

HUDSON COUNTY IMPROVEMENT AUTHORITY

IN THE MATTER OF : TRANSCRIPT OF  
THE REGULAR MONTHLY MEETING : PROCEEDINGS

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WEDNESDAY, AUGUST 26, 2015  
830 BERGEN AVENUE, 9TH FLOOR  
JERSEY CITY, NEW JERSEY 07306  
COMMENCING AT 5:35 P.M.

BOARD MEMBERS:

- FRANK PESTANA, CHAIRMAN
- JAMES DORAN, VICE CHAIRMAN (ABSENT)
- STEPHEN J. GALLO, TREASURER
- FRANK LORENZO, SECRETARY
- MARTIN T. MARTINETTI, COMMISSIONER
- FRED M. BADO, COMMISSIONER (ABSENT)
- OREN K. DABNEY, COMMISSIONER (ABSENT)
- JOHN PENEDA, COMMISSIONER
- NICHOLAS GOLDSACK, COMMISSIONER

APPEARANCES:

- NORMAN M. GUERRA, CHIEF EXECUTIVE OFFICER
- KURT CHERRY, EXECUTIVE DIRECTOR/CFO
- WILLIAM J. NETCHERT, ESQ.  
GENERAL COUNSEL TO THE BOARD
- CARMEN LOZANO, EXECUTIVE ASSISTANT/ASSISTANT  
SECRETARY TO THE BOARD

SHARON PALMER  
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1  
 2 ALSO PRESENT:  
 3  
 4 MARY-ELLEN GILPIN, HCIA  
 5 ELIZABETH RAMOS, EXECUTIVE ASSISTANT  
 6 JUNIOR MALDONADO, FREEHOLDER LIAISON  
 7 JAY DeDOMENICO, TMA  
 8 MAURICIO CANTO, DONOHUE, GIRONDA & DORIA  
 9 JUAN ESCOBAR, VISION MEDIA  
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1 board members present, three not present.  
 2 CHAIRMAN PESTANA: Mr. Netchert.  
 3 MR. NETCHERT: Thank you, Mr. Chairman.  
 4 This is a public meeting. The required  
 5 notice for this meeting was forwarded to both the  
 6 Jersey Journal and Star-Ledger for publication in  
 7 their respective newspapers on February 26th,  
 8 2015. Notice was also forwarded to the Clerk of  
 9 the County of Hudson and the Clerk of the Hudson  
 10 County Board of Freeholders for posting on the  
 11 information bulletin boards outside of those  
 12 respective offices. Notice was finally posted on  
 13 the bulletin board out of this meeting hall and on  
 14 the official website.  
 15 These notices are all in accordance  
 16 with the requirements of the Open Public Meetings  
 17 Act.  
 18 CHAIRMAN PESTANA: Thank you, Mr.  
 19 Netchert.  
 20 At this time I would like to recognize  
 21 Freeholder Maldonado, the liaison to the Board.  
 22 FREEHOLDER MALDONADO: Thank you,  
 23 Chairman.  
 24 CHAIRMAN PESTANA: At this time I would  
 25 like to take comments from the public on anything

1 CHAIRMAN PESTANA: At this time I would  
 2 like to call the meeting to order.  
 3 Would everyone please rise to salute  
 4 the flag.  
 5 (At this time all present recite the  
 6 Pledge of Allegiance.)  
 7 CHAIRMAN PESTANA: Carmen, call the  
 8 roll please.  
 9 MS. LOZANO: Commissioner Bado. Not  
 10 present.  
 11 Commissioner Dabney. Not present.  
 12 Commissioner Doran. Not present.  
 13 Commissioner Gallo.  
 14 COMMISSIONER GALLO: Here.  
 15 MS. LOZANO: Commissioner Goldsack.  
 16 COMMISSIONER GOLDSACK: Here.  
 17 MS. LOZANO: Commissioner Lorenzo.  
 18 COMMISSIONER LORENZO: Here.  
 19 MS. LOZANO: Commissioner Martinetti.  
 20 COMMISSIONER MARTINETTI: Here.  
 21 MS. LOZANO: Commissioner Peneda.  
 22 COMMISSIONER PENEDA: Here.  
 23 MS. LOZANO: Chairman Pestana.  
 24 CHAIRMAN PESTANA: Here.  
 25 MS. LOZANO: We have a quorum by six

