Hudson County Improvement Authority

In the Matter of: Transcript of
The Regular Monthly Meeting: Proceedings

Wednesday, December 14, 2016
830 Bergen Avenue, 9th Floor
Jersey City, New Jersey 07306
Commencing at 5:45 P.M.

Board Members:

Frank Pestana, Chairman
James Doran, Vice Chairman
Stephen J. Gallo, Treasurer
Frank Lorenzo, Secretary
Martin T. Martinetti, Commissioner
Fred M. Bado, Commissioner
John Peneda, Commissioner
Nicholas Goldsack, Commissioner
Jeffrey Dublin, Commissioner (Not Present)

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
Certified Shorthand Reporter

R.J. O'Connell Associates,
P.O. Box 277
Cedar Grove, New Jersey 07009
(973) 239-7252
ALSO PRESENT:

AMIT JANI, VISION MEDIA
MARY-ELLEN GILPIN, HCIA
ELIZABETH RAMOS, EXECUTIVE ASSISTANT
JAMES POLICASTRO, HCIA
JAY DeDOMENICO, TMA
JEFF LANIGAN
MICHAEL J. COMBA, HOBOKEN STRATEGY GROUP

COMMISSIONER GALLO: Here.
MS. LOZANO: Commissioner Goldsack.
COMMISSIONER GOLDSACK: Here.
MS. LOZANO: Commissioner Lorenzo.
COMMISSIONER LORENZO: Here.
MS. LOZANO: Commissioner Martinetti.
COMMISSIONER MARTINETTI: Here.
MS. LOZANO: Commissioner Peneda.
COMMISSIONER PENEDEA: Here.
MS. LOZANO: Chairman Pestana.
CHAIRMAN PESTANA: Here.
MS. LOZANO: We have a quorum with eight board members present and one not present.
CHAIRMAN PESTANA: Thank you.
At this time I would like a motion for approval of the minutes of the November 9th meeting.
COMMISSIONER GALLO: Moved.
CHAIRMAN PESTANA: Motion by Commissioner Gallo.
Is there a second?
COMMISSIONER LORENZO: Second.
CHAIRMAN PESTANA: Seconded by Commissioner Lorenzo.
MS. LOZANO: Commissioner Bado.

CHAIRMAN PESTANA: At this time we'll call the meeting to order.
Would everyone please rise to salute the flag.
(The Pledge of Allegiance is recited.)

CHAIRMAN PESTANA: Mr. Netchert.
MR. NETCHERT: Yes, Mr. Chairman.
This is a public meeting. Notice of tonight's meeting was forwarded to the Jersey Journal, Star-Ledger, the Clerk of the County of Hudson, the Clerk of the Board of Freeholders, and posted on the bulletin boards outside of this meeting room. Those notices were dated August 1st, 2016. These notices are in compliance with the Requirements of the Open Public Meetings Act.
CHAIRMAN PESTANA: Thank you.
Carmen, could you call the roll please.
MS. LOZANO: Commissioner Bado.
COMMISSIONER BADO: Present.
MS. LOZANO: Commissioner Doran.
COMMISSIONER DORAN: Present.
MS. LOZANO: Commissioner Dublin. Not present.
Commissioner Gallo.

