

NEW JERSEY MEADOWLANDS COMMISSION
AGENDA

DATE: April 30, 2007
TIME: 10:00 a.m.
PLACE: Lyndhurst, New Jersey
RE: SPECIAL MEETING

1. Pledge of Allegiance
2. Sunshine Law Statement
3. Roll Call
4. PUBLIC PARTICIPATION ON RESOLUTIONS
5. HEARING OFFICERS' REPORT
 - Resolution No. 07-45 Consideration of a Resolution Adopting Section 5(x) Consultation Report for the Proposed New Meadowlands Stadium Project at the Meadowlands Sports Complex.
6. FLOOD CONTROL
 - Resolution No. 07-46 Consideration of a Resolution Authorizing the Executive Director to Enter Into a Contract for the Survey of Stormwater Flood Control Structures in Carlstadt, NJ.
7. NEW BUSINESS
8. PUBLIC PARTICIPATION
9. CLOSED SESSION
 - A. Adopt Resolution No. 07-47 to hold Closed Session.
 - B. Adjournment to Closed Session. The Commission Reserves the Right to Reconvene into Public Session, if necessary, to take Action on Closed Session Items.

PLEASE CONTACT THE NJMC OFFICE (201-460-1700) PRIOR TO MEETING IF SPECIAL REQUIREMENTS ARE NEEDED UNDER ADA

**RESOLUTION ADOPTING SECTION 5(X) CONSULTATION REPORT AND
HEARING OFFICERS' REPORT (SECTION 23) FOR THE PROPOSED NEW
MEADOWLANDS STADIUM PROJECT AT THE
MEADOWLANDS SPORTS COMPLEX**

WHEREAS, N.J.S.A. 5:10-5(x) of the New Jersey Sports and Exposition Authority's (NJSEA or Sports Authority) enabling legislation requires the Sports Authority to consult with the New Jersey Meadowlands Commission (NJMC) regarding the location, type, and character of any project NJSEA proposes in the Meadowlands District; and

WHEREAS, N.J.S.A. 5:10-23 of the NJSEA's enabling legislation requires the Sports Authority to consult with the New Jersey Department of Environmental Protection and the NJMC in conjunction with any development proposed at the Meadowlands Sports and Exposition Complex "with respect to ecological factors constituting the environment of the Hackensack meadowlands to the end that the delicate balance of the Hackensack meadowlands may be maintained and preserved;" and

WHEREAS, the NJSEA, in conjunction with the New Meadowlands Stadium Company, LLC (NM Stadco) proposes to construct a replacement stadium, new Giants training facility, and ancillary development at the West Site of the Meadowlands Sports Complex; and

WHEREAS, a scoping hearing was held on July 12, 2006 to solicit public comment on the areas of concern to be addressed in the preliminary Environmental Impact Statement; and

WHEREAS, in accordance with N.J.S.A. 5:10-5(x) and N.J.S.A. 5:10-23, documents, including a preliminary Environmental Impact Statement were submitted to the NJMC for review pertaining to the location, type, and character and an environmental impact statement for the proposed project; and

WHEREAS, these documents were also made available to the public for review and comment; and

WHEREAS, NJMC convened joint public hearings on December 13 and 14, 2006 for these areas of review which provided numerous opportunities for the public to speak and further provided extended periods of time for the public to submit written comments pertaining to the stadium proposal; and

WHEREAS, NJMC's Hearing Officer Executive Director Robert R. Ceberio and Commission staff and NJDEP's Hearing Officer Director of Operations Gary Sondermeyer and NJDEP staff reviewed the documents submitted by NJSEA for the New Meadowlands Stadium Project as well as the public hearing testimony and written comments; and

WHEREAS, a report has been prepared detailing the recommendations of Executive Director Ceberio and NJMC staff regarding the location, type, and character of the proposed New Meadowlands Stadium project as required by N.J.S.A. 5:10-5(x); and

WHEREAS, a report has been prepared detailing the findings and recommended requirements proposed by the NJDEP and NJMC Hearing Officers regarding the proposed New Meadowlands Stadium project environmental impact statement, as required by N.J.S.A. 5:10-23; and

WHEREAS, these reports have been submitted to the Commission for their review and consideration;

NOW, THEREFORE, BE IT RESOLVED, that the NJMC adopts the recommendations of the Section 5(x) consultation report; and

BE IT FURTHER RESOLVED, that the NJMC adopts the findings and recommended requirements of the 2007 Hearing Officers' Report; and

BE IT FURTHER RESOLVED, that the NJMC Executive Director is hereby authorized to forward these findings regarding the Proposed New Meadowlands Stadium Project to the Executive Director of the New Jersey Sports and Exposition Authority.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at their meeting of April 30, 2007.

