HUDDSON COUNTY IMPROVEMENT AUTHORITY

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

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WEDNESDAY, JUNE 13, 2018
830 BERGEN AVENUE, 9TH FLOOR
JERSEY CITY, NEW JERSEY 07306
COMMENCING AT 5:34 P.M.

BOARD MEMBERS:

FRANK PESTANA, CHAIRMAN
JAMES DORAN, VICE CHAIRMAN
NICHOLAS GOLDSACK, TREASURER
FRANK LORENZO, SECRETARY
FRED M. BADO, COMMISSIONER
BRIAN DELLABELLA, COMMISSIONER
JEFFREY DUBLIN, COMMISSIONER
MARTIN T. MARTINETTI, COMMISSIONER
JOHN PENEDA, COMMISSIONER (NOT PRESENT)

APPEARANCES:

NORMAN M. GUERRA, CHIEF EXECUTIVE OFFICER

KURT CHERRY, EXECUTIVE DIRECTOR/CFO

WILLIAM J. NETCHERT, ESQ. GENERAL COUNSEL

ELIZABETH RAMOS, EXECUTIVE ASSISTANT, ACTING
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
ALSO PRESENT:

MARY-ELLEN GILPIN, HCIA
JAMES POLICASTRO, HCIA
MICHAEL O'CONNOR, HCIA
TED DOMURACKI, MAST CONSTRUCTION
JEFF LANIGAN
MICHAEL COMBA, HOBOKEN STRATEGY GROUP

MS. RAMOS: Commissioner Doran.
COMMISSIONER DORAN: Here.

MS. RAMOS: Commissioner Dublin.
COMMISSIONER DUBLIN: Here.

MS. RAMOS: Commissioner Goldsack.
COMMISSIONER GOLDSACK: Here.

MS. RAMOS: Commissioner Lorenzo.
COMMISSIONER LORENZO: Here.

MS. RAMOS: Commissioner Martinecci.
COMMISSIONER MARTINECCHI: Here.

MS. RAMOS: Commissioner Peneda. Not present.

Chairman Pestana.

CHAIRMAN PESTANA: Here.

MS. RAMOS: Chairman, we have a quorum with eight board members being present, one not present.

CHAIRMAN PESTANA: Thank you.

At this time I would look for a motion for approval of the minutes of the May 16th meeting.

COMMISSIONER DUBLIN: I'll make a motion.

CHAIRMAN PESTANA: Motion by Commissioner Dublin.

(The meeting of the Board commences at 5:35 p.m.)

CHAIRMAN PESTANA: Mr. Netchert.
MR. NETCHERT: Yes, Mr. Chairman.

As you know, this is a public meeting. Notice of tonight's meeting was forwarded to both the Jersey Journal and the Star-Ledger on February 15, 2018 for publication in the respective newspapers. Notice was also forwarded to the Clerk of the County of Hudson, the Clerk of the Hudson County Board of Freeholders for posting on the bulletin boards outside of their respective offices, and notice was also posted on the bulletin board outside of this meeting room and on the Authority's website. These notices are all in compliance with the requirements of the Open Public Meetings Act.

CHAIRMAN PESTANA: Thank you, Mr. Netchert.

Would you now please call the roll.

MS. RAMOS: Commissioner Bado.
COMMISSIONER BADO: Present.

MS. RAMOS: Commissioner Delubella.
COMMISSIONER DELUBELLA: Present.

COMMISSIONER DELLABELLA: Second.

CHAIRMAN PESTANA: Second by Commissioner Delubella.

MS. RAMOS: Commissioner Bado.
COMMISSIONER BADO: Yes.

MS. RAMOS: Commissioner Delubella.
COMMISSIONER DELUBELLA: Yes.

MS. RAMOS: Commissioner Doran.
COMMISSIONER DORAN: Abstain.

MS. RAMOS: Commissioner Dublin.
COMMISSIONER DUBLIN: Yes.

MS. RAMOS: Commissioner Lorenzo.
COMMISSIONER LORENZO: Yes.

MS. RAMOS: Commissioner Goldsack.
COMMISSIONER GOLDSACK: Abstain.

MS. RAMOS: Commissioner Martinecci.
COMMISSIONER MARTINECCHI: Abstain.

MS. RAMOS: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. RAMOS: The minutes of the May 16, 2018 meeting are approved by five board members voting yes, three abstentions, and one not present.

CHAIRMAN PESTANA: At this time we'll take comments from the public on anything relating
our congressional delegation on various matters that affect the County.