1 on the agenda.  
 2 Seeing none, the public portion is now  
 3 closed.  
 4 MR. GUERRA: Item four is Resolution  
 5 8-2015-4 of the Hudson County Improvement  
 6 Authority authorizing payment of certain costs and  
 7 expenses of the Authority for the month of  
 8 August 2015.  
 9 CHAIRMAN PESTANA: Is there a motion?  
 10 COMMISSIONER GALLO: Moved.  
 11 CHAIRMAN PESTANA: Motion by  
 12 Commissioner Gallo.  
 13 COMMISSIONER LORENZO: Second.  
 14 CHAIRMAN PESTANA: And seconded by  
 15 Commissioner Lorenzo.  
 16 MS. LOZANO: Commissioner Gallo.  
 17 COMMISSIONER GALLO: Yes.  
 18 MS. LOZANO: Commissioner Goldsack.  
 19 COMMISSIONER GOLDSACK: Yes.  
 20 MS. LOZANO: Commissioner Lorenzo.  
 21 COMMISSIONER LORENZO: Yes.  
 22 MS. LOZANO: Commissioner Martinetti.  
 23 COMMISSIONER MARTINETTI: Yes.  
 24 MS. LOZANO: Commissioner Peneda.  
 25 COMMISSIONER PENEDA: Yes.

1 MS. LOZANO: Chairman Pestana.  
 2 CHAIRMAN PESTANA: Yes.  
 3 MS LOZANO: Resolution 8-2015-4 passes  
 4 in the affirmative by six board members voting  
 5 yes, three not present.  
 6 MR. GUERRA: Chairman, I might have  
 7 missed it, but did we do item number two, approval  
 8 of the minutes?  
 9 CHAIRMAN PESTANA: No.  
 10 Do we have a motion to approve the  
 11 minutes from the previous meeting?  
 12 COMMISSIONER GOLDSACK: Motion.  
 13 CHAIRMAN PESTANA: Motion by  
 14 Commissioner Goldsack.  
 15 COMMISSIONER LORENZO: Second.  
 16 CHAIRMAN PESTANA: Seconded by  
 17 Commissioner Lorenzo.  
 18 MS LOZANO: Can we also put on the  
 19 record that it says on the agenda the 26th,  
 20 July 26th. It is actually July 22nd, 2015.  
 21 CHAIRMAN PESTANA: Yes.  
 22 MS. LOZANO: Commissioner Gallo.  
 23 COMMISSIONER GALLO: Yes.  
 24 MS. LOZANO: Commissioner Goldsack.  
 25 COMMISSIONER GOLDSACK: Yes.

1 Krieger as the Director of the program.  
 2 MS LOZANO: I think they gave us the  
 3 full amount for the whole year.  
 4 MR. GUERRA: No. I thought me and Kurt  
 5 went through this, right Kurt? It is 86.  
 6 MR. CHERRY: It's the final half.  
 7 MR. GUERRA: It's the other half,  
 8 right.  
 9 CHAIRMAN PESTANA: Is there a motion on  
 10 this resolution?  
 11 COMMISSIONER GALLO: I'll move it.  
 12 CHAIRMAN PESTANA: Motion by  
 13 Commissioner Gallo.  
 14 COMMISSIONER LORENZO: Second.  
 15 CHAIRMAN PESTANA: Seconded by  
 16 Commissioner Lorenzo.  
 17 MS. LOZANO: Commissioner Gallo.  
 18 COMMISSIONER GALLO: Yes.  
 19 MS. LOZANO: Commissioner Goldsack.  
 20 COMMISSIONER GOLDSACK: Yes.  
 21 MS. LOZANO: Commissioner Lorenzo.  
 22 COMMISSIONER LORENZO: Yes.  
 23 MS. LOZANO: Commissioner Martinetti.  
 24 COMMISSIONER MARTINETTI: Yes.  
 25 MS. LOZANO: Commissioner Peneda.

