

HUDSON COUNTY IMPROVEMENT AUTHORITY

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

WEDNESDAY, SEPTEMBER 23, 2015
830 BERGEN AVENUE, 9TH FLOOR
JERSEY CITY, NEW JERSEY 07306
COMMENCING AT 5:50 P.M.

BOARD MEMBERS:

- FRANK PESTANA, CHAIRMAN
- JAMES DORAN, VICE CHAIRMAN
- STEPHEN J. GALLO, TREASURER
- FRANK LORENZO, SECRETARY
- MARTIN T. MARTINETTI, COMMISSIONER (ABSENT)
- FRED M. BADO, COMMISSIONER
- 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

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R.J. O'CONNELL ASSOCIATES,
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1
2 ALSO PRESENT:
3
4 GLENN F. SCOTLAND, ESQ. (McMANIMON SCOTLAND &
5 BAUMANN)
6 MARY-ELLEN GILPIN, HCIA
7 ELIZABETH RAMOS, EXECUTIVE ASSISTANT
8 JUNIOR MALDONADO, FREEHOLDER LIAISON
9 JAMES POLICASTRO, HCIA
10 MICHAEL O'CONNOR, HCIA
11 JAY DeDOMENICO, TMA
12 MICHAEL MAKARSKI, VISION MEDIA
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1 MS. LOZANO: We have a quorum with
2 seven board members present, two not present.
3 CHAIRMAN PESTANA: Mr. Netchert.
4 MR. NETCHERT: Yes, Mr. Chairman.
5 This is a public meeting. Notice of
6 tonight's meeting was forwarded to the Star Ledger
7 and Jersey Journal for publication in those
8 respective newspapers on February 26, 2015.
9 Notice was also forwarded to the Clerk of the
10 County of Hudson, the Clerk of the Hudson County
11 Board of Freeholders, and it was posted on the
12 bulletin board outside of this meeting hall as
13 well. These notices are all in compliance with
14 the requirements of the Open Public Meetings Act.
15 It was also published on our website as well.
16 CHAIRMAN PESTANA: Thank you.
17 At this time I would like to recognize
18 Freeholder Maldonado, the liaison to the Board,
19 and also County Clerk Barbara Netchert who was
20 here before.
21 CHAIRMAN PESTANA: Do we have a motion
22 for the approval of the minutes of the last
23 meeting?
24 COMMISSIONER LORENZO: I'll move it.
25 CHAIRMAN PESTANA: Moved by

1 THE COURT: Welcome to the Hudson
2 County Improvement Authority meeting.
3 Please rise.
4 (At this time the Pledge of Allegiance
5 is recited.)
6 CHAIRMAN PESTANA: Carmen, would you
7 call the roll please.
8 MS. LOZANO: Commissioner Bado.
9 COMMISSIONER BADO: Present.
10 MS. LOZANO: Commissioner Dabney. Not
11 present.
12 Commissioner Doran.
13 COMMISSIONER DORAN: Present.
14 MS. LOZANO: Commissioner Gallo.
15 COMMISSIONER GALLO: Here.
16 MS. LOZANO: Commissioner Goldsack.
17 COMMISSIONER GOLDSACK: Here.
18 MS. LOZANO: Commissioner Lorenzo.
19 COMMISSIONER LORENZO: Here.
20 MS. LOZANO: Commissioner Martinetti.
21 Not present.
22 Commissioner Peneda.
23 COMMISSIONER PENEDA: Here.
24 MS. LOZANO: Chairman Pestana.
25 CHAIRMAN PESTANA: Here.

1 Commissioner Lorenzo.
2 COMMISSIONER GALLO: Second.
3 CHAIRMAN PESTANA: And seconded by
4 Commissioner Gallo.
5 MS. LOZANO: Commissioner Bado.
6 COMMISSIONER BADO: Yes.
7 MS. LOZANO: Commissioner Doran.
8 COMMISSIONER DORAN: Abstain.
9 MS. LOZANO: Commissioner Gallo.
10 COMMISSIONER GALLO: Yes.
11 MS. LOZANO: Commissioner Goldsack.
12 COMMISSIONER GOLDSACK: Yes.
13 MS. LOZANO: Commissioner Lorenzo.
14 COMMISSIONER LORENZO: Yes.
15 MS. LOZANO: Commissioner Peneda.
16 COMMISSIONER PENEDA: Yes.
17 MS. LOZANO: Chairman Pestana.
18 CHAIRMAN PESTANA: Yes.
19 MS. LOZANO: The minutes of August 26th
20 passes in the affirmative by six board members
21 voting yes, one abstention, and two not present.
22 MR. GUERRA: Item four.
23 CHAIRMAN PESTANA: Are there any
24 comments at this time from the public on anything
25 on the agenda?

