

ESSEX COUNTY
IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

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

27 Wright Way
Fairfield, New Jersey

Tuesday, November 24, 2020
Commencing at 5:07 p.m.

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

COMMISSIONER GERARD M. SPIESBACH, (Via telephone)
COMMISSIONER CARLA A. STANZIALE, (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 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, (Via telephone)
LUCY SAPINSKI, Director of Operations, (In person)
JOSEPH CALI, Airport Operations Manager, (Via telephone)
SAMUEL KLEIN & COMPANY
By: JOSEPH J. FACCONI, Managing Partner, (Via telephone)
By: GERARD STANKIEWICZ, Partner, (Via telephone)

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1 CHAIRMAN KLINGHOFFER: Okay.

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

12

13 **ROLL CALL:**

14

15 CHAIRMAN KLINGHOFFER: Roll call, please.

16 MS. SAPINSKI: Commissioner Spiesbach?

17 COMMISSIONER SPIESBACH: Here.

18 MS. SAPINSKI: Commissioner Stanziale?

19 COMMISSIONER STANZIALE: Here.

20 MS. SAPINSKI: Commissioner Yustein?

21 COMMISSIONER YUSTEIN: Here.

22 MS. SAPINSKI: Chairman Klinghoffer?

23 CHAIRMAN KLINGHOFFER: Here.

24

25 **PUBLIC COMMENTS:**

1

2 CHAIRMAN KLINGHOFFER: Do we have any
3 members of the public present who would like to
4 comment?

5 MS. SAPINSKI: Nobody's present.

6 CHAIRMAN KLINGHOFFER: Hearing --
7 Okay.

8 Hearing none.

9

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

12 **ACCEPTANCE OF MINUTES**

13 **RESOLUTION NO. 20-26**

14 **1. REGULAR BOARD MEETING AND EXECUTIVE SESSION**
15 **OCTOBER 27, 2020.)**

16

17 CHAIRMAN KLINGHOFFER: We'll move to
18 Acceptance of Minutes.

19 Would someone like to move to accept the
20 minutes of the October 27th, 2020 Regular Board
21 Meeting and Executive Session?

22 COMMISSIONER SPIESBACH: Move to accept.
23 Gerry; moves to accept.

24 COMMISSIONER YUSTEIN: Jackie; second.

25 MS. SAPINSKI: Commissioner Spiesbach?

1 COMMISSIONER SPIESBACH: Yes.

2 MS. SAPINSKI: Commissioner Stanziale?

3 COMMISSIONER STANZIALE: Yes.

4 MS. SAPINSKI: Commissioner Yustein?

5 COMMISSIONER YUSTEIN: Yes.

6 MS. SAPINSKI: Chairman Klinghoffer?

7 COMMISSIONER KLINGHOFFER: Yes.

8 Mr. Rother, I presume we'll wait until
9 after the meeting for Executive Session -- to the
10 end of the meeting?

11 MR. ROTHER: Correct.

12 Correct.

13 CHAIRMAN KLINGHOFFER: Okay.

14

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

17 **ADMINISTRATIVE**

18 1. RESOLUTION NO. 20-189 - RESOLUTION
19 AUTHORIZING ACCEPTANCE OF THE AUTHORITY'S REPORT
20 OF AUDIT FOR THE YEAR ENDED DECEMBER 31, 2019;
21 and

22 2. RESOLUTION NO. 20-190 - RESOLUTION ADOPTING
23 THE AUTHORITY'S 2021 ANNUAL BUDGET AND THE
24 CAPITAL BUDGET/PROGRAM.)
25

1 CHAIRMAN KLINGHOFFER: Let's handle these
2 Administrative Resolutions separately.

3 The first two deal with the -- the Report
4 of the Audit and the Capital Budget.

5 And I believe we have some guests present
6 to tell us about these.

7 Is that correct?

8 MR. STANKIEWICZ: Yes.

9 CHAIRMAN KLINGHOFFER: Anything you
10 would --

11 MR. STANKIEWICZ: Do we have the floor?

12 CHAIRMAN KLINGHOFFER: Anything you'd
13 like --

14 Well, first -- you have to identify
15 yourself please. And then it's all yours.

16 MR. STANKIEWICZ: My name's Gerry
17 Stankiewicz, partner in Samuel Klein and Company.
18 I handled all the field work and financial
19 reporting for the firm.

20 We also have on the line Joseph Faccone,
21 the managing partner and the actual nominee on
22 this audit report and senior consultant to the
23 firm.

24 And the report was issued about a week and
25 a half ago. Needless to say the -- the COVID

1 | situation was a -- people were nervous about
2 | going out in the field. We had minimal contact
3 | with employees; we tried to minimize the number
4 | of people who worked in your office on the audit.

5 | And I'm a believer that, quite frankly, you
6 | -- you can't really do the audit from your
7 | office, you have to be there at the client and
8 | available to them as -- and be -- looking at the
9 | source documents -- the original documents, which
10 | we'll get into as we progress through the audit.

11 | But good news is this, A, we have a -- an
12 | audit report for the year ended December 31st,
13 | 2019, that expressed what is called an unmodified
14 | opinion.

