

HUDSON COUNTY IMPROVEMENT AUTHORITY

IN THE MATTER OF : TRANSCRIPT OF
THE REGULAR MONTHLY MEETING : PROCEEDINGS
HELD ELECTRONICALLY VIA ZOOM :

WEDNESDAY, JULY 14, 2021
830 BERGEN AVENUE, 9TH FLOOR
JERSEY CITY, NEW JERSEY

BOARD MEMBERS:

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

A P P E A R A N C E S:

NORMAN M. GUERRA, CHIEF EXECUTIVE OFFICER
KURT CHERRY, EXECUTIVE DIRECTOR/CFO
WILLIAM J. NETCHERT, GENERAL COUNSEL
ELIZABETH RAMOS, ASSISTANT SECRETARY TO
THE BOARD

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

ALSO PRESENT:

MICHAEL O'CONNOR, ESQ., HCIA

JAY DiDOMENICO

TED DOMURACKI

1 (The meeting commences at 5:36 p.m.)

2 CHAIRMAN PESTANA: So at this time,
3 we'll call the meeting of the Hudson County
4 Improvement Authority to order. Can everyone
5 please rise to salute the flag.

6 (The Pledge of Allegiance is recited.)

7 CHAIRMAN PESTANA: Mike, are we in
8 compliance with the sunshine law?

9 MR. O'CONNOR: Yes, Mr. Chairman, we
10 are. This meeting has been advertised pursuant to
11 a revised schedule of regular meetings of the
12 Hudson County Improvement Authority pursuant to
13 the Open Public Meeting Act. We're conducting
14 this meeting with Zoom.gov technology virtual
15 meeting technology, making it available to the
16 public.

17 In addition, we have notices on our
18 website, the clerk of the Freeholder Board, the
19 County Clerk and we made accommodation for public
20 comment through Zoom technology as well as in
21 writing prior to the meeting.

22 CHAIRMAN PESTANA: Thank you. Roll
23 call, please.

24 MS. RAMOS: Commissioner Bado.

25 COMMISSIONER BADO: Present.

1 MS. RAMOS: Commissioner Dellabella.

2 COMMISSIONER DELLABELLA: Present.

3 MS. RAMOS: Commissioner Doran.

4 COMMISSIONER DORAN: Present.

5 MS. RAMOS: Commissioner Dublin, not
6 present. Commissioner Goldsack.

7 COMMISSIONER GOLDSACK: Present.

8 MS. RAMOS: Commissioner Lorenzo, not
9 present. Commissioner Martinetti, not present.
10 Commissioner Peneda.

11 COMMISSIONER PENEDA: Present.

12 MS. RAMOS: Chairman Pestana.

13 CHAIRMAN PESTANA: Present. Okay, we
14 have a quorum.

15 MS. RAMOS: We have a quorum with six
16 Board Members present, three not present.

17 CHAIRMAN PESTANA: Okay. So at this
18 time, we'll call for approval of the minutes for
19 the special board meeting of June 8th sa well as
20 the regular meeting of June 9th.

21 COMMISSIONER DELLABELLA: I'll make the
22 motion.

23 COMMISSIONER GOLDSACK: Second.

24 CHAIRMAN PESTANA: So we have a mouton
25 by Commissioner Dellabella, second by Commissioner

1 Goldsack. Poll the Board, please.

2 MS. RAMOS: Commissioner Bado.

3 COMMISSIONER BADO: Yes.

4 MS. RAMOS: Commissioner Dellabella.

5 COMMISSIONER DELLABELLA: Yes.

6 MS. RAMOS: Commissioner Doran.

7 COMMISSIONER DORAN: Yes.

8 MS. RAMOS: Commissioner Goldsack.

9 COMMISSIONER GOLDSACK: Yes.

10 MS. RAMOS: Commissioner Martinetti, not
11 present, sorry. Commissioner Peneda.

12 COMMISSIONER PENEDA: I abstain.

13 MS. RAMOS: For both?

14 COMMISSIONER PENEDA: For both, I wasn't
15 here for both.

16 MS. RAMOS: Chairman Pestana.

17 CHAIRMAN PESTANA: Yes.

18 MS. RAMOS: The minutes of the special
19 board meeting of June 8th are approved with five
20 Board Members voting yes, three not present, one
21 abstention. The meeting of June 9, 2021, are
22 approved with five Board Members voting yes, three
23 not present, one abstention.

24 CHAIRMAN PESTANA: Thank you. Comments
25 from the public. Mike, you want to repeat what

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you said before?