1 Hearing none, the public portion is now
2 closed.

3 MR. GUERRA: Item four, Resolution
4 9-2015-4 of the Hudson County Improvement
5 Authority authorizing payment of certain costs and
6 expenses of the Authority for the month of
7 September 2015.

8 CHAIRMAN PESTANA: Do we have a motion?

9 COMMISSIONER GOLDSACK: Motion.

10 COMMISSIONER DORAN: Second.

11 CHAIRMAN PESTANA: Motion by
12 Commissioner Goldsack and second by Commissioner
13 Doran.

14 MS. LOZANO: Commissioner Bado.

15 COMMISSIONER BADO: Yes.

16 MS. LOZANO: Commissioner Doran.

17 COMMISSIONER DORAN: Yes.

18 MS. LOZANO: Commissioner Gallo.

19 COMMISSIONER GALLO: Yes.

20 MS. LOZANO: Commissioner Goldsack.

21 COMMISSIONER GOLDSACK: Yes.

22 MS. LOZANO: Commissioner Lorenzo.

23 COMMISSIONER LORENZO: Yes.

24 MS. LOZANO: Commissioner Peneda.

25 COMMISSIONER PENEDA: Yes.

1 what is called a Power Purchase Agreement along
2 with Jersey City with Sun Edison, and that
3 determines the amount that the Town with the City
4 would be paying for the electric used by the
5 system. At that time the project not only
6 included solar panels, but it included what is
7 known as a battery storage component.

8 Recently we were informed by an
9 independent system operator that the battery's
10 storage component is no longer available.

11 Therefore, what is being proposed by
12 Sun Energy is that they will even lower the rate
13 to be paid for the electric service, lower than
14 what they originally bid.

15 Jersey City has reviewed this and
16 Jersey City's counsel acted on the amendment
17 because they are part of this Agreement. And what
18 his resolution calls for is us to amend our
19 portion of the Agreement to reflect that. So
20 Jersey City is on board. We're comfortable with
21 it. And Jersey City is getting a little better
22 rate, but they are not getting the battery storage
23 component for the system.

24 CHAIRMAN PESTANA: Any questions? Any
25 motions?

1 MS. LOZANO: Chairman Pestana.

2 CHAIRMAN PESTANA: Yes.

3 MS. LOZANO: Resolution 9-2015-4 passes
4 in the affirmative, as amended, with seven board
5 members voting yes, two not present.

6 MR. GUERRA: Item five is Resolution
7 9-2015-5 of the Hudson County Improvement
8 Authority authorizing an amendment to a Power
9 Purchase Agreement in connection with the
10 Authority's Renewable Energy Program.

11 As you know, the City of Jersey City
12 has taken part in our Renewable Energy Program.
13 We had entered into a Shared Service Agreement for
14 the installation of solar panels on their new
15 municipal complex in Jersey City. They also have
16 these canopies where the panels will be going over
17 the canopies also.

18 As a result of the bid process we
19 entered into an Agreement with Sun Edison, who is
20 the developer. The Agreement, at times, had been
21 amended because prior to Sun Edison it was
22 actually a different developer who sold to Sun
23 Edison. The Agreement called for us to provide
24 construction and project management services.

25 As part of the process we entered into

1 (No response)

