HUDSON COUNTY IMPROVEMENT AUTHORITY

IN THE MATTER OF
THE REGULAR MONTHLY MEETING

TRANSCRIPT OF
PROCEEDINGS

WEDNESDAY, MARCH 14, 2018
830 BERGEN AVENUE, 9TH FLOOR
JERSEY CITY, NEW JERSEY 07306
COMMENCING AT 5:35 P.M.

BOARD MEMBERS:

FRANK PESTANA, CHAIRMAN
JAMES DORAN, VICE CHAIRMAN
NICHOLAS GOLDSACK, TREASURER
FRANK LORENZO, SECRETARY
FRED M. BADO, COMMISSIONER
BRIAN DELLABELLA, COMMISSIONER
JEFFREY DUBLIN, COMMISSIONER
MARTIN T. MARTINETTI, COMMISSIONER
JOHN PENDEDIA, COMMISSIONER (ABSENT)

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
MS. LOZANO: We have a quorum with eight board members present, one not present.
CHAIRMAN PESTANA: Mr. Netchert.
MR. NETCHERT: Yes, Mr. Chairman. This is a public meeting. Notice of the time, place and date of this meeting was forwarded to the Jersey Journal and the Star-Ledger for publication in those respective newspapers on February 5th, 2018. Notice was also forwarded to the Clerk of the County of Hudson and the Clerk of the Hudson County Board of Freeholders for posting on their respective bulletin boards outside of their offices. Notice was also posted on the bulletin board outside of this meeting hall as well as 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.
At this time I would like to call for a motion for approval of the minutes of the February 14th meeting.
COMMISSIONER DUBLIN: Motion.
CHAIRMAN PESTANA: I have a motion by Commissioner Dublin.

THE COURT: I would like to call the meeting to order.
Please rise to salute the flag.
(At this time the Pledge of Allegiance is recited.)
CHAIRMAN PESTANA: Carmen, please call the roll.
MS. LOZANO: Commissioner Bado.
COMMISSIONER BADO: Present.
MS. LOZANO: Commissioner Dellabella.
COMMISSIONER DELABELLA: Present.
MS. LOZANO: Commissioner Doran.
COMMISSIONER DORAN: Here.
MS. LOZANO: Commissioner Dublin.
COMMISSIONER DUBLIN: 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. Not present.
Chairman Pestana.
CHAIRMAN PESTANA: Here.

