

HUDSON COUNTY IMPROVEMENT AUTHORITY

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

WEDNESDAY, APRIL 11, 2018
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 (NOT PRESENT)
NICHOLAS GOLDSACK, TREASURER
FRANK LORENZO, SECRETARY
FRED M. BADO, COMMISSIONER
BRIAN DELLABELLA, COMMISSIONER (NOT PRESENT)
JEFFREY DUBLIN, COMMISSIONER
MARTIN T. MARTINETTI, COMMISSIONER
JOHN PENEDA, COMMISSIONER

APPEARANCES:

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

SHARON PALMER LYNCH
CERTIFIED SHORTHAND REPORTER

R.J. O'CONNELL ASSOCIATES,
P.O. BOX 277
CEDAR GROVE, NEW JERSEY 07009
(973) 239-7252

1
2 ALSO PRESENT:

- 3
- 4 MARY-ELLEN GILPIN, HCIA
- 5 JAMES POLICASTRO, HCIA
- 6 MICHAEL O'CONNOR, HCIA
- 7 TED DOMURACKI, MAST CONSTRUCTION
- 8 JEFF LANIGAN
- 9 MICHAEL COMBA, HOBOKEN STRATEGY GROUP

1 MS. LOZANO: We have a quorum with
2 seven board members being present, two not
3 present.

4 CHAIRMAN PESTANA: Mr. Netchert.

5 MR. NETCHERT: Yes, Mr. Chairman.

6 This is a public meeting. Notice of
7 this meeting was forwarded to both the Jersey
8 Journal and Star-Ledger for publication in those
9 respective newspapers on February 15th, 2018.
10 Notice was also forwarded to the Clerk of the
11 County of Hudson and the Clerk of the Hudson
12 County Board of Freeholders for posting on their
13 bulletin boards in each of those respective
14 offices, and notice finally was posted on the
15 bulletin board outside this meeting room and on
16 the Authority's website. These notices are all in
17 compliance with the requirements of the Open
18 Public Meetings Act.

19 CHAIRMAN PESTANA: Thank you,
20 Mr. Netchert.

21 At this time I'll call for a motion for
22 approval of the minutes from the March 14th
23 meeting.

24 COMMISSIONER GOLDSACK: Motion.
25 COMMISSIONER MARTINETTI: Second.

1 CHAIRMAN PESTANA: I would like to call
2 the meeting to order.

3 Everyone please rise to salute the
4 flag.

5 (At this time the Pledge of Allegiance
6 is recited.)

7 CHAIRMAN PESTANA: Carmen, please take
8 the roll.

9 MS. LOZANO: Commissioner Bado.

10 COMMISSIONER BADO: Present.

11 MS. LOZANO: Commissioner Dellabella.
12 Not present.

13 Commissioner Doran. Not present.

14 Commissioner Dublin.

15 COMMISSIONER DUBLIN: 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 COMMISSIONER MARTINETTI: Here.

22 MS. LOZANO: Commissioner Peneda.

23 COMMISSIONER PENEDA: Here.

24 MS. LOZANO: Chairman Pestana.

25 CHAIRMAN PESTANA: Here.

1 CHAIRMAN PESTANA: Motion by
2 Commissioner Goldsack, seconded by Commissioner
3 Martinetti.

4 MS. LOZANO: Commissioner Bado.

5 COMMISSIONER BADO: Abstain.

6 MS. LOZANO: Commissioner Dublin.

7 COMMISSIONER DUBLIN: 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: Abstain.

16 MS. LOZANO: Chairman Pestana.

17 CHAIRMAN PESTANA: Yes.

18 MS. LOZANO: The minutes of March 14th,
19 2018 passes in the affirmative by five board
20 members voting yes, two not present, and two
21 abstentions.

22 CHAIRMAN PESTANA: At this time we'll
23 take comments from the public on anything related
24 to the agenda.

25 (No response)

1 CHAIRMAN PESTANA: Seeing none, the
 2 public motion is now closed.
 3 MR. GUERRA: Item four, Resolution
 4 4-2018-4 of the Hudson County Improvement
 5 Authority authorizing payment of certain costs and
 6 expenses of the Authority for the month of
 7 April 2018.
 8 CHAIRMAN PESTANA: Does anybody have
 9 any questions or motions on the bills?
 10 COMMISSIONER GOLDSACK: Motion.
 11 CHAIRMAN PESTANA: Motion by
 12 Commissioner Goldsack.
 13 COMMISSIONER LORENZO: Second.
 14 CHAIRMAN PESTANA: Seconded by
 15 Commissioner Lorenzo.
 16 MS. LOZANO: Commissioner Bado.
 17 COMMISSIONER BADO: Yes.
 18 MS. LOZANO: Commissioner Dublin.
 19 COMMISSIONER DUBLIN: Yes.
 20 MS. LOZANO: Commissioner Goldsack.
 21 COMMISSIONER GOLDSACK: Yes.
 22 MS. LOZANO: Commissioner Lorenzo.
 23 COMMISSIONER LORENZO: Yes.
 24 MS. LOZANO: Commissioner Martinetti.
 25 COMMISSIONER MARTINETTI: Yes.

