

NEW JERSEY MEADOWLANDS COMMISSION

DATE: October 21, 2008
TIME: 10:00 a.m.
PLACE: Lyndhurst, NJ
RE: MONTHLY MEETING MINUTES

COMMISSIONERS PRESENT:

Joseph V. Doria, Jr., Chairman
James A. Anzevino
Michael J. Gonnelli
Leonard R. Kaiser (via telephone)
Mia Macri (via telephone)
Eleanore S. Nissley
Arleen Walther

STAFF PRESENT:

Robert R. Ceberio, Executive Director
Irfan Bora, Director of Finance & Management /
Chief Financial Officer
Thomas Marturano, Director of Natural Resources
Sara Sundell, Director Land Use Management
Christine A. Sanz, Director of Legal Affairs/Chief Counsel
Christine Piatek, Deputy Attorney General
Lilo Stainton, Director of Communications
Fred J. Dressel, HMMC
Lynn Johnson, Executive Assistant

1. Pledge of Allegiance
2. Executive Director Ceberio read the Notice of Meeting required under the Sunshine Law.
3. Roll Call
4. LEGAL

Resolution No. 08-114 - Resolution authorizing the Executive Director execute the Settlement Agreement in NYS&W v. NJDEP et. al.

Motion to adopt the resolution was made by Commissioner Gonnelli, seconded by Commissioner Nissley and carried with Commissioners Kaiser, Anzevino and Walther reusing.

5. REVIEW OF MINUTES

Minutes of the October 2, 2008 closed session minutes were moved by Commissioner Nissley, seconded by Commissioner Walther and unanimously carried.

Commissioner Macri had to leave the meeting.

6. PUBLIC PARTICIPATION ON RESOLUTIONS

- Mayor Elwell spoke on Resolution 08-111.

7. VARIANCES/SPECIAL EXCEPTIONS

Resolution No. 08-106 - Resolution issuing a decision on the variance application submitted as part of File #04-105 - 205 Washington Ave. Assoc./Ava's Catering - New Building - Block 132, Lot 2 in the Borough of Carlstadt.

Motion to adopt the resolution was made by Commissioner Kaiser, seconded by Commissioner Walther and carried with Commissioners Anzevino abstaining.

Resolution No. 08-107 - Resolution issuing a decision on the variance application submitted as part of File No. 08-307, PSE&G/Verizon Wireless - Transmission Tower - Block 4014, Lot 4 in the Borough of Ridgefield.

Motion to adopt the resolution was made by Commissioner Walther, seconded by Commissioner Kaiser and unanimously carried.

8. AFFORDABLE HOUSING

Resolution No. 08-108 - Resolution approving an Amendment to the Interim Policies Governing Affordable Housing Development in the Meadowlands District.

Motion to adopt the resolution was made by Commissioner Anzevino, seconded by Commissioner Nissley and unanimously carried.

9. TRANSPORTATION

Resolution No. 08-109 - Resolution authorizing the Executive Director to enter into a contract for management and provider services for the Lyndhurst Shuttle Bus Route.

Motion to adopt the resolution was made by Commissioner Kaiser, seconded by Commissioner Gonnelli and unanimously carried.

10. AUTOMATIC FLOOD WARNING SYSTEM

Resolution No. 08-110 - Resolution authorizing the Executive Director to enter into an MOU with CUNY's Information Systems Program for the Development of an Integrated Flood Threat Recognition System.

Motion to adopt the resolution was made by Commissioner Gonnelli, seconded by Commissioner Anzevino and unanimously carried.

11. RULEMAKING

Resolution No. 08-111 - Resolution authorizing New Jersey Meadowlands Commission and its staff to file a Notice of Proposal and hold a public hearing for proposed changes to NJMC Regulations regarding performance standards for hazardous materials, liquids, and chemicals.

Motion to adopt the resolution was made by Commissioner Gonnelli, seconded by Commissioner Walther and unanimously carried.

Resolution No. 08-112 - Resolution authorizing New Jersey Meadowlands Commission and its staff to file a Notice of Proposal and hold a public hearing for proposed changes to NJMC fee schedule regarding review of Photovoltaic (PV) system installations.

Motion to adopt the resolution was made by Commissioner Nissley, seconded by Commissioner Anzevino and unanimously carried.