15 | Old days -- for the old-timers those were
16 | known as an unqualified opinion, layman's terms a
17 | clean opinion.

18 | And what that meant -- what that means is
19 | that the records that were presented to us -- and
20 | this is the general ledgers, the bank
21 | reconciliations, the underlying revenue reports,
22 | expenditure reports, and all the other supporting
23 | schedules that supported the various balance
24 | sheet accounts that we were presented with, were
25 | all presented in proper fashion.

1 Okay?

2 And all of them agreed to the general
3 ledger. And all of the underlying support for
4 them we tested and we found that to be okay.

5 And I'll give you an example.

6 We get the general ledgers, as presented by
7 the Authority and in all cases all the cash --
8 and it -- it's very important that it be that way
9 -- the cash on the bank reconciliations was in
10 agreement with the general ledger in all cases.

11 What that means is that -- it's a good
12 starting point. What that means is that all --
13 all the transactions that went through the
14 Authority during the fiscal year, through all the
15 various sets of records, -- and you have a lot of
16 them, okay -- at the end of the year, when all
17 the smoke cleared, everything was in balance.

18 Okay?

19 So that is major criteria, number one, when
20 being presented with records.

21 Now the way it works is, -- (indiscernible)
22 -- which is Steve Rother, Lucy Sapinski, and also
23 the consultant firm -- Nora Galleros and her
24 group that actually put the accounting records
25 together for us to audit, what that means is

1 they're responsible to present us with the
2 records.

3 Okay?

4 And, as you know, they're always presented
5 in proper fashion.

6 Our job, as the independent auditors, is to
7 express an opinion on those financial --

8 And as, like I said, our opinion is that
9 the records present fairly a financial condition
10 of the Authority as of 12/31/19.

11 Okay?

12 Now, how did we get there?

13 We -- we -- an audit is -- the root word is
14 audit -- is audicton (phonetic), it's a sample.
15 We -- we sample payroll transactions, sample
16 payroll deductions payable.

17 We go -- look at your revenues in all
18 cases.

19 Look at the airport revenues.

20 We look at the tiedown revenues.

21 The hangar revenues.

22 The rents.

23 Look at the gasoline revenue.

24 We look at parking tickets -- rather
25 parking stubs, the -- you know, the little

1 tickets that you get when you go through the
2 parking -- into the parking lots. We look at all
3 that.

4 We -- we do look at all the revenues that
5 flow into the development and financial
6 assistance fund, which are primarily derivative
7 of all the other funds that the Authority -- that
8 the Authority's responsible for, most -- most
9 importantly the trustee funds.

10 With regards to parking, we look at funds.
11 We also verify the Authority's calculation of
12 what is owed to the County versus what is owed to
13 the Authority.

14 And again, going back many years, it was
15 never that way. Now with -- the work is actually
16 presented to us and we're merely auditing it.
17 And, again, we find it to be in real good
18 condition.

19 So we look at the revenues. We spend a lot
20 of time on it. We -- as I said some of the staff
21 in there. We scrutinize things. We ask
22 questions. We meet with people. We meet with
23 Joe Cali. We meet with Mr. Gomez. We meet with
24 the gentleman who -- who handles the parking.

25 Just to, you know, touch base, meaning let

1 | them know somebody's looking, that their work is
2 | not getting unnoticed.

3 | Again, one thing to know, everyone that
4 | works there was very cooperative during our
5 | period of audit.

6 | And, look, there -- there's a lot of things
7 | we can go over but the bottom line with -- with
8 | auditing, especially in the area of expenditures
9 | is, look, all your expenditures were properly
10 | documented. They were charged to the correct
11 | budget account and the correct fund. They were
12 | charged to the correct fiscal year.

13 | Meaning they were -- with respect to the
14 | fiscal yearend, any bills that, you know, were
15 | paid in January, February, March that might
16 | relate to the prior year, they were cut off
17 | properly.

18 | So your accounting records were cut off
19 | properly. And that's important if you're going
20 | to start evaluating, you know, your operations.
21 | You know all the expenses related to that year
22 | were accounted for in that year. They might not
23 | have been paid but they were accounted for in
24 | that year.

25 | Same thing also, too, for the -- the other

1 thing that we look at is all your expenditures
2 were properly in compliance with the Local Public
3 Contracts Law.

4 Translation, there is a bid threshold law
5 that we're required to follow. What -- what was
6 required to be bid was bid.

7 And below that was -- what was required to
8 be quoted, was quoted.

9 So on the expenditure side we were very
10 comfortable with everything that happened at the
11 Authority. And it helps when you have management
12 that has a heavy arm in reviewing and making sure
13 that everything is done properly.

14 So that was a good thing.

15 Again with payroll, you don't have a big
16 payroll but we spend a lot of time making sure
17 that all the pay is proper; everyone's base pay
18 is proper as authorized. That overtime is
19 accounted for properly and paid. So -- and that
20 payroll taxes are paid.

21 We never really had a lot of problems with
22 that and right now everything is very -- going
23 very smoothly with that.

