



**REGULAR SESSION BOARD MEETING**  
**Thursday, February 14, 2013**

A Regular Board meeting of the New Jersey Sports and Exposition Authority was held on Thursday, February 14, 2013, at 10:00 a.m., in the NJSEA Executive Offices in East Rutherford, New Jersey.

**Members in Attendance:**

Mike Ferguson, Chairman  
Joseph Buckelew, Vice Chairman  
John Ballantyne, Member  
Richard Constable, New Jersey Meadowlands Commission  
Armando Fontoura, Member  
Michael H. Gluck, Esq., Member (telephonic participation)  
LeRoy Jones, Member  
Robert Harris, PhD., Member  
Wayne Hasenbalg, Esq., President and Chief Executive Officer  
George Kolber, Member  
Jim Leonard, Chief of Staff, NJ State Treasurer's Representative  
Michael Neglia, Member  
Steven Plofker, Member  
Anthony Scardino, Member  
Robert Yudin, Member

**Members Absent:**

Harry Harchetts, Member

**Also Attending:**

Giuseppina Coppa, Vice President IT  
John Duffy, Vice President Engineering, Construction and Regulatory Affairs  
Ralph J. Marra, Jr., Esq., Sr. Vice President Legal and Governmental Affairs  
Jim Minish, Executive Vice President, COO  
Lennon Register, Sr. Vice President, Chief Financial Officer  
Brett Tanzman, Esq., Assistant Counsel, Governor's Authorities Unit  
George Zahn, Vice President Purchasing and Risk Management

Chairman Ferguson called the meeting to order at 10:00 a.m.

Chairman Ferguson stated that the New Jersey Sports and Exposition Authority gave notice of the time, place, and date of this meeting by providing such notice to the Secretary of State for the State of New Jersey, The Star-Ledger, The Record, and other newspapers and by posting the notice at the offices of the Authority.

**I. APPROVAL OF MINUTES**

Chairman Ferguson presented the minutes of the Board Meeting held on January 17, 2013.

Upon motion made by Commissioner Ballantyne and seconded by Commissioner Neglia, the minutes of the Board Meeting held January 17, 2013, were approved by a vote of 15-0.

**II. APPROVALS**

**Approval of Cash Disbursements Over \$100,000 and Professional Invoices**

The Chairman presented the report of cash disbursements over \$100,000 for the month of January 2013 and professional invoices for the month of January 2013.

Upon motion made by Commissioner Fontoura and seconded by Commissioner Scardino, the cash disbursements over \$100,000 for the month of January 2013 and the professional invoices for the month of January 2013 were approved subject to the following recusals:

<u>Member</u>	<u>Recused as to</u>
Chairman Ferguson	PSE&G
Vice Chairman Buckelew	Boro of Oceanport
Commissioner Fontoura	Genova Burns
Commissioner Harris	ADP; NJRC, NYRA
Commissioner Jones	PSE&G
Commissioner Neglia	ADP; PSE&G, Boro of East Rutherford
Commissioner Plofker	Genova Burns

**III. CONSTRUCTION COMMITTEE**

**1. Review of Engineering Projects at the Meadowlands Sports Complex and Monmouth Park Racetrack**

Mr. Duffy gave an overview of existing projects at the Meadowlands Racetrack, Monmouth Park, the arena and the Sports Complex site. With regard to the Asbestos project, Mr. Duffy stated that the low bidder was unable to get a bond; therefore, that company had verbally withdrawn its bid, and was also rejected for failure to provide required documents. The Authority then went to the next lowest bidder.

**2. Approval of Construction Committee Meeting Minutes of February 4, 2013**

The Chairman presented the minutes of the Construction Committee meeting held on February 4, 2013.

Upon motion by Commissioner Buckelew and seconded by Commissioner Fontoura, the Construction Committee Meeting minutes of February 4, 2013, were approved by a vote of 15-0.

#### IV. AWARDS & CONTRACTS

A. Awards Under \$100,000 and Awarded by the Chief Executive Officer Since the Last Board Meeting

None.

B. Awards Over \$100,000 Opened Since the Last Board Meeting Requiring Board Approval

1. Resolution Authorizing the Award of a Contract for an Upgrade to the 26 KV Main Substation on the MetLife Sports Complex

Chairman Ferguson presented the Resolution Authorizing the Award of a Contract for an Upgrade to the 26 KV Main Substation on the MetLife Sports Complex.

The electrical equipment on the MetLife Sports Complex has been in service since 1976 and has reached the end of its useful life. To provide reliable electrical service to all buildings on the MetLife Sports Complex, especially in light of the Super Bowl in February 2014, a significant upgrade to the 26 KV substation was approved by the Board of Commissioners for the New Jersey Sports and Exposition Authority.