1 MS. LOZANO: Commissioner Lorenzo.  
 2 COMMISSIONER LORENZO: Yes.  
 3 MS. LOZANO: Commissioner Martinetti.  
 4 COMMISSIONER MARTINETTI: Yes.  
 5 MS. LOZANO: Commissioner Peneda.  
 6 COMMISSIONER PENEDA: Yes.  
 7 MS. LOZANO: Chairman Pestana.  
 8 CHAIRMAN PESTANA: Yes.  
 9 MS LOZANO: The minutes of July 22nd,  
 10 2015 passes in the affirmative by six board  
 11 members voting yes, three not present.  
 12 MR. GUERRA: Item number five is  
 13 Resolution 8-2015-5 of the Hudson County  
 14 Improvement Authority renewing a sub-contract with  
 15 the County of Hudson under the Ryan White HIV/AIDS  
 16 Treatment Extension Act of 2009 and continuing the  
 17 employment of a Director of Hudson County HIV/AIDS  
 18 Services Planning Council.  
 19 The resolution provides for renewing  
 20 the sub-contract with the County under the Ryan  
 21 White Program. It's partial funding for the  
 22 period from September 1st, 2015 through  
 23 February 28th, 2015, which is a six-month period  
 24 in the total amount of \$86,300. And it also  
 25 provides for the continued employment of Marvin

1 COMMISSIONER PENEDA: Yes.  
 2 MS. LOZANO: Chairman Pestana.  
 3 CHAIRMAN PESTANA: Yes.  
 4 MS LOZANO: Resolution 8-2015-5 passes  
 5 in the affirmative by six board members voting  
 6 yes, three not present.  
 7 MR. GUERRA: Item number six is  
 8 Resolution 8-2015-6 of the Hudson County  
 9 Improvement Authority making application to the  
 10 Local Finance Board pursuant to N.J.S.A.  
 11 40A:5A-6.  
 12 Again, this resolution provides for the  
 13 authorization of a submission of an application to  
 14 the Local Finance Board as it relates to our  
 15 Pooled Note Program.  
 16 The towns participating in this round  
 17 of funding are the City of Jersey City, Town of  
 18 Weehawken, Town of West New York, City of Union  
 19 City, and the Weehawken Parking Authority.  
 20 The total amount of the financing for  
 21 this whole transaction is \$75,501,000. Some of  
 22 this is notes that are rolled over. The other is  
 23 new monies that these towns are borrowing. The  
 24 new money is for the town of West New York and  
 25 also the Town of Weehawken. The total amount

1 again is \$75,501,000.  
 2 CHAIRMAN PESTANA: Does anybody have  
 3 any questions on this resolution?  
 4 Hearing none.  
 5 Is there a motion?  
 6 COMMISSIONER GOLDSACK: Motion.  
 7 CHAIRMAN PESTANA: Motion by  
 8 Commissioner Goldsack.  
 9 COMMISSIONER LORENZO: Second.  
 10 CHAIRMAN PESTANA: Seconded by  
 11 Commissioner Lorenzo.  
 12 MS. LOZANO: Commissioner Gallo.  
 13 COMMISSIONER GALLO: Yes.  
 14 MS. LOZANO: Commissioner Goldsack.  
 15 COMMISSIONER GOLDSACK: Yes.  
 16 MS. LOZANO: Commissioner Lorenzo.  
 17 COMMISSIONER LORENZO: Yes.  
 18 MS. LOZANO: Commissioner Martinetti.  
 19 COMMISSIONER MARTINETTI: Yes.  
 20 MS. LOZANO: Commissioner Peneda.  
 21 COMMISSIONER PENEDA: Yes.  
 22 MS. LOZANO: Chairman Pestana.  
 23 CHAIRMAN PESTANA: Yes.  
 24 MS LOZANO: Resolution 8-2015-6 passes  
 25 in the affirmative by six board members voting

1 resolution provides the authorization for us to  
 2 enter into such an agreement.  
 3 CHAIRMAN PESTANA: Does anybody have  
 4 any questions on this resolution?  
 5 (No response)  
 6 CHAIRMAN PESTANA: Is there a motion?  
 7 COMMISSIONER PENEDA: I'll make a  
 8 motion.  
 9 CHAIRMAN PESTANA: Motion by  
 10 Commissioner Peneda.  
 11 COMMISSIONER GALLO: Second.  
 12 CHAIRMAN PESTANA: Seconded by  
 13 Commissioner Gallo.  
 14 MS. LOZANO: Commissioner Gallo.  
 15 COMMISSIONER GALLO: Yes.  
 16 MS. LOZANO: Commissioner Goldsack.  
 17 COMMISSIONER GOLDSACK: Yes.  
 18 MS. LOZANO: Commissioner Lorenzo.  
 19 COMMISSIONER LORENZO: Yes.  
 20 MS. LOZANO: Commissioner Martinetti.  
 21 COMMISSIONER MARTINETTI: Yes.  
 22 MS. LOZANO: Commissioner Peneda.  
 23 COMMISSIONER PENEDA: Yes.  
 24 MS. LOZANO: Chairman Pestana.  
 25 CHAIRMAN PESTANA: Yes.