COMMISSIONER GALLO: Yes.
MS. LOZANO: Commissioner Doran.
COMMISSIONER DORAN: Abstain.
MS. LOZANO: Commissioner Gallo.
COMMISSIONER GALLO: Yes.
MS. LOZANO: Commissioner Goldsack.
COMMISSIONER GOLDSACK: Abstain.
MS. LOZANO: Commissioner Lorenzo.
COMMISSIONER LORENZO: Yes.
MS. LOZANO: Commissioner Martinetti.
COMMISSIONER MARTINETTI: Abstain.
MS. LOZANO: Commissioner Peneda.
COMMISSIONER PENEDEA: Abstain.
MS. LOZANO: Chairman Pestana.
CHAIRMAN PESTANA: Yes.
Will we have four out of four. Does it pass?
MR. NETCHERT: Yes.
Four in favor, four abstaining, none opposed, the motion passes.
MS. LOZANO: The minutes of November 19th, 2016 passes in the affirmative by four yes, four abstention, one not present.
CHAIRMAN PESTANA: At this time we'll take comments from the public on anything on the
<table>
<thead>
<tr>
<th>Meeting agenda.</th>
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<tbody>
<tr>
<td>Seeing none, the public portion is now closed.</td>
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<tr>
<td>MR. GUERRA: Item four, Resolution 12-2016-4 of the Hudson County Improvement Authority authorizing payment of certain costs and expenses of the Authority for the months of December of 2016.</td>
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<td>CHAIRMAN PESTANA: Do we have a motion?</td>
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<td>COMMISSIONER GOLDSACK: Motion.</td>
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<td>CHAIRMAN PESTANA: Motion by Commissioner Goldsack.</td>
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<td>COMMISSIONER DORAN: Second.</td>
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<td>CHAIRMAN PESTANA: Second by Commissioner Doran.</td>
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<td>COMMISSIONER BADO: Yes.</td>
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<td>COMMISSIONER GOLDSACK: Yes.</td>
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<td>MS. LOZANO: Commissioner Lorenzo.</td>
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<td>COMMISSIONER LORENZO: Yes.</td>
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| Awarded contracts. Just about all of them are currently doing work for us.  |
| A is the Law Offices of Karen R. Boylan. She is special enforcement counsel.  |
| Calu Consulting, LLC. He's our parking facility consultant.  |
| Chiesa, Shahinian & Giambomin, PC for legal services.  |
| DeCotis, Fitzpatrick & Cole, LLP for solid waste legal services.  |
| Desman Design Management. That's parking deck design management services.  |
| Donohue, Gironda & Doria. They're our auditors.  |
| Greener by Design is our energy consultant.  |
| Hoboken Strategy Group, our social media consultants.  |
| Mast Construction Services. That's the construction management company for the new School of Technology.  |
| MBI Gluck-Shaw. That's our governmental lobbyist.  |

| McManimon, Scotland & Baumann, bond counsel.  |
| McManimon, Scotland & Baumann, special development counsel.  |
| MHM Tech Group. That's a computer software company.  |
| Mott McDonald is the general engineering.  |
| Netchert, Dineen & Hillman, special counsel.  |
| Nobel Systems, Inc., our website design and maintenance support.  |
| NW Financial Group, our financial advisors.  |
| Paulus, Sokolowski & Sartor, our general engineers.  |
| The Law Offices of Mateo Perez, special counsel relating to our bilingual matters.  |
| RJ O'Connell Associates, our court reporter.  |
| Spire Group, LLC, pooled loan administrators and auditing services.  |
| Starr, Gern, Davison & Rubin, special counsel, bankruptcy counsel.  |
| Vision Media Marketing Group, our  |
public relations firm.

The Law Offices of Kathleen Walrod, our
special counsel for enforcement matters.
Waters, McPherson, McNeil, PC., special
counsel on our New Jersey Transit matters.

CHAIRMAN PESTANA: The Finance
Committee reviewed these earlier and we have no
problem with them.

Would anyone like to make a motion for
Resolutions 5A through 5Z?

COMMISSIONER GOLDSACK: Motion.
COMMISSIONER GALLO: Second.
CHAIRMAN PESTANA: Motion by
Commissioner Goldsack and seconded by Commissioner
Gallo.

MS. LOZANO: Commissioner Bado.
COMMISSIONER BADO: Yes.
MS. LOZANO: Commissioner Doran.
COMMISSIONER DORAN: Yes.
MS. LOZANO: Commissioner Gallo.
COMMISSIONER GALLO: Yes.
MS. LOZANO: Commissioner Goldsack.
COMMISSIONER GOLDSACK: Yes.
MS. LOZANO: Commissioner Lorenzo.
COMMISSIONER LORENZO: Yes.