The Agreement is between the Hudson County Community College, the Hudson County Vocational School, and the County of Hudson.

The monthly fee for this services is $8,000 a month shared equally by all three parties through our Shared Services Agreement. The term is one year, as in the past, July 1st, 2018 to June 30th, 2019. And again, this is a renewal with the same fee.

COMMISSIONER DORAN: Is there any like benefit that you could point to and say oh, this is worth it because they get this for that.

MR. GUERRA: Absolutely. In your packet I think there is like a three-page printout because it's not just us, Jim, it's the Community College.

COMMISSIONER DORAN: Right.

MR. GUERRA: Abe's office directly.

COMMISSIONER DORAN: Yes.

MR. GUERRA: It's the Schools of Technology and the County itself.

COMMISSIONER DORAN: Right.

MR. GUERRA: I know the Ryan White program. They have worked with us on funding, their CDBG.

COMMISSIONER DORAN: Okay.

MR. GUERRA: It's a 2018 Hudson County Federal Agenda and it lists all of the things that they have been doing. So it's pretty extensive.

COMMISSIONER DORAN: Security.

MR. GUERRA: Yes, and they monitor what's going on with matters that are being heard, what the passing bills are, and what have you. So they have been pretty helpful.

And I believe, Mike, they have helped us too with Green Acres or --

MR. O'CONNOR: Yes. Actually they were particularly good.

MR. GUERRA: Right.

MR. O'CONNOR: We had an issue with Casino in the Park with potential -- basically there was an issue where the National Parks Service may have been able to block or restrain the continued use of the facility based on something from 1975, a covenant and a grant agreement, and they helped us work it out with the appropriate people at that park service.

MR. GUERRA: They met with the
In 2015 approximately 50 percent of the work had been completed and at that time the 13 acres adjacent to it had not been filled in yet, thereby preventing the work from continuing. Since then the 13 acres have been filled in except for this little section until we replace the slurry wall. Key had been notified by the EPA that they should be proceeding, and we were notified through our consultant engineer to continue to complete that work in that portion that had been filled in.

So through our consenting engineering they had requested us, he had requested us, to continue. However, because of the time that has passed there has been an increase in labor costs and materials cost. So the total increase to finish the contract is $14,000. Our engineer has reviewed their request and he finds it reasonable, and that's John Bolan, who is the LSRP for the site. It's anticipated that it will take about six weeks to complete the work. And this resolution thereby authorizes the increase again in the amount of $14,000. So the initial contract will go from $164,000 to $178,000 to complete that work in the western portion of the site.

MR. O'CONNOR: Yes. And they met with the senator and the committee chair, who is a republican actually, of that subcommittee in Congress, so it was very helpful.

MR. GUERRA: They have relationships with both sides of the aisle as they say.

CHAIRMAN PESTANA: Are there any other questions?

(No response)

CHAIRMAN PESTANA: Are there any motions?

COMMISSIONER DORAN: I'll make a motion to move.

CHAIRMAN PESTANA: Motion by Commissioner Doran.

COMMISSIONER GOLDSACK: Second.

CHAIRMAN PESTANA: Second by Commissioner Goldsack.

MS. RAMOS: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. RAMOS: Commissioner Dellabella.

COMMISSIONER DELLABELLA: Yes.

MS. RAMOS: Commissioner Doran.

COMMISSIONER DORAN: Yes.

MS. RAMOS: Commissioner Dublin.

COMMISSIONER DUBLIN: Yes.

MS. RAMOS: Commissioner Goldsack.

COMMISSIONER GOLDSACK: Yes.

MS. RAMOS: Commissioner Lorenzo.

COMMISSIONER LORENZO: Yes.

MS. RAMOS: Commissioner Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. RAMOS: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. RAMOS: Resolution 6-2018-5 passes in the affirmative with eight board members voting yes, one not present.

MR. GUERRA: Item six, Resolution 6-2018-6 of the Hudson County Improvement Authority authorizing supplementing and amending prior resolution awarding an agreement with Key Environmental for design and installation of monitoring wells and other environmental remedies in the western area of the Koppers site.

