

ESSEX COUNTY IMPROVEMENT AUTHORITY
ESSEX COUNTY, NEW JERSEY

REGULAR BOARD MEETING) TRANSCRIPT OF
) PROCEEDINGS
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27 Wright Way
Fairfield, New Jersey

Tuesday, April 25, 2023
Commencing at 4:00 p.m.

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

- COMMISSIONER STEVEN H. KLINGHOFFER, CHAIRMAN
- COMMISSIONER RONALD J. BROWN, VICE CHAIRMAN
- COMMISSIONER GERARD M. SPIESBACH, TREASURER
- COMMISSIONER ANTHONY S. NARDONE

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

- COMMISSIONER JACQUELINE YUSTEIN, SECRETARY
- COMMISSIONER CLIFFORD ROSS

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

NIA H. GILL, ESQ. General Counsel
LUCY SAPINSKI, Director of Operations
BETSY WILLIAMSON, Administrative Assistant
STEVEN C. ROTHER, Executive Director
JOSEPH CALI, Airport Operations Manager

1 CHAIRMAN KLINGHOFFER: Notice was duly
2 given by regular mail and electronic mail and
3 facsimile to the Essex County Executive, the Essex
4 County Clerk, and the Clerk of the Board of County
5 Commissioners, County Commissioner President
6 Richardson, the News Editor of The Herald News,
7 the News Editor of The Star-Ledger and notice ws
8 posted on the bulletin board in the Office of
9 Essex County Improvement Authority stating the
10 time, date, and location of this Regular Meeting.

11 Roll call, please.

12
13 (Roll call was taken, all Commissioners
14 present respond in the affirmative)

15
16 **PUBLIC COMMENTS**

17
18 CHAIRMAN KLINGHOFFER: Are there any
19 members of the public on the phone? Seeing none
20 present, hearing none on the phone, we move onto
21 acceptance of minutes.

22
23 **ACCEPTANCE OF MINUTES**

24
25 CHAIRMAN KLINGHOFFER: Is there a motion

1 to accept the minutes of March 28th, both the
2 Regular Board Meeting and Executive Session?

3 COMMISSIONER SPIESBACH: Move to accept.

4 COMMISSIONER BROWN: Second.

5 MS. SAPINSKI: Thank you.

6

7 (Roll call was taken, all Commissioners
8 present respond in the affirmative)

9

10 **EXECUTIVE SESSION**

11

12 CHAIRMAN KLINGHOFFER: Okay. We have
13 matters to handle in executive session.

14 Mr. Rother, what's left for executive
15 session?

16 MR. ROTHER: Litigation in both cases.

17 CHAIRMAN KLINGHOFFER: Pardon?

18 MR. ROTHER: That's a side matter.

19 CHAIRMAN KLINGHOFFER: Is there a motion
20 to go into an execution session?

21 COMMISSIONER NARDONE: I make a motion.

22 COMMISSIONER SPIESBACH: Second.

23 MS. SAPINSKI: Commissioner Nardone and
24 then Spiesbach seconded it.

25 Thank you.

1 (Roll call was taken, all Commissioners
2 present respond in the affirmative)

3
4 (Whereupon, Executive Session took place)

5
6 **OPEN SESSION CONTINUED**

7
8 MS. SAPINSKI: Okay. We need a motion.

9 COMMISSIONER SPIESBACH: Move.

10 MS. SAPINSKI: Commissioner Brown, can you
11 second it?

12 COMMISSIONER BROWN: Second.

13
14 (Roll call was taken, all Commissioners
15 present respond in the affirmative)

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

19
20 **RESOLUTIONS**

21 **ADMINISTRATIVE**

22
23 1. #23-062 Resolution ratifying payment to Lynann
24 Dragone, Certified Court Reporter for stenographic
25 transcript of ECIA Regular Board Meeting on March 28,

1 2023

2
3 2. #23-063 Resolution ratifying payment of recurring
4 bills (Bill List)

5
6 3. #23-064 Resolution authorizing payment in the amount
7 of \$53,858.10 to Buchanan, Ingersoll & Rooney, PC for
8 legal services rendered in connection with occidental
9 litigation and environmental matters in the month of
10 March 2023

11
12 CHAIRMAN KLINGHOFFER: Would someone like
13 to move Administrative Resolutions 1 through 3?