COMMISSIONER GOLDSACK: Second.
CHAIRMAN PESTANA: Second by Commissioner Goldsack.
MS. LOZANO: Commissioner Bado.
COMMISSIONER BADO: Abstain.
MS. LOZANO: Commissioner Dellabella.
COMMISSIONER DELABELLA: Aye.
MS. LOZANO: Commissioner Doran.
COMMISSIONER DORAN: Aye.
MS. LOZANO: Commissioner Dublin.
COMMISSIONER DUBLIN: Aye.
MS. LOZANO: Commissioner Goldsack.
COMMISSIONER GOLDSACK: Aye.
MS. LOZANO: Commissioner Lorenzo.
COMMISSIONER LORENZO: Aye.
MS. LOZANO: Commissioner Martinetti.
COMMISSIONER MARTINETTI: Yes.
MS. LOZANO: Chairman Pestana.
CHAIRMAN PESTANA: Yes.
MS. LOZANO: The minutes of the February 14th meeting are approved by seven board members voting yes, one abstention, one not present.
CHAIRMAN PESTANA: I have one quick question. Commissioner Doran had a question.
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<tr>
<th>Page 6</th>
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<tbody>
<tr>
<td>1 COMMISSIONER DORAN: Yes. We had two</td>
<td>1 MS. LOZANO: Commissioner Dellabella.</td>
<td>1 COMMISSIONER DELLABELLA: Aye.</td>
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<td>2 meetings on the 14th. Do you need a vote on each</td>
<td>2 COMMISSIONER DELLABELLA: Aye.</td>
<td>2 MS. LOZANO: Commissioner Doran.</td>
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<td>3 one of the minutes or do you vote just in general</td>
<td>3 COMMISSIONER DORAN: Right.</td>
<td>3 COMMISSIONER DORAN: Aye.</td>
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<td>4 for both sets of minutes?</td>
<td>4 MS. LOZANO: Commissioner Dublin.</td>
<td>4 MS. LOZANO: Commissioner Dublin.</td>
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<td>5 MR. NETCHERT: Because we had the</td>
<td>5 COMMISSIONER DUBLIN: Yes.</td>
<td>5 COMMISSIONER DUBLIN: Yes.</td>
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<td>6 reorganize meeting --</td>
<td>6 MS. LOZANO: Commissioner Goldsack.</td>
<td>6 MS. LOZANO: Commissioner Goldsack.</td>
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<td>7 COMMISSIONER DORAN: Right.</td>
<td>7 COMMISSIONER DORAN: Yes.</td>
<td>7 COMMISSIONER DORAN: Commissioner Lorenzolo.</td>
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<td>8 MR. NETCHERT: -- as well as the</td>
<td>8 COMMISSIONER DORAN: Yes.</td>
<td>8 COMMISSIONER LORENZO: Yes.</td>
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<td>9 regular meeting.</td>
<td>9 COMMISSIONER DORAN: Right. We had two</td>
<td>9 MS. LOZANO: Commissioner Marinetti.</td>
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<td>10 COMMISSIONER DORAN: Right. We had two</td>
<td>10 separate meetings. I'm just saying for procedural</td>
<td>10 COMMISSIONER MARTINETTI: Yes.</td>
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<td>11 separate meetings. I'm just saying for procedural</td>
<td>12 means I don't know if you want to just have a</td>
<td>11 MS. LOZANO: Chairman Pestana.</td>
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<td>12 means I don't know if you want to just have a</td>
<td>13 separate vote on the meetings.</td>
<td>12 CHAIRMAN PESTANA: Yes.</td>
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<td>13 separate vote on the meetings.</td>
<td>14 MR. NETCHERT: And the minutes you have</td>
<td>13 MS. LOZANO: The minutes of</td>
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<td>14 MR. NETCHERT: And the minutes you have</td>
<td>15 are the minutes of both meetings.</td>
<td>14 February 14th, 2018 are approved by seven board</td>
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<td>15 are the minutes of both meetings.</td>
<td>16 COMMISSIONER DORAN: Yes. We do have</td>
<td>15 members voting yes, one abstention, and one not</td>
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<td>16 COMMISSIONER DORAN: Yes. We do have</td>
<td>17 two separate sets.</td>
<td>16 present.</td>
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<td>17 two separate sets.</td>
<td>18 MR. NETCHERT: Then I would suggest</td>
<td>18 CHAIRMAN PESTANA: Thank you for</td>
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<td>18 MR. NETCHERT: Then I would suggest</td>
<td>19 that you have a vote on -- decide what you just</td>
<td>19 clearing that up.</td>
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<td>19 that you have a vote on -- decide what you just</td>
<td>20 voted on and then have a vote on whatever you</td>
<td>20 So at this time we'll take comments</td>
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<td>20 voted on and then have a vote on whatever you</td>
<td>21 didn't vote on. So if you want to consider your</td>
<td>21 from the public on anything relating to the</td>
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<td>21 didn't vote on. So if you want to consider your</td>
<td>22 first vote, the vote on the reorganization</td>
<td>22 agenda.</td>
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<td>22 first vote, the vote on the reorganization</td>
<td>23 meeting. Is that okay?</td>
<td>23 (No response)</td>
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<td>24 COMMISSIONER DORAN: Yes.</td>
<td>25 MR. NETCHERT: So for the record, the</td>
<td></td>
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</table>
COMMISSIONER GOLDSACK: Yes.
MS. LOZANO: Commissioner Lorenzo.
COMMISSIONER LORENZO: Yes.
MS. LOZANO: Commissioner Martinetti.
COMMISSIONER MARTINETTI: Yes.
MS. LOZANO: Chairman Pestana.
CHAIRMAN PESTANA: Yes.
MS. LOZANO: Resolution 3-2018-4 passes in the affirmative by eight board members voting yes, one not present.
MR. GUERRA: Item number five is Resolution 3-2018-5 approving the filing of a spending plan for 2017 Cycling Enhancement Act Entitlement by the Hudson County Improvement Authority.
As you know, it was back in I believe 1985 that the Board of Chosen Freeholders had designated the Authority as implementing agency for the County's Solid Waste Management Plan.
The DEP does provide a Recycling Enhancement Tax Entitlement to designated facilities. Different districts in the County, and there are not only Hudson County, but also the New Jersey Sports Authority.