MR. NETCHERT: Tomorrow is the
preclosing. The actual closing date would be on
Friday. The bond purchase that was involved will
be taking place and the transfer of ownership will
be taking place concomitantly.

CHAIRMAN PESTANA: Okay.
Unless anyone has a question I would
like to have a motion on this.

COMMISSIONER GALLO: Motion.
CHAIRMAN PESTANA: Motion by
Commissioner Gallo.

COMMISSIONER GOLDSACK: Second.
CHAIRMAN PESTANA: Seconded by
Commissioner Goldsack.

MS. LOZANO: Commissioner Bado.
COMMISSIONER BADO: Yes.
MS. LOZANO: Commissioner Doran.
COMMISSIONER DORAN: Abstain.
MS. LOZANO: Commissioner Gallo.
COMMISSIONER GALLO: Yes.
MS. LOZANO: Commissioner Goldsack.
COMMISSIONER GOLDSACK: Yes.
MS. LOZANO: Commissioner Lorenzo.
COMMISSIONER LORENZO: Yes.
MS. LOZANO: Commissioner Martinetti.

MS. LOZANO: Commissioner Martinetti.
COMMISSIONER MARTINETTI: Yes.
MS. LOZANO: Commissioner Peneda.
COMMISSIONER PENEDEA: Yes.
MS. LOZANO: Commissioner Pestana.
CHAIRMAN PESTANA: Yes.
MS. LOZANO: Resolutions 12-2016-5A
through 12-2016-5Z pass in the affirmative by
cight board members voting yes, one not present.
MR. GUERRA: Item number six is
Resolution 6-2016-6 of the Hudson County
Improvement Authority concerning review of
findings of the Local Finance Board made at a
meeting of said Board on October 12th, 2016, in
accordance with the provisions of N.J.S.A.
40A:5A-7 with respect to the issuance of Red Bull
I made a mistake on the resolution
number. It is resolution 12-2016-6.
The Local Finance Board had issued
positive findings as it relates to the issuance of
the Red Bull Arena Settlement Bonds. In fact,
tomorrow is the closing date on the transfer of
the arena to the Authority and the lease-back to
Red Bull, correct counsel?
ended up having to take that out. It had to do
with a deficit in our fund balance that, with the
adjustment, turned it into a positive fund
balance.

One of the funding sources for the
capital budget was the appropriation of
unrestricted net position, which is basically a
fund balance. And because they didn't let us
appropriate the fund balance, and it was actually
-- you can't appropriate a deficit.

The way that we were able to work
around it was to establish an appropriation for a
revenue and replacement reserve, and that is what
funds the capital budget.

At the end of the day there is really
no affect on fund balance, net position as they
call it these days. And what it does do is it
increases the appropriations in the 2017 Budget.
So this resolution before you actually increases
that.

On this resolution the anticipated
surplus goes from $1.736 million and it gets
reduced by $450,000. So it really is a net zero
affect.

If you would like, Resolution 12-2016-8

...
12-2016-10 of the Hudson County Improvement Authority authorizing the second amendment to the Purchase and Sales Agreement with Morris Kopppers Urban Renewal Associates, LLC.

As you know, back in June of 2014 we adopted a resolution which had authorized what is known as an exclusive negotiating period with Morris Realty, and that was known as the initial resolution.

In September of 2015 the Authority approved and authorized the execution of a purchase sales agreement.

In June of 2016 we adopted a resolution, which was the first amendment to the purchase sales agreement, which was required to correct some legal descriptions of block and lot numbers and provide Morris with additional time to complete their due diligence, which would have taken them through September 30th, 2016.

That purchase sales agreement also provides that the buyer shall have one year from the effective date to determine the impact of the Superfund portion of the site. This is where building number four was to be located. There is a section of property there that the slurry wall impacts the construction of that building.