2 CHAIRMAN PESTANA: Is there a motion?

3 COMMISSIONER GOLDSACK: Motion.

4 CHAIRMAN PESTANA: Motion by
5 Commissioner Goldsack.

6 COMMISSIONER DORAN: Second.

7 CHAIRMAN PESTANA: Second by
8 Commissioner Doran.

9 MS. LOZANO: Commissioner Bado.

10 COMMISSIONER BADO: Yes.

11 MS. LOZANO: Commissioner Doran.

12 COMMISSIONER DORAN: Yes.

13 MS. LOZANO: Commissioner Gallo.

14 COMMISSIONER GALLO: Yes.

15 MS. LOZANO: Commissioner Goldsack.

16 COMMISSIONER GOLDSACK: Yes.

17 MS. LOZANO: Commissioner Lorenzo.

18 COMMISSIONER LORENZO: Yes.

19 MS. LOZANO: Commissioner Peneda.

20 COMMISSIONER PENEDA: Yes.

21 MS. LOZANO: Chairman Pestana.

22 CHAIRMAN PESTANA: Yes.

23 MS. LOZANO: Resolution 9-2015-5 passes
24 in the affirmative by seven board members voting
25 yes, two not present.

1 MR. GUERRA: Item number six is
 2 Resolution 9-2015-6 of the Hudson County
 3 Improvement Authority in support of a grant
 4 proposal by the Hackensack Riverkeeper, Inc. to
 5 the Hudson County Open Space Trust for completion
 6 of the Laurel Hill Promenade.
 7 If you remember, we had awarded the
 8 contract for the construction, which has begun.
 9 It's 400 linear feet of promenade.
 10 Initially the award was in two phases.
 11 Phase I, which was 250 feet, and we had additional
 12 money to do a portion of Phase II, which totalled
 13 320 feet.
 14 The initial award was for \$834,425.
 15 To complete the remaining 82 feet would
 16 require, including soft costs, an additional
 17 \$140,000 to complete this.
 18 We started the process with the
 19 County's Office of Planning. We spoke to folks in
 20 the County that the Riverkeeper was going to apply
 21 and we would support it to the Open Space.
 22 However, the County felt and has agreed that it,
 23 through the Parks Department, would provide the
 24 140,000 to complete that. So there is no need for
 25 us to continue to pursue the money from the Open

1 of long standing grants that we have had. It's
 2 our main grant and funds about 90 percent of the
 3 programs that we do.
 4 Thank you.
 5 CHAIRMAN PESTANA: Does anybody have
 6 any questions?
 7 (No response)
 8 MR. GUERRA: Thank you, Jay.
 9 CHAIRMAN PESTANA: Is there a motion?
 10 COMMISSIONER PENEDA: Motion.
 11 CHAIRMAN PESTANA: Motion by
 12 Commissioner Peneda.
 13 COMMISSIONER DORAN: Second.
 14 CHAIRMAN PESTANA: Seconded by
 15 Commissioner Doran.
 16 MS. LOZANO: Commissioner Bado.
 17 COMMISSIONER BADO: Yes.
 18 MS. LOZANO: Commissioner Doran.
 19 COMMISSIONER DORAN: Yes.
 20 MS. LOZANO: Commissioner Gallo.
 21 COMMISSIONER GALLO: Yes.
 22 MS. LOZANO: Commissioner Goldsack.
 23 COMMISSIONER GOLDSACK: Yes.
 24 MS. LOZANO: Commissioner Lorenzo.
 25 COMMISSIONER LORENZO: Yes.

1 Space. So this will be funded through that.
 2 So this resolution here, if I'm
 3 correct, could just be withdrawn.
 4 That's just giving you a little
 5 background on that.
 6 There is no action to be taken on that,
 7 right?
 8 MR. NETCHERT: Right.
 9 So, for the record, item six, the
 10 resolution that Norman read into the record, is
 11 withdrawn by the Director.
 12 MR. GUERRA: Right.
 13 Item number seven is Resolution
 14 9-2015-7 of the Hudson County Improvement
 15 Authority authorizing execution of a subcontract
 16 for Fiscal Year 2016 between the Transportation
 17 Management Association and the North Jersey
 18 Transportation Planning Authority and the New
 19 Jersey Institute of Technology.
 20 This funding is, of course, related to
 21 our TMA, and it's for the TMA Work Program, and
 22 the total amount of the grant is \$530,000.
 23 I'll ask Jay to comment and just
 24 provide you with a little overview.
 25 MR. DeDOMENICO: This is a continuation

