

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

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

27 Wright Way
Fairfield, New Jersey

Tuesday, September 29, 2020
Commencing at 5:01 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, (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 GERARD M. SPIESBACH
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, Airport Operations Manager,
(Via telephone)

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1 CHAIRMAN KLINGHOFFER: Okay.

2 We're on the record?

3 MS. DILLON: Yes.

4 CHAIRMAN KLINGHOFFER: Notice was duly
5 given by regular mail, 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 Meeting.

14

15 **ROLL CALL:**

16

17 CHAIRMAN KLINGHOFFER: Roll call, please.

18 MS. SAPINSKI: Commissioner Dunec?

19 COMMISSIONER DUNEC: Here.

20 MS. SAPINSKI: Commissioner Ross?

21 COMMISSIONER ROSS: Present.

22 MS. SAPINSKI: Commissioner Yustein?

23 COMMISSIONER YUSTEIN: Here.

24 MS. SAPINSKI: Chairman Klinghoffer?

25 CHAIRMAN KLINGHOFFER: Here.

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PUBLIC COMMENTS:

CHAIRMAN KLINHOFFER: Okay.

Are there any members of the public that would like to comment?

Hearing none.

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

ACCEPTANCE OF MINUTES

RESOLUTION NO. 20-21

Regular Board Meeting and Executive Session August 25, 2020.)

CHAIRMAN KLINGHOFFER: We'll move on to a motion to accept the minutes of the August 25, 2020 Regular Board Meeting and Executive Session.

Would someone like to move acceptance of minutes?

COMMISSIONER DUNEC: I'll move it; it's Mark.

COMMISSIONER YUSTEIN: Second.

MS. SAPINSKI: Commissioner Dunec?

COMMISSIONER DUNEC: Yes.

1 MS. SAPINSKI: Commissioner Ross?

2 COMMISSIONER ROSS: Yes.

3 MS. SAPINSKI: Commissioner Yustein?

4 COMMISSIONER YUSTEIN: Yes.

5 MS. SAPINSKI: Chairman Klinghoffer?

6 CHAIRMAN KLINGHOFFER: Yes.

7 We're going to hold Executive Session, I
8 understand, until the end of the meeting.

9 Correct?

10 MR. ROTHER: Yup.

11 CHAIRMAN KLINGHOFFER: Okay.

12 Thank you.

13

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

16 **ADMINISTRATIVE**

17 **1.** RESOLUTION NO. 20-146 - RESOLUTION RATIFYING
18 PAYMENT TO AUDIO-DIGITAL TRANSCRIPTION SERVICES,
19 LLC FOR TRANSCRIPTION OF BOARD MEETING ON 8-25-
20 2020; and

21 **2.** RESOLUTION NO. 20-147 - RESOLUTION RATIFYING
22 PAYMENT OF RECURRING BILLS (BILL LIST); and

23 **3.** RESOLUTION NO. 20-148 - RESOLUTION
24 AUTHORIZING AN AGREEMENT WITH SAMUEL KLEIN AND
25 COMPANY FOR AUDITING SERVICES FOR THE YEAR ENDING

1 | DECEMBER 31, 2020.)

2 |

3 | CHAIRMAN KLINGHOFFER: Next, we have
4 | Administrative.

5 | Resolutions 1, 2 and 3.

6 | Would anybody like to move these?

7 | COMMISSIONER DUNEC: I'll move it; it's
8 | Mark.

9 | COMMISSIONER ROSS: I'll second it; Ross.

10 | MS. SAPINSKI: Commissioner Dunec?

11 | COMMISSIONER DUNEC: Yes.

12 | MS. SAPINSKI: Commissioner Ross?

13 | COMMISSIONER ROSS: Here.

14 | MS. SAPINSKI: Commissioner Yustein?

15 | COMMISSIONER YUSTEIN: Yes.

16 | MS. SAPINSKI: Chairman Klinghoffer?

17 | CHAIRMAN KLINGHOFFER: Yes.