24 So we covered expenditures. We've -- and
25 we covered revenue.

1 The other thing is you do get grants for
2 the airport. There was no single audit for the
3 year ended December 31st, '19, because your
4 federal expenses did not exceed 750,000; nor did
5 your state expenses exceed 750,000, which is the
6 threshold.

7 But I -- every year I review the grant
8 files; make sure everything is in line. And I
9 must say the grant files, for every one of the
10 grants, are lined up properly.

11 And the way it should be with grant files
12 is, here's the folders, --

13 If the -- if a federal auditor ever came
14 in, which is a rare event, here's the folders,
15 there's the rooms, don't bother me, sit down. It
16 -- it's self-explanatory the way it's set up.
17 And that's the way it should be. You know?

18 Here's the files. Go through and find
19 everything. And it's all there. And there
20 doesn't need to be any verbal representation from
21 the client, other than, you know, thank you and
22 goodbye.

23 So your grant files are in order even
24 though we're not required to report on them.

25 So in the end we end up with a real good

1 set of records -- financial records that were
2 presented to us and they were in an auditable
3 fashion. Thing is to then put that information
4 into report format.

5 Okay?

6 Some clients do but a lot of them don't.
7 It's not really required.

8 But what I want to -- I want to steer
9 everyone to page 94. A couple things I want to
10 point out on the financial statement.

11 If you all -- I assume you all have the
12 report? At least a electronic copy?

13 MR. ROTHER: Yup.

14 MS. SAPINSKI: Everybody has it.

15 COMMISSIONER SPIESBACH: I do. What page
16 again?

17 MR. STANKIEWICZ: Let's go to page 94. A
18 -- it's a new term, it's -- it's in -- it's in
19 landscape format; I call it sideways.

20 Okay?

21 We have our four operating funds. Okay.

22 Our development assistance. Our airport.
23 Our parking. And our sportsplex; plex is
24 phasing down. So those are our assets.

25 I want to point out one item --

1 Actually, if we go to the next page -- what
2 I want to point out is more important. The net
3 position of the -- the different funds.

4 So the sportsplex money gets -- amongst the
5 participants, which I believe now is only the
6 County and ECIA.

7 The parking, --

8 Again, those two funds don't have equity;
9 therefore, they have no net position. Their
10 profits and/or if any ever losses get split up
11 between the -- the County and the ECIA and, I
12 think in one case, the City.

13 The airport.

14 The airport has an unrestricted fund
15 balance of 2.29 million.

16 Okay?

17 A restricted fund balance, which is
18 leftover bond money from some old funds of
19 290,000, and invested in capital assets.

20 So that if you guys meet up with anybody
21 and they ask questions, we do not have \$20
22 million sitting in a bank account.

23 What it represents and all you -- it's the
24 net book value of our capital assets. Meaning
25 what we paid for it, less the depreciation that

1 we've accumulated against it over the years.

2 It's merely a book entry within the -- within the
3 entity.

4 So in the event someone says something to
5 you, we -- we don't have 20 million bucks in a
6 bank account. It's just a -- an accounting
7 entry.

8 (Indiscernible) -- fund is our development
9 assistance fund, which has \$6.3 million in net
10 position.

11 Scroll up the screen you'll see, under
12 development assistance, a rather large number --
13 at least it's large for ECIA; a \$2 million
14 number. That represents an accrual that we make
15 every year towards the Passaic River litigation.

16 Okay?

17 We -- we replenish that accrual every year.
18 And actually this year it was replenished -- I
19 think the number was \$1.5 million.

20 So our balance sheet is there. If we --
21 let's -- let's roll forward to the front of the
22 audit where we take those financial statements
23 that were in the back and we convert them to
24 financial reporting to the investment industry
25 and whoever else is interested in Improvement

1 Authority's in this country.

2 What we have on there -- and not to scare
3 anyone but our employees are participants in the
4 Public Employees Retirement System. Okay. And
5 we have a pension obligation -- long range
6 pension obligation of \$1.1 million.

7 Okay?

8 That doesn't mean it's owed tomorrow. And,
9 by the way, it's -- it's a small --

10 I -- I take that back.

11 (Indiscernible) -- obligation is about --
12 is \$3 million.

13 Okay?

14 It's a theoretical calculation done as of
15 June 30th, 2019, based on discount rates,
16 mortality rates, and other actuarial assumptions.
17 And it's a theoretical -- it's a theoretical
18 calculation, by nature, but it gives the
19 Commissioners and the public and the financial
20 world an idea what we're on the hook for
21 presently, based on the various actuarial
22 assumption.

23 The other one that we're on the hook for,
24 obviously, is -- is the health benefits for
25 retirees. Okay that number is 3.6. Again, it's

1 actuary determined. And if that number were to
2 be calculated today it's probably higher because
3 the interest rates are probably worse.

4 It's a floating number. It's not -- it's
5 -- and I don't want to say it's not a real number
6 but it's an indicator to the Commissioners of
7 what we're on the hook for as of June 30th of '19.

8 Now that's over a year ago. The way it
9 works with the pension and -- the Pension Board
10 and the health benefits people, the -- the
11 calculations take a long time to do. Okay?