1 MS. LOZANO: Commissioner Peneda.
 2 COMMISSIONER PENEDA: Yes.
 3 MS. LOZANO: Chairman Pestana.
 4 CHAIRMAN PESTANA: Yes.
 5 MS. LOZANO: Resolution 9-2015-7 passes
 6 in the affirmative by seven board members voting
 7 yes, two not present.
 8 MR. GUERRA: Item number eight is
 9 Resolution 9-2015-8 of the Hudson County
 10 Improvement Authority recommending an amendment to
 11 the Hudson County District Solid Waste Management
 12 Plan by Administrative Action for inclusion of the
 13 Consolidated Environmental Waste Services, LLC.,
 14 also doing business as Royal Rail Services
 15 Transfer Station/Materials Recovery Facility
 16 located at 3700 Westside Avenue in the town of
 17 North Bergen and the County of Hudson.
 18 They are seeking inclusion in our Plan.
 19 They are in a New Jersey Meadowlands District.
 20 They have been permitted and licensed by the New
 21 Jersey DEP for years. There was never a need for
 22 them to be in our Plan because they are in that
 23 District, however, now they are seeking to accept
 24 Hudson County waste. And when I say Hudson County
 25 waste, again it's strictly the C&D waste,

1 construction and demolition, which is known as
2 Type 13, and they would like to be in the Plan.

3 Once they are in the Plan, before they
4 take any of our waste, they have to enter into an
5 Agreement with us. So by administrative action we
6 can include them in the Plan, but they will not be
7 able to accept the material until they negotiate
8 that Agreement with us. And what that Agreement
9 will do will specify the amount of residual that
10 we believe we're entitled to. And again, this is
11 strictly for construction and demolition waste,
12 not Type 10 waste, which is the commercial and
13 residential type of waste.

14 CHAIRMAN PESTANA: They are currently
15 taking C&D?

16 MR. GUERRA: They are taking C&D
17 probably from all over other counties, New York.
18 They have been there for years. They are right on
19 sort of Paterson Plank Road and Westside Avenue.
20 It's that facility.

21 CHAIRMAN PESTANA: It's a small
22 facility. Are they going to be able to take on
23 this --

24 MR. GUERRA: They are permitted for
25 700 tons a day. Chances are they have lost some

1 some issues with a couple of those places. As
2 long as we --

3 MR. GUERRA: I know North Bergen is
4 okay with it.

5 COMMISSIONER DORAN: Okay.

6 CHAIRMAN PESTANA: So there is no
7 increase in their tonnage?

8 MR. GUERRA: There is no increase in
9 tonnage, so the volume of trucks will not
10 increase.

11 CHAIRMAN PESTANA: And we're not taking
12 anything other --

13 MR. GUERRA: Correct.

14 CHAIRMAN PESTANA: -- than C&D.

15 MR. GUERRA: Yes.

16 CHAIRMAN PESTANA: Is there a motion on
17 this?

18 Are there any other questions?

19 (No response)

20 CHAIRMAN PESTANA: Is there a motion?

21 COMMISSIONER GALLO: Motion.

22 CHAIRMAN PESTANA: Motion by

23 Commissioner Gallo.

24 COMMISSIONER DORAN: Second.

25 CHAIRMAN PESTANA: And second by

1 from either another county or New York, so
2 they probably have to -- they are not looking for
3 an increase in tonnage. It's strictly giving them
4 the ability to accept our Hudson waste.

5 CHAIRMAN PESTANA: Okay.

6 MR. GUERRA: They will become another
7 player for the other facilities along that rail
8 line that do exist.

9 We just need a vote that authorizes me
10 to do the letter.

11 We discussed this with special counsel,
12 our solid waste special counsel, and they felt
13 that we did not have to do a full blown plan
14 amendment because they are already licensed,
15 permitted, and have been operating.

16 COMMISSIONER DORAN: How is the
17 community up there?

18 MR. GUERRA: The community is fine with
19 this. We had some input from the community in
20 North Bergen and they are fine with it.

21 COMMISSIONER DORAN: Okay.

22 CHAIRMAN PESTANA: Like I said, as long
23 as --

24 COMMISSIONER DORAN: At one point there
25 was some discussion of traffic on Westside Avenue,

1 Commissioner Doran.

2 MS. LOZANO: Commissioner Bado.

3 COMMISSIONER BADO: Yes.

4 MS. LOZANO: Commissioner Doran.

5 COMMISSIONER DORAN: Yes.

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 Peneda.

