

NEW JERSEY MEADOWLANDS COMMISSION

DATE: February 27, 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
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. PUBLIC PARTICIPATION ON RESOLUTIONS
 - Richard Hoff, of Flaster/Greenberg spoke on Resolution 08-16.
 - Margaret Schak, Rutherford resident spoke on Resolutions 08-16 and 08-18.
 - Michael Guarino, Lyndhurst resident spoke on 08-14.

5. VARIANCE/SPECIAL EXCEPTIONS

Resolution No. 08-10 - Resolution issuing a decision on the variance application submitted as part of File No. 07-439, Wood Avenue LLC/Tele-Dynamics-C.O./Variance - Block 118, Lot 3, in the Town of Secaucus.

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

6. MEADOWLANDS ENVIRONMENTAL RESEARCH INSTITUTE

Resolution No. 08-11 - Resolution supporting the renewal of the Rutgers-Newark Science Fellowship Program.

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

7. CAPITAL IMPROVEMENTS

Resolution No. 08-13 - Resolution authorizing the Executive Director to enter into a contract to replace the existing roofs on the NJMC Administration and Environmental Center Building.

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

8. SOLID WASTE

Resolution No. 08-14 - Resolution authorizing the Executive Director to extend the term of the lease of the NJMC Solid Waste Facility.

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

Resolution No. 08-15 - Resolution authorizing an additional rebate to the County of Hudson for solid waste received at the NJMC landfill.

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

9. SITE SUITABILITY

Resolution No. 08-16 - Resolution issuing a decision on the suitability recommendation as required by the NJMC Emergency Restraints upon further development - File No 07-705, Progressive/New Building (formerly, Rutherford Tarragon Develop/New Building) - Block 219, Lot 67.07, in the Borough of Rutherford.

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

Resolution No. 08-17 - Resolution issuing a decision on the suitability recommendation as required by the NJMC Emergency Restraints upon further development - File No 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 Commissioner Anzevino abstaining.

10. EMERGENCY RESTRAINTS

Resolution No. 08-18 - Resolution approving amendments to guidelines concerning Scarce Resource Restraints within the Hackensack Meadowlands District in accordance with the Appellate Division Decision in A-4174-03T; A-3107-04T1.

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

11. LEGAL

Resolution No. 08-19 - Resolution authorizing the appropriation of funds to make final payment to Giantomasi & Oliveira, PC for the performance of legal services.

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

12. REPORTS

Commissioner Nissley reported that this week on behalf of Commissioner Doria she welcomed the Northern New Jersey Council of the Boy Scouts to the NJMC. Commissioner Nissley went on to explain how the Council members were fascinated with the facilities and are eager to bring their children. She commended everyone involved with the programs.

Executive Director Ceberio pointed out to the public that on Resolution 08-18, a concept which was brought forward by Mayor Dressel, and staff at the direction of Chairman Doria, has put new language into the emergency restraints that would bring on each town planner to the site suitability projects.

Executive Director Ceberio explained about the Route 17 flood control project. Bids are expected back by the April Commission meeting. Executive Director Ceberio thanked Commissioner Doria for leading a delegation of himself, other NJMC staff with Commissioner Jackson of DEP to look at some of the projects and streamlining the permitting process, especially as it relates to the flood control.

Executive Director Ceberio announced that on March 26, 2008 immediately following the Commission meeting the William McDowell Observatory and new Science Center will be dedicated.

13. PUBLIC PARTICIPATION

- Margaret Schak, representing Rutherford Taxpayers Assoc.
- Michael Guarino, Lyndhurst resident

14. CLOSED SESSION

The following issues were taken into consideration: Galli v. NJMC, potential litigation with building contractor and NYS&W settlement.

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

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

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

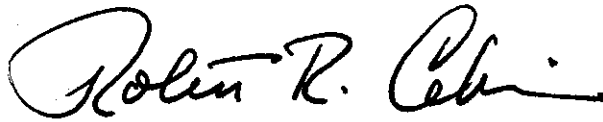
Resolution No. 08-21 - Resolution authorizing the Executive Director to enter into a settlement in the matter of Anne Galli v. New Jersey Meadowlands Commission, et al., Civil Action No. CV-03-1237.

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

Resolution No. 08-22 - Resolution authorizing the Executive Director to appropriate additional funds to the existing contract with Frederick A. Rosen, Architect.

Motion to move the closed session resolution was made by Commissioner Nissley, seconded by Commissioner Doria and unanimously carried.

Motion to adjourn meeting was made, seconded with all in favor.



ROBERT R. CEBERIO, SECRETARY

| RESOLUTION# | 08-10 | 08-11 | 08-12 | 08-13 | 08-14 | 08-15 | 08-16 | 08-17 | 08-18 | 08-19 |
|----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Chairman Doria | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| Comm. Anzevino | Y | Y | Y | Y | Y | Y | A | A | Y | Y |
| Comm. Gonnelli | A | Y | Y | Y | Y | 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# | 08-21 | 08-22 | | | | | | | | |
| Chairman Doria | Y | Y | | | | | | | | |
| Comm. Anzevino | Y | Y | | | | | | | | |
| Comm. Gonnelli | Y | Y | | | | | | | | |
| Comm. Kaiser | Y | Y | | | | | | | | |
| Comm. Macri | --- | --- | | | | | | | | |
| Comm. Nissley | Y | Y | | | | | | | | |
| Comm. Walther | Y | Y | | | | | | | | |

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