Robert R. Ceberio
Secretary

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners

From: Robert R. Ceberio, Executive Director

Date: April 30, 2007

Subject: New Meadowlands Stadium Project

Attached for your consideration is a resolution to adopt the N.J.S.A. 5:10-5(x) consultation report and the Hearing Officers' report as set forth in N.J.S.A. 5:10-23 for the proposed New Meadowlands Stadium Project (Project) at the Meadowlands Sports Complex.

The proposed Project is being developed by NM Stadco, a partnership of the ownership families of the New York Giants and New York Jets.

The NJSEA's enabling legislation requires that the NJSEA consult with the New Jersey Meadowlands Commission (NJMC) regarding the location, type and character of any NJSEA proposed project in the Meadowlands District. N.J.S.A. 5:10-5(x). The enabling legislation further requires that the NJSEA consult with the NJMC and the New Jersey Department of Environmental Protection (NJDEP) in conjunction with any development proposed at the Meadowlands Sports and Exposition Complex "with respect to ecological factors constituting the environment of the Hackensack meadowlands to the end that the delicate balance of the Hackensack meadowlands may be maintained and preserved." N.J.S.A. 5:10-23.

In accordance with N.J.S.A. 5:10-5(x) and N.J.S.A. 5:10-23, documents pertaining to the location, type and character of the proposed project, as well as an environmental impact statement were submitted to the NJMC for review. A scoping hearing was held on July 12, 2006. Upon submission of documents by the NJSEA, public hearings were held on December 13 and 14, 2006. The NJMC provided numerous opportunities for the public to comment both at these public hearings for each area of review and during periods of time for the public to submit written comments. Thereafter, the Hearing Officers, NJMC Executive Director, Robert R. Ceberio and NJDEP Director of Operations, Gary Sondermeyer, reviewed the documents submitted by NJSEA, the public hearing testimony and the written comments submitted, and prepared reports detailing their recommendations regarding the location, type, character, and the New Meadowlands Stadium environmental impact statement.

The Hearing Officers' reports indicate that that if the recommendations of the Hearing Officers are followed, the New Meadowlands Stadium Project may proceed while preserving and maintaining the delicate balance of the Hackensack meadowlands.

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR
TO ENTER INTO A CONTRACT FOR
THE SURVEY OF STORMWATER & FLOOD CONTROL STRUCTURES
IN CARLSTADT**

WHEREAS, in developing the Hackensack Meadowlands Floodplain Management Plan, the NJMC has identified three flood-prone areas with a high priority for mitigation that are impacted by the functionality of the Peach Island Creek Tide Gates, the Yellow Freight/Dell Road Tide Gates, and the Broad Street Tide Gate; and

WHEREAS, the three tide gates are located in Carlstadt and are in poor overall condition; and

WHEREAS, the NJMC staff prepared and issued a Request for Qualifications for the "Survey of Stormwater & Flood Control Structures" (File SP-466) to pre-qualified survey consultants and received three (3) submittals on April 4, 2007; and

WHEREAS, Edwards and Kelcey of Morristown, NJ was ranked as the most qualified firm based on their response to the above RFQ and provided a cost proposal that is fair and reasonable to the NJMC; and

WHEREAS, staff review of the submittals indicates that their submittal is reasonable and proper; and

WHEREAS, the project will be funded through the Flood Control Reserve in the amount of \$79,988, per previously approved Resolution No. 06-78.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Meadowlands Commission that the Executive Director is hereby authorized to enter into a contract with Edwards and Kelcey for the "Survey of Stormwater & Flood Control Structures" project at a cost of \$79,988.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at their meeting of April 30, 2007.

Robert R. Ceberio
Secretary

Resolution No. 07-46

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: April 30, 2007

Subject: Survey of Stormwater & Flood Control Structures in Carlstadt, Contract SP-466

In 2005, the NJMC developed the Hackensack Meadowlands Floodplain Management Plan as part of an aggressive initiative to mitigate natural hazards within the District, including historical flooding. Three flood-prone areas assigned the highest priority for mitigation within the Plan include those protected from tidal flooding by the Peach Island Creek Tide Gates, the Yellow Freight/Dell Road Tide Gates, and the Broad Street Tide Gate. In order for the NJMC staff to initiate preliminary design of the three tide gates, a detailed survey of the tide gates and stormwater infrastructure within the contributory drainage area is needed. The Survey of Stormwater & Flood Control Structures project will be the start of the preliminary design phase of the restoration of these tide gates.

A Request for Qualifications ("RFQ") developed by NJMC staff was sent to three pre-qualified professional surveying consultants. Edwards and Kelcey was the selected bidder based on their response to the above RFQ and was ranked as the most qualified firm. At this time, the staff is requesting that the Commission authorize the Executive Director to enter into an agreement with Edwards and Kelcey for an amount not to exceed \$79,988 for the survey services specified within the scope of the RFQ as well as the development of as-built drawings.