MR. O'CONNOR: Yes. Mr. Chairman, as I stated, pursuant to the Open Public Meetings Act and the various Governor's executive orders related to the continuing state of emergency, we're using Zoom.gov technology, I did not receive any communication in writing prior to the meeting. And so we have I see six attendees, actually that I can see. And so at this point if any of them wish to comment on the agenda, they'll need to use the raise your hand icon through the Zoom app. And I do not see any raised hands. So there is no public comment on tonight's agenda.

CHAIRMAN PESTANA: Okay. So the public portion is now closed. Norman?

MR. GUERRA: Item Number 4, Resolution Number 7-2021-4 approving payment of certain costs and expenses of the Authority for the month of July 2021.

CHAIRMAN PESTANA: Can we have a motion?

COMMISSIONER GOLDSACK: Motion.

COMMISSIONER DORAN: Second.

CHAIRMAN PESTANA: We have a motion by Commissioner Goldsack, second by Commissioner Doran.

1 MS. RAMOS: Commissioner Bado.

2 COMMISSIONER BADO: Yes.

3 MS. RAMOS: Commissioner Dellabella.

4 COMMISSIONER DELLABELLA: Yes.

5 MS. RAMOS: Commissioner Doran.

6 COMMISSIONER DORAN: Yes.

7 MS. RAMOS: Commissioner Goldsack.

8 COMMISSIONER GOLDSACK: Yes.

9 MS. RAMOS: Commissioner Peneda.

10 COMMISSIONER PENEDA: Yes.

11 MS. RAMOS: Chairman Pestana.

12 CHAIRMAN PESTANA: Yes.

13 MS. RAMOS: Resolution Number 7-2021-4

14 passes in the affirmative, six Board Members
15 voting yes, three not present.

16 MR. O'CONNOR: Let the record reflect
17 that Commissioner Martinetti has joined the
18 meeting.

19 CHAIRMAN PESTANA: Okay, welcome.

20 COMMISSIONER MARTINETTI: Thank you.

21 Sorry for being late, I was dealing with an
22 emergency.

23 CHAIRMAN PESTANA: No problem.

24 MR. GUERRA: Item Number 5, Resolution
25 Number 7-2021-5 of the Hudson County Improvement

1 Authority authorizing execution of an amendment
2 number one to the sublease agreement with Casino
3 Lincoln Park LLC and LMH Holding, LLC, regarding
4 Casino in the Park. I know we keep referring to
5 it as Casino in the Park, it's now called the View
6 in Lincoln Park.

7 As you're aware, back in 2019, we
8 entered into the sublease agreement with Landmark
9 Hospitality for the operation and maintenance of
10 the facility. The purpose of the amendment, as
11 time went on, although during the pandemic, we
12 kept working through the process. And the purpose
13 of this amendment is to clarify, clearly clarify
14 the equity, the layout of the equity contribution
15 by Landmark as well as the amount funded by the
16 County. Other areas which were addressed in the
17 amendment related to the special use of the
18 facility by the County and also by the Westside
19 Civic Association, which at times the County or
20 the civic association if the facility or there's a
21 room available in the off peak hours, you know,
22 they would attempt to accommodate them just for
23 use of room, not necessarily the food or any
24 beverages.

25 Construction, the other area which was

1 addressed was the construction management of the
2 facility, which we are going to provide through
3 MAST Construction. We felt it would be in our
4 best interests to do so considering we're the
5 owners of the facility and that will ensure that
6 we keep the project moving.

7 The total amount of our cost equity into
8 the project is 12,300,000. Of that, the
9 County's into it for about 10,150,000, Landmark's
10 into it 2,150,000. And there's another
11 approximately million dollars that the County put
12 up, but Landmark's going to pay the debt on it as
13 additional rent. So the rent went up an
14 additional \$60,000 a month.

15 The construction activity has begun. I
16 know a number of Commissioners were there for the
17 groundbreaking, secured all the permits. The
18 construction started, I believe, it was last week.
19 And this resolution before you authorizes an
20 amendment to the sublease agreement with Landmark
21 Holdings, LLC.

22 MR. O'CONNOR: Mr. Chairman, also before
23 Board discussion, just let the record reflect that
24 Commissioner Dublin has joined the meeting.

25 CHAIRMAN PESTANA: Welcome, Jeff.

1 COMMISSIONER DELLABELLA: Hey, Jeff.

2 MR. GUERRA: One more item to add, the
3 construction activity, as I said has begun. But
4 we anticipate and we are looking forward to
5 completion sometime in September 2022.