12 And, in fact, they're still waiting for the
13 education peoples' calculation as of June 30th of
14 '19. That hasn't come out yet.

15 It's a laborious long process that they go
16 through.

17 So I don't want you to think we are in
18 immediate danger at, you know, 3 million plus 3.6
19 million. But they were factored in to our net
20 position.

21 And if you scroll down, on sheet 24, it --
22 like, for example, our net position on the sheet
23 91 that we were at showed that we were all in the
24 positive. Once we book those entries for our
25 pension and our health benefits liability, it

1 triggers us into what I call a theoretical
2 deficit.

3 Okay?

4 That does not mean we're insolvent. It
5 does not mean we're going out of business
6 tomorrow. It's merely converting our internal
7 financials to the financial reporting role.
8 Which shows our -- our liabilities for pension
9 and it triggers a deficit in the operations.

10 Some places I do, believe it or not, -- are
11 -- are -- (indiscernible) -- but there's a
12 liability is really small because you don't have
13 a lot of employees.

14 So -- but here it's merely theoretical.
15 And, like I said, that number could be a year
16 old. And it might even be -- it -- it might even
17 be worse now if the interest rates are --

18 So, basically, we have our financial
19 statements on sheets 24 and 25. It shows our
20 comparative operations in a condensed fashion.

21 Like I said those numb-- on page 23 and 24,
22 they're not anything to panic over. There's
23 nothing we can do about them.

24 You know, short of eliminating pensions for
25 everybody, there's nothing else we can do. And

1 you know that -- that's not going to fly, so --

2 Also, we have notes to financial statements
3 which outline the various components of our
4 balance sheet.

5 Okay?

6 It -- most importantly it describes our
7 long range, long term debt position. Both
8 unrestricted, which is our own money and what the
9 ECIA is -- is responsible for. Not necessarily
10 on the hook for but the restricted bonds payable
11 for the participants, what we issue for them.
12 And I don't think ECIA is primarily liable on any
13 of it.

14 However, we are for the unrestricted funds,
15 which involve the airport and the parking --
16 (indiscernible).

17 And, yes, during the year -- this is for
18 information purposes -- there was a refunding of
19 the 2007 airport bonds, which has -- what's been
20 rolled into the 2019 new bonds and refunding.
21 There was new money taken down as well. Which I
22 believe at the end of December, '19, was around
23 eight and a half million bucks. Pretty much most
24 of it was still intact.

25 Then the -- the notes to go on to show -

1 I've kind of increased the disclosure expanding
2 the notes to show where the airport money --
3 where the airport bonds finalized; where the
4 parking bonds are finalized. Those are on page
5 57.

6 Just for information purposes so -- could
7 know where our obligations end. And if you're
8 planning any new improvements, sometimes it's
9 good to know where the -- the debt service goes
10 away and that maybe you could maybe do some new
11 projects where it doesn't really hurt the -- the
12 credit of the Authority too much.

13 We also have all of our restricted bonds;
14 all the descriptive information with that. It's
15 kind of lengthy but it's necessary.

16 And there's also information in here
17 describing our pension and our -- and post-
18 employment obligation. It's kind of comical
19 because it added about 40 pages to the report.

20 And the sad part is they're not really our
21 numbers. There are -- it's all our credit but we
22 don't calculate those numbers.

23 We also have information in here, rather
24 lengthy note -- financial, about the situation
25 with the Passaic River.

1 And, finally, -- and if you're involved
2 with any other entities and their audit reports,
3 every -- everybody -- every audit in the country
4 is required to make some disclosure relating to
5 the COVID situation.

6 Okay?

7 Some places are getting very hurt by the
8 COVID; others the hurt hasn't hit yet but I
9 believe some time next year it will start to hit
10 them. Especially if the situation worsens.

11 But here we just talk about the -- the two
12 entities that may have affect on us, one of which
13 is the parking and the other one is --

14 One by the way. I'm sorry.

15 It talks about the -- the impact. Now
16 there's no impact adversely for 12/31/19. But
17 there could be as of 12/31/20. I know some of
18 the revenues we didn't get and that might have
19 some impact on us.

20 Jump in where I'm going wrong here.

21 It may not be as drastic as you might
22 think.

23 Correct, Lucy?

24 MS. SAPINSKI: Yes, that's correct.

25 MR. STANKIEWICZ: And now the other thing

1 that we have in the audit, we have our standard
2 comments and recommendations. And, by all means,
3 I think I've described everything.

4 We don't really have things that need to be
5 disclosed nor acted upon. Everything is pretty
6 tightly run there. Pretty closely watched.

7 So in the end we end up with no
8 recommendations either. At least that -- ones
9 that don't rise to the level where the
10 Commissioners need to take action in the form of
11 a corrective action plan.

12 So, in -- in the end, -- and what I want to
13 say, too, is we -- we appreciate all the
14 employees' help through the whole process.
15 Sometimes it's painful. Sometimes it's
16 laborious. But we do appreciate your help. And
17 we appreciate Lucy honchoing all the information
18 through to us. And we appreciate the
19 Commissioners' support in our -- in our audit
20 over the years.