Since then there has been a number of meetings with the EPA, the Authority, Morris Engineers, our LSRP, and team of consultants have been working diligently to see about reel mining the wall. The initial placement again impacts the development.

We're confident that these issues will be worked out. We actually have a meeting here today with Beazer, who is a responsible party, and the partnership group for Standard Chlorine and Tiara because Morris did a realignment of the wall, and hopefully everybody can wrap their arms around it. And then we go back to the EPA with that redesign of the wall. So everybody is confident that will happen.

While all this takes place what we're looking to do is the resolution before you authorizes a second amendment of the purchase sales agreement up to July 15th. And we're confident that during that period all of those issues relating to the wall will be worked out and then we're in pretty good shape.

So this is like a x-month extension to the last extension we granted.

COMMISSIONER DORAN: I move for the adoption.

COMMISSIONER PENEADA: I have something there.

CHAIRMAN PESTANA: Go ahead.

COMMISSIONER PENEADA: I see in the resolution that Lot 32.01 is included in the resolution. That lot goes right through to the old rail line. That goes through the Standard Chlorine site.

I understand that there are negotiations going on with Kearny and Morris, and Morris --

MR. GUERRA: There was a meeting. We had a meeting with the Town, the Mayor and it's council, and Sue McCurrie, and Morris was at the meeting and made the presentation. So Jim Bruno, I believe, is talking to the Morris Group and trying to come up with some resolve for that to see if the developer that Kearny, I believe may have designated, has an interest, we believe they have an interest in that parcel, and Morris has an interest in some of the roadway for the access that's going to serve everybody on that site, including that designated developer for the other parcel, Transit and Morris. So there are discussions going on.

COMMISSIONER PENEADA: Yes. I just wanted to make sure because that cuts right through the middle of Standard Chlorine.

MR. GUERRA: Right. And obviously that's going to affect economy and it's something that Morris is going to have to work through with the Town and, I assume, that designated developer.

COMMISSIONER PENEADA: I just wanted that on the record because that lot is there.

MR. GUERRA: Yes.

MR. NETCHERT: I need to do two things, one, by way of housekeeping.

The third whereas in the Resolution refers to the September date that the Authority approved negotiation of the contract, and then refers to a date of January 15th as the effective date of the contract. That 2-15 date should be 2/16. So the record should reflect that the third whereas clause shows the effective date of the Contract Purchase and Sale Agreement to be January 15th, 2016.

I was not at the meeting that Norman refers to, but I would agree with him that Morris
and Kearny have been discussing the lot which cuts
to the Standard Chlorine site in half. I don't know
if I would say that they have been negotiating it.

MR. GUERRA: They are talking.

MR. NETCHERT: They have been talking
about it as an issue that needs to be resolved. I
don't want to put words in Morris's mouth or
Kearny's mouth. They have been talking about it,
and I think both sides recognize that it's an
issue that needs to be addressed.

CHAIRMAN PESTANA: Are you okay with
that?

COMMISSIONER PENEDA: Yes.

COMMISSIONER PESTANA: Are there any
motions or questions?

COMMISSIONER DORAN: Motion.

CHAIRMAN PESTANA: Motion by
Commissioner Doran.

MR. NETCHERT: I know you all want to
leave, but I would just say that I think we're
being overly optimistic by adding only a six-month
extension believing that we will resolve the EPA
issue in six months. So don't be surprised if
we're back here six months from now. But we
thought that keeping a date short might keep the

parties moving forward in trying to get it
resolved.

MR. GUERRA: What could bog it down is
actually who pays for the realignment of the
slurry wall. So all of the parties are going to
get together and have that discussion.

CHAIRMAN PESTANA: We have a motion by
Commissioner Doran.

COMMISSIONER GOLDSACK: Do we have to
make, Mr. Chairman, the motion as amended?