In the past they did provide financial assistance and it is used for an array of environmental programs. We used it for our household hazardous waste, shredding, E-waste, compost bins, promotional material, environmental affairs, the school programs.
Our Director, Mary-Ellen, who is not with us this evening, she is not feeling well, will be developing the plan and submitting it. We're submitting it in the amount of--we're seeking $401,296 to support all of those programs. The resolution before you basically authorizes the execution and the filing of that plan. So we just need a motion to file the plan.
COMMISSIONER DORAN: Motion.
COMMISSIONER DUBLIN: I mean--CHAIRMAN PESTANA: Do you have a question?
COMMISSIONER DUBLIN: This is a resolution introducing a plan, but has the plan been developed yet?
MR. GUERRA: No. The plan is being developed, but this just authorizes--it's required as part of the process. Before we prepare the plan we have to have the Board's approval to develop the plan.
Chances are we could bring the plan back here before its submission. I don't recall the deadline. So the plan will we done by the next meeting.
COMMISSIONER DUBLIN: Okay.
MR. NETCHERT: But again, it's for all of the programs that we currently run and we'll continue to run.
COMMISSIONER DUBLIN: So this is just putting them on notice.
MR. GUERRA: This is that tax, the recycling tax. The money comes back to the municipalities get this also-I'm sure Jersey City, Bayonne. It's based on the amount of materials you recycle. Hudson County--we're doing this on behalf of the County, but we use it to support our programs.
CHAIRMAN PESTANA: Are there any other questions?
(No response)
CHAIRMAN PESTANA: Are there any motions?
COMMISSIONER DELABELLA: I'll make a motion.
CHAIRMAN PESTANA: Motion by Commissioner Dellabella.
Do we have a second?
COMMISSIONER DORAN: Second.
CHAIRMAN PESTANA: Second by Commissioner Doran.
MS. LOZANO: Commissioner Bado.
COMMISSIONER BADO: Yes.
MS. LOZANO: Commissioner Dellabella.
COMMISSIONER DELABELLA: Yes.
MS. LOZANO: Commissioner Doran.
COMMISSIONER DORAN: Yes.
MS. LOZANO: Commissioner Dublir.
COMMISSIONER DUBLIN: Yes.
MS. LOZANO: Commissioner Goldsack.
COMMISSIONER GOLDSACK: Yes.
MS. LOZANO: Commissioner Lorenzo.
COMMISSIONER LORENZO: Yes.
MS. LOZANO: Commissioner Martinetti.
COMMISSIONER MARTINETTI: Yes.
MS. LOZANO: Chairman Pestana.
CHAIRMAN PESTANA: Yes.
MS. LOZANO: Resolution 3-2018-5 passes in the affirmative by eight board members voting yes, one not present.
MR. GUERRA: Item six is Resolution 3-2018-6 of the Hudson County Improvement Authority concerning review of the findings of the Local Finance Board made at a meeting of said Board on February 13th, 2018 in accordance with the provisions of N.J.S.A. 40A:5A-7 with respect to the issuance of County-Guaranteed Pooled Loan Notes, Series 2018A.

The Local Finance Board has provided positive findings relating to this transaction. The towns that have participated in this were the City of Union City, Township of Weehawken, the SID in the Township of Weehawken, and that's the Special Improvement District. The total amount was $35,107,000. And again, positive findings were issued by the Local Finance Board.

CHAIRMAN PESTANA: Are there any questions?

(No response)

CHAIRMAN PESTANA: Do we have any motions?

COMMISSIONER GOLDSACK: Motion.

CHAIRMAN PESTANA: Motion by Commissioner Goldsack.

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CHAIRMAN PESTANA: Do we have a second?

COMMISSIONER DORAN: Second.

CHAIRMAN PESTANA: Second by Commissioner Doran.

MS. LOZANO: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. LOZANO: Commissioner Dellabella.

COMMISSIONER DELLABELLA: Yes.

MS. LOZANO: Commissioner Doran.

COMMISSIONER DORAN: Yes.

MS. LOZANO: Commissioner Dublin.

COMMISSIONER DUBLIN: Yes.

MS. LOZANO: Commissioner Goldsack.

COMMISSIONER GOLDSACK: Yes.

MS. LOZANO: Commissioner Lorenzo.

COMMISSIONER LORENZO: Yes.

MS. LOZANO: Commissioner Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. LOZANO: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. LOZANO: Resolution 3-2018-6 passes in the affirmative by eight board members voting yes, one not present.

MR. GUERRA: Item number seven is Resolution 3-2018-7 of the Hudson County Improvement Authority making application to the Local Finance Board pursuant to N.J.S.A. 40A:5A-6 and N.J.S.A. 40:37A-80.

The Town of Guttenberg had requested financing, had made the request through the County Executive's Office for permanently financing the construction of their community center and schools.

The Authority - we're seeking to issue governmental loan revenue bonds to finance the project, which will be secured by general obligation bonds of the town. The County will serve as a secondary guarantor for these bonds.

This resolution before you just authorizes this submission of the application to the Local Finance Board.

Does counsel have anything to add to this?

MR. NETCHERT: The building is built. They have financed it already. They financed it with BANs. They just want to do permanent financing.

CHAIRMAN PESTANA: Are there any questions?

COMMISSIONER DORAN: You said the building is built already?

MR. NETCHERT: Yes. They did a short-term bond anticipation note to pay for it. It's built. It's a combination rec center/community center. It's attached to the school it's my understanding. So it's used in the daytime as school facilities and it's used after hours for community purposes.

COMMISSIONER DUBLIN: And where is the school located?

CHAIRMAN PESTANA: 67th Street, between Hudson and Palisades. It's just attached to the old school. It was an extension.

COMMISSIONER DORAN: Is that the Klein School?

