HUDSON COUNTY IMPROVEMENT AUTHORITY

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

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WEDNESDAY, FEBRUARY 13, 2019
830 BERGEN AVENUE, 9TH FLOOR
JERSEY CITY, NEW JERSEY 07306
COMMENCING AT 6:00 P.M.

BOARD MEMBERS:

FRANK PESTANA, CHAIRMAN
JAMES DORAN, VICE CHAIRMAN
NICHOLAS GOLDSACK, TREASURER
FRANK LORENZO, SECRETARY (NOT PRESENT)
FRED M. BADO, COMMISSIONER
BRIAN DELLABELLA, COMMISSIONER
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
ELIZABETH RAMOS, ASSISTANT SECRETARY TO THE BOARD

SHARON PALMER LYNCH
CERTIFIED SHORTHAND REPORTER

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R.J. O'CONNELL ASSOCIATES, INC. (973) 239-7252
ALSO PRESENT:

MARY-ELLEN GILPIN, HCIA
JAMES POLICASTRO, HCIA
MICHAEL O'CONNOR, HCIA
MICHAEL COMBA, HOBOKEN STRATEGY GROUP
TED DOMURACKI, MAST CONSTRUCTION
MICHAEL COHEN, PS&S
MR. NETCHERT: All of the commissioners that were present at the Reorg Meeting continue to be present for the purposes of the regular meeting.

MR. GUERRA: Approval of minutes.

CHAIRMAN PESTANA: At this time I'll ask for approval of the minutes of the January 9th, 2019 meeting.

COMMISSIONER GOLDSACK: 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 Martinetti.
COMMISSIONER MARTINETTI: Abstain.

MS. RAMOS: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. RAMOS: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. RAMOS: The minutes of the January 9th, 2019 meeting are approved with seven board members voting yes, one abstention and one not present.

CHAIRMAN PESTANA: At this time we'll take comments from the public on anything relating to the agenda.

Seeing none, the public portion is now closed.

MR. GUERRA: Item four, Resolution 2-2019-4 of the Hudson County Improvement Authority authorizing payment of certain costs and expenses of the Authority for the month of February 2019.

CHAIRMAN PESTANA: Do we have any motions?

COMMISSIONER GOLDSACK: Motion, as amended.

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 Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. RAMOS: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. RAMOS: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. RAMOS: Resolution 2-2019-4 passes in the affirmative, as amended, by eight board members voting yes, one not present.

MR. GUERRA: Item five, Resolution 2-2019-5 of the Hudson County Improvement Authority authorizing an Agreement with Key
Environmental for the replacement and repair of
damaged monitoring wells and other related
environmental remedial services at the Koppers
Seaboard site.

It had been brought to our attention by
our LSRP that one of the deep wells for monitoring
the groundwater at the site is no longer
functional.

The wells had been installed as part of
the 2007 Remedial Action Work Plan.

Key Environmental had done all of the
initial design for both the 2007 and the 2013
Remedial Action Work Plan and are most familiar
with the remedial components of the Koppers site.

Our LSRP had requested and received a
proposal from Key for the replacement and
installation of that well and it's in the amount
of $78,000.

It's the opinion of our consultant that
Key be retained to replace the well. And this
resolution before you authorizes such services.

CHAIRMAN PESTANA: Any questions on
this?

(No response)

CHAIRMAN PESTANA: Any motions?
COMMISSIONER DELABELLA: Motion.

CHAIRMAN PESTANA: Motion by Commissioner Dellabella.

COMMISSIONER DORAN: Second.

CHAIRMAN PESTANA: Seconded by Commissioner Doran.

MS. RAMOS: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. RAMOS: Commissioner Dellabella.

COMMISSIONER DELABELLA: 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 Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. RAMOS: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. RAMOS: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. RAMOS: Resolution 2-2019-5 passes in the affirmative with eight board members voting yes, one not present.
MR. GUERRA: Item six, Resolution 2-2019-6 of the Hudson County Improvement Authority approving Change Order No. 12, which is the final change order, to the Agreement between the Authority and Terminal Construction Corporation for Design-Build Services for a new High Tech High School.

As you know, the school is completed and it's open. The resolution provides for the close-out of the school with Terminal Construction.

This Change Order No. 12 is in the amount of $1,650,000. If this change order is approved in total, the total amount paid to Terminal -- I'm sorry. That was $1,650,000. The total amount paid to Terminal is $154,002,619.

With us tonight is Ted Domuracki from Mast Construction, and he will give you or summarize the Change Order itself and the close-out of the project.