21 So, in the end we have a unmodified A/K/A,
22 a clean opinion, and we have no recommendations.

23 So, if there's any questions, we're happy
24 to answer.

25 If Joe Faccione wants to add something?

1 MR. FACCONE: Nope.

2 I'm -- I'm just going to reiterate what you
3 said, was we're -- we're very happy with the
4 cooperation and the support of Steve, Lucy and,
5 obviously the Board, for their confidence in us
6 and -- and reappointing us each year to perform
7 this service.

8 CHAIRMAN KLINGHOFFER: (Indiscernible) --
9 questions.

10 MR. ROTHER: So, Lucy -- Lucy has to take
11 most of the credit. She -- she's at the center
12 of this -- (indiscernible) -- so.

13 She -- she deserves the most. That's for
14 certain.

15 MR. STANKIEWICZ: I mean the Authority has
16 come a long way in its recordkeeping. When our
17 firm first got involved, I was not really working
18 on the job but I heard all the -- I heard all the
19 problems that we had. And I think whoever came
20 in there just grabbed the bull by the horns and
21 said, look, we got to straighten this out, so.

22 At least -- I got very lucky because that
23 was all cleaned up before I took over the audit,
24 which was 2007. So, --

25 MR. ROTHER: Yeah.

1 MR. STANKIEWICZ: -- I got lucky because I
2 got good records handed to me. But it's come a
3 long way in -- in the past --

4 CHAIRMAN KLINGHOFFER: Any questions?

5 If not, would someone like to move items 1
6 and 2?

7 COMMISSIONER SPIESBACH: I'll make a
8 motion, items 1 and 2; Gerry.

9 COMMISSIONER YUSTEIN: I'll second it;
10 Jackie.

11 MS. SAPINSKI: Commissioner Spiesbach?

12 COMMISSIONER SPIESBACH: Yes.

13 MS. SAPINSKI: Commissioner Stanziale?

14 COMMISSIONER STANZIALE: Yes.

15 MS. SAPINSKI: Commissioner Yustein?

16 COMMISSIONER YUSTEIN: Yes.

17 MS. SAPINSKI: Chairman Klinghoffer?

18 CHAIRMAN KLINGHOFFER: Yes.

19 Next, --

20 Gentlemen, thank you very much. We
21 appreciate it.

22 MR. STANKIEWICZ: Thank you.

23 MR. FACCONI: Okay, --

24 CHAIRMAN KLINGHOFFER: Next --

25 MS. SAPINSKI: Thank you.

1 MR. STANKIEWICZ: Commissioners, I assume
2 the budget is next on the agenda?

3 MS. SAPINSKI: That was number 2.

4 CHAIRMAN KLINGHOFFER: We just passed it.

5 MR. STANKIEWICZ: It's number 2. But I
6 wanted -- just one thing. It's a tribute to the
7 recordkeeping. Our budget flied right through
8 the Department of Community Affairs unscathed.

9 So, another -- another reason to have good
10 records. And --

11 CHAIRMAN KLINGHOFFER: Thank you.

12 Thank you, Lucy.

13 MR. STANKIEWICZ: And, --

14 CHAIRMAN KLINGHOFFER: Wonderful.

15 MR. STANKIEWICZ: -- Lucy, if you need me
16 I'm in my office.

17 MS. SAPINSKI: Gotcha.

18 Thank you, Gerry.

19 MR. STANKIEWICZ: Okay.

20 MS. SAPINSKI: Okay.

21 MR. STANKIEWICZ: Good night, everyone.

22 Have a good holiday.

23 MR. FACCONI: Good night.

24 (Whereupon, there was a pause in the
25 proceedings.)

1

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

4 **ADMINISTRATIVE**

5 3. RESOLUTION NO. 20-191 - RESOLUTION
6 RATIFYING PAYMENT TO AUDIO-DIGITAL TRANSCRIPTION
7 SERVICES, LLC FOR TRANSCRIPTION OF BOARD MEETING
8 ON 10-27-20; and

9 4. RESOLUTION NO. 20-192 - RESOLUTION
10 RATIFYING PAYMENT OF RECURRING BILLS (BILL
11 LIST).)

12

13 CHAIRMAN KLINGHOFFER: Would someone like
14 to move Administrative?

15 Resolutions 3 and 4?

16 COMMISSIONER STANZIALE: Carla will move
17 it.

18 COMMISSIONER SPIESBACH: Gerry will second.

19 MS. SAPINSKI: Thank you.

20 Commissioner Spiesbach?

21 COMMISSIONER SPIESBACH: 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

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

6 **CORRECTIONAL FACILITY/CELANESE/ENVIRONMENTAL**

7 **EXPOSURE**

8 5. RESOLUTION NO. 20-193 - RESOLUTION
9 AUTHORIZING PAYMENT IN THE AMOUNT OF \$68,934.50
10 TO BUCHANAN, INGERSOLL & ROONEY, PC FOR LEGAL
11 SERVICES RENDERED IN THE MONTH OF OCTOBER; and

12 6. RESOLUTION NO. 20-194 - RESOLUTION
13 AUTHORIZING AMENDMENT #2 TO THE AGREEMENT WITH
14 BUCHANAN, INGERSOLL & ROONEY, PC IN THE AMOUNT OF
15 \$100,0000.00 FOR ADDITIONAL LEGAL SERVICES.)

