

NEW JERSEY MEADOWLANDS COMMISSION

DATE: September 19, 2007
TIME: 10:00 a.m.
PLACE: Lyndhurst, NJ
RE: MONTHLY MEETING MINUTES

COMMISSIONERS PRESENT:

Eleanore S. Nissley, Acting Chairman
Paul Stridick, Assistant Commissioner
James Anzevino
Michael Gonnelli
Leonard R. Kaiser
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, Assistant Director of Land Use Management
Christine A. Sanz, Director of Legal Affairs/Chief Counsel
Francisco Artigas, Director of MERI
Christopher Gale, Director of Communications
Christine Piatek, Deputy Attorney General
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. REVIEW OF MINUTES

Minutes of the July 25, 2007 meeting were moved by Commissioner Kaiser, seconded by Commissioner Gonnelli and unanimously carried.

5. SPECIAL PRESENTATION

Mr. Ceberio gave a presentation of the guidelines on housing

6. PUBLIC PARTICIPATION ON RESOLUTIONS

- Captain Bill Sheehan spoke on Resolution 07-78
- Hugh Carola, representative of the Fyke Nature Association spoke on Resolution 07-78
- Dr. Beth Ravit, Rutgers University Department of Environmental Science and Director of the Rutgers Environmental Research Clinic spoke on Resolution 07-78
- Amy Hansen, NJ Conservation Foundation spoke on Resolution 07-78.
- Greg Remaud, Land Conservation Director for NY/NJ Baykeeper and member of the Meadowlands Conservation Trust spoke on Resolution 07-78
- Michael Seyfried, Secaucus resident spoke on Resolution 07-78
- Susan Kraham, NJ Audubon spoke on Resolution 07-78.
- Carmen Pena, with Acorn organization spoke on Resolution 07-74
- Lenny Gomez, with Acorn organization spoke on Resolution 07-74
- Paul Bellan-Boyer, representing St. Matthews Lutheran Church in Jersey City, Jubilee Interfaith Organization and the NJ Regional Coalition spoke on Resolution 07-74.
- Paul Chrystie, Executive Director of the Coalition for Affordable Housing and the Environment spoke on Resolution 07-74.
- Richard Hoff, law firm of Flaster Greenberg on behalf of the NJ Builders Association spoke on Resolution 07-74
- Kevin Walsh, Fair Share Housing Center spoke on Resolution 07-74
- Sam Maffei, Secaucus resident spoke on Resolution 07-74 & 07-78
- Michael Guarino, spoke on Resolution 07-79, 07-84
- Don Evanson, Secaucus resident spoke on 07-74
- William Huisling spoke on Resolution 07-78

7. CONSENT AGENDA

Resolution No. 07-72 - Resolution issuing a Decision on the variance application submitted as part of file no. 07-222, Mack/Riverside Audi-Variance Block 155, Lot 4 in the Town of Secaucus.

Motion to adopt the resolution was made by Commissioner Stridick, seconded by Commissioner Walther. Resolution lacked a majority vote and was withdrawn.

Resolution No. 07-73 - Resolution issuing a Decision on the variance application submitted as part of file no. 07-221, Carlstadt Realty/Sunbelt Rentals, Inc. Variance Block 127, Lot 1 in the Borough of Carlstadt.

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

8. HOUSING

Resolution No. 07-74 - Resolution approving guidelines concerning Scarce Resource Restraints within the Hackensack Meadowlands District in accordance with the Appellate Division Decision in A-4174-03T3; a-3107-04T1.

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

9. GIS SYSTEMS

Resolution No. 07-75 - Resolution to upgrade NJMC Geographical Information Software Systems

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

10. MEMORANDUM OF AGREEMENT

Resolution No. 07-76 - Resolution authorizing the Executive Director to enter into an MOU with Princeton University for a study concerning engineered soils and contaminant immobilization.

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

11. MEADOWFEST

Resolution No. 07-77 - Resolution to allocate funds for sponsorship at an annual Meadowlands Environmental Festival

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

12. OPEN SPACE

Resolution No. 07-78 - Resolution authorizing the Executive Director to enter into an agreement with Allied outdoor Advertising, Inc. to purchase property in Secaucus.