MR. DOMURACKI: Thank you.

This Change Order represents the final change order from the general contractor since the last time we met, which was around September. It includes finishing the punch list, requests for
additional compensation for claims and delay.

I'm happy to tell you that if you approve this Change Order there are no claims, no litigation, no liens on the job. The job is a hundred percent closed and we're protected from anything that he does to close the rest of the project out. He has about twenty items of punch list left. Most of the close-out documents have been submitted. All of the stock, excess stock is in three storage rooms at the school.

Our firm is available through March 31st to continue with the transition.

There is a need for the school to hire certain maintenance people, which we have advised them of, but we also passed along the entire list of warranty/guarantee and also all of the subcontractors so that they have access to them for any repairs under warranty.

The initial request over the last four months was close to $4 million and we settled at $1,650,000. So their original contract was $140 million and it's going to close at 154.

The total change orders for the job is about 9.9 percent. Two percent of that was errors and omissions; two and a half percent,
$3.5 million, were change orders that we agreed to allow the school with respect to scope-free things that were really not complete in their programming and the design that we accommodated as part of the process, and that resulted a little bit in some of the hardship. Technically Terminal did close to $13 million in change order work on the project. Their request was for nearly $24 million and we negotiated it down to about 14.

MR. GUERRA: And the school was finished within 24 months on time.

MR. DOMURACKI: Correct.

CHAIRMAN PESTANA: Great job.
Commissioner Dublin.

COMMISSIONER DUBLIN: How long is the warranties on the --

MR. DOMURACKI: It's one year from acceptance, which was -- July 31st was substantial completion. Their final completion was near the end of September.

Some of the contracts have started warranties, some have not, because we won't allow them to start until the punch list is complete.

Just as a point of reference, we have about a million dollars in retention that we're
holding on them in addition to the warranties and
guarantees that they have, and we still owe them
several hundred thousand dollars of employees
contract work including this Change Order.

MR. GUERRA: So for those of you who
haven't been out there, and I know they had like
three grand openings or four grand openings, but
if you haven't been out there, and you would like
to see it, give me a call, give Liz a call and we
will coordinate it and take a ride out there.
It's pretty awesome.

COMMISSIONER DORAN: It is.

CHAIRMAN PESTANA: Are there any other
questions?

(No response)

CHAIRMAN PESTANA: Good job, Ted.

MR. DOMURACKI: Thank you.

COMMISSIONER DORAN: Good job.

CHAIRMAN PESTANA: Are there any
motions.

COMMISSIONER GOLDSACK: Motion.

CHAIRMAN PESTANA: Motion by
Commissioner Goldsack.

COMMISSIONER DELABELLA: Second.

CHAIRMAN PESTANA: Seconded by
Commissioner by Commissioner Dellabella.

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 Martinetti.
COMMISSIONER MARTINETTI: Yes.

MS. RAMOS: Commissioner Peneda.
COMMISSIONER PENEDA: Yes.

MS. RAMOS: Chairman Pestana.
CHAIRMAN PESTANA: Yes.

MS. RAMOS: Resolution 2-2019-6 passes in the affirmative with eight board members voting yes, one not present.

MR. GUERRA: Resolution 2-2019-7 of the Hudson County Improvement Authority authorizing amending Resolution 12-2018-6s Change of Name from Spire Group, P.C. to HBK CPA's and Consultants.

As in the past we had advertised back
in November, if you recall, for qualification statements for the companies that maintains our pooled loan administrative services.

In December we had retained the services of Spire. Since then the group has merged with a company called Hill, Barth & King, LLC from Clark, New Jersey.

The resolution before you amends the prior resolution that was done back in December to authorize the contract with the company called HBK CPA's Consultants in the same amount of $35,000.

CHAIRMAN PESTANA: Are there any questions?

(No response)

CHAIRMAN PESTANA: Do we have any motions?

COMMISSIONER DORAN: Motion to approve.

CHAIRMAN PESTANA: Motion by Commissioner Doran.

Do we have a second?

COMMISSIONER GOLDSACK: And I'll second it.

CHAIRMAN PESTANA: Seconded 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 Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. RAMOS: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. RAMOS: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. RAMOS: Resolution 2-2019-7 passes in the affirmative with eight board members voting yes, one not present.

MR. GUERRA: Item eight, Resolution 2-2019-8 of the Hudson County Improvement Authority Formally Adopting and Amending and/or Creating Job Descriptions and Salary Scales.