1 yes, three not present.  
 2 MR. GUERRA: Item number seven is  
 3 Resolution 8-2015-7 of the Hudson County  
 4 Improvement Authority authorizing an Agreement  
 5 with Key Environmental for Hydroseeding Services  
 6 at the Koppers Seaboard site.  
 7 Now that a portion of the Koppers site  
 8 has reached the required elevation of our Remedial  
 9 Action Work Plan, the Hudson Essex Passaic Soils  
 10 Conservation District is requiring that we  
 11 implement the appropriate soil control measures,  
 12 which now they are requiring that we hydroseed  
 13 approximately - it is only 7.10 acres of the site.  
 14 Our engineers and our LSRP felt it was  
 15 best that we retain the services of Key  
 16 Environmental. Key, as you know, has done pretty  
 17 much all of our remedial action work that's been  
 18 done out there on behalf of Beazer. Key has  
 19 amended our Remedial Action Work Plan on numerous  
 20 sites, so they know this site in and out. So our  
 21 thought is to retain their services to provide for  
 22 the hydroseeding.  
 23 The proposal that they have submitted  
 24 is in the amount of \$19,300, and that's to seed  
 25 approximately seven acres of the site. And this

1 MS LOZANO: Resolution 8-2015-7 passes  
 2 in the affirmative by six board members voting  
 3 yes, three not present.  
 4 MR. GUERRA: Item number eight is  
 5 Resolution 8-2015-8 of the Hudson County  
 6 Improvement Authority accepting the calendar year  
 7 Audit for the period ended December 31st, 2014  
 8 prepared by Donohue, Gironda, & Doria, in  
 9 accordance with the provisions of N.J.S.A.  
 10 40A:5A-15 and N.J.S.A. 40A:5A-17.  
 11 At this time I would ask Kurt if he  
 12 would just address the Board on the findings of  
 13 the audit.  
 14 MR. CHERRY: Thank you.  
 15 The two most important pages in the  
 16 Audit is usually the list of officials and the  
 17 second one is the comments or recommendations.  
 18 The first one is in there, the second one isn't.  
 19 There are no comments or recommendations again  
 20 this year.  
 21 There has been a lot of hard work that  
 22 the Finance Department has put into this,  
 23 especially Jim Policastro, Joe Cappazzoli, and  
 24 Amina Ghoul. So it's a nice department, it's a  
 25 good working department, and the Audit reflects

1 that.

2 Tonight with us is Mauricio Canto, and  
3 I'm going to turn it over to him to make some  
4 comments.

5 MR. CANTO: Thank you, Kurt.

6 Mauricio Canto from Donohue, Gironda &  
7 Doria.

8 I'm just going to briefly go over what  
9 Kurt went over.

10 I do verify confirm that you really do  
11 have a very well functioning Finance Department  
12 here at the Authority. The report is reflective  
13 of that. There is actually no finding and no  
14 comments or recommendations in the Audit, and  
15 that's pretty rare even for an Authority. So I  
16 want to reiterate that they do a great job in the  
17 Finance Department.

18 The report we issue is also part of the  
19 Comprehensive Annual Financial Report. It  
20 includes management's discussions and analysis.  
21 We put some new tables in there to show a little  
22 bit more of the operation of solid waste. Our  
23 tonnage has gone up slightly.