If you recall, back in February of 2015 we entered into the agreement to raise the existing monitoring wells and electric boxes that were in the western portion of the site. The total amount of the contract was $164,000.
MS. RAMOS: Commissioner Martinetti.
COMMISSIONER MARTINETTI: Yes.
MS. RAMOS: Chairman Pestana.
CHAIRMAN PESTANA: Yes.
MS. RAMOS: Resolution 6-2018-6 passes in the affirmative with eight board members voting yes, one not present.
MR. GUERRA: Item seven is Resolution 6-2018-7 of the Hudson County Improvement Authority authorizing an Agreement with Counseling Care Associates, LLC to provide an Employee Assistance Program to Authority employees.
Counseling Care has been providing or had been providing this service for the past three to four years. Employees who seek help either go directly through them or, at times, go through their supervisor or through myself at no cost to them. We would like to continue the program.
COMMISSIONER DORAN: It's money well spent.
MR. GUERRA: The total cost of this program is $5,220 which is the same as the expiring contract, and that's for a term of one year. The contract will commence July 1st and it will run through June 30TH, 2019.

COMMISSIONER DORAN: It's money well spent.
MR. GUERRA: Yes.
COMMISSIONER DORAN: It's an excellent service.
MR. GUERRA: Yes.
COMMISSIONER DELLABELLA: It's a good program.
CHAIRMAN PESTANA: Are there any questions or motions?
COMMISSIONER DORAN: We didn't skip one, did we?
CHAIRMAN PESTANA: No.
MR. GUERRA: I don't believe so. That was seven.
COMMISSIONER DORAN: Okay.
CHAIRMAN PESTANA: Does anybody have any other questions?
(No response)
CHAIRMAN PESTANA: Is there any motions?
COMMISSIONER DORAN: I would move for adoption.
CHAIRMAN PESTANA: I have a motion by Commissioner Doran.
CHAIRMAN PESTANA: Are there any motions?
COMMISSIONER GOLDSTACK: I'll make a motion.
CHAIRMAN PESTANA: Motion by Commissioner Goldsack.
COMMISSIONER DORAN: Second.
CHAIRMAN PESTANA: Second by Commissioner Doran.
MS. RAMOS: Commissioner Bado.
COMMISSIONER BADO: Yes.
MS. RAMOS: Commissioner Delabella.
COMMISSIONER DELABELLA: Yes.
MS. RAMOS: Commissioner Doran.
COMMISSIONER DORAN: Yes.
MS. RAMOS: Commissioner Dublin.
COMMISSIONER DUBLIN: Yes.
MS. RAMOS: Commissioner Goldsack.
COMMISSIONER GOLDSTACK: Yes.
MS. RAMOS: Commissioner Lorenzo.
COMMISSIONER LORENZO: Yes.
MS. RAMOS: Commissioner Martinetti.
COMMISSIONER MARTINETTI: Yes.
MS. RAMOS: Chairman Pestana.
CHAIRMAN PESTANA: Yes.
MS. RAMOS: Resolution 6-2018-9 passes in the affirmative by eight board members voting yes, one not present.
MR. GUERRA: Item 10 is Resolution 6-2018-10 of the Hudson County Improvement Authority.
So if nothing else, I have been around a long time.

COMMISSIONER DORAN: You have matured.

MR. NETCHERT: I have matured. I have gotten older. I don't know if I have matured.

CHAIRMAN PESTANA: Do we have any motions?

COMMISSIONER GOLDSACK: I'll make a motion.

CHAIRMAN PESTANA: Motion by Commissioner Goldsack.

COMMISSIONER DORAN: Second.

CHAIRMAN PESTANA: Seconded by Commissioner Doran.

MS. RAMOS: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. RAMOS: Commissioner Dellabella.

COMMISSIONER DELLABELLA: Yes.

MS. RAMOS: Commissioner Doran.

COMMISSIONER DORAN: Yes.

MS. RAMOS: Commissioner Dublin.

COMMISSIONER DUBLIN: Yes.

MS. RAMOS: Commissioner Goldsack.

COMMISSIONER GOLDSACK: Yes.

MS. RAMOS: Commissioner Lorenzo.

amendment had been made. And then as time went on, however, it was felt that due to circumstances beyond the contractor's control that Platinum may not be achievable and that Gold Certification would be attainable, and that was required in the contract. But they had begun the effort of attempting to do that.

With us here is Mr. Domuracki, from Mast Construction. Ted, if you just want to touch a little bit more upon that.

MR. DOMURACKI: Yes. The RFP for Terminal Construction included obtaining and using the system called Gold, Version 4. And because we were going to try to obtain the Platinum Certification we chose to go with an older version, which is called Version 2009. So the architect had to do some work that allowed us to have an opportunity to get more LEED points.