MR. NETCHERT: Actually the motion to
approve Resolution 12-2016-10, as amended.

CHAIRMAN PESTANA: Is there a motion?

COMMISSIONER DORAN: Motion.

CHAIRMAN PESTANA: Motion by
Commissioner Doran.

COMMISSIONER GOLDSACK: Second.

CHAIRMAN PESTANA: Second by
Commissioner Goldsack.

MS. LOZANO: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. LOZANO: Commissioner Doran.

COMMISSIONER DORAN: Yes.

MS. LOZANO: Commissioner Gallo.

COMMISSIONER GALLO: Yes.

MS. LOZANO: Commissioner Goldsack.

COMMISSIONER GOLDSACK: Yes.

MS. LOZANO: Commissioner Lorenzo.

COMMISSIONER LORENZO: Yes.

MS. LOZANO: Commissioner Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. LOZANO: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. LOZANO: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. LOZANO: Resolution 12-2016-10
passes in the affirmative by eight board members
voting yes, one not present.

MR. GUERRA: Item number 11 is
Resolution 12-2016-11 of the Hudson County
Improvement Authority authorizing the amended
settlement of temporary taking by the New Jersey
DOT of a portion of Block 287, Lots 73, as
designed on the Tax Map of the Town of Kearny,
Hudson County, New Jersey.

Back in July of 2016 the Board had
approved a temporary easement agreement. As part
of the DOP construction project, which is the
Wittpenn Bridge, a section of the Koppers six acre
parcel was going to be used as a materials storage
area by the adjacent property owner, which is
Owens Corning.

The additional period of time was for
20 months, and the DOT will be paying the
Authority $260,000 for that temporary easement.
However, the initial scope of work has changed,
has increased, and the DOT is seeking to increase
the period for up to 36 months and provide
additional compensation in the amount of $118,400.
So now the total amount of compensation to the
Authority is $378,400.

This resolution before you now provides
for the amendment to the initial temporary
easement.

CHAIRMAN PESTANA: Any questions or
motions on this?

COMMISSIONER PENEDA: Motion.

CHAIRMAN PESTANA: Motion by
Commissioner Peneda.

COMMISSIONER GOLDSACK: Second.

CHAIRMAN PESTANA: Second by
Commissioner Goldsack.

MS. LOZANO: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. LOZANO: Commissioner Doran.

COMMISSIONER DORAN: Yes.

MS. LOZANO: Commissioner Gallo.

COMMISSIONER GALLO: Yes.

MS. LOZANO: Commissioner Goldsack.
COMMISSIONER DORAN: Yes.
MS. LOZANO: Commissioner Gallo.
COMMISSIONER GALLO: Yes.
MS. LOZANO: Commissioner Goldsack.
COMMISSIONER GOLDSACK: Yes.
MS. LOZANO: Commissioner Lorenzo.
COMMISSIONER LORENZO: Yes.
MS. LOZANO: Commissioner Martinetti.
COMMISSIONER MARTINETTI: Yes.
MS. LOZANO: Commissioner Peneda.
COMMISSIONER PENEDA: Second.
MS. LOZANO: Chairman Pestana.
CHAIRMAN PESTANA: Yes.
MS. LOZANO: Resolution 12-2016-11 passes in the affirmative by eight board members voting yes, one not present.
MR. GUERRA: Chairman, I just want to read this into the record, and then items 12, 13, 14, 15, 16, and 17 I'll read the resolutions, but I think you can vote on them in one vote.
As a result of our advertising for professional services the firms I'm about to read into the record have responded and it is recommended that they just be qualified for the various services.

So Resolution 12-2016-12 of the Hudson County Improvement Authority determining the engineering firm of CME Associates as qualified consulting engineers.

Item 13 is Resolution 12-2016-13 of the Hudson County Improvement Authority determining the firm of Chiesa, Shahitian & Giantomasi, PC as qualified attorney/lobbyist.