14 COMMISSIONER SPIESBACH: Move.

15 COMMISSIONER NARDONE: Second.

16
17 (Roll call was taken, all Commissioners
18 present respond in the affirmative)

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

22
23 **PARKING FACILITY**

24
25 4. #23-065 Resolution authorizing payment to Arocho

1 Services, LLC in the amount of \$7,160.00 for elevators
2 and stairwells cleaning services and snow removal in
3 March 2023

4
5 5. #23-066 Resolution authorizing payment to Precision
6 Technology in the amount of \$1,048.00 for parking
7 equipment repairs

8
9 6. #23-067 Resolution authorizing payment to Positive
10 Electric in the amount of \$1,620.22 for electric repairs

11
12 7. #23-068 Resolution ratifying payment/reimbursement of
13 \$71,500.00 to Department of Public Works for snow removal
14 services (11-1-2021 through 4-15-23)

15
16 CHAIRMAN KLINGHOFFER: Next, Parking
17 Facility 4 through 7.

18 Would someone like to move it?

19 COMMISSIONER BROWN: Move it.

20 COMMISSIONER SPIESBACH: Second.

21 MS. SAPINSKI: Commission Brown move;
22 Commissioner Spiesbach second.

23 Thank you.

24
25 (Roll call was taken, all Commissioners

1 present respond in the affirmative)

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

5
6 **AIRPORT**

7
8 8. #23-069 Resolution accepting a NJDOT Grant #6107316
9 the amount of \$177,030.00 for Airport Drainage
10 Study/Design Project

11
12 9. #023-070 Resolution authorizing payment to Chiesa,
13 Shahinian, Giantomasi in the amount of \$7,202.90 for
14 legal services rendered in connection with Airport

15
16 10. #023-071 Resolution authorizing payment to Park
17 Place in the amount of \$1,080.00 for snow removal and
18 salt spreading

19
20 11. #023-072 Resolution authorizing payment to Thomas J.
21 O'Bierne & Co., Inc. in the amount of \$4,151.50 for
22 plumbing repairs at the Airport

23
24 12. #023-073 Resolution accepting a Proposal from
25 Straight Edge Striping, LLC in the amount of \$43,995.00

1 for restriping of Runway 10-28

2
3 13. #023-074 Resolution authorizing payment to H2M
4 Associates Inc. in the amount of \$18,818.52 for
5 engineering services in connection with Vibra Screw
6 property

7
8 14. #023-075 Resolution authorizing payment to H2M
9 Associates Inc. in the amount of \$764.79 for engineering
10 services in connection with the Underground Storage Tank
11 compliance as per DEP regulations

12
13 15. #023-076 Resolution authorizing payment to H2M
14 Associates Inc. in the amount of \$826.50 for engineering
15 services, site remediation at Hangar 1 Area

16
17 **REHABILITATION OF APRON B PROJECT**

18 **Project Funded: FAA, NJDOT AND ECIA/AIRPORT 2019 BOND**

19
20 16. #023-077 Resolution authorizing payment to C & S
21 Engineers Inc. in the amount of \$6,929.00 for services
22 rendered in connection with the CO/CA of the Apron B
23 Rehabilitation Project

24
25 **NEW FUEL FARM PROJECT**

Project Funded: ECIA/AIRPORT 2019 BOND

1 17. #023-078 Resolution authorizing Pay App#3 to Herbert
2 Lutz and Co., in the amount of \$153,139.95 for services
3 rendered in connection with the Removal & Replacement of
4 Aviation Fuel Farm System

5
6 18. #023-079 Resolution authorizing payment in the amount
7 of \$22,741.36 to Air Power for electric repairs at the
8 Airport

9
10 19. #023-080 Resolution authorizing payment to C & S
11 Engineers, Inc. in the amount of \$5,000.00 for services
12 rendered in connection with Fuel Farm Project

13
14 **REHABILITATION OF TAXILANES H & 11 AND APRON C PROJECT**
15 **Project Funded: FAA, NJDOT AND ECIA/AIRPORT 2019 BOND**

16 20. #023-081 Resolution authorizing payment to C & S
17 Engineers, Inc. in the amount of \$48,000.00 for services
18 rendered in connection with Design of Taxilanes H & 11
19 and Apron C Project

20
21 21. #023-082 Resolution accepting a Proposal in the
22 amount of \$2,000.00 from McFarland Johnson for IFE
23 evaluation of C & S Engineers Agreement as per FAA
24 requirements

25

1 CHAIRMAN KLINGHOFFER: Would someone like
2 to move the Airport Resolutions 8 through 21.

3 COMMISSIONER BROWN: Move it.

4 COMMISSIONER SPIESBACH: Second.

5 MS. SAPINSKI: Thank you.

6

7 (Roll call was taken, all Commissioners
8 present respond in the affirmative)

9

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

12

13 **FINANCE**

14 22. Resolution of the Essex County Improvement Authority
15 Directing Application Be Made to the Local Finance Board
16 Pursuant to N.J.S.A. 40A:5A-6 for the construction of
17 Family Court Building in the City of Newark in an
18 aggregate Principal Amount not to exceed \$180,000,000