As discussed at our Personnel Meeting, and for those of you that have been here for a long time, we have always had job descriptions,
and some of them date back twenty years or so. I think the last time we sort of revisited and made any types of changes was because maybe positions have changed or duties were expanded or altered. It was time to make those necessary revisions especially in light of the retirement when Carmen left.

In addition to that, we have always had salary scales. And again, just as an example, the security downstairs, they are our employees. A couple of those employees, when we first hired them, they were doing say Enforcement/Solid Waste, so that individual worked downstairs in security. So we have changed that and established a salary scale for security. So I just felt that it's good to adopt both, as we did back in 2010, the newly revised Job Descriptions and the Salary Scales. So that's what is before you right now, just to formally adopt those.

And again, in the packet I think I put a letter in there. If anyone wanted to see those job descriptions we do have them in my office.

COMMISSIONER GOLDSACK: I just have a question. Can you do this by resolution, because normally in the municipalities we have to do this
by ordinance.

MR. GUERRA: No. We don't have that power.

MR. NETCHERT: We don't have the ability to do an ordinance. We do it by resolution.

COMMISSIONER GOLDSACK: Okay.

MR. NETCHERT: It's the only way we can do things.

COMMISSIONER GOLDSACK: Okay.

MR. GUERRA: I mean years ago they didn't even do that here, adopting them, you know, the Personnel Committee.

And again, we have job descriptions that we kept for positions that we don't even fill because there is no need to fill them, but we just kept those and added or revised and cleaned up some of them.

COMMISSIONER DUBLIN: And I already -- you said you sent a letter if anybody wanted to see the Salary Scales.

MR. GUERRA: Yes. The Salary Scales and all that is here.

COMMISSIONER DUBLIN: But like the different positions and everything like that. I
just -- I mean we could have been like afforded
probably in our backup at least some job
descriptions without salaries just so that we
could know if somebody, you know, is new coming
in.

MR. GUERRA: Well that's what I had
said. I would be happy to sit in a room and look
at them.

COMMISSIONER DUBLIN: Okay.

MR. GUERRA: What I don't want, Jeff,
is because this has happened before. First of
all, if they were probably offered it that's fine,
but sometimes things get out of the office, they
go elsewhere, somebody else is using our job
descriptions, writing them and stuff like that.

COMMISSIONER DUBLIN: Right.

MR. GUERRA: So I would rather sit, say
you want to come down and we have a sandwich and
we will go through them. I can show you which
ones are new and which ones have been here
forever, and stuff like that.

COMMISSIONER DUBLIN: Okay.

MR. GUERRA: There are only a couple
that have been revised such as Liz, Amina, because
she is working -- these are the people that -- the
position that was impacted the most all relate to accounting because Carmen was doing the accounts payable, Mary-Ellen was doing some of that, so we sort of consolidated that into finance. We have a new hiree, who you will probably see here, starting as an administrative assistant position along with Kurt and his finance group. The more we do in these big projects everything impacts finance. So it is just a matter of revamping that.

COMMISSIONER DUBLIN: Okay.

MR. GUERRA: When we started I said why don't we clean these other ones up. So that's pretty much what we did.

But one day me and you will get together. I can come down to you.

CHAIRMAN PESTANA: The Foreman said that the Personnel Committee Meeting review before is usually like over a half an inch thick, so we really save a lot of paper by not putting it in everyone's pack. But you can see it.

MR. GUERRA: I have it.

COMMISSIONER DUBLIN: I'll get together with you. I haven't come up -- it doesn't matter. I would rather come up. It's more peaceful.
MR. GUERRA: I will come down to see you.

CHAIRMAN PESTANA: Do we have any motions?

COMMISSIONER DORAN: Move for approval.

CHAIRMAN PESTANA: Motion by Commissioner Doran.

COMMISSIONER GOLDSACK: Second.

CHAIRMAN PESTANA: Seconded 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 Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. RAMOS: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. RAMOS: Chairman Pestana.
CHAIRMAN PESTANA: Yes.

MS. RAMOS: Resolution 2-2019-8 passes in the affirmative with eight board members voting yes, one not present.

MR. GUERRA: Item nine is Resolution 2-2019-9 of the Hudson County Improvement Authority closing the Construction Services Agreement with JTG Construction, Inc. for the reconstruction and improvement of a portion of Duncan Avenue, located within the City of Jersey City, County of Hudson, New Jersey.

As you know, back in I believe it was October of 2017 we entered into a contract with JTG Construction for those improvements. This involves the improvement of Duncan Avenue west of the highway. So it's from Route 440 down to the river.