13 COMMISSIONER PENEDA: Yes.

14 MS. LOZANO: Chairman Pestana.

15 CHAIRMAN PESTANA: Yes.

16 MS. LOZANO: Resolution 9-2015-8 passes
17 in the affirmative by seven board members voting
18 yes, two not present.

19 MR. GUERRA: Item number nine is
20 Resolution 9-2015-9 of the Hudson County
21 Improvement Authority authorizing an amendment to
22 the contract with J.E. Hannon, Inc., and I think
23 it should be Hanson, Inc., and Bird Construction,
24 Inc. for completion of Phase II Promenade - Laurel
25 Hill Park.

1 As discussed earlier, due to the lack
2 of funding, we had originally awarded to Bird the
3 contract to complete Phase I and apportion of
4 Phase II. Now that we have identified the
5 additional funding in the amount of \$140,000 we
6 are proposing an amendment whereby the remaining
7 amount of decking, required in Phase II, can now
8 be completed. This resolution authorizes that
9 amendment.

10 CHAIRMAN PESTANA: Any questions or
11 motions on this?

12 COMMISSIONER GOLDSACK: Motion.

13 CHAIRMAN PESTANA: Motion by
14 Commissioner Goldsack.

15 COMMISSIONER GALLO: Second.

16 CHAIRMAN PESTANA: Second by
17 Commissioner Gallo.

18 MR. NETCHERT: And for the record, this
19 is a motion and second on the amended resolution
20 correcting the name of J.E. Hannon to J.E.
21 Hanson, S-O-N.

22 MR. GUERRA: I'll check that first. I
23 thought it was Hanson.

24 MR. NETCHERT: Why don't we vote on the
25 resolution subject to putting the correct spelling

1 yes, two not present.

2 MR. GUERRA: If we could just jump down
3 to item 12, which I believe is a handout. It is
4 Resolution 9-2015-12 of the Hudson County
5 Improvement Authority concerning review of the
6 findings of the Local Finance Board made at
7 meeting of said Board on September 9th, 2015 in
8 accordance with the issuance of County-Guaranteed
9 Pooled Loan Notes (Local Unit Loan Program).

10 I know that Kurt attended the Local
11 Finance Board meeting and positive findings were
12 issued.

13 I believe after this meeting Carmen
14 will circulate the document that needs to be
15 signed.

16 This is just positive findings, and
17 this relates to, I believe, the Pooled Note
18 Program.

19 CHAIRMAN PESTANA: We have to go back
20 to 11. You skipped that.

21 MR. GUERRA: Right. That's the one for
22 Beazer.

23 CHAIRMAN PESTANA: Right, but you went
24 to 12.

25 MR. GUERRA: What am I showing? I went

1 of Hanson or Hannon in.

2 MR. GUERRA: Hannon or Hanson.

3 CHAIRMAN PESTANA: Is everyone okay
4 with that?

5 (No response)

6 CHAIRMAN PESTANA: Carmen, we will vote
7 subject to the correction of the spelling.

8 There was a motion by Commissioner
9 Goldsack and second by Commissioner Gallo.

10 MS. LOZANO: Commissioner Bado.

11 COMMISSIONER BADO: Yes.

12 MS. LOZANO: Commissioner Doran.

13 COMMISSIONER DORAN: Yes.

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 Peneda.

21 COMMISSIONER PENEDA: Yes.

22 MS. LOZANO: Chairman Pestana.

23 CHAIRMAN PESTANA: Yes.

24 MS. LOZANO: Resolution 9-2015-9 passes
25 in the affirmative by seven board members voting

1 to 12, but I was showing Beazer on --

2 CHAIRMAN PESTANA: You said 12.

3 MR. GUERRA: I meant Morris, not
4 Beazer. I have 10. Sorry. I'm sorry. It is 10
5 that Glenn will -- We'll jump back to 10. I'm
6 sorry. Yes. We'll do 11 now. Now I really
7 confused you.

8 MR. NETCHERT: The resolution which has
9 already been read into the record and explained is
10 resolution number 12, which was Local Finance
11 Board.