18 |

19 | (Whereupon, the Board discussed and took
20 | action on the following items:

21 | **CORRECTIONAL FACILITY/CELANESE/ENVIRONMENTAL**

22 | **EXPOSURE**

23 | RESOLUTION NO. 20-149 - RESOLUTION

24 | AUTHORIZING AMENDMENT #1 TO THE AGREEMENT WITH

25 | BUCHANAN, INGERSOLL & ROONEY, PC IN THE AMOUNT OF

1 \$200,000.00 FOR ADDITIONAL LEGAL SERVICES; and
2 RESOLUTION NO. 20-150 - RESOLUTION
3 AUTHORIZING PAYMENT IN THE AMOUNT OF \$40,274.50
4 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
5 SERVICES RENDERED IN AUGUST 2020.)

6

7 CHAIRMAN KLINGHOFFER: Next, we have
8 Correctional Facility/Celanese/Environmental
9 Exposure.

10 Resolutions 4 and 5.

11 Would someone like to move them?

12 COMMISSIONER DUNEC: I'll move that; Mark.

13 COMMISSIONER ROSS: Move it; Ross.

14 I'll second it; Ross.

15 MS. SAPINSKI: Commissioner Dunec?

16 COMMISSIONER DUNEC: Yes.

17 MS. SAPINSKI: Commissioner Ross?

18 COMMISSIONER ROSS: Yes.

19 MS. SAPINSKI: Commissioner Yustein?

20 COMMISSIONER YUSTEIN: Yes.

21 MS. SAPINSKI: Chairman Klinghoffer?

22 CHAIRMAN KLINGHOFFER: Yes.

23

24 (Whereupon, the Board discussed and took
25 action on the following item:

1 **PARKING FACILITY**

2 **6.** RESOLUTION NO. 20-151 - RESOLUTION
3 AUTHORIZING PAYMENT TO AECOM, INC. IN THE AMOUNT
4 OF \$1,225.00 FOR SERVICES RENDERED IN CONNECTION
5 WITH THE JUROR PARKING LOT SITE IMPROVEMENTS.)

6

7 CHAIRMAN KLINGHOFFER: And next is Parking
8 Facility.

9 Number 6.

10 Would someone like to move that?

11 COMMISSIONER YUSTEIN: I'll move it;
12 Jackie.

13 COMMISSIONER ROSS: I'll second it; Ross.

14 MS. SAPINSKI: Commissioner Dunec?

15 COMMISSIONER DUNEC: Yes.

16 MS. SAPINSKI: Commissioner Ross?

17 COMMISSIONER ROSS: Yes.

18 MS. SAPINSKI: Commissioner Yustein?

19 COMMISSIONER YUSTEIN: Yes.

20 MS. SAPINSKI: Chairman Klinghoffer?

21 CHAIRMAN KLINGHOFFER: Yes.

22

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

25 **AIRPORT**

1 **7.** RESOLUTION NO. 20-152 - RESOLUTION
2 RATIFYING PAYMENT TO THOMAS J. O'BEIRNE & CO. IN
3 THE AMOUNT OF \$1,980.61 FOR PLUMBING REPAIRS AT
4 HANGAR/BUILDING M; and

5 **8.** RESOLUTION NO. 20-153 - RESOLUTION
6 RATIFYING PAYMENT TO GROOME DOOR & MECHANICAL
7 SYSTEMS IN THE AMOUNT OF \$9,852.32 FOR T-HANGARS
8 REPAIRS; and

9 **9.** RESOLUTION NO. 20-154 - RESOLUTION
10 ACCEPTING A PROPOSAL FROM DIAMOND CONTRACTING OF
11 NJ IN THE AMOUNT OF \$7,500.00 TO CUT AND CLEAR
12 THE VEGETATION FROM THE APPROACH END OF RUNWAY 22
13 (VIBRA SCREW PROPERTY); and

14 **10.** RESOLUTION NO. 20-155 - RESOLUTION
15 AUTHORIZING REIMBURSEMENT TO AIR BOUND AVIATION
16 IN THE AMOUNT OF \$8,800.00 FOR HVAC REPAIRS AT
17 HANGAR/BUILDING M; and