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

13. CONSERVATION OFFICERS

Resolution No. 07-79 - Resolution regarding the deployment of NJDEP Conservation Officers in the Meadowlands.

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

14. TRANSPORTATION

Resolution No. 07-80 - Resolution for reallocation of funding for the preparation of the Meadowlands District Transportation Plan.

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

15. FLOOD CONTROL

Resolution No. 07-81 - Resolution authorizing funding for the mitigation of drainage problems in the Township of North Bergen

Motion to move the resolution was made by Commissioner Kaiser, seconded by Commissioner Anzevino and unanimously carried.

16. REGULATIONS

Resolution No. 07-82 - Resolution authorizing staff to publish a Notice of Proposal and hold a Public Hearing to add language to NJMC Regulations.

Motion to move the resolution was made by Commissioner Stridick, seconded by Commissioner Gonnelli and unanimously carried.

17. BUILDING CODE

Resolution No. 07-83 - Resolution readopting the New Jersey Meadowlands Commission's Building Code at N.J.A.C. 19:6

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

18. SPECIAL COUNSEL

Resolution No. 07-84 - Resolution authorizing continued funding of Special Counsel for property acquisition in the Meadowlands Golf Course Redevelopment Area.

Motion to move the resolution was made by Commissioner Stridick, seconded by Commissioner Gonnelli and unanimously carried.

19. REPORTS

Commissioner Kaiser - spoke about landfill operations in North Arlington.

Fred Dressel, HMMC Executive Director & Mayor of Moonachie - spoke about affordable housing.

20. PUBLIC PARTICIPATION

- Brian Kindergan
- Joanne DeGrossa, South Hackensack resident

21. CLOSED SESSION

The following issues were taken into consideration: EnCap and NYS&W.

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

Motion to enter into open session was made, seconded and unanimously carried.

Mr. Ceberio read the two resolutions into the record which were deliberated in closed session.

Resolution No. 07-86 - Resolution directing the Executive Director to enforce the terms of the Third Amended and Restated Landfill Closure and Development Agreement by and between EnCap Golf Holdings LLC, and the New Jersey Meadowlands Commission.

Resolution No. 07-87 - Resolution authorizing the Executive Director to appropriate \$500,000 for Special Counsel to be retained by the Office of the Attorney General for work associated with the EnCap Gold Redevelopment Agreement.

Motion to move the closed session resolutions was made by Commissioner Kaiser, seconded by Commissioner Anzevino and unanimously carried.

Motion to adjourn the meeting was made by Commissioner Stridick, seconded by Commissioner Gonnelli. Meeting adjourned.



ROBERT R. CEBERIO, SECRETARY

| RESOLUTION# | 07-72 | 07-73 | 07-74 | 07-75 | 07-76 | 07-77 | 07-78 | 07-79 | 07-80 |
|----------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Asst. Comm. Stridick | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| Comm. Anzevino | A | A | Y | Y | Y | Y | Y | Y | Y |
| Comm. Gonnelli | A | Y | A | Y | A | Y | A | Y | Y |
| Comm. Kaiser | A | Y | Y | Y | Y | A | Y | Y | Y |
| Comm. Macri | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| Comm. Nissley | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| Comm. Walther | Y | Y | Y | Y | Y | Y | Y | Y | Y |

| RESOLUTION# | 07-81 | 07-82 | 07-83 | 07-84 | 07-86 | 07-87 |
|----------------------|-------|-------|-------|-------|-------|-------|
| Asst. Comm. Stridick | Y | Y | Y | Y | Y | Y |
| Comm. Anzevino | Y | Y | Y | Y | Y | Y |
| Comm. Gonnelli | Y | Y | Y | Y | Y | Y |
| Comm. Kaiser | Y | Y | Y | Y | Y | Y |
| Comm. Macri | -- | -- | -- | -- | -- | -- |
| Comm. Nissley | Y | Y | Y | Y | Y | Y |
| Comm. Walther | Y | Y | Y | Y | Y | Y |

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