24 And just to paint a better picture of  
25 why the Solid Waste Fund or actually the

1 Commissioner Goldsack.

2 Is there a second?

3 COMMISSIONER GALLO: Second.

4 CHAIRMAN PESTANA: Seconded by

5 Commissioner Gallo.

6 MS. LOZANO: Commissioner Gallo.

7 COMMISSIONER GALLO: Yes.

8 MS. LOZANO: Commissioner Goldsack.

9 COMMISSIONER GOLDSACK: Yes.

10 MS. LOZANO: Commissioner Lorenzo.

11 COMMISSIONER LORENZO: Yes.

12 MS. LOZANO: Commissioner Martinetti.

13 COMMISSIONER MARTINETTI: Yes.

14 MS. LOZANO: Commissioner Peneda.

15 COMMISSIONER PENEDA: Yes.

16 MS. LOZANO: Chairman Pestana.

17 CHAIRMAN PESTANA: Yes.

18 MS LOZANO: Resolution 8-2015-8 passes  
19 in the affirmative by six board members voting  
20 yes, three not present.

21 MR. GUERRA: Commissioners, I believe  
22 in your packet, item number nine, we had a  
23 resolution in your packet, however, that is  
24 replaced with the resolution that's in front of  
25 you. It's Resolution 8-2015-9 of the Hudson

1 Authority, as a whole, has a very healthy income  
2 in the past year is because of some of the  
3 miscellaneous income that we have seen come from  
4 the Koppers site. So it is just a little bit to  
5 -- I just wanted to reiterate that a little bit.

6 If there is any other questions from  
7 the Board?

8 CHAIRMAN PESTANA: Any questions?

9 (No response)

10 CHAIRMAN PESTANA: Thank you, Mauricio.

11 MR. GUERRA: I would just like to  
12 concur with Kurt. First of all, Kurt has done a  
13 fabulous job sort of sort of directing the old  
14 Finance Department and his whole staff, Jim  
15 Policastro, Joe Cappazzoli, and Amina.

16 CHAIRMAN PESTANA: What I was going to  
17 do as well was congratulate Kurt, Amina, and the  
18 HCIA as to there being no recommendations on the  
19 Audit. Good job.

20 COMMISSIONER GOLDSACK: Which is very  
21 rare.

22 CHAIRMAN PESTANA: Do we have a motion  
23 on this?

24 COMMISSIONER GOLDSACK: Motion.

25 CHAIRMAN PESTANA: Motion by

1 County Improvement Authority authorizing the  
2 extension of the negotiation period with Morris  
3 Realty Associates, LLC for Purchase and Sale  
4 Agreement as to the Authority's property located  
5 in the Town of Kearny, Hudson County, New Jersey,  
6 and designated on the Tax Map of the Town of  
7 Kearny as Block 287; Lots 32.01, 54, 55, 56, 61B,  
8 61C, 62, 62R, 63, 70, 71R, 73 and 80, all known as  
9 the "Property".

10 I'll turn this over to Bill and he'll  
11 tell you where we are with the negotiations. I  
12 believe we're very close. We did not manage to  
13 get it on for this evening's meeting.

14 MR. NETCHERT: There are two things  
15 I'll say. During the course of our negotiations I  
16 think it has been brought up that we may be  
17 missing one lot in this caption, so at some point,  
18 when we come back for a final, we may have to  
19 amend this or we may have to add another lot or  
20 subtract a lot.

21 Initially, when the packet went out, it  
22 had been our hope and anticipation, Norman,  
23 myself, Glenn Scotland, and special counsel, that  
24 we would be able to present to you what we believe  
25 was the final negotiated Agreement.

1 Certain differences arose, as well as  
2 we have been negotiating with PSE&G for an  
3 easement on the property. That didn't get  
4 finalized as quickly as we had hoped. We finally  
5 had gotten the appraisals on the value that we're  
6 going to receive for that. So rather than bring  
7 to you a --

8 MR. GUERRA: Transit.

9 MR. NETCHERT: And, as you know, we  
10 have been dealing with Transit, and we're still  
11 dealing with Transit.

12 Rather than bring to you what we felt  
13 was a substantially complete, but not a complete  
14 package or a Purchase and Sale Agreement, we  
15 decided to simply extend for one more meeting.  
16 And we expect to bring it to you with a  
17 recommendation of the Purchase and Sale Agreement  
18 at the next meeting.