12. MEMORANDUM OF UNDERSTANDING

Resolution No. 08-113 - Resolution authorizing the Executive Director to enter into an agreement with Rutgers University regarding CO₂ Sequestration Capacity of Urban Wetlands.

Motion to adopt the resolution was made by Commissioner Nissley, seconded by Commissioner Anzevino and unanimously carried.

13. REPORTS

Commissioner's Report - None.

Executive Director's Report

- Mr. Ceberio reported that this past weekend the Commission was advised by the Bergen County Mosquito Commission that a tide gate on the west riser was ready to fail. NJMC stepped up and made the emergency repairs to the one tide gate that had failed. If the repair had not been made the likelihood

that with the lunar tide, Teterboro, including Teterboro airport, and Moonachie would have been under water. The Commission was then asked to move forward to fix the other flaps on the other three tide gates, which the Commission will be doing. Mr. Ceberio thanked Mayor Dressel, who was part of the group that handled the situation from emergency management. Mr. Ceberio also thanked staff members Sara Sundell, Nick Agnoli and Wai Lee who spent all weekend making sure that the flood disaster did not occur. Mr. Ceberio mentioned that the Commission has filed a 1.3 million dollar application with FEMA for this specific site.

Chairman Doria asked if we can go to the Port Authority for support and money given the fact that this would directly impact Teterboro airport. Mr. Ceberio responded that a meeting is scheduled for tomorrow with the Port Authority to discuss this and several other items.

- Mr. Ceberio reported that the Commission will be issuing a solar renewable energy request for information. The Commission is proposing for the Erie Landfill the building of a five megawatts of power solar farm in addition to methane recovery. Mr. Ceberio stated that this meets Governor Corzine's Energy Master Plan and the recent economic package about green building and green technologies coming into the Meadowlands.
- Mr. Ceberio stated that the resolution today which provides shuttle bus service between mass transit and the Lyndhurst Corporate Center is the first under our Transportation Planning District structure. The next step is to establish a series of shuttles in the Town of Secaucus similar to what is being done in Lyndhurst.
- Mr. Ceberio acknowledged the work of Christine Sanz who fought for three and a half years on the issue of the railroads. Ms. Sanz pushed for the legislation on the railroad safety and also the settlement of the railroad cases, which are listed on today's agenda. Mr. Ceberio also thanked Tom Marturano.

Chairman Doria also thanked Christine, Tom and the staff for their work on the railroad issues. Chairman Doria recalled the initiation of this as a senator from a number of years ago and the attempts made to do things on the State level with Senator Sacco. The Chairman also thanked Senator Lautenberg for getting the federal legislation passed.

HMMC Executive Director's Report

- Mayor Dressel thanked Bob Ceberio, Nick Agnoli and staff for informing him beforehand regarding the possibility of flooding. Mayor Dressel also acknowledged the Bergen County Mosquito Commission for their being the first line of defense in the Meadowlands as far as flooding situations.

The Mayor also mentioned that he would be speaking with the Port Authority regarding our concerns and hopefully will bring back their assurance of cooperation.

14. NEW BUSINESS - No new business.

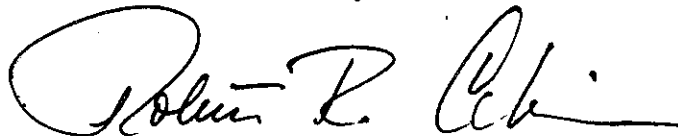
17. PUBLIC PARTICIPATION

- Margaret Schak, representing the Rutherford Taxpayers Association.

18. CLOSED SESSION

Resolution No. 08-115 - The following issues were taken into consideration:
EnCap.

Motion to enter into closed session was made by Commissioner Nissley, seconded by Commissioner Gonnelli and unanimously carried.



ROBERT R. CEBERIO, SECRETARY

RESOLUTION#	08-106	08-107	08-108	08-109	08-110	08-111	08-112	08-113	08-114
Chairman Doria	Y	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Anzevino	A	Y	Y	Y	Y	Y	Y	Y	R
Comm. Gonnelli	Y	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Kaiser	Y	Y	Y	Y	Y	Y	Y	Y	R
Comm. Macri	--	--	--	--	--	--	--	--	Y
Comm. Nissley	Y	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Walther	Y	Y	Y	Y	Y	Y	Y	Y	R

Y = Yes R = Recuse
A = Abstain N = No