1 Environmental. That's the Cardella consulting
 2 firm.
 3 After careful analysis and evaluation
 4 by PS&S the attached plan amendment was prepared.
 5 The plan amendment also includes
 6 language whereby the Authority and the Town of
 7 North Bergen can rescind this plan amendment and
 8 it would be in place for a six-month trial basis.
 9 As part of the process we also had a
 10 meeting with the SWAC Committee, which is the
 11 Solid Waste Advisory Committee, which consists of
 12 representatives from each municipality. The SWAC
 13 Committee was okay with it.
 14 This resolution before you authorizes
 15 us to make the recommendation to the Board of
 16 Freeholders for this to be included in the plan.
 17 Then what happens is there is a meeting
 18 with the freeholders to introduce it at the first
 19 meeting, the second meeting is a public hearing,
 20 and then they vote on it. And then the plan is
 21 forwarded to the New Jersey DEP for their
 22 technical review and certifications. The sole
 23 process takes about 150 days.
 24 This is the item that we pulled last
 25 month because we had not had the SWAC meeting due

1 MS. LOZANO: Commissioner Peneda.
 2 COMMISSIONER PENEDA: Yes.
 3 MS. LOZANO: Chairman Pestana.
 4 CHAIRMAN PESTANA: Yes.
 5 MS. LOZANO: Resolution 4-2018-4 passes
 6 in the affirmative by seven board members voting
 7 yes, two not present.
 8 MR. GUERRA: Item number five is
 9 Resolution 4-2018-5 of the Hudson County
 10 Improvement Authority recommending an amendment to
 11 the Hudson County District Solid Waste Management
 12 Plan modifying the terms for the inclusion of the
 13 Cardella Trucking Company, Inc. Transfer
 14 Station/Materials Recovery Facility.
 15 As most of you know, Cardella has been
 16 a licensed facility operating in North Bergen for
 17 probably the last 25 to 30 years.
 18 In January of 2018 they had submitted
 19 an application for a tonnage increase. They are
 20 currently permitted to accept 400 tons of what is
 21 called Type 13 and 13C, which is primarily
 22 construction debris. They are seeking to increase
 23 the tonnage from 400 tons 800 tons per day.
 24 Our consulting engineer, John Bolan,
 25 had reviewed the initial submission by Cornerstone

1 to one of those snow events.
 2 CHAIRMAN PESTANA: And you have spoken
 3 to the administrator.
 4 MR. GUERRA: I spoke to the Town and
 5 they are comfortable, especially with the language
 6 that for the first six months it's monitored.
 7 It's a trial basis.
 8 CHAIRMAN PESTANA: Does anybody else
 9 have any questions or motions?
 10 (No response)
 11 COMMISSIONER LORENZO: Motion.
 12 CHAIRMAN PESTANA: Is there a second?
 13 COMMISSIONER DUBLIN: Second.
 14 CHAIRMAN PESTANA: Motion by
 15 Commissioner Lorenzo, seconded by Commissioner
 16 Dublin.
 17 MS. LOZANO: Commissioner Bado.
 18 COMMISSIONER BADO: Yes.
 19 MS. LOZANO: Commissioner Dublin.
 20 COMMISSIONER DUBLIN: Yes.
 21 MS. LOZANO: Commissioner Goldsack.
 22 COMMISSIONER GOLDSACK: Yes.
 23 MS. LOZANO: Commissioner Lorenzo.
 24 COMMISSIONER LORENZO: Yes.
 25 MS. LOZANO: Commissioner Martinetti.

