AS PER DEP REGULATIONS;

22 **RUNWAY 4-22 REHABILITATION PROJECT - DESIGN**

23 **CONSTRUCTION**

24 **Project Funded: NJDOT 90%, ECIA 10% (DESIGN)**

25 **FAA (CONSTRUCTION)**

1       **11.** RESOLUTION NO. 20-087 - RESOLUTION  
2 AUTHORIZING DISPOSITION OF BIDS FOR RUNWAY 4-22  
3 REHAB

4               \*Award of a Contract to Paving Materials &  
5 Contracting, LLC in the total amount of  
6 \$2,196,197.00

7               (Base Bid \$2,190,191.00 and Add On #1  
8 \$6,006.00);

9       **12.** RESOLUTION NO. 20-088 - RESOLUTION  
10 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN  
11 THE AMOUNT OF \$1,566.52 FOR ENGINEERING SERVICES  
12 IN CONNECTION WITH THE DESIGN FOR THE PERIOD  
13 THROUGH 5-22-2020;

14       **13.** RESOLUTION NO. 20-089 - RESOLUTION  
15 AUTHORIZING PAYMENT TO MCFARLAND JOHNSON IN THE  
16 AMOUNT OF \$2,000.00 FOR IFE EVALUATION OF C&S  
17 ENGINEERS AGREEMENT AS PER FAA REQUIREMENTS;

18       **14.** RESOLUTION NO. 20-090 - RESOLUTION  
19 AUTHORIZING AN AGREEMENT WITH C&S ENGINEERS, INC.  
20 IN THE AMOUNT OF \$219,000.00 FOR CONSTRUCTION  
21 OBSERVATION & ADMINISTRATION FOR RUNWAY 4-22  
22 REHAB PROJECT;

23 **FIRE PROTECTION SYSTEM PROJECT**

24 **Project Funded: ECIA/AIRPORT**

25       **15.** RESOLUTION NO. 20-091 - RESOLUTION

1 AUTHORIZING DISPOSITION OF BIDS FOR FIRE  
2 PROTECTION SYSTEM AT HANGAR I & M

3 \*Award of Contract to Star Fire & Safety  
4 Inc. in the amount of \$990,900.00\*;

5 **16.** RESOLUTION NO. 20-092 - RESOLUTION  
6 AUTHORIZING AN AGREEMENT WITH C&S ENGINEERS, INC.  
7 IN THE AMOUNT OF \$155,300.00 FOR CONSTRUCTION  
8 OBSERVATION & ADMINISTRATION FOR FIRE PROTECTION  
9 SYSTEM PROJECT.)

10

11 CHAIRMAN KLINGHOFFER: Next -- actually  
12 before we -- just a -- a general question about  
13 the Airport.

14 Where do we stand?

15 I know that there's -- there's work being  
16 done but where do we stand on the -- on getting  
17 the runway construction done?

18 MS. SAPINSKI: Tommy, are you on the phone?

19 Okay.

20 Joe, are you on the phone? You want to  
21 take this?

22 MR. CALI: Yes, I'm here.

23 We have applied for the grant for the  
24 construction of the runway. We are just waiting  
25 for the notice to proceed from the FAA. And once

1 that's granted, we will proceed with the project.

2 CHAIRMAN KLINGHOFFER: Okay.

3 Thank you.

4 Would -- any other questions, discussion  
5 about the Airport Resolutions?

6 MR. ROTHER: Yup.

7 By the way -- by the way, the number that  
8 we got on -- on that foam suppression is a very  
9 good one. Excellent.

10 CHAIRMAN KLINGHOFFER: Good.

11 MR. ROTHER: We were anticipating a much  
12 bigger number.

13 CHAIRMAN KLINGHOFFER: Okay, that's good to  
14 hear.

15 Would someone like to move Airport  
16 Resolutions 8 through 16?

17 COMMISSIONER DUNEC: I'll move them.

18 COMMISSIONER YUSTEIN: Jackie; yes.

19 COMMISSIONER SPIESBACH: I'll move them;  
20 Gerry.

21 COMMISSIONER YUSTEIN: All right, Jackie  
22 seconds.

23 MS. SAPINSKI: Thank you.

24 Commissioner Dunec?

25 COMMISSIONER DUNEC: Yes.

1 MS. SAPINSKI: Commissioner Spiesbach?

2 COMMISSIONER SPIESBACH: Yes.

3 MS. SAPINSKI: Commissioner Yustein?

4 COMMISSIONER YUSTEIN: Yes.

5 MS. SAPINSKI: Chairman Klinghoffer?

6 CHAIRMAN KLINGHOFFER: Yes.

7

8 (Whereupon, the Board discussed and took  
9 action on the following items:

10 **PARKING FACILITY**

11 **17.** RESOLUTION NO. 20-093 - RESOLUTION  
12 AUTHORIZING PAYMENT TO AECOM IN THE AMOUNT OF  
13 \$5,000.00 FOR SERVICES RENDERED IN CONNECTION  
14 WITH THE DESIGN FOR JUROR PARKING LOT SITE  
15 IMPROVEMENTS;