19 Now, along with that, there still  
20 remains outstanding a requirement that once we  
21 have a Purchase and Sale Agreement in place and  
22 worked out, we need to return to the Board of  
23 Freeholders because it's anticipated that the  
24 Purchase and Sale Agreement price will be less  
25 than what the County has calculated to be due them

1 CHAIRMAN PESTANA: Does anybody have  
2 any questions?

3 COMMISSIONER GOLDSACK: I just have one  
4 question.

5 CHAIRMAN PESTANA: Go ahead.

6 COMMISSIONER GOLDSACK: Which one of  
7 the resolutions that we had in our packet and the  
8 resolution, and I know Bill you just mentioned a  
9 second ago --

10 MR. GUERRA: The loose one that you  
11 just mentioned?

12 COMMISSIONER GOLDSACK: Yes. Which one  
13 is the more accurate so far as the description as  
14 to the block and lots?

15 MR. NETCHERT: They are both the same.

16 COMMISSIONER GOLDSACK: Both good?

17 MR. NETCHERT: Yes.

18 COMMISSIONER GOLDSACK: Because it  
19 looks like there are subdivisions or something  
20 that occurred here. There are some missing and  
21 some added.

22 MR. NETCHERT: There shouldn't be. It  
23 shouldn't be. Actually it should be the same. It  
24 should be the same caption.

25 COMMISSIONER GOLDSACK: Because you

1 based upon the financing. So the Board of  
2 Freeholders will be asked to approve what is  
3 called an unrecaptured grant of funds between the  
4 difference in the purchase price and the amount  
5 that they have calculated would make them whole as  
6 a result of their lending us the \$32 million years  
7 ago.

8 So the long and short of it is we  
9 expect to be here next month, next meeting, with  
10 an agreement, which will still have to then go  
11 over to be, not approved, but in order for it to  
12 work the Freeholders need to approve what, in  
13 affect, becomes a grant of the difference between  
14 what the County has spent and what we're receiving  
15 for the property.

16 MR. GUERRA: It will be presented to  
17 this Board and then we're going to have, Junior, a  
18 Contracts Committee meeting with the Freeholder's  
19 Committee. And then once that's over, I guess it  
20 goes to the whole Board. We were hoping to have  
21 that for this meeting but, like Bill said, there  
22 are one or two issues that are pretty close with  
23 Public Service, New Jersey Transit, and I think  
24 we're real close to getting this done. So it will  
25 definitely be on for the next meeting.

1 have 62, 62.01, and then you have 62 and 62R, 63,  
2 70, 70.01 as compared to 71R, and 73 is not on  
3 there.

4 MR. NETCHERT: Okay. Let me take a  
5 look.

6 COMMISSIONER GOLDSACK: And 80.

7 MR. GUERRA: It's the whole hundred,  
8 and I want to say 40 plus acres. There is all  
9 little different lots. So they will have it,  
10 we'll make sure, in the final one.

11 MR. NETCHERT: You know, I can't tell  
12 you at this point which is the right one. I'll  
13 tell you why the difference. The one that you  
14 have in front of you right now is a copy of the  
15 initial resolution that we approved to extend.  
16 The one that was in the packet was a resolution  
17 prepared by special counsel. And honestly I don't  
18 think any of us sat here and compared the blocks  
19 and lots that he listed in that. And that's why I  
20 started by saying once a title search is done that  
21 identifies the actual blocks and lots we'll  
22 probably have to come back with some type of an  
23 amendment or a resolution that specifically  
24 identifies the lots and blocks that are being  
25 conveyed.

1 COMMISSIONER GOLDSACK: But the one in  
2 the packet looks like there was subdivisions of  
3 certain lots that are identified in the  
4 resolution.

5 MR. GUERRA: Plus by then the Transit  
6 piece will possibly, at lease -- no, because  
7 there's going to be a piece that's on the inside,  
8 20 acres, that's going to be carved out, and  
9 that's probably going to have its own block and  
10 lot number. So it's still somewhat of a moving  
11 target, if you will.

12 MR. NETCHERT: Yes. Thinking like a  
13 lawyer, I guess. What we'll probably do is do it  
14 more than once, because we're going to approve a  
15 Purchase and Sale Agreement that's going to then  
16 end up with further subdivisions with further  
17 designations of blocks and lots. So we're  
18 probably going to have to come back and further  
19 identify those lots and blocks.