The upgrade to the 26 KV substation consisted of two major parts. The first part was for the switchgear that was purchased separately under a bid awarded to Monarch Electric Company by the Authority, the low qualified bidder in July 2012 at a cost of \$1,124,434. Separating the equipment from the installation avoided at least a 10% mark-up by the installer, thereby saving at least \$112,434 in additional cost. In addition, because of significant lead time, the equipment had to be ordered well in advance of its installation.

The second part of the upgrade to the 26 KV substation was for the installation of the switchgear. Bid specifications were developed and a bid was issued.

Upon motion by Commissioner Yudin and seconded by Commissioner Ballantyne

**RESOLUTION 2013 - 3**  
**RESOLUTION AUTHORIZING THE AWARD OF A**  
**CONTRACT FOR AN UPGRADE TO THE 26 KV MAIN**  
**SUBSTATION ON THE METLIFE SPORTS COMPLEX**

was approved by a vote of 15-0.

2. Resolution Authorizing the Award of a Contract for Asbestos Abatement in Dorm Rooms at Monmouth Park Racetrack

Chairman Ferguson presented Resolution Authorizing the Award of a Contract for Asbestos Abatement in Dorm Rooms at Monmouth Park Racetrack.

Hurricane Sandy caused damage to 145 dorm rooms that are attached to the barns at Monmouth Park Racetrack. The inspection of these damaged rooms revealed that there was asbestos located between the sheetrock and the wall studs.

The Racetrack Ground Lease between the New Jersey Thoroughbred Breeders Association and the Sports Authority requires the Sports Authority to pay for any existing environmental remediation. Accordingly, the removal and remediation of this asbestos is the responsibility of the Sports Authority.

As the property owner, the Sports Authority provides property insurance on the buildings at Monmouth Park Racetrack. The cost for the removal and remediation of this asbestos will be part of the insurance claim to be submitted to the insurance company.

The results of this solicitation were discussed with the Construction Committee on February 4, 2013. The Committee was advised that the low bidder, S&M Enterprise, was having difficulty obtaining a payment and performance bond, which was a requirement of the bid.

On February 12, 2013, it was determined that the work plan submitted by S&M Enterprise violated the Department of Labor Dept requirements. In addition S&M Enterprise was unable to get the required bonds. As a result of these deficiencies, S&M Enterprises bid has been rejected. Moreover, S&M Enterprises advised the Authority's engineering staff, orally, that they were withdrawing their bid since they could not meet the specifications.

As a result of rejecting S&M Enterprises bid, a contract in the amount of \$497,800 is recommended for award to Abatetech, the next lowest bidder.

Upon motion by Commissioner Jones and seconded by Commissioner Fontoura

**RESOLUTION 2013 - 4**  
**RESOLUTION AUTHORIZING THE AWARD OF A**  
**CONTRACT FOR ASBESTOS ABATEMENT IN**  
**DORM ROOMS AT MONMOUTH PARK RACETRACK**

was approved by a vote of 15-0.

C. Other Awards  
None

**VI. CHIEF EXECUTIVE OFFICER'S REPORT**

Mr. Hasenbalg addressed the Board with the following updates regarding the Authority:

- There are 55 days until Wrestlemania. A brief overview was given of all the events that will be leading up to the event, which will include visits to hospitals, schools, a premiere party, and an online auction to raise money for the Governor's relief fund.
- The attention has shifted to New Jersey for the Super Bowl. However, it was not anticipated that most of the attention would be focused on the power outage. He stated that all the facilities on this complex will be used within the weeks leading up to the Super Bowl.

**VII. PUBLIC COMMENTS**

Mr. Kevin O'Brien, President of Union 632, stated that he met with the NFL regarding the half time show. He assured the Board that the stagehands will be able to pull off anything that is presented to them.

**VIII. EXECUTIVE SESSION**

Resolution Authorizing the New Jersey Sports and Exposition Authority to Conduct a Meeting to Which the General Public Shall Not Be Admitted

Chairman Ferguson stated a need for the Board to enter into Executive Session to discuss contractual matters and litigation matters.

Upon motion made by Commissioner Plofker and seconded by Commissioner Neglia.

**RESOLUTION 2013 - 5**  
**RESOLUTION AUTHORIZING THE NJSEA**  
**TO ENTER INTO A MEETING TO WHICH THE**  
**GENERAL PUBLIC SHALL NOT BE ADMITTED**

was approved by a vote of 15-0.

Executive Session commenced at 10:20 a.m.

Public Session resumed at 10:45 a.m.

**The Chairman requested a motion to conclude the meeting. Upon motion made by Commissioner Ballantyne and seconded by Commissioner Fontoura, the public meeting was adjourned by a vote of 15-0 at 10:47 a.m.**

**I certify that this is a true and accurate transcript of the Regular Session Minutes of the New Jersey Sports and Exposition Authority of February 14, 2013.**

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**Ralph J. Marra, Jr., Esq.**  
**Assistant Secretary**