Item 14, Resolution 12-2016-14 of the Hudson County Improvement Authority determining Cumming Construction Management, Inc. as qualified construction manager/owner representative.

Item 15 is Resolution 12-2016-15 of the Hudson County Improvement Authority determining DeCotiis, Fitzpatrick & Coal, LLC as qualified bond counsel.

Item 16 is Resolution 12-2016-16 of the Hudson County Improvement Authority determining the engineering firm of RSC Architects as qualified consulting engineers.

Item 17, Resolution 12-2016-17 of the Hudson County Improvement Authority determining the engineering firm of Najarian Associates as qualified consulting engineers.

Again, they are just being qualified.

There are no contracts.

CHAIRMAN PESTANA: Does anybody have any questions on Resolutions 12 through 17?
(No response)

CHAIRMAN PESTANA: If not, could we have a motion?

COMMISSIONER PENEDA: Motion.

CHAIRMAN PESTANA: Motion by Commissioner Peneda.

COMMISSIONER DORAN: Second.

CHAIRMAN PESTANA: Seconded by Commissioner Doran.

MS. LOZANO: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. LOZANO: Commissioner Doran.

COMMISSIONER DORAN: Yes.

MS. LOZANO: Commissioner Gallo.

COMMISSIONER GOLDSACK: Yes.

MS. LOZANO: Commissioner Goldsack.

COMMISSIONER LORENZO: Yes.

MS. LOZANO: Commissioner Lorenzo.

COMMISSIONER MARTINETTI: Yes.

MS. LOZANO: Commissioner Martini.

So Resolution 12-2016-12 of the Hudson County Improvement Authority determining the engineering firm of CME Associates as qualified consulting engineers.

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Again, they are just being qualified.

As you may know, DMR had been retained by Terminal Construction, which is the design-builder for the new school, to serve as the architectural firm for the school.

Early on in the project when we had issued the RFO/RFP DMR had retained the services of M&F Engineering to develop a professional fee for those commissioning services.

In August of 2016 DMR and M&E had entered into their agreement in an amount of $198,000 to obtain the necessary lead goal credits for the project. However, since then the user, which is the school, and the owner, which is the Improvement Authority, have requested that the
design-build, the design of the project, to
achieve platinum certification.

The assignment of the agreement from
M&E Engineering to the Authority will allow the
project to achieve those additional points to
become platinum. However, in order to achieve
those points the Authority needs to designate an
independent commissioning agent to lead, review,
oversee and complete the commissioning process.

So the additional fee for the lead platinum
commissioning is $29,775 for a total cost of
$228,275.

The reassignment of that contract to us, if approved, will result in a credit back to
the Authority of that initial $198,000 that was
projected when DMR was responding to our RFQ/RFP.

The resolution before you will provide
the reassignment of the contract to the Authority.

So in essence, in order to get those extra lead credits it can only be done through an
entity such as the Authority or it would have been
the school.

That initial $198,000 comes back into
the project and because we want platinum it's an
additional $29,775 that comes out of the amount of

our proceeds that are in the pot for the
construction of the school.

CHAIRMAN PESTANA: Are there any
questions on Resolution 18?

(No response).

CHAIRMAN PESTANA: Are there any
motions?

COMMISSIONER GALLO: Moved.

CHAIRMAN PESTANA: Motion by
Commissioner Gallo.

COMMISSIONER GOLDSACK: Seconded.

CHAIRMAN PESTANA: Seconded by
Commissioner Goldsack.

MS. LOZANO: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. LOZANO: Commissioner Doran.

COMMISSIONER DORAN: Yes.

MS. LOZANO: Commissioner Gallo.

COMMISSIONER GALLO: Yes.

MS. LOZANO: Commissioner Goldsack.

COMMISSIONER GOLDSACK: Yes.

MS. LOZANO: Commissioner Lorenzo.

COMMISSIONER LORENZO: Yes.