1 COMMISSIONER MARTINETTI: Yes.
 2 MS. LOZANO: Commissioner Peneda.
 3 COMMISSIONER PENEDA: Yes.
 4 MS. LOZANO: Chairman Pestana.
 5 CHAIRMAN PESTANA: Yes.
 6 MS. LOZANO: Resolution 4-2018-5 passes
 7 in the affirmative by seven board members voting
 8 yes, two not present.
 9 MR. GUERRA: Item number six is
 10 Resolution 4-2018-6 of the Hudson County
 11 Improvement Authority amending an agreement with
 12 Remington, Vernick Engineers - LSRP Services.
 13 Back in November of 2016 we entered
 14 into a contract with Remington, Vernick for such
 15 services relating to the Hudson County Schools of
 16 Technology, the new school, in the amount of
 17 \$160,000.
 18 Since then it has been determined that
 19 additional services are required. They were
 20 unanticipated at the time the initial contract was
 21 awarded.
 22 It appears there was a site
 23 investigation remedial report submitted and it had
 24 been determined that there were some areas of
 25 concern which had been fenced off. As a result of

1 that what is required now is what is known as a
 2 remedial action outcome report, which is needed in
 3 order to obtain the Certificate of Occupancy for
 4 the school.
 5 Attached to the resolution, I believe
 6 in your packet, was a proposal which outlines all
 7 of the work. I think it's a three or four page
 8 proposal. There is about 11 different tasks that
 9 is outlined in there of the work that needs to be
 10 provided. The cost for those additional services
 11 is \$116,600. Our recommendation is to amend the
 12 initial contract to include these additional
 13 costs.
 14 The LSRP is working closely with the
 15 DEP, and this is all time sensitive, to make sure
 16 that we have all of this in place in order for the
 17 school to open, in order for us to have the
 18 Certificate of Occupancy.
 19 With us tonight, as you can see, is Ted
 20 Domuracki, our project rep, who has done a
 21 wonderful job with this project. So if you have
 22 any questions of either I or Ted, we would be
 23 happy to answer them.
 24 (No response)
 25 CHAIRMAN PESTANA: Are there any

1 questions?
 2 (No response)
 3 CHAIRMAN PESTANA: Do we have any
 4 motions?
 5 COMMISSIONER PENEDA: I'll make a
 6 motion.
 7 CHAIRMAN PESTANA: Motion by
 8 Commissioner Peneda.
 9 CHAIRMAN PESTANA: Is there a second?
 10 COMMISSIONER LORENZO: Second.
 11 CHAIRMAN PESTANA: Seconded by
 12 Commissioner Lorenzo.
 13 MS. LOZANO: Commissioner Bado.
 14 COMMISSIONER BADO: Yes.
 15 MS. LOZANO: Commissioner Dublin.
 16 COMMISSIONER DUBLIN: 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 4-2018-6 passes
 3 in the affirmative by seven board members voting
 4 yes, two not present.
 5 MR. GUERRA: Item number seven is
 6 Resolution 4-2018-7 of the Hudson County
 7 Improvement Authority making application to the
 8 Local Finance Board pursuant to N.J.S.A. 40A:5A-6.
 9 The total amount of the proposed
 10 financing through our Pooled Note Program is
 11 \$49,100 - I'm sorry, \$49,167,000.
 12 The participating municipalities in
 13 this transaction are the City of Bayonne for
 14 \$29,090,000, the City of Union City for
 15 \$6,744,000, and the Township of Weehawken for
 16 \$13,333,000.
 17 This resolution is strictly to make
 18 application to the Local Finance Board.
 19 CHAIRMAN PESTANA: Does anybody have
 20 any questions?
 21 (No response)
 22 CHAIRMAN PESTANA: Do we have any
 23 motions?
 24 COMMISSIONER GOLDSACK: Motion.
 25 CHAIRMAN PESTANA: Motion by

1 Commissioner Goldsack.
 2 CHAIRMAN PESTANA: Do we have a second?
 3 COMMISSIONER DUBLIN: Second.
 4 CHAIRMAN PESTANA: Seconded by
 5 Commissioner Dublin.
 6 MS. LOZANO: Commissioner Bado.
 7 COMMISSIONER BADO: Yes.
 8 MS. LOZANO: Commissioner Dublin.
 9 COMMISSIONER DUBLIN: Yes.
 10 MS. LOZANO: Commissioner Goldsack.
 11 COMMISSIONER GOLDSACK: Yes.
 12 MS. LOZANO: Commissioner Lorenzo.
 13 COMMISSIONER LORENZO: Yes.
 14 MS. LOZANO: Commissioner Martinetti.
 15 COMMISSIONER MARTINETTI: Yes.
 16 MS. LOZANO: Commissioner Peneda.
 17 COMMISSIONER PENEDA: Yes.
 18 MS. LOZANO: Chairman Pestana.
 19 CHAIRMAN PESTANA: Yes.
 20 MS. LOZANO: Resolution 4-2018-7 passes
 21 in the affirmative by seven board members voting
 22 yes, two not present.
 23 MR. GUERRA: Item number eight is
 24 Resolution 4-2018-8 of the Hudson County
 25 Improvement Authority authorizing execution of a