19

20 23. #23-084 Resolution authorizing payment of charges and
21 expenses of the Authority's \$150,000,000.00 Pooled
22 Government Loan Program, Series 1986

23

24 Payments due for PGLP Services

25 Galleros-Robinson CPAs, LLP \$2,000.00
Program Administrator

1 April 2023

2 Wells Fargo Bank \$3,189.17
3 Remarketing Fee
4 1/1/23 to 3/31/23

5 Kutak Rock, LLP \$19,395.00
6 Legal Fees

7 CHAIRMAN KLINGHOFFER: Would someone like
8 to move the Finance Resolutions 22 and 23.

9 COMMISSIONER NARDONE: Motion.

10 COMMISSIONER SPIESBACH: Second.

11 MS. SAPINSKI: Thank you.

12
13 (Roll call was taken, all Commissioners
14 present respond in the affirmative)

15
16 CHAIRMAN KLINGHOFFER: Would someone like
17 to move to adjourn?

18 COMMISSIONER SPIESBACH: Hold on, hold on.
19 John, are you on the phone?

20 MR. DRAIKIWICZ: Yes, I am. John
21 Draikiwicz is on the phone.

22 Would you like me to give you a little
23 overview of the transaction at this time?

24 CHAIRMAN KLINGHOFFER: A very brief
25 overview of the transaction.

1 MS. SAPINSKI: Yes, please, John.

2 MR. DRAIKIWICZ: I'll be brief.

3 The County approached the Improvement
4 Authority to undertake the financing of the Family
5 Court building complex which is approximately
6 180 million dollars and they desired to have it
7 moving along fairly quickly as bids have been
8 received already by the County. They want to get
9 the project started some time early summer. So in
10 order to do that, we have this Resolution to make
11 an application to the Local Finance Board, which
12 was prepared and filed last week and this
13 Resolution will now be sent to the Division of
14 Local Government Services to evidence the
15 Authority's authorization to make that filing.

16 In connection with that filing, we'll also
17 be submitting an Ordinance on First Reading, a
18 Guarantee Ordinance and an Authorizing Lease
19 Ordinance by the County of Essex, which they are
20 introducing tomorrow at their meeting, the first
21 reading.

22 So with those authorizations of the County
23 and the Authority, will go to the Local Finance
24 Board on May the 10th. On May the 10th the County
25 will have Second Reading of their ordinance in the

1 meeting, right after the meeting and the Authority
2 will be hopefully entertaining a Bond Resolution
3 at a special reading, I guess which we'll talk
4 about shortly in order to get the financing moving
5 along as quickly as possible where we hope to get
6 the bonds sold in mid June and transaction closed
7 either by the end of June or very first week of
8 July.

9 That's a quick overview of the project.
10 The County of Essex will be managing the project
11 and will have fully responsibility for
12 construction, bidding on the transaction and then
13 to undertake owning and operating by lease the
14 building for the life of the bond transaction,
15 which is probably 20 to 30 years once we get the
16 deal consummated.

17 So we'll be back in front of the Authority
18 some time in mid, early May.

19 And, Lucy, I'm not sure if you already
20 discussed a potential of a special meeting for the
21 Authority on this transaction.

22 MS. SAPINSKI: Yes, May 11th.

23 MR. DRAIKIWICZ: Okay. So that's when
24 we'll be back again at which time we'll have the
25 county executive's pre-approval of the Bond

1 Resolution in hand and then present the Resolution
2 of you Commissioners on that day.

3 If anyone has any questions, I'll be happy
4 to expand upon what I just stated, if desired.

5 CHAIRMAN KLINGHOFFER: Thank you. We
6 appreciate it.

7 MR. DRAIKIWICZ: No problem. My pleasure.

8

9 **ADJOURNMENT**

10

11 CHAIRMAN KLINGHOFFER: Is there a motion
12 to adjourn?

13 COMMISSIONER BROWN: Move it.

14 COMMISSIONER SPIESBACH: Second.

15 MS. SAPINSKI: Thank you.

16

17 (Roll call was taken, all Commissioners
18 present respond in the affirmative)

19

20 (Whereupon, the proceedings concluded at
21 4:31 p.m.)

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C E R T I F I C A T E

I, LYNANN DRAGONE, License No. XIO1388, a Certified Court Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the hearing at the time and the date hereinbefore set forth.

I further certify that I am neither attorney nor Counsel for, nor employed by any of the parties to the action in which this hearing was taken.

I further certify that I am not an employee of anyone employed in this case, nor am I financially interested in this action.

Lynann Dragone
LYNANN DRAGONE, CCR
Certified Court Reporter