12 MR. GUERRA: Local Finance Board,
13 correct?

14 MR. NETCHERT: So my suggestion is you
15 move forward on that one and then we'll go back to
16 that.

17 CHAIRMAN PESTANA: Could we have a
18 motion on Resolution number 12.

19 COMMISSIONER GOLDSACK: Motion.

20 CHAIRMAN PESTANA: Motion by
21 Commissioner Goldsack.

22 COMMISSIONER DORAN: Second.

23 CHAIRMAN PESTANA: Seconded by
24 Commissioner Doran.

25 MS. LOZANO: Commissioner Bado.

1 COMMISSIONER BADO: Yes.
 2 MS. LOZANO: Commissioner Doran.
 3 COMMISSIONER DORAN: Yes.
 4 MS. LOZANO: Commissioner Gallo.
 5 COMMISSIONER GALLO: Yes.
 6 MS. LOZANO: Commissioner Goldsack.
 7 COMMISSIONER GOLDSACK: Yes.
 8 MS. LOZANO: Commissioner Lorenzo.
 9 COMMISSIONER LORENZO: Yes.
 10 MS. LOZANO: Commissioner Peneda.
 11 COMMISSIONER PENEDA: Yes.
 12 MS. LOZANO: Chairman Pestana.
 13 CHAIRMAN PESTANA: Yes.
 14 MS. LOZANO: Resolution 9-2015-12
 15 passes in the affirmative by seven board members
 16 voting yes, two not present.
 17 MR. GUERRA: Item number 11, which is
 18 Resolution 9-2015-11 of the Hudson County
 19 Improvement Authority agreeing to share the cost
 20 with Beazer East, Inc. for the 2015 CEA Biennial
 21 Report for the Koppers Seaboard site.
 22 This is known as a Classification
 23 Exception Area Report, which is required by the
 24 DEP. The report pretty much is done every two
 25 years. It basically establishes a mechanism to

1 essentially monitor the control of the
 2 site-affected groundwater. And again, it's every
 3 two years.
 4 Our site LSRP, John Bolan, has had
 5 discussions with both Beazer and their engineering
 6 firm, which is Key Environmental, who knows more
 7 than anyone about that site. They have done all
 8 of the engineering for it on behalf of Beazer over
 9 the years. They discussed the groundwater
 10 activities and the scope of what should be in the
 11 report.
 12 Again, Key has broad knowledge of the
 13 site and Key has submitted a proposal in the
 14 amount of \$16,783 of which we split that cost with
 15 Beazer. It's a 60/40.
 16 The resolution before you authorizes
 17 the sharing of costs with the not exceeding number
 18 to the Authority of \$10,000 and Beazer pays the
 19 rest of it. This resolution provides the
 20 authorization to proceed with this.
 21 CHAIRMAN PESTANA: Do we have any
 22 questions or motion?
 23 COMMISSIONER PENEDA: Yes.
 24 Norman it says \$10,100.
 25 MR. NETCHERT: And 10,100 is the right

1 number because when you take the proposal and you
 2 60/40 it, it's 10,100. Boy, we did a good job so
 3 far. It is \$10,100 and I think that's what the
 4 resolution reads.
 5 CHAIRMAN PESTANA: Yes, it does.
 6 COMMISSIONER PENEDA: It does.
 7 CHAIRMAN PESTANA: Anybody else have
 8 any questions or any comments?
 9 (No response)
 10 CHAIRMAN PESTANA: Is there a motion?
 11 COMMISSIONER DORAN: Motion to move
 12 CHAIRMAN PESTANA: Motion by
 13 Commissioner Doran.
 14 COMMISSIONER PENEDA: I'll second it.
 15 CHAIRMAN PESTANA: Second by
 16 Commissioner Peneda.
 17 MS. LOZANO: Commissioner Bado.
 18 COMMISSIONER BADO: Yes.
 19 MS. LOZANO: Commissioner Doran.
 20 COMMISSIONER DORAN: Yes.
 21 MS. LOZANO: Commissioner Gallo.
 22 COMMISSIONER GALLO: Yes.
 23 MS. LOZANO: Commissioner Goldsack.
 24 COMMISSIONER GOLDSACK: Yes.
 25 MS. LOZANO: Commissioner Lorenzo.

1 COMMISSIONER LORENZO: Yes.
 2 MS. LOZANO: Commissioner Peneda.
 3 COMMISSIONER PENEDA: Yes.
 4 MS. LOZANO: Chairman Pestana.
 5 CHAIRMAN PESTANA: Yes.
 6 MS. LOZANO: Resolution number
 7 9-2015-11 passes in the affirmative by seven board
 8 members voting yes, two not present.
 9 MR. NETCHERT: Before going back, just
 10 so that the record is complete, the correct
 11 spelling of the contractor's name in Resolution
 12 number --
 13 CHAIRMAN PESTANA: Nine.
 14 MR. NETCHERT: Nine is correct.
 15 MR. O'CONNOR: It is correct as drafted
 16 in the resolution. It should be J.E. Hannon.
 17 MR. NETCHERT: So it is as the
 18 resolution was prepared. I don't know what he was
 19 reading this week.
 20 MR. GUERRA: It was in my other notes.
 21 MR. NETCHERT: So we will now return to
 22 what is listed as item number 10 on your agenda.
 23 We decided to hold it until the end because we
 24 thought for five or ten minutes or so we would go
 25 into closed session. We have Glenn Scotland here,