1 Subcontract for Hudson TMA, Fiscal Year 2018, TMA
 2 Work Program between the Hudson Transportation
 3 Management Association, which is our TMA, and the
 4 North Jersey Transportation Planning Authority and
 5 the New Jersey Institute of Technology.
 6 I'm going to defer this to Kurt, but I
 7 know this is something that we have been doing for
 8 a number of years and this is how the programs are
 9 funded.
 10 Kurt.
 11 MR. CHERRY: Thank you.
 12 This is the major grant funding source
 13 of the TMA for the year. This funds all of their
 14 programs that are the normal run of the mill
 15 programs including the bike rodeo and van pooling
 16 and --
 17 MR. GUERRA: Car pooling.
 18 MR. CHERRY: -- all of those kind of
 19 programs.
 20 They do receive other grants, which is
 21 safe routes to schools, that's another program
 22 altogether. but the main one is this one that you
 23 are being asked to consider tonight.
 24 We have done this for maybe - I have
 25 done it for 17 years, so --

1 CHAIRMAN PESTANA: Are there any
 2 questions?
 3 (No response)
 4 CHAIRMAN PESTANA: Are there any
 5 motions?
 6 COMMISSIONER PENEDA: I'll make a
 7 motion.
 8 CHAIRMAN PESTANA: Motion by
 9 Commissioner Peneda.
 10 COMMISSIONER LORENZO: Second.
 11 CHAIRMAN PESTANA: Second by
 12 Commissioner Lorenzo.
 13 MS. LOZANO: Commissioner Bado.
 14 COMMISSIONER BADO: Yes.
 15 MS. LOZANO: Commissioner Dublin.
 16 COMMISSIONER DUBLIN: 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 4-2018-8 passes
 3 in the affirmative by seven board members voting
 4 yes, two not present.
 5 MR. GUERRA: The addendum items, the
 6 add-ons, are item number nine, Resolution 4-2018-9
 7 authorizing the issuance of County-Guaranteed
 8 Governmental Loan Revenue Bonds, Series 2018, they
 9 are the Guttenberg General Obligation Bond
 10 Project, of the Hudson County Improvement
 11 Authority and determining other matters related
 12 thereto.
 13 MR. NETCHERT: Commissioners, you
 14 probably could do all three of these in one vote
 15 if you wanted to --
 16 MR. GUERRA: I'll read them into the
 17 record.
 18 MR. NETCHERT: -- because they are all
 19 interrelated.
 20 MR. GUERRA: Item ten, Supplemental
 21 Resolution 4-2018-10 authorizing the issuance of
 22 not to exceed \$25,000,000 County-Guaranteed
 23 Governmental Loan Revenue Bonds, Series 2018,
 24 again the Guttenberg General Obligation Bond
 25 Project, of the Hudson County Improvement

1 Authority and determining various other matters in
2 connection therewith.

3 And item number eleven, which is
4 Resolution 4-2018-11 of the Hudson County
5 Improvement Authority concerning review of the
6 findings of the Local Finance Board made at a
7 meeting of said Board on April 11, 2018 in
8 accordance with the provisions of N.J.S.A.
9 40A:5A-7 with respect to the issuance of
10 County-Guaranteed Governmental Loan Revenue Bonds,
11 Series 2018, again the Guttenberg General
12 Obligation Bond Project.

13 CHAIRMAN PESTANA: Does anybody have
14 any questions on any of these?

15 (No response)

16 CHAIRMAN PESTANA: Do we have any
17 motions on Resolutions 9, 10 and 11?

18 COMMISSIONER GOLDSACK: Motion.

19 CHAIRMAN PESTANA: Motion by
20 Commissioner Goldsack.

21 Is there a second?

22 COMMISSIONER LORENZO: Second.

23 CHAIRMAN PESTANA: Seconded by
24 Commissioner Lorenzo.

25 MS. LOZANO: Commissioner Bado.

1 COMMISSIONER BADO: Yes.

2 MS. LOZANO: Commissioner Dublin.

3 COMMISSIONER DUBLIN: Yes.

4 MS. LOZANO: Commissioner Goldsack.

5 COMMISSIONER GOLDSACK: Yes.

6 MS. LOZANO: Commissioner Lorenzo.

7 COMMISSIONER LORENZO: Yes.

8 MS. LOZANO: Commissioner Martinetti.

9 COMMISSIONER MARTINETTI: Yes.

10 MS. LOZANO: Commissioner Peneda.

11 COMMISSIONER PENEDA: Yes.

12 MS. LOZANO: Chairman Pestana.

13 CHAIRMAN PESTANA: Yes.

14 MS. LOZANO: Resolution 4-2018-9, 10
15 and 11 all pass in the affirmative by seven board
16 members voting yes, two not present.