So just as a point of reference, there is LEED Certification and there is Silver, Gold and Platinum. You have to get at least 60 points to obtain Gold, and the contractor guaranteed that we got Gold. We were in a position to get close to 82 points, which would put us over Platinum, but because of the design at the beginning for

natural lighting we lost three points.

Our current tally right now is we have the potential of getting 76 points, which is well beyond Gold at 60, with as much as 78, but we can not, under any circumstances, achieve the 80. So having said that we're not getting Platinum, we're only two points closer. But we blew past the Gold level. And this cost was for the architect to prepare those documents to try to achieve it.

The request on this purchaser goes back from when we started the process, so he's not putting the bill in for the service.

MR. GUERRA: And if I'm correct, Ted, if we continued pursuing the Platinum it may have cost us close to a million dollars, and there was no guarantee that we were going to get it.

MR. DOMURACKI: We lost the two points.

We would not have obtained -- we can not obtain Platinum.

CHAIRMAN PESTANA: What were the two points intended to do?

MR. DOMURACKI: It's is called natural day lighting. So when the bridge documents were designed they didn't add or put -- they would have to put in additional windows in the building. So
when the review started, which was only about six
months ago, the Review Committee from the LEED
Certification said that they wouldn't allow us
to get approval until those points. And that's what we lost at we were
short of the 80. But 78 is far beyond the 60
Level Gold.

COMMISSIONER DORAN: Okay.

COMMISSIONER GOLDSACK: So the original
contract called for Gold.

MR. DOMURACKI: It guaranteed Gold, but
under Version 4. Version 4 is a new version of --
the Leed Committee is somewhat subjective. You
don't know if you're going to get approval until
you submit your plans and specifications. The old
version allows you to get more points. Version 4
gives you blocks of points. So if we went with
Version 4 we could have lost more than the two or
three, but we still would have been beyond Gold.
In order to try to get Platinum we
went with the older version because you have more
opportunities. You wouldn't lose a bunch of
points, you would use a single point at a time in
terms of their review.

COMMISSIONER GOLDSACK: What is the
significance to us, or to the contractor, or to

the architect so far as going from Gold to
Platinum?

MR. DOMURACKI: Really, the
significance for you is sustainability, it's
energy efficiency. Platinum is a quantum leap
over Gold in terms of certification.
I'm not exactly sure about the facts,
but I believe there are only five Gold high
schools in America with Gold certification, and I
don't think there are any -- there is only one
Platinum high school in New Jersey, and it's a
very small private school. It's about a
60,000-foot school. So Platinum would put you in
a class by yourself, but with Gold you're still
there.

COMMISSIONER GOLDSACK: Okay.

CHAIRMAN PESTANA: Are there any other
questions?

MR. NETCHERT: Basically it makes you
feel good.

COMMISSIONER GOLDSACK: It makes you
feel good.

MR. DOMURACKI: There is also a benefit
for cost savings and operations and energy
efficiency. As an example, we have the geothermal
wells - that was required, and you got points for
doing that. So a lot of the design has to do with
getting points, and it's really about
sustainability, but the benefit to you is
operating costs.

COMMISSIONER GOLDSACK: So we would
have achieved that any way with the Gold, correct?

MR. DOMURACKI: Yes, but Platinum is
even more so, yes, and it differentiates you from
everyone else.

MR. NETCHERT: So does that mean the
nine-tenths of the extra points that we got make
the building nine-tenths more efficient?

MR. DOMURACKI: I believe going from 60
to 78 makes you far more efficient.

MR. NETCHERT: And that's an answer
that's kind of at least acceptable for the extra
costs don't you think?

MR. DOMURACKI: And commissioner, some
of the points are solely to wind. We have a wind
turbine, because it's a demonstration project.
You really don't get a benefit from the wind
turbine, but you get a point for having it as a
demonstration project. Some of these, some of the
design issues are really for demonstration for

the architect so far as going from Gold to

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demonstration project. Some of these, some of the
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COMMISSIONER LORENZO: Yes.
MS. RAMOS: Commissioner Martinetti.
COMMISSIONER MARTINETTI: Yes.
MS. RAMOS: Chairman Pestana.
CHAIRMAN PESTANA: Yes.
MS. RAMOS: Resolution 6-2018-11 passes in the affirmative by eight board members voting yes, one not present.

MR. GUERRA: Item 12 is Resolution 6-2018-12 of the Hudson County Improvement Authority approving Change Order No. 008 to the Agreement between the Authority and Terminal Construction Corporation for design-build services for a new High Tech High School.