MS. LOZANO: Commissioner Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. LOZANO: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. LOZANO: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. LOZANO: Resolution 12-2016-18
passes in the affirmative by eight board members
voting yes, one not present.

MR. GUERRA: Item 19, Resolution
12-2016-19 of the Hudson County Improvement
Authority authorizing an agreement with Key
Environmental for replacement and repair of
damaged monitoring wells and other related
environmental remedial Koppers Seaboard site
activity.

Over the years Key has provided for
most of the engineering and related work at the
Koppers site. They have always worked with Beazer
and they have always worked well with our LSRP.
For example, Key did provide for the remedial
action work plan, did all of the engineering in
2007 and 2014. However, during the placement and
compaction of the process dredge material in the
eastern portion of the site a number of wells have
been damaged. About six have been damaged and
have to be replaced. Four have to be replaced and
the other six can be repaired.

The site engineer, our LSRP, has
obtained a proposal from Key in the amount of
$156,000 to have all of these repaired and
replaced.

They also recommended the award of the
contract to Key Environmental. The resolution
before you authorizes that.

Now the cost of that is going to be
shared. We're going to be talking to Great Lakes,
who has the contract to bring the material in, but
Clean Earth is their contractor who is actually
spreading the material. So we will be talking to
them to recoup the money and do some cost sharing
in the replacing of those wells and repairing
those wells, and they have to be replaced because
Beazer is required to do certain readings out
there periodically, and it can't be done as long
as they are damaged.

CHAIRMAN PESTANA: Are there any
questions or motions on number 19?

COMMISSIONER GOLDSACK: Motion.

CHAIRMAN PESTANA: Motion by
Commissioner Goldsack.

COMMISSIONER LORENZO: Second.
CHAIRMAN PESTANA: Seconded by Commissioner Lorenz.

MS. LOZANO: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. LOZANO: Commissioner Doran.

COMMISSIONER DORAN: Yes.

MS. LOZANO: Commissioner Gallo.

COMMISSIONER GALLO: Yes.

MS. LOZANO: Commissioner Goldsack.

COMMISSIONER GOLDSACK: Yes.

MS. LOZANO: Commissioner Lorenzo.

COMMISSIONER LORENZO: Yes.

MS. LOZANO: Commissioner Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. LOZANO: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. LOZANO: Chairman Pestaña.

CHAIRMAN PESTANA: Yes.

MS. LOZANO: Resolution 12-2016-20

passes in the affirmative by eight board members voting yes, one not present.

MR. GUERRA: Item 20, Resolution 12-2016-20 of the Hudson County Improvement Authority authorizing an amendment to the Hudson County District Solid Waste Management Plan by

administrative action reflecting a revision in the lot numbers of the Clear Earth of North Jersey, Inc. Transfer Station/Materials Recovery Facility, located at 105 Jacobus Avenue in the Town of Kearny and in the County of Hudson.

As a result of the Town of Kearny revising a number of lots in its tax map Clean Earth filed this application to address the redesignation of those parcels which the facility is located on.

They are also seeking to incorporate other lots to be used for both vehicular and rail entry into and out of the facility.

The DEP has requested that the lot designation be done by administrative action. Therefore, this resolution authorizes the changes by the Authority through an administrative action rather than a full blown plan amendment.

CHAIRMAN PESTANA: Do we have any motions on number 20?

COMMISSIONER LORENZO: I'll make a motion.

CHAIRMAN PESTANA: Motion by Commissioner Lorenzo.

COMMISSIONER GALLO: I'll second it.

CHAIRMAN PESTANA: Second by Commissioner Gallo.

MS. LOZANO: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. LOZANO: Commissioner Doran.

COMMISSIONER DORAN: Yes.

MS. LOZANO: Commissioner Gallo.

COMMISSIONER GALLO: Yes.

MS. LOZANO: Commissioner Goldsack.

COMMISSIONER GOLDSACK: Yes.

MS. LOZANO: Commissioner Lorenzo.