20 Transit isn't concerned, because I  
21 raised that issue with Transit, and Transit  
22 believes that they're bigger than the world and  
23 they can create their own lots simply by drawing  
24 lines and you don't need subdivisions, and they  
25 can. The fact is that they can. They can draw

1 yes.

2 MR. NETCHERT: The block and lot  
3 designations, yes.

4 COMMISSIONER LORENZO: I have a  
5 question. Should we table it or should we vote on  
6 it?

7 MR. NETCHERT: You can't table this  
8 because this extends the negotiation period.

9 MR. GUERRA: To let us finish to get  
10 contract.

11 MR. NETCHERT: If you are troubled with  
12 the designation of lot, you could say whatever the  
13 lots are at Koppers Koke, and that covers it.

14 So the materiality of the resolution is  
15 not what we're calling it, it's the extension of  
16 the negotiation period until the next meeting,  
17 because that negotiation period maintains its  
18 confidentiality and gives us the right to maintain  
19 those discussions as confidential until such time  
20 as it becomes a public document, at which point  
21 it's in the public domain and anybody can see it.

22 MR. GUERRA: And as an attorney you  
23 probably shouldn't even list all of those lot  
24 numbers, and you should just refer to it as the  
25 Koppers Seaboard property. And then at the time

1 lines and file a map and say that's ours, and then  
2 you can give it a - a tax assessor can give it a  
3 lot number, but they don't need to go for a formal  
4 subdivision. They can just create their own lots.  
5 At least they can today. I don't know. Transit  
6 seems to be in the news lately.

7 COMMISSIONER GOLDSACK: Thank you.

8 MR. NETCHERT: I didn't give you a  
9 quick answer --

10 COMMISSIONER: No.

11 MR. NETCHERT: -- because I don't have  
12 one.

13 COMMISSIONER GOLDSACK: That's okay.

14 MR. NETCHERT: I don't know the real  
15 ones.

16 COMMISSIONER GOLDSACK: It looks like  
17 there were subdivisions.

18 MR. NETCHERT: Yes.

19 COMMISSIONER GOLDSACK: I thought that  
20 took place.

21 MR. NETCHERT: Yes, that's probably  
22 what took place.

23 CHAIRMAN PESTANA: So this could be  
24 subject to further revisions?

25 MR. GUERRA: In terms of block and lot,

1 when the title search is done you will clearly  
2 identify each block and lot, and it will be  
3 accurate.

4 CHAIRMAN PESTANA: Are you okay with  
5 that?

6 COMMISSIONER LORENZO: Yes.

7 CHAIRMAN PESTANA: Are there any  
8 motions?

9 COMMISSIONER GOLDSACK: Motion.

10 CHAIRMAN PESTANA: Motion by  
11 Commissioner Goldsack.

12 COMMISSIONER PENEDA: Second.

13 CHAIRMAN PESTANA: Seconded by  
14 Commissioner Peneda.

15 MS. LOZANO: Commissioner Gallo.

16 COMMISSIONER GALLO: Yes.

17 MS. LOZANO: Commissioner Goldsack.

18 COMMISSIONER GOLDSACK: Yes.

19 MS. LOZANO: Commissioner Lorenzo.

20 COMMISSIONER LORENZO: Yes.

21 MS. LOZANO: Commissioner Martinetti.

22 COMMISSIONER MARTINETTI: Yes.

23 MS. LOZANO: Commissioner Peneda.

24 COMMISSIONER PENEDA: Yes.

25 MS. LOZANO: Chairman Pestana.

1 CHAIRMAN PESTANA: Yes.  
 2 MS LOZANO: Resolution 8-2015-9 passes  
 3 in the affirmative by six board members voting  
 4 yes, three not present.  
 5 MR. GUERRA: Also, commissioners, there  
 6 is item number ten. It is Resolution 8-2015-10 of  
 7 the Hudson County Improvement Authority  
 8 authorizing the execution of Change Order No. 1 to  
 9 the Agreement with New Jersey Transit Corporation  
 10 for Professional Services.  
 11 This is related to our TMA, so I'm  
 12 going to ask Jay just to provide an overview of  
 13 the resolution.  
 14 MR. DeDOMENICO: Thank you.  
 15 Basically this is just a continuation  
 16 of what we did back in May.  
 17 Prior to this NJ Transit did give a  
 18 contract for \$25,000. It was a one-year contract  
 19 every year for 15 years at least that I'm aware  
 20 of. And this year they decided to only do six  
 21 months at a time because internally they had  
 22 things that they wanted to change, but not change  
 23 our money or change our work order or our work  
 24 program or anything else like that. So last May  
 25 we approved the contract for the first six months