16

17 CHAIRMAN KLINGHOFFER: Next we have
18 Correctional Facility.

19 Resolutions 5 and 6.

20 Would someone like --

21 MR. ROTHER: Yeah and let -- let me just
22 say that -- that Resolution number 5, it's --
23 it's a bit higher this time but we -- we -- it
24 has the whole allocation issue, which required a
25 heck of a lot of effort and -- and comment and

1 review, which is why it's -- it's where it is
2 right now.

3 COMMISSIONER SPIESBACH: Okay.

4 Thank you for that explanation, Steve.

5 Yes, I would -- Gerry would move 5 and 6.

6 CHAIRMAN KLINGHOFFER: Is there a second?

7 COMMISSIONER YUSTEIN: Jackie will 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 **AIRPORT**

20 **7.** RESOLUTION NO. 20-195 - RESOLUTION
21 AUTHORIZING AMENDMENT #1 TO THE MEMORANDUM OF
22 AGREEMENT WITH GROOME DOOR & MECHANICAL SYSTEMS
23 FOR ALL HANGARS AND T-HANGARS DOOR RELATED ISSUES
24 AT THE AIRPORT IN THE AMOUNT OF \$4,000.00;

25 **8.** RESOLUTION NO. 20-196 - RESOLUTION

1 AUTHORIZING THE EXECUTION OF THE OPTION TO EXTEND
2 THE AGREEMENT WITH PARK PLACE FOR SNOW AND ICE
3 REMOVAL SERVICES AROUND THE AIRPORT;

4 **9.** RESOLUTION NO. 20-197 - RESOLUTION
5 AUTHORIZING PAYMENT TO AURORA ENVIRONMENTAL INC.
6 IN THE AMOUNT OF \$36,660.00 FOR FUEL FARM REPAIRS
7 (STATE CONTRACT);

8 **10.** RESOLUTION NO. 20-198 - RESOLUTION
9 AUTHORIZING THE EXECUTIVE DIRECTOR TO PROVIDE
10 WRITTEN CONSENT TO EITILT AVIATION TO SUBLEASE
11 OFFICE SPACE IN HANGAR/BUILDING R;

12 **DRAINAGE IMPROVEMENTS PROJECT**

13 **Project Funded: NJDOT 90%, ECIA 10%**

14 **11.** RESOLUTION NO. 20-199 - RESOLUTION
15 AUTHORIZING MODIFICATION TO THE STATE GRANT
16 AGREEMENT #6107309 TO EXTEND THE ORIGINAL GRANT
17 EXPIRATION DATE UNTIL 9-2-2021;

18 **12.** RESOLUTION NO. 20-200 - RESOLUTION
19 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN
20 THE AMOUNT OF \$3,582.29 (FINAL INVOICE) FOR
21 ENGINEERING SERVICES IN CONNECTION WITH DESIGN;

22 **13.** RESOLUTION NO. 20-201 - RESOLUTION
23 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN
24 THE AMOUNT OF \$4,414.14 FOR ENGINEERING SERVICES
25 IN CONNECTION WITH THE CONSTRUCTION OBSERVATION

1 AND INSPECTION FOR THE PERIOD THROUGH 10-30-2020;

2 **RUNWAY 4-22 REHABILITATION PROJECT**

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

4 **FAA 90%, ECIA 10% (CONSTRUCTION)**

5 14. RESOLUTION NO. 20-202 - RESOLUTION

6 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN

7 THE AMOUNT OF \$86,362.66 FOR ENGINEERING SERVICES

8 IN CONNECTION WITH THE CONSTRUCTION OBSERVATION

9 AND INSPECTION FOR THE PERIOD THROUGH 11-2-2020;

10 **APRON B REHABILITATION PROJECT (DESIGN)**

11 **Project Funded: FAA 100%**

12 15. RESOLUTION NO. 20-203 - RESOLUTION

13 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN

14 THE AMOUNT OF \$7,300.00 FOR ENGINEERING SERVICES

15 IN CONNECTION WITH THE DESIGN;

16 **TAXIWAY P & G REHABILITATION PROJECT (DESIGN)**

17 **Project Funded: NJDOT AND ECIA/AIRPORT 2019 BOND**

18 16. RESOLUTION NO. 20-204 - RESOLUTION

19 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN

20 THE AMOUNT OF \$7,500.00 FOR ENGINEERING SERVICES

21 IN CONNECTION WITH THE DESIGN;

22 **FIRE SUPPRESSION SYSTEM PROJECT**

23 **Project Funded: ECIA/AIRPORT 2019 BOND**

24 17. RESOLUTION NO. 20-205 - RESOLUTION

25 AUTHORIZING PAYMENT TO C & S ENGINEERS, INC., IN

1 THE AMOUNT OF \$32,064.44 FOR ENGINEERING SERVICES
2 IN CONNECTION WITH THE CONSTRUCTION OBSERVATION
3 AND INSPECTION; and

4 **18.** RESOLUTION NO. 20-206 - RESOLUTION
5 RATIFYING CHANGE ORDER #3 AND #4 TO STAR FIRE &
6 SAFETY INC., IN THE AMOUNT OF \$40,140.00 FOR
7 ADDITIONAL SERVICES RENDERED IN HANGAR/BUILDING
8 I.)