16 **18.** RESOLUTION NO. 20-094 - RESOLUTION  
17 RATIFYING PAYMENT TO PRECISION TECHNOLOGY  
18 SOLUTIONS IN THE AMOUNT OF \$2,330.00 FOR  
19 EQUIPMENT REPAIRS NOT COVERED BY THE MAINTENANCE  
20 AGREEMENT;

21 **19.** RESOLUTION NO. 20-095 - RESOLUTION  
22 RATIFYING PAYMENT TO AROCHO SERVICES, LLC IN THE  
23 AMOUNT OF \$1,700.00 FOR GARAGE ELEVATOR AND  
24 STAIRWELLS CLEANING, AND LANDSCAPING SERVICE FOR  
25 MAY; and



1       **20.** RESOLUTION NO. 20-096 - RESOLUTION  
2 ACCEPTING A PROPOSAL FROM PROTECTIVE MEASURES  
3 SECURITY AND FIRE SYSTEMS IN THE AMOUNT OF  
4 \$38,880.00 FOR THE FIRE ALARM WIRING AND DEVICE  
5 REPAIRS.)

6

7           CHAIRMAN KLINGHOFFER: Next we have the  
8 Parking Facility.

9           Resolutions 17 through 20.

10          Someone like to move them?

11          COMMISSIONER SPIESBACH: Gerry will move.

12          COMMISSIONER YUSTEIN: Jackie will move  
13 them.

14          Second.

15          MS. SAPINSKI: Jackie, you will second?

16          COMMISSIONER YUSTEIN: Yes. Yes.

17          MS. SAPINSKI: Commissioner -- Commissioner  
18 Dunec?

19          COMMISSIONER DUNEC: Yes.

20          MS. SAPINSKI: Commissioner Spiesbach?

21          COMMISSIONER SPIESBACH: 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 **FINANCE**

5 **21.** RESOLUTION NO. 20-097 - RESOLUTION  
6 RATIFYING PAYMENT OF CHARGES AND EXPENSES OF THE  
7 AUTHORITY'S \$150,000,000.00 POOLED GOVERNMENT  
8 LOAN PROGRAM, SERIES 1986

9 **Payments for PGLP Services**

10 GALLEROS KOH, LLP - FINANCIAL CONSULTANT -  
11 JUNE 2020 - \$4,000.00;

12 WELLS FARGO - LETTER OF CREDIT - 4/1/2020 -  
13 6/30/2020 - \$36,199.31.)

14

15 CHAIRMAN KLINGHOFFER: And the final matter  
16 is -- or the final -- yes, is -- is the  
17 Resolution -- Finance Resolution

18 Number 21 on the agenda.

19 Would someone like to move it?

20 COMMISSIONER DUNEC: I'll move it.

21 COMMISSIONER SPIESBACH: I'll move it.

22 Okay, Gerry is second.

23 MS. SAPINSKI: Thank you.

24 Commissioner Dunec?

25 COMMISSIONER DUNEC: Yes.

1 MS. SAPINSKI: Commissioner Spiesbach?

2 COMMISSIONER SPIESBACH: Yes.

3 MS. SAPINSKI: Commissioner Yustein?

4 COMMISSIONER YUSTEIN: Yes.

5 MS. SAPINSKI: Chairman Klinghoffer?

6 CHAIRMAN KLINGHOFFER: Yes.

7 We need a Resolution, I believe, for going  
8 into Executive Session?

9 The justification is -- is it contract  
10 negotiations, Mr. Rother?

11 MR. ROTHER: It's -- it's contract  
12 negotiations and -- and pending litigation; those  
13 two.

14 And the motion is to go into Executive  
15 Session and to close the -- the formal hearing  
16 here.

17 CHAIRMAN KLINGHOFFER: Okay.

18 Is -- is -- would -- would someone like to  
19 move that?

20 COMMISSIONER DUNEC: I'll move it.

21 CHAIRMAN KLINGHOFFER: Is there a second?

22 COMMISSIONER SPIESBACH: Gerry; second.

23 MS. SAPINSKI: Commissioner Dunec?

24 COMMISSIONER DUNEC: Yes.

25 MS. SAPINSKI: Commissioner Spiesbach?

1 COMMISSIONER SPIESBACH: Yes.

2 MS. SAPINSKI: Commissioner Yustein?

3 COMMISSIONER YUSTEIN: Yes.

4 MS. SAPINSKI: Chairman Klinghoffer?

5 CHAIRMAN KLINGHOFFER: Yes.

6 There is a separate number. We're not  
7 going to repeat it now. You have it in your  
8 email. If you can't find it, let Lucy know.

9 But we need everybody to call back in on  
10 that number because we have a bare quorum.

11 So please, let's not lose anybody.

12

13 (Whereupon, the Board moved to Executive  
14 Session at 5:08 p.m., Resolution No. 20-098.)

15

16 (Whereupon, the Board returned to Open  
17 Session, Resolution No. 20-15.)

18

19 **ADJOURNMENT:**

20

21 (Whereupon, the proceedings were  
22 concluded.)

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, June 30, 2020 and digitally recorded.

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25 Monitored and Proofread by: Deborah Dillon