

NEW JERSEY MEADOWLANDS COMMISSION

DATE: April 23, 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
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
Ileana Kafrouni, Director Land Use Management
Sara Sundell, Director Land Use Management
Christine A. Sanz, Director of Legal Affairs/Chief Counsel
Francisco Artigas, Director of MERI
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 March 26, 2008 open meeting were moved by Commissioner Kaiser, seconded by Commissioner Nissley and unanimously carried.

5. PUBLIC PARTICIPATION ON RESOLUTIONS

- Hugh Carola, spoke on Resolution 08-37
- Michael Guarino, Lyndhurst resident spoke on Resolution 08-40
- Kevin Walsh, Fair Share Housing Center, spoke on Resolutions 08-30 and 08-32
- John Fiorilla, Alan Fox of Capehart & Scatchard, represented Norfolk Southern spoke on Resolution 08-30
- Susan Gruel of Heyer Gruel, spoke on Resolution 08-30
- Craig Lewis, Vice President with Norfolk Southern Railroad spoke on Resolution 08-30
- Robert Siik of Norfolk Southern Intermodal Dept in Terminal Planning spoke on Resolution 08-30.
- Malcolm Roop, Senior Real Estate Manager in the Philadelphia office for Norfolk Southern spoke on Resolution 08-30.
- Susan Gruel, Licensed Planner of Heyer Gruel spoke on Resolution 08-30
- Alan Fox, attorney with Capehart & Scatchard representing Norfolk Southern spoke on Resolution 08-30.

6. NJMC ANNUAL AUDIT

Resolution No. 08-28 - Resolution accepting the NJMC 2007 Audit Report.

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

7. SECURITY AND MONITORING DEVICE

Resolution No. 08-29 - Resolution authorizing the Executive Director to enter into a contract to install security monitoring devices in the Science Center and Observatory buildings.

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

8. INTERMODAL PROPERTIES REZONING

Resolution No. 08-30 - Resolution authorizing the publication of a Notice of Adoption and the rezoning of Block 16, Lot 5.01 in Secaucus.

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

9. RULEMAKING

Resolution No. 08-31 - Resolution adopting new rules at N.J.A.C. 19:4-4.23 that govern the prohibition against improper influence.

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

10. REDEVELOPMENT

Resolution No. 08-32 - Resolution to adopt a Second Amendment to the Secaucus Transit Village Redevelopment Plan.

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

Resolution No. 08-33 - Resolution to expand the In Need of Redevelopment Study Area along Industrial Avenue in the Borough of Teterboro.

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

11. NJMC BUSINESS INCUBATOR

Resolution No. 08-34 - Resolution authorizing the Executive Director to accept a \$35,000 grant from the New Jersey Commission on Science and Technology and to apply for an \$85,000 grant from same for Sustainable Business Incubator Operations.

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

12. DOWNTOWN REVITALIZATION GRANT PROGRAM

Resolution No. 08-35 - Resolution authorizing the Executive Director to establish the Downtown Revitalization Grant Program.

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

13. TAX SHARING

Resolution No. 08-36 - Resolution authorizing a study of the Intermunicipal Tax Sharing Formula

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

14. MEADOWLANDS FESTIVAL OF BIRDING

Resolution No. 08-37 - Resolution authorizing the Executive Director to support the 2008 and 2009 Annual Meadowlands Festival of Birding.

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

15. MUNICIPAL ASSISTANT PROGRAM

Resolution No. 08-38 - Resolution authorizing the Executive Director to provide up to \$20,000 per Meadowlands municipality to purchase a hybrid vehicle for their town fleet.

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

16. SOLAR ENERGY FACILITIES

Resolution No. 08-39 - Resolution authorization the establishment of a Pilot Program to assist District Municipalities in the Development of Solar Energy Facilities.

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

17. SOLID WASTE

Resolution No. 08-40 - Resolution approving an amendment to the New Jersey Meadowlands Commission Solid Waste Management Plan.