1 who is the lead attorney on our special
2 redevelopment counsel team. He and other members
3 of the staff, in addition to Norman and myself and
4 Mike O'Connor, have been meeting far too much to
5 come up with what we felt was a fair contract for
6 us to enter into. And before asking you to vote
7 on it, I just thought that if Glenn came, we could
8 do a little closed session and give you the
9 information. Once we vote on it it's in the
10 public domain any way. I think that's the best
11 way for us to proceed.

12 I'll entertain a motion from someone
13 that we should go into closed session for the
14 purposes of discussing a negotiation on a
15 contract.

16 COMMISSIONER DORAN: Motion.

17 COMMISSIONER PENEDA: I'll second.

18 CHAIRMAN PESTANA: Motion by
19 Commissioner Doran and second by Commissioner
20 Peneda to go into closed session.

21 MS. LOZANO: Commissioner Bado.

22 COMMISSIONER BADO: Yes.

23 MS. LOZANO: Commissioner Doran.

24 COMMISSIONER DORAN: Yes.

25 MS. LOZANO: Commissioner Gallo.

1 CHAIRMAN PESTANA: We're now back in
2 open session.

3 MR. NETCHERT: Ready?

4 CHAIRMAN PESTANA: Yes.

5 MR. NETCHERT: The record should
6 reflect that the Board went into closed session
7 for the purposes of explanation by Glenn Scotland,
8 who is the lead counsel, special redevelopment
9 counsel, and discussion on the terms of the
10 contract. That contract is now the subject of a
11 resolution that the Chief Executive Officer will
12 read into the record and the Board will be asked
13 to vote upon, at which point it becomes a document
14 in the public domain.

15 MR. GUERRA: Resolution 9-2015-10 of
16 the Hudson County Improvement Authority
17 authorizing a Purchase and Sale Agreement with
18 Morris Koppers Urban Renewal Associates, LLC for
19 the Authority's property located in the Town of
20 Kearny, Hudson County, New Jersey, and designated
21 on the Tax Map of the Town of Kearny as Block 287;
22 Lots 32.01, 54, 55, 56, 60, 61.02, 61.03, 62,
23 62.01, 63, 70, 70.01, 71 and 71.01.

24 COMMISSIONER GOLDSACK: Are these the
25 accurate block and lots?

1 COMMISSIONER GALLO: Yes.

2 MS. LOZANO: Commissioner Goldsack.

3 COMMISSIONER GOLDSACK: Yes.

4 MS. LOZANO: Commissioner Lorenzo.

5 COMMISSIONER LORENZO: Yes.

6 MS. LOZANO: Commissioner Peneda.

7 COMMISSIONER PENEDA: Yes.

8 MS. LOZANO: Chairman Pestana.

9 CHAIRMAN PESTANA: Yes.

10 MS. LOZANO: The motion to go into
11 closed session is approved by seven board members
12 voting yes, two not present.

13 MR. NETCHERT: I would ask everyone,
14 other than members of the Board and the
15 professionals, to please leave the room.

16 And Junior, before you leave, you will
17 come back in when we do this, but so that you
18 know, the resolution is subject to us coming over
19 to the Freeholders and dealing with the issue as
20 well.

21 FREEHOLDER MALDONADO: Right.

22
23 (Whereupon a closed session is
24 conducted, which is contained in a separate
25 transcript.)

1 MR. NETCHERT: I was just about to tell
2 you. This designation of these blocks and lots
3 are as accurate as we can give you awaiting the
4 final survey and title search. If they
5 misdesignated, we will be back for an amendment,
6 but we believe that they are descriptive of all of
7 the lots included in the Purchase and Sale.

8 COMMISSIONER GOLDSACK: Would it be to
9 our advantage to just amend this to read various
10 block and lots that will be determined on the
11 final document?