6 CHAIRMAN PESTANA: Okay, great. Does
7 anybody have any questions on this? Any motions?

8 COMMISSIONER DELLABELLA: I'll make a
9 motion.

10 COMMISSIONER GOLDSACK: I'll second.

11 CHAIRMAN PESTANA: Motion by
12 Commissioner Dellabella, second by Commissioner
13 Goldsack.

14 MS. RAMOS: Commissioner Bado.

15 COMMISSIONER BADO: Yes.

16 MS. RAMOS: Commissioner Dellabella.

17 COMMISSIONER DELLABELLA: Yes.

18 MS. RAMOS: Commissioner Doran.

19 COMMISSIONER DORAN: Yes.

20 MS. RAMOS: Commissioner Goldsack.

21 COMMISSIONER GOLDSACK: Yes.

22 MS. RAMOS: Commissioner Martinetti.

23 COMMISSIONER MARTINETTI: Yes.

24 MS. RAMOS: Commissioner Peneda.

25 COMMISSIONER PENEDA: Yes.

1. MS. RAMOS: Chairman Pestana.

2 CHAIRMAN PESTANA: Yes.

3 MS. RAMOS: Resolution Number 7-2021 --

4 COMMISSIONER DUBLIN: I didn't vote.

5 MS. RAMOS: I'm sorry, Commissioner

6 Dublin.

7 COMMISSIONER DUBLIN: Yes.

8 MS. RAMOS: Resolution 7-2021-5 passes

9 in the affirmative, eight Board Members voting

10 yes, one not present.

11 MR. GUERRA: Item Number 6, Resolution

12 Number 7-2021-6 of the Hudson County Improvement

13 Authority authorizing the purchase of Workers'

14 Compensation insurance through Scirocco Financial

15 Group. Our program is up for renewal and Scirocco

16 Financial Group has been our insurance brokers for

17 a number of years. They have submitted a very

18 favorable renewal proposal which was provided by

19 Liberty Mutual. Liberty Mutual has been our

20 carrier for a number of years.

21 The 2021 renewal price has increased by

22 a little over \$12,800 over last years' costs.

23 Liberty has been processing a significant claim

24 for the Authority, as you may know, we have had a

25 serious injury. And our payrolls are up a little

1 bit, say 3 percent over the last year. So it is
2 the recommendation of the broker to accept the
3 proposal submitted by Liberty Mutual. And the
4 resolution before you authorizes the purchase the
5 Workers' Compensation insurance program through
6 the Scirocco Group. Chairman?

7 CHAIRMAN PESTANA: Anybody have any
8 questions or motions on this?

9 COMMISSIONER PENEDA: I'll make the
10 motion.

11 COMMISSIONER DELLABELLA: I'll second
12 it.

13 CHAIRMAN PESTANA: We have a motion by
14 Commissioner Peneda, second by Commissioner
15 Dellabella.

16 MS. RAMOS: Commissioner Bado.

17 COMMISSIONER BADO: Yes.

18 MS. RAMOS: Commissioner Dellabella.

19 COMMISSIONER DELLABELLA: Yes.

20 MS. RAMOS: Commissioner Doran.

21 COMMISSIONER DORAN: Yes.

22 MS. RAMOS: Commissioner Dublin.

23 COMMISSIONER DUBLIN: Yes.

24 MS. RAMOS: Commissioner Goldsack.

25 COMMISSIONER GOLDSACK: Yes.

1 MS. RAMOS: Commission Martinetti.

2 COMMISSIONER MARTINETTI: Yes.

3 MS. RAMOS: Commissioner Peneda.

4 COMMISSIONER PENEDA: Yes.

5 MS. RAMOS: Chairman Pestana.

6 CHAIRMAN PESTANA: Yes.

7 MS. RAMOS: Resolution Number 7-2021-6

8 passes in the affirmative, eight Board Members

9 voting yes, one not present.

10 MR. GUERRA: Item Number 7, Resolution

11 Number 7-2021-7 of the Hudson County Improvement

12 Authority concerning review of the findings of the

13 Local Finance Board made at a meeting of said

14 board on July 14, 2021, in accordance with the

15 provisions of N.J.S.A. 40A:5A-7 with respect to

16 the issuance of county guaranteed pooled notes.

17 As you can see the Local Finance Board

18 met today to hear this matter and I've been

19 informed that the board has issued positive

20 findings for the transaction, as it relates to our

21 pooled note program. Chairman.

22 CHAIRMAN PESTANA: Thank you. Any

23 questions on this? Any motions?