9
10 CHAIRMAN KLINGHOFFER: Next we have
11 Airport.

12 Resolutions 7 through 18.

13 MS. SAPINSKI: Eighteen.

14 CHAIRMAN KLINGHOFFER: Someone like to --

15 COMMISSIONER STANZIALE: Carla will move
16 that.

17 Carla will move it.

18 CHAIRMAN KLINGHOFFER: Do we have a second?

19 COMMISSIONER SPIESBACH: I'll -- Gerry will
20 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 items:

7 **2021 POOLS**

8 **19.** RESOLUTION NO. 20-207 - RESOLUTION
9 ESTABLISHING 2021 POOL OF APPROVED LAW FIRMS IN
10 ACCORDANCE WITH THE "PAY TO PLAY LAW - FAIR AND
11 OPEN PROCESS" - NJSA 19:44A-20.4;

12 **20.** RESOLUTION NO. 20-208 - RESOLUTION
13 ESTABLISHING 2021 POOL OF APPROVED INSURANCE
14 BROKERS FOR THE PROCUREMENT OF THE INSURANCE
15 COVERAGE IN ACCORDANCE WITH THE "PAY TO PLAY LAW
16 - FAIR AND OPEN PROCESS" NJSA 19:44A-20.4;

17 **21.** RESOLUTION NO. 20-209 - RESOLUTION
18 ESTABLISHING 2021 POOL OF APPROVED SURVEYORS
19 FIRMS IN ACCORDANCE WITH THE "PAY TO PLAY LAW -
20 FAIR AND OPEN PROCESS" NJSA 19:44A-20.4;

21 **22.** RESOLUTION NO. 20-210 - RESOLUTION
22 ESTABLISHING 2021 POOL OF APPROVED REAL ESTATE
23 APPRAISERS FIRMS IN ACCORDANCE WITH THE "PAY TO
24 PLAY LAW - FAIR AND OPEN PROCESS" - NJSA
25 19:44A-20.4;

1 **23.** RESOLUTION NO. 20-211 - RESOLUTION
2 ESTABLISHING 2021 POOL OF APPROVED ARCHITECTS
3 FIRMS IN ACCORDANCE WITH THE "PAY TO PLAY LAW -
4 FAIR AND OPEN PROCESS" - NJSA 19:44A-20.4;

5 **24.** RESOLUTION NO. 20-212 - RESOLUTION
6 ESTABLISHING 2021 POOL OF APPROVED ENGINEERING
7 FIRMS IN ACCORDANCE WITH THE "PAY TO PLAY LAW -
8 FAIR AND OPEN PROCESS" - NJSA 19:44A-20.4;

9 **25.** RESOLUTION NO. 20-213 - RESOLUTION
10 ESTABLISHING 2021 POOL OF APPROVED FINANCIAL
11 ADVISORS IN ACCORDANCE WITH THE "PAY TO PLAY LAW
12 - FAIR AND OPEN PROCESS" NJSA 19:44A-20.4; and

13 **26.** RESOLUTION NO. 20-214 - RESOLUTION
14 ESTABLISHING 2021 POL OF APPROVED UNDERWRITING
15 FIRMS IN ACCORDANCE WITH THE "PAY TO PLAY LAW -
16 FAIR AND OPEN PROCESS" NJSA 19-44A-20.4.)

17

18 CHAIRMAN KLINGHOFFER: Next we have the
19 2021 Pools, which are Resolutions 19 through 26.

20 Would someone like to move these?

21 COMMISSIONER YUSTEIN: Jackie will move it.

22 COMMISSIONER SPIESBACH: I'll move those.

23 Okay. Then I will second; Gerry.

24 MS. SAPINSKI: Okay, Jackie moved and Gerry
25 second.

1 Thank you.

2 Commissioner Spiesbach?

3 COMMISSIONER SPIESBACH: Yes.

4 MS. SAPINSKI: Commissioner Stanziale?

5 COMMISSIONER STANZIALE: Yes.

6 MS. SAPINSKI: Commissioner Yustein?

7 COMMISSIONER YUSTEIN: Yes.

8 MS. SAPINSKI: Chairman Klinghoffer?

9 CHAIRMAN KLINGHOFFER: Yes.

10

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

13 **PARKING FACILITY**

14 **27.** RESOLUTION NO. 20-215 - RESOLUTION
15 ACCEPTING A PROPOSAL FROM STRUCTURECARE IN THE
16 AMOUNT OF \$15,900.00 FOR STRUCTURAL REPAIRS OF
17 THE JUROR PARKING GARAGE;

18 **28.** RESOLUTION NO. 20-216 - RESOLUTION
19 RATIFYING PAYMENT TO AECOM INC. IN THE AMOUNT OF
20 \$2,500.00 FOR SERVICES RENDERED IN CONNECTION
21 WITH THE JUROR PARKING LOT SITE IMPROVEMENTS.)