12 MR. NETCHERT: If you don't want us to
13 sell some other things as well, yeah. We could do
14 it that way if you want.

15 MR. SCOTLAND: Sure.

16 MR. NETCHERT: So what we can do is we
17 can change the caption as well as the reference.
18 I think that's the only place it's mentioned right
19 in the caption.

20 MR. GUERRA: The block and lots.

21 MR. NETCHERT: It's over here.

22 So we can amend the resolution to read
23 and such other lots and blocks as may be necessary
24 to accomplish a sale of the property to Morris,
25 whatever they're called now.

1 MR. SCOTLAND: Contemplated herein.
 2 MR. NETCHERT: That's a good idea.
 3 That eliminates us having to come back.
 4 COMMISSIONER GALLO: I'll move that
 5 resolution.
 6 CHAIRMAN PESTANA: Motion by
 7 Commissioner Gallo.
 8 COMMISSIONER DORAN: Second.
 9 CHAIRMAN PESTANA: Seconded by
 10 Commissioner Doran.
 11 MS. LOZANO: Commissioner Bado.
 12 COMMISSIONER BADO: Yes.
 13 MS. LOZANO: Commissioner Doran.
 14 COMMISSIONER DORAN: Yes.
 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 Peneda.
 22 COMMISSIONER PENEDA: Yes.
 23 MS. LOZANO: Chairman Pestana.
 24 CHAIRMAN PESTANA: Yes.
 25 MS. LOZANO: Resolution 9-2015-10

1 back.
 2 MR. NETCHERT: Anything else?
 3 MR. GUERRA: Or a cutout and put your
 4 head in.
 5 COMMISSIONER GOLDSACK: That's a better
 6 idea.
 7 MR. GUERRA: Jay, I know Jay's group
 8 has worked with Jersey City on the rolling out of
 9 their new bicycle program, the City Bike Program.
 10 MR. DeDOMENICO: We have 350 bikes in
 11 Jersey City. We have been helping them with
 12 business, the corporation outreach, and we're
 13 helping them with community outreach and
 14 marketing, and it seems like it has kicked off to
 15 a successful start.
 16 MR. NETCHERT: I passed six people
 17 today on my way up here.
 18 MR. GUERRA: You might get back to
 19 Kearny a lot quicker with the bike.
 20 I believe that's it. We have nothing
 21 else.
 22 CHAIRMAN PESTANA: Nothing else?
 23 (No response)
 24 CHAIRMAN PESTANA: Do we have a motion
 25 to adjourn the meeting?

1 passes in the affirmative, as amended --
 2 MR. NETCHERT: As amended.
 3 MS. LOZANO: -- with seven board
 4 members voting yes, two not present.
 5 MR. GUERRA: Mr. Chairman, I don't
 6 believe I have anything else.
 7 Mary-Ellen, is there anything in the
 8 world of recycling? I know we have all of the
 9 events coming up.
 10 MS. GILPIN: The world of recycling is
 11 going along well. The shredding is going along
 12 very nicely. We have had two events and they both
 13 have been very well attended.
 14 I did have one thing though. We are in
 15 the process of updating the website, and so before
 16 the next board meeting we would like to do new
 17 head shots of everybody. It has been quite a
 18 while since we have done that. So I'll give you
 19 further details as we get closer to the event.
 20 But on the day of the next board meeting that's
 21 what we would like to do.
 22 MR. NETCHERT: So put your makeup on.
 23 MR. GUERRA: Put a tie on. We'll have
 24 a suit here just so that can just change.
 25 COMMISSIONER GALLO: Zipper in the


1 COMMISSIONER GOLDSACK: Motion.
 2 CHAIRMAN PESTANA: Motion by
 3 Commissioner Goldsack.
 4 COMMISSIONER PENEDA: Second.
 5 CHAIRMAN PESTANA: And seconded by
 6 Commissioner Peneda.
 7 All in favor.
 8 COMMISSIONER BADO: Aye.
 9 COMMISSIONER DORAN: Aye.
 10 COMMISSIONER GALLO: Aye.
 11 COMMISSIONER GOLDSACK: Aye.
 12 COMMISSIONER LORENZO: Aye.
 13 COMMISSIONER PENEDA: Aye.
 14 CHAIRMAN PESTANA: Aye.
 15 Thank you.

17 (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: September 25, 2015