Change Order No. 008 relates to a request made by the Hudson County Schools of Technology to purchase the fitness equipment in the amount of $340,232.08.

This change order, and Ted will explain, that money was in the budget, their budget for this.

MR. DOMURACKI: Correct.
MR. GUERRA: And they ask that we do it through the contractor.

MR. DOMURACKI: The source and use of funds is in the soft costs, in the furniture, and line item for the school.

Like with some of the technology pieces, the school has asked us to purchase the equipment so that it arrives in time for the TCL.

And just as a point of reference, we have $140 million of work in place. We're 95 percent completed on the project. We're six weeks from the TCO. The TCO is scheduled for July 27th, and the remaining work will be done through August. The final completion date is September 7th, also on opening, grand opening.

COMMISSIONER GOLDSACK: You said that it was in High Tech's budget so far as the equipment?

MR. DOMURACKI: We have a project pro forma that the school is purchasing IT equipment, AVIT security equipment, and also all of the furniture. So I gave them budgets that they agreed to to purchase under. They asked us to do it for them. So we're going to sweep the money out of the soft costs to fund this.

COMMISSIONER MARTINETTI: Is there any additional expense?

MR. DOMURACKI: There is an additional overhead and profit to the general contractor for coordinating it, but it's still going to come out of that budget line item of soft costs.

COMMISSIONER MARTINETTI: What's that amount?

MR. DOMURACKI: It's 10 and 5, 10 and 5 percent of half a mill.

COMMISSIONER MARTINETTI: What's the total percentage of the change orders?

MR. DOMURACKI: Is it 6.1 percent?

MR. GUERRA: Right.

COMMISSIONER DORAN: So basically, Ted, when you're talking about the weight room and other type things that are somewhat complicated equipment, it will be installed when the building opens as opposed to having to order it and get a contractor to come in and somebody has to install it.

MR. DOMURACKI: The concern was that they wouldn't have it in time. We're going to have everything done, but they're not going to have the use of the equipment. And it's the same thing with the IT that you approved for us to install.

COMMISSIONER DORAN: All right. Thank you.

MR. DOMURACKI: Commissioner, can I just go back to the certification for a minute?

CHAIRMAN PESTANA: Sure.

MR. DOMURACKI: Generally municipalities ask for at least a sustainable design and a minimum of LEED Certification. Some other places ask for Silver or Gold. And generally we ask, as part of the design documents, to do more than sustainable -- at least Certified or Silver.

In this case the school wanted Gold at a minimum, and to try for Platinum from the beginning. That was their request.

CHAIRMAN PESTANA: Thanks, Ted.

Are there any other questions?

(No response)

CHAIRMAN PESTANA: Are there any motions?

COMMISSIONER GOLDSACK: I'll make a motion.

CHAIRMAN PESTANA: Motion by Commissioner Goldsack.

COMMISSIONER DELLABELLA: Second.

CHAIRMAN PESTANA: Seconded by...
COMMISSIONER DELABELLA: Aye.
COMMISSIONER DORAN: Aye.
COMMISSIONER DUBLIN: Aye.
COMMISSIONER GOLDSACK: Aye.
COMMISSIONER LORENZO: Aye.
COMMISSIONER MARTINETTI: Aye.
CHAIRMAN PESTANA: Aye.
Meeting adjourned.

MR. GUERRA: Thanks everybody.

(Whereupon the meeting is concluded at 6:04 p.m.)

Saturday is the Stride and Ride Bicycle Rodeo.
This year it's being held in Lincoln Park in
Jersey City. It runs from like 10 in the morning
until 3:00. We get like 300, 400 kids
participating in that. It's a pretty good event
for the kids. We have a lot of exhibitors too.

MS. GILPIN: Yes.
MR. GUERRA: There will be some
entertainment for kids. So it's a nice day for
the children. So if you know any children with
their bicycles and they want to come and join us
and learn bike safety, et cetera, it's a good
opportunity for the kids.

Other than that, Chairman, I have
nothing else.

CHAIRMAN PESTANA: Okay.

Do we have a motion to adjourn?

COMMISSIONER GOLDSACK: I'll make a
motion.

COMMISSIONER DORAN: Second.

CHAIRMAN PESTANA: Motion by
Commissioner Goldsack, seconded by Commissioner
Doran.

All in favor.

COMMISSIONER BADO: Aye.

CERTIFICATION

I, Sharon Palmer Lynch, 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.

[Signature]
Sharon Palmer Lynch, C.C.R.

Dated: June 14, 2018