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

18. SITE SUITABILITY RECOMMENDATION

Resolution No. 08-41 - Resolution issuing a decision on the Suitability Recommendation as required by the NJMC Emergency Restraints Upon Further Development File No. 08-176, Hartz HMP/New 14-Plex Theater, Block 227, Lot 5.03 in the Town of Secaucus.

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

19. REPORTS

Commissioner's Report

Commissioner Kaiser expressed his disappointed on the way the NJMC, Commissioners and staff are once again publicly perceived regarding the EnCap project. Specifically he spoke about a letter sent by the Mayor of North Arlington to what he assumed was all of the taxpayers misrepresenting the actions of the Commission on the current status of Encap.

Commissioner Kaiser motioned that the Executive Director be authorized to address the points that were raised in the document and to straighten out the misunderstanding or misconception regarding the EnCap development as it pertains to the Borough of North Arlington. Commissioner Gonnelli seconded the motion. Motion was carried with all in favor.

Executive Director's Report

Executive Director Ceberio reported on the Route 17 flood control project. One of the key components of the flood project is the crushed culvert under the Norfolk Southern line. The NJMC is having trouble contacting the correct person from Norfolk Southern to obtain approvals. Mr. Ceberio asked the representatives present today if they could assist in directing staff to the right person. Mr. Fiorilla of Norfolk Southern suggested that NJMC's attorney contact him.

Mr. Ceberio thanked Chairman Doria and staff with DEP Commissioner Lisa Jackson who walked the drainage ditches in Rutherford and East Rutherford. With the assistance of Commissioner Doria a tentative agreement has been made with the DEP staff regarding the requirements for mitigation issues. This will allow for the cleaning of the ditches as the Phase II part of the project.

Chairman Doria thanked DEP Commissioner and her staff for helping solve the problem as quickly as possible to relieve the flooding problems for the people living and driving in the area.

Director's Report

Christine Sanz, Director of Legal Affairs, thanked Mayor Sacco from North Bergen for his steadfast commitment to his residents and for working with the NJMC on the amendment to the Solid Waste Management Plan. This ensures the safety of the environment and the residents of North Bergen. Ms. Sanz also thanked NJMC staff.

Mayor's Committee Report

Fred Dressel, Executive Director of the HMMC, commented gratefully on the actions taken by the Commission regarding the tax sharing study, the hybrid vehicles and the flood control projects being done on Route 17.

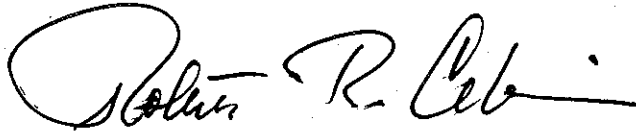
20. PUBLIC PARTICIPATION

- Margaret Schak, Rutherford resident
- Frank DelVecchio, Rutherford resident representing Taxpayers Association
- Michael Guarino, Lyndhurst resident
- Sam Maffei, Secaucus resident

21. CLOSED SESSION

The following issues were taken into consideration: EnCap Project.

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



ROBERT R. CEBERIO, SECRETARY

RESOLUTION#	08-28	08-29	08-30	08-31	08-32	08-33	08-34	08-35	08-36	08-37
Chairman Doria	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Anzevino	Y	Y	A	Y	Y	Y	Y	Y	Y	Y
Comm. Gonnelli	Y	Y	A	Y	A	Y	Y	Y	Y	Y
Comm. Kaiser	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Macri	---	---	---	---	---	---	---	---	---	---
Comm. Nissley	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Walther	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

RESOLUTION#	08-38	08-39	08-40	08-41
Chairman Doria	Y	Y	Y	Y
Comm. Anzevino	Y	Y	Y	Y
Comm. Gonnelli	Y	Y	Y	A
Comm. Kaiser	Y	Y	Y	Y
Comm. Macri	---	---	---	---
Comm. Nissley	Y	Y	Y	Y
Comm. Walther	Y	Y	A	Y

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