CHAIRMAN PESTANA: Yes.

MR. NETCHERT: This is the Klein School?

CHAIRMAN PESTANA: Yes. That's the only school they have.

MR. NETCHERT: I'm not allowed past Union City. I have to stop before I get into the area. Before I was allowed up to the other end.

COMMISSIONER GOLDSACK: You have to check that out.
CHAIRMAN PESTANA: Does anybody have any other questions?
(No response)
CHAIRMAN PESTANA: Do we have any motions?
COMMISSIONER DORAN: Motion.
CHAIRMAN PESTANA: Motion by Commissioner Doran.
Do we have a second?
COMMISSIONER GOLDSACK: Second.
CHAIRMAN PESTANA: Second by Commissioner Goldsack.
MS. LOZANO: Commissioner Bado.
COMMISSIONER BADO: Yes.
MS. LOZANO: Commissioner Dellabella.
COMMISSIONER DELLABELLA: Yes.
MS. LOZANO: Commissioner Doran.
COMMISSIONER DORAN: Yes.
MS. LOZANO: Commissioner Dublin.
COMMISSIONER DUBLIN: Yes.
MS. LOZANO: Commissioner Goldsack.
COMMISSIONER GOLDSACK: Yes.
MS. LOZANO: Commissioner Lorenzo.
COMMISSIONER LORENZO: Yes.
MS. LOZANO: Commissioner Martinetti.

COMMISSIONER MARTINETTI: Yes.
MS. LOZANO: Chairman Pestana.
CHAIRMAN PESTANA: Yes.
MS. LOZANO: Resolution 3-2018-7 passes in the affirmative by eight board members voting yes, one not present.
MR. GUERRA: Chairman, item number eight -- first I want to apologize to the Cardella, Mr. Joseph Cardella is here, and you were on my list to call today just to tell you this, but be need to table that.
As part of this process they are looking to expand their tenure coming into their capacity. And we have had meetings with them and their engineer. And the Town of North Bergen is on board. Everything is in place.
Part of the process is to have what is called a SWAC Committee meeting first. It's the Solid Waste Advisory Committee. That had been scheduled. Mary-Ellen had to cancel it because of the snowstorm. So we need to have that meeting first before we can act on this. But everything is in order with this. It will be on the agenda for the next meeting.
I apologize, because you were on my list to call you to tell you, and Mary-Ellen was sick, so neither one of us had gotten back to you. But we need to table this resolution.
CHAIRMAN PESTANA: Do you have the date for the new SWAC meeting?
MR. GUERRA: I have to double check with Mary-Ellen. She was out today. I'm sure she rescheduled it.
The problem is that most of the guys on SWAC they're DPW directors, so every time there is a snowstorm that takes priority to getting that group together.
CHAIRMAN PESTANA: Okay.
Sorry.
A VOICE: That's okay.
MR. GUERRA: Before you leave I just would like to go over one issue with you that has to do with that.
A VOICE: All right.
MR. GUERRA: Sorry.
CHAIRMAN PESTANA: All right.
MR. GUERRA: So now we're going to move on.
CHAIRMAN PESTANA: Sorry for the inconvenience.
MR. GUERRA: Item nine, Resolution 3-2018-9 of the Hudson County Improvement Authority discontinuing the use of FedEx by Authority employees.
The County of Hudson passed this resolution and also asked us to do the same. This has to do with the shooting at the school in Florida. So I'll let counsel, who prepared this resolution, touch upon it a little more. But I think a lot of the municipalities are doing this also.
MR. NETCHEW: Well, as Norman said, the County Executive, by Executive Order, declared that the County employees may no longer use FedEx and requested both us and the two schools to adopt similar resolutions.
The gist of the resolution is that as a result of the most recent shooting where 17 more innocent kids were killed by the use of AR-15s. The US Postal Service and the other regulated carriers have serious restrictions on the shipping of weapons and/or ammunition by use of the mails. FedEx, on the other hand, has very little restrictions and has a commitment with the
NRA and 85 gun manufacturers to ship these things to anyone who sends the money in. The gist of the resolution says that until such time as they change their policy, the County and its affiliated agencies will not be using FedEx.

Chairman Pestana: Does anybody have a motion? Commissioner Doran: I move for adoption. I'm sorry.

Chairman Pestana: Motion by Commissioner Doran.


Ms. Lozano: Commissioner Bado. Commissioner Bado: Yes.

Ms. Lozano: Commissioner Dellabella. Commissioner Dellabella: Yes, and I would like to commend the County Executive for this decision.

Ms. Lozano: Commissioner Doran.

Chairman Pestana: Second by Commissioner Dellabella.


Chairman Pestana: Aye. Thank you.

(The meeting concludes at 5:50 p.m.)

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.

Sharon Palmer Lynch, C.C.R.

Dated: March 15, 2018