24 COMMISSIONER GOLDSACK: Motion.

25 COMMISSIONER DORAN: Second.

1 CHAIRMAN PESTANA: We have a motion by
2 Commissioner Goldsack, second by Commissioner
3 Doran.

4 MS. RAMOS: Commissioner Bado.

5 COMMISSIONER BADO: Yes.

6 MS. RAMOS: Commissioner Dellabella.

7 COMMISSIONER DELLABELLA: Yes.

8 MS. RAMOS: Commissioner Doran.

9 COMMISSIONER DORAN: Yes.

10 MS. RAMOS: Commissioner Dublin.

11 COMMISSIONER DUBLIN: Yes.

12 MS. RAMOS: Commissioner Goldsack.

13 COMMISSIONER GOLDSACK: Yes.

14 MS. RAMOS: Commissioner Martinetti.

15 COMMISSIONER MARTINETTI: Yes.

16 MS. RAMOS: Commissioner Peneda.

17 COMMISSIONER PENEDA: Yes.

18 MS. RAMOS: Chairman Pestana.

19 CHAIRMAN PESTANA: Yes.

20 MS. RAMOS: Resolution 7-2021-7 passes
21 in the affirmative, eight Board Members voting
22 yes, one not present.

23 MR. GUERRA: Item Number 8, Resolution
24 Number 7-2021-8 of the Hudson County Improvement
25 Authority authorizing execution of a contract with

1 Charles Barone Stained Glass Studio for services
2 related to the Lady Liberty Memorial stained glass
3 window specialty project in relation to the
4 Honorable Frank J. Guarini Justice Complex.

5 The courthouse project now includes the
6 installation of the Lady Liberty Memorial stained
7 glass window, it's known as the window specialty
8 project. Lady Liberty stained glass had been
9 designed the artist Charles Barone, Charles has
10 been doing this for over 45 years, he's restored
11 over 150 landmarks, including churches, government
12 buildings and of course this was in the courthouse
13 for awhile on display.

14 The Lady Liberty is currently on display
15 in the Richard J. Hughes complex in Trenton. And
16 during the design phase of the courthouse, the
17 County had directed the architects to incorporate
18 the stained glass window into the justice complex.
19 And it involves the removal of the glass window
20 from the Trenton location and reinstallation to
21 the justice complex.

22 The installation of the glass window,
23 including the original and new adjoining section,
24 all pieces which will be custom fitted into a
25 section of the interior lobby of the justice

1 complex. The work to be performed requires
2 specific expertise and skill and experience in
3 this specialty field of work, which in its nature
4 is exempt from competitive bidding. Stained glass
5 window is fragile and the star of the work
6 provided. Since the creation, it's been
7 assembled, dismantled, moved, handled in different
8 sections, maintenance of the glass window. And
9 there's numerous -- it's been in numerous
10 locations throughout the state.

11 Charles has been working with the
12 architects as well our design/builder, MAST
13 Construction, in designing the section of wall to
14 hold it and support the window. The window is
15 about 22 feet wide, it's about 17 feet high.
16 Additional stained glass panels will be created
17 and added to the original Lady Liberty stained
18 glass.

19 It's been determined that Mr. Barone has
20 the expertise, skill, and experience for the
21 project. And through our architects for the
22 project, as well as MAST, we have received a
23 proposal from Charles Barone for this project in
24 the amount of \$165,329. There is a certification
25 which I forwarded yesterday, I believe, in support

1 of the award of the contract for the Board
2 Members. And the resolution before you authorizes
3 us to enter into a contract with Charles Barone
4 Stained Glass Studios relating to this project.
5 Leslie London will be preparing that agreement on
6 our behalf. Also on the call tonight is Ted
7 Domuracki from MAST. If anybody has any questions
8 regarding this specific project, I'm sure Ted and
9 I will be happy to answer.

10 CHAIRMAN PESTANA: Anybody have any
11 questions? Okay. Do we have any motions?

12 COMMISSIONER DORAN: Motion.

13 COMMISSIONER DELLABELLA: Second.

14 CHAIRMAN PESTANA: We have motion by
15 Commissioner Doran, second by Commissioner
16 Dellabella.

17 MS. RAMOS: Commissioner Bado.

18 COMMISSIONER BADO: Yes.

19 MS. RAMOS: Commissioner Dellabella.

20 COMMISSIONER DELLABELLA: Yes.

21 MS. RAMOS: Commissioner Doran.

22 COMMISSIONER DORAN: Yes.

23 MS. RAMOS: Commissioner Dublin. I'll
24 go to back to him. Commissioner Goldsack.

25 COMMISSIONER GOLDSACK: Yes.

1 MS. RAMOS: Commissioner Martinetti.

2 COMMISSIONER MARTINETTI: Yes.

3 MS. RAMOS: Commissioner Peneda.

4 COMMISSIONER PENEDA: Yes.

5 MS. RAMOS: Commissioner Dublin.

6 COMMISSIONER DUBLIN: Yes.

7 MS. RAMOS: Chairman Pestana.

8 CHAIRMAN PESTANA: Yes.

9 MS. RAMOS: Resolution 7-2021-8 passes
10 in the affirmative, eight Board Members voting
11 yes, one not present.

12 MR. GUERRA: Item Number 9, Resolution
13 Number 7-2021-9 of the Hudson County Improvement
14 Authority formally adopting and amending and/or
15 creating job descriptions, salary scale
16 adjustments, and authorizing employee contracts
17 for certain executive positions.