COMMISSIONER LORENZO: Yes.

MS. LOZANO: Commissioner Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. LOZANO: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. LOZANO: Chairman Pestaña.

CHAIRMAN PESTANA: Yes.

MS. LOZANO: Resolution 12-2016-20

passes in the affirmative by eight board members voting yes, one not present.

MR. GUERRA: Item 21 is Resolution 12-2016-21 of the Hudson County Improvement Authority authorizing execution of an agreement with Consolidated Environmental Waste Services, LLC for materials recovery services to accept and recycle solid waste generated within Hudson County in accordance with the Hudson County District Solid Waste Management Plan.

Consolidated has filed an application for inclusion in our plan. The facility is in North Bergen. It is fully licensed by the DEP.

In May of 2012 the DEP issued a permit for the facility to collect about 700 tons per day of Type 13C waste, which is construction and demolition waste, and class A and B recycling materials.

The resolution before you provides the authorization to enter into the agreement. By doing this with this agreement we also will receive any residual that's generated as a result of their processing activity.

CHAIRMAN PESTANA: Where in North Bergen is this?

MS. GILPIN: 3700 Westside Avenue.

MR. GUERRA: This is the one close to the --

MS. GILPIN: The rail.

MR. GUERRA: It's not far from where the --
CHAIRMAN PESTANA: Plant was.

MR. GUERRA: -- plant was, right.

COMMISSIONER DORAN: Is that closer to Paterson Plank?

MR. GUERRA: North Bergen had supported this. If I remember correctly, North Bergen was in full support of this. We always check with the municipalities.

CHAIRMAN PESTANA: I just wanted to make sure which one it was, but I'm aware of it.

MR. GUERRA: Yes.

COMMISSIONER DORAN: Motion.

CHAIRMAN PESTANA: I have a motion by Commissioner Doran.

COMMISSIONER GOLDSACK: Second.

CHAIRMAN PESTANA: Seconded by Commissioner Goldsack.

MS. LOZANO: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. LOZANO: Commissioner Doran.

COMMISSIONER DORAN: Yes.

MS. LOZANO: Commissioner Gallo.

COMMISSIONER GALLO: Yes.

MS. LOZANO: Commissioner Goldsack.

COMMISSIONER GOLDSACK: Yes.

MS. LOZANO: Commissioner Lorenzo.

COMMISSIONER LORENZO: Yes.

MS. LOZANO: Commissioner Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. LOZANO: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. LOZANO: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. LOZANO: Resolution 12-2016-21 passes in the affirmative by eight board members voting yes, one not present.

MR. GUERRA: And just as a reminder to our commissioners. This Friday at 1:00 we're having our Christmas luncheon here for the employees, so if you're free, please stop by. It will probably run from one until the food is gone, so probably from one to like four, one to three, something like that. Any way, we're looking forward to you coming.

Other than that, Mary-Ellen, do you have have anything?

MS. GILPIN: No.

MR. GUERRA: Jay?

MR. DeDOMENICO: No.

CHAIRMAN PESTANA: Okay.

MR. GUERRA: Thank you.

COMMISSIONER MARTINETTI: Motion to adjourn.

CHAIRMAN PESTANA: All in favor?

COMMISSIONER BADO: Aye.

COMMISSIONER DORAN: Aye.

COMMISSIONER GALLO: Aye.

COMMISSIONER GOLDSACK: Aye.

COMMISSIONER LORENZO: Aye.

COMMISSIONER MARTINETTI: Aye.

COMMISSIONER PENEDA: Aye.

CHAIRMAN PESTANA: Aye.

MS. LOZANO: Who seconded it?

COMMISSIONER LORENZO: I did.

MS. LOZANO: Second by Commissioner Lorenzo.

(The meeting concludes at 6:20 p.m.)

CERTIFICATION

1, 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.

Dated: December 15, 2016

Sharon Palmer, C.C.R.