

NEW JERSEY MEADOWLANDS COMMISSION

DATE: September 21, 2009
TIME: 10:00 a.m.
PLACE: Lyndhurst, NJ
RE: MONTHLY MEETING MINUTES

COMMISSIONERS PRESENT:

Jay C. Nadel, Acting Chairman
Mauro De Gennaro
James V. Bocchino
Arleen Walther
Thomas Quirico
Paul Stridick, Assistant Commissioner

STAFF PRESENT:

Robert R. Ceberio, Executive Director
Sara Sundell, Director Land Use Management
Thomas Marturano, Director of Natural Resources
Christine A. Sanz, Director of Legal Affairs/Chief Counsel
Francisco Artigas, Director of MERI
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. REVIEW OF MINUTES

Minutes of July 22, 2009 open public meeting were moved by Commissioner Bocchino, seconded by Commissioner De Gennaro and carried with Acting Commissioner Stridick abstaining.

5. VARIANCES/SPECIAL EXCEPTIONS

Resolution No. 09-66 - Resolution issuing a decision on the variance application submitted as part of File No. 09-235 - IV Realty Corp./Technical Major Subdivision -Bulk Variances - Block 108.86, Lot 2 in the Borough of Little Ferry.

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

6. SITE SUITABILITY

Resolution No. 09-67 - Resolution issuing a decision on the suitability recommendation as required by the NJMC Interim Policies governing affordable housing development in the Meadowlands District - File No. 09-436, Zeppetelli/Building Addition & Variance - Block 38, Lot 3 in the Borough of Moonachie.

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

7. SMART GROWTH MAP

Resolution No. 09-68 - Resolution to Adopt the New Jersey Meadowlands Commission Smart Growth Map.

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

8. AFFORDABLE HOUSING TASK FORCE

Resolution No. 09-69 - Resolution authorizing Community Grants, Planning & Housing, LLC to perform Task 2 in support of the Affordable Housing Task Force.

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

9. EPA BROWNFIELD GRANT

Resolution No. 09-70 - Resolution authorizing the Executive Director to enter into an Amendment to an Agreement with GeoTrans, Inc., to perform additional Brownfield Assessments under an EPA Brownfields Assessment Grant

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

10. AUDIT RFP EVALUATION COMMITTEE

Resolution No. 09-71 - Resolution authorizing the establishment of an Audit RFP Evaluation Committee.

Motion to adopt the resolution was made by Commissioner Bocchino, seconded by Commissioner DeGennaro and unanimously carried.

11. REPORTS

Executive Director Ceberio was pleased to report that the Lyndhurst shuttle service, initiated by the Commission approximately 7 months ago, has had an increase in riders over the summer. The shuttle service had 65 riders per day in July and 71 riders per day in August.

Executive Director Ceberio also reported that the early warning flooding system for the Meadowlands District has commenced. Staff has met with local Emergency Management Responders from each of the towns to coordinate efforts relating to flood control in addition to providing detail flood maps.

12. NEW BUSINESS - none13. PUBLIC PARTICIPATION

- Sam Maffei, Secaucus resident
- Lonnie Bedell, South Hackensack resident.

13. CLOSED SESSION

Resolution No. 09-71 - The following issues were taken into consideration:

- Cherokee Phase II/EnCap Phase I
- Cambrian/Algonquin Settlement
- Marcal Bankruptcy
- Intergovernmental Flood Control Negotiations

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

Motion to enter into open session was made by Commissioner Nadel, seconded by Commissioner Bocchino and unanimously carried.

Cherokee / EnCap Phase II

Executive Director Ceberio announced that the Board has approved in general terms the agreement between Cherokee and the NJMC, all the details of the settlements plus the closing of the land property. The motion is to authorize the Executive Director in consultation with counsel, to take all actions and execute all necessary documents to finalize the settlement.

Motion was made by Commission Bocchino, seconded by Commissioner Nadel with all in favor.

EnCap Phase I / Cherokee Phase II

Executive Director announced that a request was made by two municipalities, who were severely impacted by EnCap and their ability to make ends meet in their present budget formulations. The Board has agreed to a grant to the two municipalities. The grant is contingent upon a formal resolution being drafted by this Board for signature by the Chairman and also a memorandum of agreement. The Board has agreed that a grant will be issued to the Borough of North Arlington and the Borough of Rutherford each in the amount of \$200,000.

Motion was made by Commissioner Bocchino, seconded by Commission Walther with all in favor.

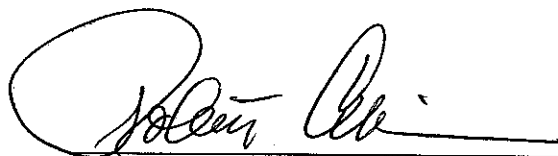
Intergovernmental Agreement between NJMC and DOT

Executive Director Ceberio announced that the Phase II work on the Rutherford tide program was discussed. The motion is to allow the Executive Director authority to enter into an agreement with NJDOT for the purposes of Phase II work at the Rutherford Tide Gate project.

Motion was made by Commissioner Bocchino, seconded by Commission DeGennaro with all in favor.

Motion to adjourn the meeting was made by Commissioner Bocchino, seconded by Commission Nadel with all in favor.

Meeting adjourned.



ROBERT R. CEBERIO, SECRETARY

RESOLUTION#	09-66	09-67	09-68	09-69	09-70	09-71
Asst. Chairman Stridick	Y	Y	Y	Y	Y	Y
Comm. Bocchino	Y	A	Y	Y	Y	Y
Comm. DeGennaro	Y	Y	Y	Y	Y	Y
Comm. Macri	---	---	---	---	---	---
Comm. Nadel	Y	Y	Y	Y	Y	Y
Comm. Quirico	Y	Y	Y	Y	Y	Y

Y = Yes

R = Recuse

A = Abstain

N = No