18 **11.** RESOLUTION NO. 20-156 - RESOLUTION
19 AUTHORIZING PAYMENT TO H2M ASSOCIATES, INC., IN
20 THE AMOUNT OF \$735.00 FOR SERVICES IN CONNECTION
21 WITH THE UNDERGROUND STORAGE TANK COMPLIANCE AS
22 PER DEP REGULATIONS; and

23 **RUNWAY 4-22 REHABILITATION PROJECT - CONSTRUCTION**

24 **PROJECT FUNDED: FAA 90% % ECIA 10%**

25 **12.** RESOLUTION NO. 20-157 - RESOLUTION

1 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN
2 THE AMOUNT OF \$7,075.03 FOR ENGINEERING SERVICES
3 IN CONNECTION WITH THE CO/CI FOR THE PERIOD
4 THROUGH 7-31-2020; and

5 **13.** RESOLUTION NO. 20-158 - RESOLUTION
6 AUTHORIZING PAYMENT #1 TO PAVING MATERIALS &
7 CONTRACTING, LLC IN THE AMOUNT OF \$1,229,252.95
8 FOR SERVICES RENDERED THROUGH SEPTEMBER 11, 2020
9 **FIRE SUPPRESSION SYSTEM PROJECT (CONSTRUCTION)**

10 **PROJECT FUNDED: ECIA/AIRPORT 2019 BOND**

11 **14.** RESOLUTION NO. 20-159 - RESOLUTION
12 RATIFYING CHANGE ORDER #1 AND #2 TO STAR FIRE &
13 SAFETY INC. IN THE AMOUNT OF \$30,665.25 FOR
14 ADDITIONAL SERVICES RENDERED IN HANGAR/BUILDING
15 I; and

16 **15.** RESOLUTION NO. 20-160 - RESOLUTION
17 RATIFYING PAYMENT #2 TO STAR FIRE & SAFETY INC.
18 IN THE AMOUNT OF \$460,911.07 FOR SERVICES
19 RENDERED THROUGH AUGUST 20, 2020.)

20

21 CHAIRMAN KLINGHOFFER: Next we have
22 Airport.

23 Resolutions 7 through 15.

24 Before anybody moves it, just a quick
25 question.

1 I see that we have a big paving bill. I --
2 I take it our paving of the runway is moving
3 along?

4 MS. SAPINSKI: Yes. It's all done.

5 Joe -- Joe, are you on the phone?

6 MR. CALI: Yes. I'm here.

7 As of September 18th, we opened the runway
8 back up. So, it's substantially complete. We
9 just have to -- the pavement just has to be --
10 has to cure for 30 days and then we can groove
11 the payment (sic) -- the pavement, and then, it
12 will be completed a hundred percent.

13 CHAIRMAN KLINGHOFFER: Okay.

14 Thank you.

15 MS. SAPINSKI: Chairman, if I can?

16 I just want to acknowledge Joe Cali.

17 Those two projects right now, we have the
18 changing of the fire protection system and the
19 pavement system, the paving. If it wasn't for
20 Joe, we would have not be done with those -- not
21 done with the paving, and definitely not where we
22 are, so ahead of the schedule on the fire
23 protection system.

24 Every day, he's here from six or seven
25 o'clock to four, five, and six and seven o'clock,

1 working, coordinating with the tenants, Paragon
2 and C and W, which Steve knows, they're not the
3 easiest people to work with. Really, really, he
4 needs an award for doing extremely good job on
5 those projects.