18 If you recall back in February 2019,
19 just prior to the pandemic, we had updated and
20 amended our job descriptions at the time. Since
21 then, and shortly after Mary Ellen left, there
22 were some changes that had been made in the scope
23 of work of various positions created and expanded
24 and balance of new job descriptions were
25 distributed to various people at that time, to the

1 employees. This resolution also covers renewal of
2 employment contracts for certain positions and it
3 is also provides an across-the-board salary scale
4 for the varies positions that are in the scale
5 system. So it's a 3 percent increase for all
6 employees. And some employees were given their
7 step advancement, some had advanced in that step
8 system that we had for a number of years.

9 And if I may just -- those employment
10 contracts are for myself, that are being
11 considered for Jerry, and Mike O[Connor. I must
12 say that overall the number of employees, our
13 employees have to be commended for a job well done
14 during the pandemic here. And for those who
15 actually served on our task force where we belong
16 with the County and Hudson Regional, so I think a
17 lot of our employees should be commended for their
18 efforts during that period of time.

19 Do you have -- we had discussed this
20 with the personnel committee. Do we have any
21 questions, I'll be happy to answer?

22 CHAIRMAN PESTANA: As Norman said, we
23 previously reviewed this with the personnel
24 committee and everything looked okay to us. So
25 does anybody have any questions or motions?

1 COMMISSIONER GOLDSACK: Motion.

2 COMMISSIONER DORAN: Second.

3 CHAIRMAN PESTANA: We have a motion by
4 Commissioner Goldsack, second by Commissioner
5 Doran.

6 MS. RAMOS: Commissioner Bado.

7 COMMISSIONER BADO: Yes.

8 MS. RAMOS: Commissioner Dellabella.

9 COMMISSIONER DELLABELLA: Yes.

10 MS. RAMOS: Commissioner Doran.

11 COMMISSIONER DORAN: Yes.

12 MS. RAMOS: Commissioner Dublin.

13 COMMISSIONER DUBLIN: Yes.

14 MS. RAMOS: Commissioner Goldsack.

15 COMMISSIONER GOLDSACK: Yes.

16 MS. RAMOS: Commissioner Martinetti.

17 COMMISSIONER MARTINETTI: Yes.

18 MS. RAMOS: Commissioner Peneda.

19 COMMISSIONER PENEDA: Yes.

20 MS. RAMOS: Chairman Pestana.

21 CHAIRMAN PESTANA: Yes.

22 MS. RAMOS: Resolution 7-2021-9 passes
23 in the affirmative, eight Board Members voting
24 yes, one not present.

25 MR. GUERRA: Chairman, that's all I have

1 for this meeting.

2 CHAIRMAN PESTANA: Okay. So if there's
3 nothing else, do we have a motion to adjourn?

4 COMMISSIONER DORAN: Motion to adjourn.

5 COMMISSIONER PENEDA: Second.

6 CHAIRMAN PESTANA: Motion by
7 Commissioner Doran, second by Commissioner Peneda.
8 All in favor?

9 (All Commissioners indicate in the
10 affirmative.)

11 MR. GUERRA: Commissioners, one last
12 thing. Tomorrow, we're going to circulate that
13 certification that needs to be signed for the
14 Local Finance Board. We'll reach out to you to
15 collect the signatures. And, Commissioner
16 Goldsack, I think tomorrow you're going to be
17 getting package here, if you need an extra pen.

18 COMMISSIONER GOLDSACK: I was going to
19 say does it come with a pen?

20 MR. GUERRA: Yes. So thank.

21 COMMISSIONER DORAN: Have a good month,
22 everyone.

23 CHAIRMAN PESTANA: Good night.

24 (Whereupon the meeting was adjourned at
25 5:57 p.m.)

C E R T I F I C A T E

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I HEREBY CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as taken stenographically by me at the time, place, and on the date hereinbefore set forth.

Susan Bischoff

SUSAN BISCHOFF, CCR, RPR
LICENSE NO. 30XI00233700