The scope of work involved the replacement of approximately 2,400 lineal feet of existing roadway; the whole resurfacing of Duncan Avenue; on the south side, that's the golf course side, we installed a sidewalk, protective guardrail; on the north side we installed some curbing, pavement type of sidewalk and transitioning on the north side. In addition, we
also at that time paved the, while we were there, the parking lot and the golf course.

The initial contract amount was $1,468,159 but the actual reconstruction costs was slightly less. It was $1,334,827.62 which is $133,331.38 less.

With us is Mike Cohen. Mike is from PS&S. Mike oversaw the entire project. This project was done with -- we partnered. We did the work, but there was a combination. Jersey City funded 50 percent, the MU -- no, sorry. The County funded 50 percent, the City funded 30 percent, and I think the MUA was 20 percent.

Now this roadway, that section, and we're going to work on that next, will be transferred from the City to the County. And then the County would be responsible for the maintenance and enforcement. And Jeff won't have to worry about salting or plowing that.

Mike, is there anything that you want to add to that?

MR. COHEN: No. I think you got it all, Norman.

MR. GUERRA: I think I explained it pretty good, unless there is some question.
(No response)

MR. GUERRA: Okay.

CHAIRMAN PESTANA: Do we have any questions?

(No response)

CHAIRMAN PESTANA: Do we have any motions?

COMMISSIONER DORAN: Motion.

CHAIRMAN PESTANA: Motion by Commissioner Doran.

COMMISSIONER PINEDA: Second.

CHAIRMAN PESTANA: Seconded by Commissioner Peneda.

MS. RAMOS: Commissioner Bado.

COMMISSIONER BADO: Yes.

MS. RAMOS: Commissioner Dellabella.

COMMISSIONER DELABELLA: 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 Martinetti.

COMMISSIONER MARTINETTI: Yes.
MS. RAMOS: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. RAMOS: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. RAMOS: Resolution 20-2019-9 passes in the affirmative with eight board members voting yes, one not present.

MR. GUERRA: Item ten, Resolution 2-2019-10 of the Hudson County Improvement Authority concerning review of the findings of the Local Finance Board made at a meeting of said Board on January 9, 2019 in accordance with the provisions of N.J.S.A. 40A:5A-7 with respect to the issuance of County-Guaranteed Pooled Notes.

This resolution before you relates to this Board's review of those positive findings that were issued by the Local Finance Board. And again, they were positive findings that were issued.

CHAIRMAN PESTANA: Are there any questions?

(No response)

CHAIRMAN PESTANA: Are there any motions?

COMMISSIONER GOLDSACK: Motion.
CHAIRMAN PESTANA: Motion by Commissioner Goldsack.

COMMISSIONER DELLABELLA: Second.

CHAIRMAN PESTANA: Seconded by Commissioner Dellabella.

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 Martinetti.

COMMISSIONER MARTINETTI: Yes.

MS. RAMOS: Commissioner Peneda.

COMMISSIONER PENEDA: Yes.

MS. RAMOS: Chairman Pestana.

CHAIRMAN PESTANA: Yes.

MS. RAMOS: Resolution 2-2019-10 passes in the affirmative with eight board members voting yes, one not present.

MR. GUERRA: Mary-Ellen, do you have
anything other than I know that we're starting the planning process for Earth Day 2019 at Liberty State Park and I do believe the Governor will be participating in the 5K race. Do we have confirmation on that?

MS. GILPIN: April 27th.

MR. GUERRA: If anybody wants to sign up for the run just let me know.

Chairman, I believe that's it.

CHAIRMAN PESTANA: Do we have a motion to adjourn?

COMMISSIONER GOLDSACK: Motion.

CHAIRMAN PESTANA: Motion by Commissioner Goldsack.

COMMISSIONER DORAN Second.

CHAIRMAN PESTANA: Seconded by Commissioner Doran.

All in favor.

COMMISSIONER BADO: Yes.

COMMISSIONER DELABELLA: Yes.

COMMISSIONER DORAN: Yes.

COMMISSIONER DUBLIN: Yes.

COMMISSIONER GOLDSACK: Yes.

COMMISSIONER MARTINETTI: Yes.

COMMISSIONER PENEDA: Yes.
CHAIRMAN PESTANA: Yes.

MS. RAMOS: Thank you.

CHAIRMAN PESTANA: Thanks everybody.

MR. GUERRA: Thank you.

(The meeting concludes at 6:15)
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: January 15, 2019