6 CHAIRMAN KLINGHOFFER: It sounds like we
7 owe a big thank you to Joe.

8 MS. SAPINSKI: Yes.

9 CHAIRMAN KLINGHOFFER: Thank you very much,
10 --

11 MS. SAPINSKI: Yes.

12 CHAIRMAN KLINGHOFFER: -- Joe Cali.

13 MR. ROTHER: Ditto.

14 Yup.

15 MR. CALI: I appreciate it.

16 CHAIRMAN KLINGHOFFER: Would someone like
17 to move Airport Resolutions 7 through 15?

18 COMMISSIONER YUSTEIN: I'll move it;
19 Jackie.

20 COMMISSIONER ROSS: Second; Ross.

21 MS. SAPINSKI: Commissioner Dunec?

22 COMMISSIONER DUNEC: Yes.

23 MS. SAPINSKI: Commissioner Ross?

24 COMMISSIONER ROSS: 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 **FINANCE**

8 16. RESOLUTION NO. 20-161 - RESOLUTION
9 RATIFYING PAYMENT OF CHARGES AND EXPENSES OF THE
10 AUTHORITY'S \$150,000,000.00 POOLED GOVERNMENT
11 LOAN PROGRAM, SERIES 1986

12 **PAYMENTS FOR PGLP SERVICES**

13	GALLEROS ROBINSON, CPAs, LLC	\$2,000.00
14	PROGRAM ADMINISTRATOR	
15	SEPTEMBER 2020	
16	WELLS FARGO BANK	\$36,588.86
17	LETTER OF CREDIT	
18	7/1/20 - 9/30/20	
19	ECIA	\$5,000.00
20	REIMBURSEMENT FEE.)	

21

22 CHAIRMAN KLINGHOFFER: And finally, we --
23 well, next we have Finance.

24 Resolution 16.

25 Would someone like to move that?

1 COMMISSIONER ROSS: Move it; Ross.

2 COMMISSIONER YUSTEIN: Second it; Jackie.

3 MS. SAPINSKI: Commissioner Dunec?

4 COMMISSIONER DUNEC: Yes.

5 MS. SAPINSKI: Commissioner Ross?

6 COMMISSIONER ROSS: Yes.

7 MS. SAPINSKI: Commissioner Yustein?

8 COMMISSIONER YUSTEIN: Yes.

9 MS. SAPINSKI: Chairman Klinghoffer?

10 CHAIRMAN KLINGHOFFER: Yes.

11 Mr. Rother, I understand that we do have a
12 need for Executive Session.

13 Could you explain the rationale, please?

14 MR. ROTHER: Yup.

15 I -- I think the rationale is the matters
16 we'd talk about would be contract negotiation and
17 litigation.

18 CHAIRMAN KLINGHOFFER: Would -- and I
19 understand this would also be a Resolution to
20 adjourn after we finish Executive Session.

21 Would --

22 MR. ROTHER: Correct.

23 CHAIRMAN KLINGHOFFER: -- someone like --

24 MR. ROTHER: Correct. To go --

25 Yeah, to go into Executive Session and to

1 adjourn, and close the -- the open public
2 meeting.

3 CHAIRMAN KLINGHOFFER: Thank you.

4 Would someone like to move that?

5 COMMISSIONER DUNEC: I'll move it; Mark.

6 COMMISSIONER YUSTEIN: I'll second it;
7 Jackie.

8 COMMISSIONER ROSS: I'll second it; Ross.

9 MS. SAPINSKI: Commissioner Dunec?

10 COMMISSIONER DUNEC: Yes.

11 MS. SAPINSKI: Commissioner Ross?

12 COMMISSIONER ROSS: Yes.

13 MS. SAPINSKI: Commissioner Yustein?

14 COMMISSIONER YUSTEIN: Yes.

15 MS. SAPINSKI: Chairman Klinghoffer?

16 CHAIRMAN KLINGHOFFER: Yes.

17 Thank you.

18 We'll now reconvene into Executive Session.

19 MS. SAPINSKI: Thank you.

20

21 (Whereupon, the Board moved to Executive
22 Session at 5:08 p.m., Resolution No. 20-162.)

23

24 (Whereupon, the Board returned to Open
25 Session, Resolution No. 20-22.)

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(Whereupon, the proceedings were
concluded.)

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, September 29, 2020 and digitally
11 recorded.

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25 Monitored and proofread by: Deborah Dillon