1 and now we're here to have you approve the next  
 2 six months, which would be year ending  
 3 December 31st of this year. So it is \$12,500 for  
 4 the first six months and \$12,500 for this one.  
 5 They changed the contract number.  
 6 That's why the change order number is different.  
 7 I just wanted to explain that to you.  
 8 CHAIRMAN PESTANA: Thank you, Jay.  
 9 MR. GUERRA: Is there a motion on this?  
 10 CHAIRMAN PESTANA: Is there a motion?  
 11 COMMISSIONER GALLO: Motion.  
 12 CHAIRMAN PESTANA: Motion by  
 13 Commissioner Gallo.  
 14 COMMISSIONER PENEDA: Second.  
 15 CHAIRMAN PESTANA: Seconded by  
 16 Commissioner Peneda.  
 17 MS. LOZANO: Commissioner Gallo.  
 18 COMMISSIONER GALLO: Yes.  
 19 MS. LOZANO: Commissioner Goldsack.  
 20 COMMISSIONER GOLDSACK: Yes.  
 21 MS. LOZANO: Commissioner Lorenzo.  
 22 COMMISSIONER LORENZO: Yes.  
 23 MS. LOZANO: Commissioner Martinetti.  
 24 COMMISSIONER MARTINETTI: Yes.  
 25 MS. LOZANO: Commissioner Peneda.

1 COMMISSIONER PENEDA: Yes.  
 2 MS. LOZANO: Chairman Pestana.  
 3 CHAIRMAN PESTANA: Yes.  
 4 MS LOZANO: Resolution 8-2015-10 passes  
 5 in the affirmative by six board members voting  
 6 yes, three not present.  
 7 MR. GUERRA: Under eleven, recycling,  
 8 Mary-Ellen, do you want to touch upon the programs  
 9 that are around the corner. Fall is almost upon  
 10 us.  
 11 MS. GILPIN: There was no report in the  
 12 packet this month because it is too short a time  
 13 since vacation.  
 14 In two weeks the shredding starts  
 15 already. And we're doing six shredding locations  
 16 and then HHW in October. The shredding starts on  
 17 the 12th in North Bergen and we continue from  
 18 there. We have been getting a lot of requests, a  
 19 lot of phone calls, so we expect the numbers to go  
 20 up for as well this year.  
 21 CHAIRMAN PESTANA: September 12th is  
 22 the first?  
 23 MS. GILPIN: September 12th is the  
 24 first one in North Bergen, Braddock Park in North  
 25 Bergen. And then the next week is Secaucus at the

1 Rec Center on the 19th. The 26th is Kearny.  
 2 Those are the September dates.  
 3 MR. GUERRA: Thank you.  
 4 Other than that, Chairman, I don't have  
 5 anything else.  
 6 CHAIRMAN PESTANA: If there is no more  
 7 business is there a motion to adjourn this  
 8 meeting?  
 9 COMMISSIONER GALLO: So moved.  
 10 COMMISSIONER PENEDA: Second.  
 11 CHAIRMAN PESTANA: Motion by  
 12 Commissioner Gallo and seconded by Commissioner  
 13 Peneda.  
 14 All in favor.  
 15 COMMISSIONER GALLO: Aye.  
 16 COMMISSIONER GOLDSACK: Aye.  
 17 COMMISSIONER LORENZO: Aye.  
 18 COMMISSIONER MARTINETTI: Aye.  
 19 COMMISSIONER PENEDA: Aye.  
 20 CHAIRMAN PESTANA: Aye.  
 21 Thank you.  
 22  
 23 (Whereupon the meeting is concluded.)  
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CERTIFICATION

I, Sharon Palmer, C.C.R., License  
Number X100796, a Certified Court Reporter of the  
State of New Jersey, do hereby certify that the  
foregoing is a true and accurate transcript of my  
stenographic notes of the within proceedings to  
the best of my knowledge and ability.



Sharon Palmer, C.C.R.

Dated: August 28, 2015