17 MR. GUERRA: Commissioners, there is
18 one other item just for informational purposes.
19 The County Executive and I believe the Board of
20 Freeholders had passed a --

21 MR. NETCHERT: Actually the County
22 Executive, by Executive Order, has mandated that
23 in all matters where municipalities may be and/or
24 municipal entities may be borrowing monies through
25 the Improvement Authority which seek and require

1 the County Guarantee, when they come to the County
2 looking for the County Guarantee, unless there is
3 a PLA provision in the work that is going to be
4 done in the individual municipalities, the County
5 will not add the Guarantee.

6 MR. GUERRA: They must have a Project
7 Labor Agreement in order to have the County
8 guarantee financing.

9 MR. NETCHERT: And at this moment the
10 County Guarantee trigger amount for a PLA is
11 \$5,000,000. It's my understanding that there is
12 at least under discussion a concept of lowering
13 that PLA number from \$5,000,000 to \$500,000.
14 Whether it happens or not, I don't know. I think
15 there is consideration on a statewide basis as
16 well for that. I'm pretty sure the League of
17 Municipalities is involved and has a position on
18 it. We'll see where it goes.

19 There is nothing for you to do and
20 there is nothing for us to ever do except give the
21 towns a heads-up that you are borrowing the money
22 for a construction project. And if it's in excess
23 of \$5,000,000 until that number changes, and
24 you're going to need a County Guarantee, they are
25 not going to give you the Guarantee.

1 COMMISSIONER MARTINETTI: Are you going
2 to notify them in writing?

3 MR. GUERRA: We had our financial
4 advisor do that.

5 MR. NETCHERT: The financial advisor
6 will let everybody know.

7 I don't have any opinion on it. I just
8 simply deliver the message.

9 MR. GUERRA: Other than that I don't
10 think we have anything else.

11 Mary-Ellen, do you have anything?

12 MS. GILPIN: Only one thing.

13 MR. GUERRA: Earth Day is coming up.

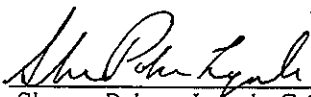
14 MS. GILPIN: It's very hard to believe
15 that Earth Day is really right around the corner.
16 This Saturday is shredding in Bayonne and then
17 next Saturday is Earth Day. I'll be sending you
18 property passes and everything. We're gearing up.
19 There is a long way to go because it came like
20 that, so --

21 MR. GUERRA: We still have room for
22 runners if you want to enter into the race.

23 MS. GILPIN: Yes.

24 MR. GUERRA: Chairman, I think that's
25 it.

1 CHAIRMAN PESTANA: If there is no other
2 business --
3 MR. GUERRA: No.
4 CHAIRMAN PESTANA: -- do we have a
5 motion to adjourn?
6 COMMISSIONER GOLDSACK: I'll make a
7 motion.
8 CHAIRMAN PESTANA: Motion by
9 Commissioner Goldsack.
10 COMMISSIONER PENEDA: Second.
11 CHAIRMAN PESTANA: Seconded by
12 Commissioner Peneda.
13 All in favor.
14 COMMISSIONER BADO: Aye.
15 COMMISSIONER DUBLIN: Aye.
16 COMMISSIONER GOLDSACK: Aye.
17 COMMISSIONER LORENZO: Aye.
18 COMMISSIONER MARTINETTI: Aye.
19 COMMISSIONER PENEDA: Aye.
20 CHAIRMAN PESTANA: Aye.
21 Meeting adjourned.
22 Thanks everybody.
23
24 (The meeting concludes at 6:03 p.m.)
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4 CERTIFICATION
5
6
7 I, Sharon Palmer Lynch, C.C.R., License
8 Number X100796, a Certified Court Reporter of the
9 State of New Jersey, do hereby certify that the
10 foregoing is a true and accurate transcript of my
11 stenographic notes of the within proceedings to
12 the best of my knowledge and ability.
13
14
15
16 
17 _____
18 Sharon Palmer Lynch, C.C.R.
19
20 Dated: April 13, 2018
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