22

23 CHAIRMAN KLINGHOFFER: Next we have the
24 Parking Facility.

25 Resolutions 27 and 28.

1 Would someone like to move those?

2 COMMISSIONER STANZIALE: Carla will make a
3 motion.

4 COMMISSIONER YUSTEIN: Jackie will second.

5 MS. SAPINSKI: Commissioner Spiesbach?

6 COMMISSIONER SPIESBACH: Yes.

7 MS. SAPINSKI: Commissioner Stanziale?

8 COMMISSIONER STANZIALE: Yes.

9 MS. SAPINSKI: Commissioner Yustein?

10 COMMISSIONER YUSTEIN: Yes.

11 MS. SAPINSKI: Chairman Klinghoffer?

12 CHAIRMAN KLINGHOFFER: Yes.

13

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

16 **FINANCE**

17 **29. RESOLUTION NO. 20-217 - RESOLUTION**
18 **AUTHORIZING PAYMENT OF CHARGES AND EXPENSES OF**
19 **THE AUTHORITY'S \$150,000,000.00 POOLED GOVERNMENT**
20 **LOAN PROGRAM, SERIES 1986**

21 **Payments for PGLP Services**

22 GALLEROS-ROBINSON CPAs, LLP - PROGRAM
23 ADMINISTRATOR - NOVEMBER - \$2,000.00;

24 ECIA - REIMBURSEMENT FEE - \$5,000.00.)

25

1 CHAIRMAN KLINGHOFFER: Next we have
2 Resolution 29.

3 Finance.

4 Would someone like to move that?

5 COMMISSIONER SPIESBACH: I'll move; Gerry.

6 COMMISSIONER STANZIALE: Carla will second.

7 MS. SAPINSKI: Commissioner Spiesbach?

8 COMMISSIONER SPIESBACH: Yes.

9 MS. SAPINSKI: Commissioner Stanziale?

10 COMMISSIONER STANZIALE: Yes.

11 MS. SAPINSKI: Commissioner Yustein?

12 COMMISSIONER YUSTEIN: Yes.

13 MS. SAPINSKI: Chairman Klinghoffer?

14 CHAIRMAN KLINGHOFFER: Yes.

15 Mr. Rother, I understand that we do need
16 Executive Session.

17 What would be the rationale for going
18 into --

19 MR. ROTHER: Yup.

20 CHAIRMAN KLINGHOFFER: -- Executive
21 Session?

22 MR. ROTHER: Yes. Pending litigation is
23 the -- is the rationale.

24 And so we're -- we're adjourning the -- the
25 Regular Meeting and opening the Executive

1 Session.

2 CHAIRMAN KLINGHOFFER: Would someone like
3 to move --

4 COMMISSIONER SPIESBACH: Move to --

5 CHAIRMAN KLINGHOFFER: -- to Executive --

6 COMMISSIONER SPIESBACH: Yes. Move --

7 CHAIRMAN KLINGHOFFER: -- Session and --

8 and also to adjourn --

9 COMMISSIONER SPIESBACH: Move --

10 CHAIRMAN KLINGHOFFER: -- afterwards?

11 COMMISSIONER SPIESBACH: Yes. Move to go
12 to Executive and then adjourn.

13 COMMISSIONER STANZIALE: Second; --

14 COMMISSIONER YUSTEIN: I'll second.

15 COMMISSIONER STANZIALE: -- Carla.

16 CHAIRMAN KLINGHOFFER: Second?

17 MS. SAPINSKI: Carla. Okay.

18 Commissioner Spiesbach moved.

19 And Carla, second.

20 Commissioner Spiesbach?

21 COMMISSIONER SPIESBACH: 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 Does everybody have the --

4 Don't repeat it please. But does everybody
5 have the number to call into for Executive
6 Session?

7 COMMISSIONER SPIESBACH: Ooh, is that on --
8 is that on the email?

9 COMMISSIONER STANZIALE: Yes.

10 MS. SAPINSKI: Yes.

11 CHAIRMAN KLINGHOFFER: Yes.

12 COMMISSIONER STANZIALE: Yes it is.

13 COMMISSIONER SPIESBACH: Okay. Then that's
14 what we'll do.

15 CHAIRMAN KLINGHOFFER: Do you need --

16 Okay. Any --

17 Okay?

18 See everybody on the other side then.

19 MR. ROTHER: Yup.

20 CHAIRMAN KLINGHOFFER: Thank you.

21

22 (Whereupon, the Board moved to Executive
23 Session at 5:34 p.m., Resolution No. 20-188.)

24

25 **ADJOURNMENT :**

1

2 Whereupon, the Board returned to Open
3 Session, Resolution No. 20-27.)

4

5 (Whereupon, the proceedings were
6 concluded.)

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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, November 24, 2020 and digitally
10 recorded.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon