



Board Meeting

Thursday, July 14, 2016



**AGENDA
REGULAR SESSION**

Thursday, July 14, 2016 - 10:00 a.m.
Two DeKorte Park Plaza, Lyndhurst, NJ

I. **APPROVAL OF MINUTES** - (Action)

- Approval of Regular Session Meeting Minutes of June 16, 2016

II. **PUBLIC PARTICIPATION ON RESOLUTIONS**

III. **SPECIAL PRESENTATION**

Resolution 2016-26 Resolution in Memory of Senator Raymond H. Bateman Honoring his Distinguished Legacy of Public Service to the New Jersey Sports and Exposition Authority and the People of New Jersey.

IV. **APPROVALS** – (Action)

Cash Disbursements Approval and/or Ratification of Cash Disbursements over \$100,000 for June 2016.

Resolution 2016-27 Consideration of a Resolution issuing a Decision on the Special Exception and Variance Application submitted as part of File No. 15-567, Hudson County/High Tech High School – New Building, Block 5, Lot 2.03 in Secaucus.

Resolution 2016-28 Consideration of a Resolution issuing a Decision on a Variance application submitted as part of File NO. 16-039, Glomar Realty LLC/Pan American Coffee Co. – Addition, Block 219.02, Lot 66.06 in Rutherford.

Resolution 2016-29 Consideration of a Resolution Authorizing the Appropriation of Additional Funding for Phase 5 of the Meadowlands Adaptive Signal System for Traffic Reduction (MASSTR).

V. **AWARDS/CONTRACTS** – (Action)

Resolution 2016-30 Consideration of a Resolution authorizing the President and CEO to enter into a contract for Insurance Brokerage Services.

Resolution 2016-31 Consideration of a Resolution regarding extension of an Interlocal Agreement with the Hudson County Improvement Authority for disposal services.

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

VII. **PUBLIC COMMENTS**

VIII. **EXECUTIVE SESSION**

Resolution 2016-32 Resolution authorizing the New Jersey Sports and Exposition Authority to conduct a meeting, to which the general public shall not be admitted for the purposes of discussing legal matters, personnel matters and contract negotiations.

IX. **MOTION TO ADJOURN**

***TO VIEW THE FULL BOARD BOOK, PLEASE VISIT OUR WEBSITE AT:
<http://www.njsea.com/njmc/about/commission-meetings.html>***

PLEASE CONTACT THE NJSEA OFFICE (201-460-1700) PRIOR TO MEETING IF
SPECIAL REQUIREMENTS ARE NEEDED UNDER ADA



REGULAR SESSION BOARD MEETING
June 16, 2016

DATE: June 16, 2016
TIME: 10:00 a.m.
PLACE: 2 DeKorte Park Plaza - Lyndhurst, NJ
RE: REGULAR SESSION MEETING MINUTES

Members in Attendance:

Michael Ferguson, Chairman
Joseph Buckelew, Vice Chairman
Wayne Hasenbalg, Esq., President and Chief Executive Officer
John Ballantyne, Member
Armando Fontoura, Member
Michael H. Gluck, Esq., Member
George Kolber, Member
Steven Plofker, Member
Anthony Scardino, Member
Robert Yudin, Member
Peter Simon, NJ State Treasurer's Representative

Absent:

Michael Gonnelli, Member
Andrew Scala, Member
LeRoy Jones, Member

Also Attending:

Christine Sanz, Sr. Vice President/Chief Operating Officer
Adam Levy, Vice President of Legal and Regulatory Affairs
Sara J. Sundell, Director of Land Use Management
Dan Povia, Director of Finance/CFO
Thomas Marturano, Director of Solid Waste and Natural Resources
John Duffy, Sr. Vice President of Sports Complex operations and
Lisa LeBoeuf, Governor's Authorities Unit
Christine Ferrante, Executive Assistant/Paralegal

Chairman Ferguson called the meeting to order.

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.

Chairman Ferguson noted that, as you may have seen in the press, Commissioner Gonnelli has been struggling with a health issue. On behalf of the NJSEA, we wish him a speedy recovery.

I. APPROVAL OF MINUTES

Chairman Ferguson presented the minutes of the Regular Session Board Meeting held on May 12, 2016.

Upon motion made by Commissioner Scardino and seconded by Commissioner Ballantyne, the minutes of the Regular Session Board Meeting held on May 12, 2016, were unanimously approved by a vote of 11-0.

II. PUBLIC PARTICIPATING ON RESOLUTIONS - None

III. APPROVALS

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

Chairman Ferguson presented the report of cash disbursements over \$100,000 and Professional Invoices for the month of May 2016.

Upon motion by Commissioner Plofker and seconded by Commissioner Ballantyne, the cash disbursements over \$100,000 for the month of May 2016 were approved by a vote of 11-0.

Resolution 2016-19 Resolution Issuing a Decision on the Variance Application submitted as part of File No. 11-133 – Fantis Rlty/Addition, Subdivision and Variance in Carlstadt.

Ms. Sundell explained Resolution 2016-19 to the Commissioners.

Chairman Ferguson asked about the one comment at the public hearing. Ms. Sundell explained that the representative for the adjacent property owner was concerned if the the trucks would be maneuvering on the street in order to access the front yard loading area. The applicant demonstrated that the maneuvering can easily occur on the site and not on the street.

Chairman Ferguson presented Resolution 2016-19. Upon motion by Commissioner Ballantyne and seconded by Commissioner Scardino, proposed resolution 2016-19 was unanimously approved by 11-0 vote.

IV. AWARDS/CONTRACTS

Resolution 2016-20 Resolution authorizing a lease contract on new copiers.

Mr. Povia explained Resolution 2016-20 to the Commissioners.

Chairman Ferguson presented Resolution 2016-20. Upon motion by Commissioner Buckelew and seconded by Commissioner Scardino, proposed resolution 2016-20 was unanimously approved by a vote of 11-0.

Resolution 2016-21 Resolution authorizing the extension of property insurance coverage.

Mr. Povia explained Resolution 2016-21 to the Commissioners.
Vice Chairman Buckelew added that this extension will now put all insurance on the same policy period. This will be beneficial when going out to bid for insurance coverage.

Chairman Ferguson presented Resolution 2016-21. Upon motion by Commissioner Buckelew and seconded by Commissioner Fontoura, proposed resolution 2016-21 was unanimously approved by a vote of 11-0.

Resolution 2016-22 Resolution authorizing a lease of new digital Motorola Turbo Radio System.

Mr. Duffy explained Resolution 2016-22 to the Commissioners.
Chairman Ferguson asked Mr. Duffy to describe why the radio system is important. Mr. Duffy explained that it allows security, police personnel, medical technicians, and operations people to talk amongst themselves during an event. In addition, under the lease agreement with MetLife we are required to offer these services.

Chairman Ferguson presented Resolution 2016-22. Upon motion by Commissioner Fontoura and seconded by Commissioner Ballantyne, proposed resolution 2016-22 was unanimously approved by a vote of 11-0.

V. CEO REPORT – None

VI. PUBLIC COMMENTS

- Marvin Donadic, Cliffside Park resident– spoke about possible events that can be brought to the area.
- Lenny Nix, Hackensack resident – spoke about the possibility of a railroad from Hackensack to the Hudson River.

VII. EXECUTIVE SESSION

Chairman Ferguson stated a need for the Board to enter into Executive Session to discuss contractual matters and litigation matters. He also stated that there will be two actions considered after Executive Session.

Resolution 2016-23 Resolution authorizing the NJSEA to enter into a meeting to which the general public shall not be admitted to discuss legal matters, personnel matters and contract negotiations.

Upon motion made by Chairman Ferguson and seconded by Commissioner Scardino, Resolution 2016-23 was approved by a vote of 11-0.

Motion to enter into open session was made by Commissioner Scardino and second by Commissioner Fontoura with all in favor.

Resolution 2016-24 Resolution authorizing settlement of claims in connection with 2007 auction rate securities.

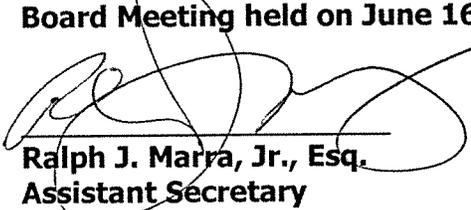
Chairman Ferguson presented Resolution 2016-24. Upon motion by Commissioner Scardino and seconded by Commissioner Yudin, proposed resolution 2016-24 was unanimously approved by a vote of 11-0.

Resolution 2016-25 Resolution authorizing the President and CEO to execute a six month extension on NJSEA's operations, management and maintenance services contract for the Keegan Landfill.

Chairman Ferguson presented Resolution 2016-25. Upon motion by Commissioner Scardino and seconded by Commissioner Yudin, proposed resolution 2016-25 was unanimously approved by a vote of 11-0.

With no further business, motion to adjourn the open meeting was made by Commissioner Gluck and seconded by Commissioner Fontoura with all in favor.

I certify that on information and belief this is a true and accurate transcript of the Minutes of the Executive Session of the New Jersey Sports and Exposition Authority Board Meeting held on June 16, 2016.


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

June 16, 2016

Commissioner	Roll Call	2016-19	2016-20	2016-21	2016-22	2016-23	2016-24	2016-25
Ferguson	P	Y	Y	Y	Y	Y	Y	Y
Buckelew	P	Y	Y	Y	Y	Y	Y	Y
Hasenbalg	P	Y	Y	Y	Y	Y	Y	Y
Ballantyne	P	Y	Y	Y	Y	Y	Y	Y
Fontoura	P	Y	Y	Y	Y	Y	Y	Y
Gluck	P	Y	Y	Y	Y	Y	Y	Y
Gonnelli	--	--	--	--	--	--	--	--
Jones	--	--	--	--	--	--	--	--
Kolber	P	Y	Y	Y	Y	Y	Y	Y
Plofker	P	Y	Y	Y	Y	Y	Y	Y
Scala	--	--	--	--	--	--	--	--
Scardino	P	Y	Y	Y	Y	Y	Y	Y
Yudin	P	Y	Y	Y	Y	Y	Y	Y
Treasury Rep Simon	P	Y	Y	Y	Y	Y	Y	Y

P - Present A - Abstain
 -- Absent R = Recuse
 Y = Affirmative N = Negative

RESOLUTION 2016-26

**RESOLUTION IN MEMORY OF SENATOR RAYMOND H. BATEMAN
HONORING HIS DISTINGUISHED LEGACY OF PUBLIC SERVICE TO
THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY AND
THE PEOPLE OF NEW JERSEY**

WHEREAS, Senator Raymond H. Bateman possessed the exceptional vision and intellect to foresee the benefits that an authority constructing and promoting sports and entertainment facilities and events would bring to the Meadowlands and the people of the entire State of New Jersey; and

WHEREAS, To realize this vision, Senator Raymond H. Bateman crafted and sponsored the legislation that created the NJSEA in 1971, which led to the construction of the Meadowlands Sports Complex, an internationally recognized sports and entertainment hub; and

WHEREAS, Senator Raymond H. Bateman was appointed to the NJSEA Board of Commissioners in February 1994 and served with great distinction, integrity and honor until December 2009, including as Chairman of the Board from 1996 to 2001; making him the longest tenured Board Member in the agency's history; and

WHEREAS, During Senator Raymond H. Bateman's tenure, the NJSEA completed numerous, significant capital projects which included the construction of the Atlantic City Convention Center and Wildwood Convention Center; the construction of a rail line and the Meadowlands Train Station at the Meadowlands Sports Complex; and the addition of new suites at Giants Stadium; and

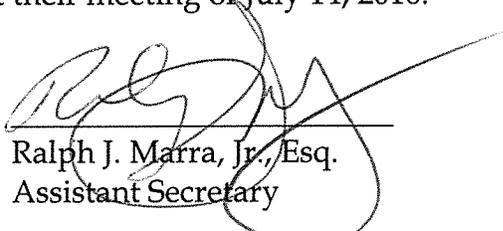
WHEREAS, Senator Raymond H. Bateman served on the NJSEA Board of Commissioners during many historical events including three New Jersey Devils Stanley Cup championships; one New York Giants Super Bowl championship; two New Jersey Nets NBA finals; the Hambletonian, the Haskell and the Breeders' Cup; the FIFA Men's and Women's World Cups, and the NCAA Men's Final Four; and

WHEREAS, Senator Raymond H. Bateman was widely respected for his invaluable hard work, determination and persistence in advancing initiatives that significantly strengthened the position of the NJSEA and yielded numerous economic and entertainment benefits to the people of the State of New Jersey; and

WHEREAS, Senator Raymond H. Bateman passed away on June 25, 2016, at the age of 88 and will be greatly missed by his family and many friends;

NOW, THEREFORE BE IT RESOLVED, by the New Jersey Sports and Exposition Authority, that Raymond H. Bateman is hereby honored for his distinguished legacy of public service to the New Jersey Sports and Exposition Authority and the People of the State of New Jersey.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 14, 2016.



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



CASH DISBURSEMENTS
\$100,000 OR MORE
JUNE 2016

SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
MARSH USA, INC.	285,853.00	A	EXTENDED PROPERTY POLICY ADDITIONAL PREMIUM: JUL 2016 - DEC 2016
NRG BUSINESS SOLUTIONS	266,241.71	A	ELECTRICITY CHARGES: MAY 2016
SPORTS COMPLEX TOTAL	<u>552,094.71</u>		

RACETRACK

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
NEW JERSEY RACING COMMISSION	894,307.11	A	BUDGET FOR FISCAL YEAR 2016
RACETRACK TOTAL	<u>894,307.11</u>		

MONMOUTH PARK RACETRACK MAINTENANCE RESERVE/CAPITAL

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF OCEANPORT	539,494.72	A	CAFO SPECIAL ASSESSMENT AGREEMENT: 3RD QTR 2016
MPR MAINTNANCE TOTAL	<u>539,494.72</u>		

OTHER

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
CHRIS ANDERSEN ROOFING & ERECTING CO., INC.	136,782.00	A	1ST PAYMENT OF RE-ROOFING PROJECT & HVAC REPLACEMENT- ADMINISTRATION & EC BUILDINGS
NORTH BERGEN, TOWNSHIP OF	100,844.40	A	REAL ESTATE AGREEMENT - SEMI ANNUAL PAYMENT
NEW JERSEY HEALTH BENEFITS FUND	178,394.19	A	HEALTH BENEFITS - ACTIVE EMPLOYEES: JUN 2016
WASTE MANAGEMENT OF NEW JERSEY	426,073.42	A	OPERATIONS CONTRACT - KEEGAN LANDFILL: MAY 2016
OTHER TOTAL	<u>842,094.01</u>		



CASH DISBURSEMENTS
\$100,000 OR MORE

<u>REFERENCE LETTER</u>	<u>TYPE</u>
A	CONTRACT ON FILE
B	PURCHASE AWARDS - APPROVED AT MONTHLY BOARD MEETING
C	STATE REQUIREMENT FOR RACING
D	STATE VENDOR
E	SOLE SOURCE
F	APPOINTED BY RACING COMMISSION
G	ADVERTISED BID
H	EXECUTIVE DIRECTOR APPROVAL
I	STATUTORY PAYMENT
K	LOWEST PROPOSAL
L	REIMBURSABLE
M	OUTSTANDING PROFESSIONAL INVOICES APPROVED AT MONTHLY BOARD MEETING
N	PURCHASES ON BASIS OF EXIGENCY
*	PURCHASES DIRECT FROM SOURCE
	EXPENDITURE TO BE CHARGED TO MAINTENANCE RESERVE FUND

RESOLUTION 2016-27

**RESOLUTION ISSUING A
DECISION ON THE SPECIAL EXCEPTION AND
VARIANCE APPLICATION SUBMITTED AS PART OF
FILE NO. 15-567
HUDSON COUNTY/ HIGH TECH HIGH SCHOOL - NEW BUILDING
BLOCK 5, LOT 2.03, IN THE TOWN OF SECAUCUS**

WHEREAS, an application for application for one special exception use and one bulk variances has been filed with the New Jersey Sports and Exposition Authority (NJSEA) by Michael O'Connor on behalf of the Hudson County Improvement Authority, for the premises located at the end of Paul Amico Way (formerly New County Road) and identified as Block 5, Lot 2.03, in the Town of Secaucus, New Jersey; and

WHEREAS, the premises is located in the District's Parks and Recreation zone; and

WHEREAS, the special exception use and bulk variance are sought in connection with the applicant's proposal to construct the Hudson County High Tech High School, with related site improvements, on the subject premises; and

WHEREAS, the applicant requested relief from N.J.A.C. 19:4-5.15(a)2, where primary and secondary schools are listed as special exception uses in the Parks and Recreation zone; and

WHEREAS, the applicant also requested relief from N.J.A.C. 19:4-8.4(a)63, which requires one parking space per employee, and one parking space per 10 students based on a maximum occupancy for a secondary school as determined by the NJUCC, for a total of 378 parking spaces, whereas a total of 360 parking spaces are proposed; and

WHEREAS, notice of the request for special exception use and bulk variance relief was given to the public and all interested parties as required by law and was published in The Jersey Journal newspaper; and

WHEREAS, a public hearing was held in the Office of the NJSEA on Tuesday, May 24, 2016, before Sara Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Sharon Mascaró, P.E., Deputy Director of Land Use Management and Deputy Chief Engineer; and Mark Skerbetz, P.P., AICP, Senior Planner; and

WHEREAS, letters of support for the project, dated January 8, 2016, and May 19, 2016, were received from the Town of Secaucus; and

WHEREAS, a comprehensive report dated July 5, 2016, has been prepared indicating the recommendations of the Director of Land Use Management and the Senior Vice President of Legal & Regulatory Affairs in this matter; and

WHEREAS, a copy of the recommendation and comprehensive report was provided to the applicant on July 5, 2016; and

WHEREAS, the report recommends the conditional approval of the special exception use, as per N.J.A.C. 19:4-5.15(a)2, to permit the construction of the Hudson County High Tech High School, with related site improvements, on the subject premises; and

WHEREAS, the report recommends the approval of the requested bulk variance from N.J.A.C. 19:4-8.4(a)63, to provide 360 parking spaces, whereas 378 parking spaces are required; and

WHEREAS, the Board of Commissioners of the NJSEA has reviewed the full record, including the transcripts of the public hearings, recommendations on the application by the Director of Land Use Management and by the Senior Vice President, Legal & Regulatory Affairs, and the submissions of the applicant; and

WHEREAS, the Board of Commissioners concurs with the recommendations of the Director of Land Use Management and the Senior Vice President, Legal & Regulatory Affairs; and

WHEREAS, the Board of Commissioners hereby determines that the requested special exception use to permit the construction of the Hudson County High Tech High School, conditionally conforms with the standards for approving applications for special exception uses as set forth in at N.J.A.C. 19:4-4.13(e); and

WHEREAS, the Board of Commissioners hereby determines that the requested variance application to permit 360 parking spaces, whereas 378 parking spaces are required, conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e).

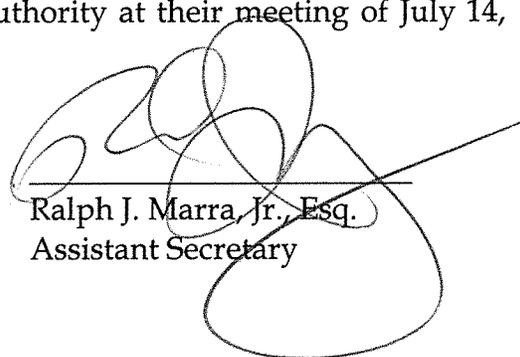
NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the Hudson County/High Tech High School - New Building application for one special exception use to permit the construction of the Hudson County High Tech High

School is hereby **APPROVED WITH THE FOLLOWING CONDITION** for the reasons set forth in the recommendation dated July 5, 2016:

1. The applicant shall provide a clear pedestrian route, including, but not limited to, the construction of additional sidewalk where none currently exists and appropriate crosswalks, accessible ramps, pavement striping and signage, between the school driveway entrance to the existing sidewalk on the northbound side of the bridge over the NJ Transit Main Line.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the Hudson County/High Tech High School - New Building application for one bulk variance to permit 360 parking spaces, whereas 378 parking spaces are required, is hereby **APPROVED** for the reasons set forth in the recommendation dated July 5, 2016.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 14, 2016.



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



MEMORANDUM

To: NJSEA Board Member and Wayne Hasenbalg, President/CEO

From: Sara J. Sundell

Date: June 16, 2016

Subject: Special Exception and Variance Recommendation: Hudson County/
High Tech High School–New Building (File No. 15-567)

Applications for one (1) special exception use and one (1) bulk variance have been filed with the New Jersey Sports and Exposition Authority (NJSEA) by Michael O'Connor, on behalf of the Hudson County Improvement Authority, for the premises located at the end of Paul Amico Way (formerly New County Road) and identified as Block 5, Lot 2.03, in the Town of Secaucus, New Jersey. Said premises are located in the Parks and Recreation zone of the Hackensack Meadowlands District. The special exception and variance are sought in connection with the applicant's proposal to construct the Hudson County High Tech High School on the subject property.

The applicant requested relief from the following:

1. N.J.A.C. 19:4-5.15(a)2, whereas primary and secondary schools are listed as special exception uses in the Parks and Recreation zone.
2. N.J.A.C. 19:4-8.4(a)63, which requires one parking space per employee, and one parking space per 10 students based on a maximum occupancy for a secondary school as determined by the NJUCC, for a total of 378 parking spaces, whereas a total of 360 parking spaces are proposed.

A public hearing was held in the Office of the NJSEA on Tuesday, May 24, 2016.

In a comprehensive report dated July 5, 2016, the Director of Land Use Management and the Senior Vice President of Legal & Regulatory Affairs recommended the conditional approval of the special exception use and approval of the bulk variance requested above. A copy of the comprehensive report and variance recommendation was provided to the applicant on July 5, 2016.

At this time, the Board of Commissioners is required to issue a decision on the special exception use and variance application described above. A resolution requesting the same is attached for your consideration.

**RECOMMENDATION ON THE
SPECIAL EXCEPTION AND VARIANCE APPLICATION OF
Hudson County/High Tech High School-New Building
File #15-567**

I. INTRODUCTION

Applications for one special exception use and one bulk variance have been filed with the New Jersey Sports and Exposition Authority (NJSEA) by Michael O'Connor on behalf of the Hudson County Improvement Authority, for the premises located at the end of New County Road and identified as Block 5, Lot 2.03, in the Town of Secaucus, New Jersey. Said premises are located in the Parks and Recreation zone of the Hackensack Meadowlands District. The special exception and variance are sought in connection with the applicant's proposal to construct the Hudson County High Tech High School on the subject property.

Specifically, the applicant is requesting relief from the following:

1. N.J.A.C. 19:4-5.15(a)2, whereas primary and secondary schools are listed as special exception uses in the Parks and Recreation zone.
2. N.J.A.C. 19:4-8.4(a)63, which requires one parking space per employee and one parking space per 10 students based on a maximum occupancy for a secondary school as determined by the NJUCC, for a total of 378 parking spaces, whereas a total of 360 parking spaces are proposed.

A public hearing was held at the Office of the NJSEA on Tuesday, May 24, 2016. Notice was given to the public and all interested parties as required by law. The public notice of this hearing was published in The Jersey Journal newspaper. No written objections were received. Letters of support for the

project, dated January 8, 2016, and May 19, 2016, have been received from the Town of Secaucus. All information submitted to the Division of Land Use Management relative to this application is made part of the record of this recommendation.

II. GENERAL INFORMATION

A. Existing and Proposed Use

The subject premises is a 24.92-acre parcel located in Hudson County's Laurel Hill Park, at the terminus of Paul Antico Way (previously known as New County Road). The site is the former location of an animatronic dinosaur theme park that was situated within the park. Previous uses on the property included Hudson County facilities and a quarry. The site is traversed by gravel trails used in conjunction with the dinosaur exhibit, and contains a pond to the east and a rocky outcrop to the west, surrounding a gradually-sloped, wooded, open space area. A 3.56-acre portion of the site containing the pond, and located in the eastern-most section of the premises, is encumbered by Green Acres funding to remain as public open space. The property is located in the Parks and Recreation zone of the Hackensack Meadowlands District.

Adjacent land uses include the recreational facilities within Laurel Hill Park to the west. The park is developed with several playing fields, a boat launch, as well as a newly constructed waterfront promenade along the Hackensack River. To the north is the XChange at Secaucus Junction multi-family residential development. NJ Turnpike right-of-way borders the site to the south and east. Other land uses in the general vicinity of the site include the Frank R. Lautenberg Station at Secaucus Junction and a commercial parking facility to the northeast, and various industrial facilities to the north. The applicant is proposing to construct the Hudson County High Tech High School to accommodate up to 1,775 students on the premises. Various related site improvements are proposed.

B. Response to the Public Notice

No written objections were submitted to the NJSEA regarding this application prior to the public hearing. Letters of support for the project, dated January 8, 2016, and May 19, 2016, have been received from the Town of Secaucus.

III. PUBLIC HEARING: (May 24, 2016)

A public hearing was held on Tuesday, May 24, 2016. NJSEA staff in attendance were Sara J. Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Sharon Mascaró, P.E., Deputy Director of Land Use Management and Deputy Chief Engineer; and Mark Skerbetz, P.P., AICCP, Senior Planner.

A. Exhibits

The following is a list of the exhibits submitted by the applicant at the public hearing and marked for identification as follows:

<u>Number</u>	<u>Description</u>
A-1	"Aerial Map," Sheet No. AM-3, prepared by Paulus, Sokolowski and Sartor, LLC, dated April 19, 2016, revised May 20, 2016.
A-2	"Colored Site Plan," Sheet No. R-1, prepared by Paulus, Sokolowski and Sartor, LLC, dated April 19, 2016, revised May 18, 2016.
A-3	"Aerial Perspective," Sheet No. P-1, prepared by DMR Architects, dated May 24, 2016.
A-4	"First Floor Plan," Sheet No. A2.2, prepared by DMR Architects, dated May 17, 2016, revised May 24, 2016.
A-5	"Second Floor Plan," Sheet No. A2.3, prepared by DMR Architects, dated May 17, 2016, revised May 24, 2016.

A-6	"Third Floor Plan," Sheet No. A2.4, prepared by DMR Architects, dated May 17, 2016, revised May 24, 2016.
A-7	"Garage Level," Sheet No. A2.1, prepared by DMR Architects, dated May 17, 2016, revised May 24, 2016.
A-8	"Exterior Elevations," Sheet No. A5.1, prepared by DMR Architects, dated May 17, 2016, revised May 24, 2016.
A-9	"Exterior Elevations," Sheet No. A5.2, prepared by DMR Architects, dated May 17, 2016, revised May 24, 2016.
A-10	"Exterior Elevations," Sheet No. A5.3, prepared by DMR Architects, dated May 17, 2016, revised May 24, 2016.
A-11	"Green Features Site Plan," Sheet No. A2.5, prepared by DMR Architects, dated May 17, 2016, revised May 24, 2016.
A-12	"Grading and Drainage Plan," Sheet No. C-6, prepared by Paulus, Sokolowski and Sartor, LLC, dated April 19, 2016, revised April 29, 2016.
A-13	"Bus Turning Exhibit," Sheet No. TR-1, prepared by Paulus, Sokolowski and Sartor, LLC, dated April 19, 2016, revised through May 20, 2016.
A-14	"Landscape Plan," Sheet No. L-1.0, prepared by DMR Architects, dated May 20, 2016.
A-15	"Open Space Plan," Sheet No. L-2.0, prepared by DMR Architects, dated May 24, 2016.
A-16	"Site Plan w/ Site Photo Locations," Sheet No. P-2, prepared by DMR Architects, dated May 20, 2016.
A-17	"Site Photographs," Sheet No. P-3, prepared by DMR Architects, dated May 20, 2016.
A-18	"Site Photographs," Sheet No. P-3, prepared by DMR Architects, dated May 20, 2016.

B. Testimony

Charles H. Sarlo, Esq. represented the applicant's design builder, Terminal Construction and DMR Architects, at the hearing. The applicant is the Hudson County Improvement Authority. The following witnesses testified in support of the application:

1. Norman Guerra, Chief Executive Officer of the Hudson County Improvement Authority.
2. Kurt Vierheilig, R.A., DMR Architects.
3. Dr. Joseph Strangelo, Assistant Superintendent of the Hudson County School of Technology.
4. Patricia Ruskon, P.E., Paulus, Sokolowski and Sartor, LLC.
5. Francis Reiner, P.L.A., P.P., DMR Architects.
6. Brian Intindola, P.E., Neglia Engineering Associates.
7. Mark Lemmon, P.P., Paulus, Sokolowski and Sartor, LLC.

Staff findings and recommendations are based on the entire record. A transcript of the public hearing was prepared and transcribed by Beth Calderone, Certified Court Reporter.

C. Public Comment

One member of the public commented on the application.

IV. RECOMMENDATION

A. Standards for the Granting of a Special Exception to permit a secondary school in the Parks and Recreation zone as per N.J.A.C. 19A:5.15(a)2.

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 19A-4.13(c) state in part that, *a special exception use shall not be granted unless specific written findings of fact are made based upon the evidence presented that supports the following conclusions:*

1. *The proposed special exception use at the specified location will contribute to and promote the welfare or convenience of the public.*

The granting of the requested special exception to permit the construction of the Hudson County High Tech High School, a secondary school, within the Parks and Recreation zone will contribute to and promote the welfare and convenience of the public. Schools within the State of New Jersey are considered inherently beneficial uses, which categorically promoting the general welfare of the public. The proposed school will offer curricula that are not ordinarily found in most public high schools, such as architecture, engineering, science and technology, culinary arts, and performing arts. These programs of study are in high demand in today's society. As an ancillary benefit, the school will be utilized by other public entities, including Hudson County Community College, for special events including plays. The recreation and fitness facilities within the school, as well as the theater, may also be available to the general public after school hours.

The project will provide numerous public spaces for social, cultural, and entertainment purposes that will become an extension of the surrounding community. Since the building will be designed to be LEED Gold Certified, the carbon footprint of the facility will be smaller than a traditionally constructed high school.

As such, the Hudson County High Tech High School will contribute to and promote the welfare and convenience of the public by providing educational opportunities not normally found within the region, as well as cultural and entertainment opportunities to the general public, all within a more sustainable facility.

2. *The proposed special exception use will not cause substantial injury to the value of other property in the neighborhood.*

The proposed high school will be compatible with surrounding land uses and will not cause substantial injury to the value of other properties in the neighborhood. The subject property is a large parcel that will provide sufficient area to accommodate the school, while located an adequate distance from neighboring properties. The site contains a rocky outcropping and vegetation to the west that will provide sufficient screening to the adjacent recreational portion of Laurel Hill Park. A Hudson County-owned parcel, previously used for parking, lies between the site and the XChange at Secaucus Junction multi-family residential development to the north, and, in addition to the existing vegetation, acts as a buffer between the properties. Since the NJ Turnpike right-of-way borders the site to the south and east, there are no developed properties in these areas that will be negatively impacted by the proposed school. As the applicant testified that it would pursue LEED Gold Certification for the project, potential environmental impacts to all surrounding properties will be minimized to the extent feasible.

3. *The special exception use will not dominate the immediate neighborhood in a manner that could prevent development and use of neighboring properties in accordance with the applicable regulations, in consideration of the following:*

i. *The location and size of the special exception use:*

The location and size of the proposed high school will not dominate the immediate area or neighborhood as to prevent development in accordance with District zoning regulations. The subject site is

24.92 acres in area. Hudson County's Laurel Hill Park borders the site to the west while the XChange at Secaucus Junction multi-family residential development lies to the north of the property. The NJ Turnpike right-of-way borders the site to the south and east.

Both the public park and residential development are located on large parcels; in fact, the park is over 66 acres in area while the XChange residential development is over 60 acres in area. The park is developed with multiple playing fields, a boat launch and a waterfront promenade, while XChange has multiple buildings containing a total of 1,387 dwelling units and 27,000 square feet of retail space, either completed or under construction. Several hundred additional dwelling units and over 120,000 square feet of additional retail space are permitted to be built within the XChange development.

Approximately 36 percent, or nine acres, of the high school site will be developed, while the remainder of the site will be open space. As such, the location and size of the subject high school on the premises, which is situated between the NJ Turnpike right of way, a county park, and a multi-family residential development, will not dominate the immediate area or neighborhood.

ii. *The nature and intensity of the operation of the special exception use:*

While the proposed high school will represent an increase in land use intensity over the previous animatronic dinosaur theme park, it will operate during normal school hours. The facility will also be

available to the general public for scheduled events in the evening and weekends. As such, the nature and intensity of the school, primarily serving its student body Monday through Friday, as well as the general public when scheduled, will not dominate the immediate neighborhood in a manner that could prevent development and use of neighboring properties in accordance with the applicable regulations.

iii. The location of the site with respect to access and circulation;

The high school will be accessible from Paul Anico Way at the northeasterly most portion of the property. All vehicles will enter and exit the property at this point. On-site circulation, including drive aisle widths, will be designed to accommodate automobiles, buses, delivery trucks, and emergency vehicles, and the site entrance will be designed to prevent conflicts with traffic emanating from the park and neighboring residences. In addition, for those using mass transit, the Frank R. Lautenberg Station at Secaucus Junction is located within walking distance from the school site, approximately one-quarter of a mile northeast of the premises along Paul Anico Way. Testimony was provided stating that there will be a sufficient supply of on-site parking that will be able to accommodate both the high school staff and those students who choose to drive to the school. Therefore, the proposed special exception will not dominate the neighborhood or impact the use of surrounding properties with respect to access and circulation.

iv. The location, nature, and height of structures, walls and fences on the site; and

The location, nature, and height of the proposed high school will not dominate the surrounding area. The building itself will be constructed of multiple components of varying heights. Building sections will range in height from sixteen feet to approximately 57 feet. Existing topography and vegetation will provide natural buffers to Laurel Hill Park to the west and to the XChange at Secaucus Junction multi-family residential development to the north. The NJ Turnpike right-of-way will also be buffered by on-site vegetation to the south and east. Walls that will be located in the north, south, and east of the site will not be visible from adjacent properties because of vegetative screening and/or rocky outcroppings. Additional landscaping will be provided to act as a further buffer and to enhance the aesthetics of the site.

v. The nature and extent of landscaping and screening on the site.

The premises contains natural buffers, including a rocky outcrop and vegetated buffer to the west and a pond to the east. These elements will be maintained in their natural state. In addition, the site will be enhanced further as the applicant will provide additional landscaping of various species including shade trees, evergreens, shrubs, flowers, and ornamental grasses.

4. *Adequate utilities, drainage and other necessary facilities have been or will be provided.*

The requested special exception to construct a secondary school on the subject premises will not detrimentally impact the existing utility infrastructure. The utility infrastructure, including electric, water, sanitary sewer and gas, is adequate to meet the requirements of the proposed use. Significant drainage improvements will be made that will treat stormwater runoff utilizing an extended detention basin located to the east of the proposed surface parking lot. In addition, a 265kW rooftop solar array will be installed, as well as three wind turbines having a capacity of 3.5kW will provide clean energy for the facility. The applicant is also exploring the possibility of installing a geothermal energy system to increase the production of clean energy.

5. *Adequate access roads and drive aisles have been or will be provided and shall be designed to prevent traffic hazards and minimize traffic congestion.*

The existing roadway network can satisfactorily support the proposed Hudson County High Tech High School. The proposed school will include students from Hudson County's twelve municipalities and most students will be transported to school by bus, with few arriving by private vehicle. Access to the site will be from Paul Amico Way at the northeasterly-most portion of the property. The applicant's traffic professional testified that the morning and evening peak hour traffic generated by the school will not have a detrimental impact on the adjacent roadway network. Access drives will be designed to prevent traffic hazards and minimize traffic congestion. Vehicular access will be provided around the perimeter of the entire building for both emergency purposes and bus queuing. As such, the proposed high

school will have adequate site circulation, and is not anticipated to cause any additional congestion in the area.

Students and employees of the school will also have the opportunity to travel to and from the school utilizing the NJ Transit bus and rail services available at the Frank R. Lautenberg Station at Secaucus Junction. The applicant testified that a shuttle to/from the station would be provided. In addition, as the station is only one quarter of a mile from the school, those utilizing the train station may choose to walk between the facilities. While there is a sidewalk leading from the train station in the direction of the school, the sidewalk ends at the southern approach of the bridge over the NJ Transit Main Line. The applicant agreed during the hearing that a sidewalk could be constructed between the school driveway entrance and the end of the existing sidewalk on the bridge. Such a pedestrian route would require, not only the construction of a sidewalk, but also crosswalks, accessible ramps and appropriate pavement striping and signage and other appurtenances that would delineate a safe/clear pedestrian route. The existence of alternate means of transportation to and from the school will decrease the amount of vehicular trips on the roadways leading to the facility.

6. *The special exception use will not have a substantial adverse environmental impact.*

The granting of the requested special exception for the construction of a high school on the subject premises will not result in any substantial environmental impacts. The school will be LEED Gold Certified, minimizing environmental impacts to all surrounding properties. The carbon footprint resulting from the project will be less than a similar

project not built to LEED standards. District environmental performance standards will be met for noise, vibration, glare, air emissions and hazardous and radioactive materials.

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-8.4(a)(3), which requires one parking space per employee; and one parking space per 10 students based on a maximum occupancy for a secondary school as determined by the NJUCC, for a total of 378 parking spaces, whereas a total of 360 parking spaces are proposed.

The District Zoning Regulations at N.J.A.C. 19:4-4.14(e) state in part that, *a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...*

1. Concerning bulk variances:

i. The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zone, and is not created by any action of the property owner or the applicant.

The requested variance to permit 360 parking spaces for the proposed Hudson County High Tech High School, whereas 378 spaces are required, arises from conditions that are unique to the site. The subject site is an irregularly-shaped, 24.9-acre parcel, containing environmental constraints that limit the amount of potential development on the premises. There is a rocky outcrop to the west, as well as a 3.555-acre portion of the site containing a pond to the east that is subject to Green Acres restrictions and is required to remain public open space. These environmental factors limit the area

available to accommodate required parking on site. In addition, an extended detention basin designed to accommodate stormwater runoff from the proposed vehicular use areas will be located between the Green Acres parcel and proposed surface parking for the school, resulting in less flexibility in the placement of site improvements, such as parking and circulation. To mitigate these constraints, the applicant will provide more than half of the on-site parking in a parking garage located below the first floor of the school. These conditions are not usually found within the Parks and Recreation zone.

ii. The granting of the variance will not adversely affect the rights of neighboring property owners or residents.

The granting of the requested variance to permit 360 parking spaces, whereas 378 parking spaces are required, will not adversely affect the rights of neighboring property owners. The applicant testified that the number of parking spaces proposed is sufficient to support the proposed high school, considering that many of the students will arrive by school bus, and train and bus service are available at the nearby Frank R. Lautenberg Station at Secaucus Junction. There is no expectation that parking will overflow onto adjacent properties, such as Laurel Hill Park and the XChange at Secaucus Junction multi-family residential development, or into the public right-of-way of Paul Amico Way. Therefore, the granting of the variance will not adversely affect the rights of neighboring property owners.

iii. *The strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.*

The strict application of the regulations requiring a minimum number of parking spaces for a secondary school would result in practical difficulties and undue hardship upon the applicant and property owner. Due to the particular characteristics of the property in question, specifically the irregular configuration and environmental and topographic constraints, the ability to locate all required parking on site is limited.

The applicant has asserted that the 360 parking spaces proposed are sufficient to support a proposed high school at this location. It is expected that the majority of students will arrive by school bus, and a number of employees, as well as students, are expected to use the available bus and train services at the Frank R. Lautenberg Station at Secaucus Junction to access the site. The applicant testified that a shuttle will be provided between the train station and the school. This will more than offset the need for the remaining 18 required parking spaces for which the applicant is seeking relief. Based on the applicant's testimony, the 360 proposed parking spaces are adequate to accommodate parking demand for the proposed high school. Therefore, the strict application of the regulations requiring 378 parking spaces on the subject property would result in peculiar and exceptional practical difficulties and undue hardship upon the applicant.

iv. *The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.*

There will be no substantial detriment to the public good and no adverse effects on the public health, safety, morals, order, convenience, prosperity or general welfare by the granting of the requested variance. The applicant testified that the number of proposed parking spaces is sufficient to support the high school at this location. The applicant also testified that at the existing Hudson County High Tech High School in North Bergen, the majority of the students are transported to and from school by school bus, with a few students dropped off by private vehicles, thereby decreasing the number of student parking spaces needed, and they expect the same situation at the proposed school. The need for the 18 additional parking spaces is negated by the bus service and train service that will be available to both students and employees, with a shuttle proposed to transport them to and from the train station. As a result, there is no expectation that parking will overflow onto the right-of-way of Paul Amico Way or onto adjacent properties.

v. *The variance will not have a substantial adverse environmental impact.*

The granting of the requested variance to construct fewer parking spaces than required will not result in substantial adverse environmental impacts. No environmentally sensitive areas will be disturbed resulting from the provision of eighteen fewer parking spaces on the site. With the exception of glare, all Category A performance standards apply to the Parks and Recreation zone. It is expected that the high school project will meet Category A performance standards for noise, vibration, airborne emissions, hazardous and radioactive materials, and wastewater. Category B standards apply for glare and will be met by the proposed project. In addition, the reduction in the amount of on-site parking will result in less open space disturbance. Landscaping will be provided throughout the site, particularly along the perimeter of the vehicular use areas and on the landscaped islands throughout the surface parking areas. As such, the granting of the requested variance will not result in any substantial adverse environmental impacts.

vi. *The variance represents the minimum deviation from the regulations that will afford relief.*

The requested variance represents the minimum deviation from the regulations that will afford relief. The requested variance balances the regulations' parking requirements with specific use and site conditions. The development of the subject site will respect the existing environmental constraints, including the existing rocky outcrop and pond. As potential locations for additional on-site parking are limited due to these conditions, the applicant has

provided 181 of the required parking spaces in a parking garage located beneath the first floor of the school.

A deficit of eighteen parking spaces compared to the required 378 parking spaces will be negated by the bus service and train service that will be available to both students and employees. As such, the requested variance represents the minimum deviation from the regulations that will afford relief.

vii. *Granting the variance will not substantially impair the intent and purpose of these regulations.*

The requested variance to permit 360 car parking spaces, whereas 378 spaces are required, will not substantially impair the intent and purpose of the regulations. The intent of the NJSEA's parking regulations is to estimate parking demand based on a particular land use in anticipation of the needs of employees or patrons (in this case, students) of such use. The applicant has demonstrated that sufficient parking can be accommodated by the 360 parking spaces provided onsite for the high school, since school busing will be provided and employees and students will be encouraged to utilize the available bus and train service at the nearby Frank R. Lautenberg Station at Secaucus Junction.

In addition, one of the purposes of the District zoning regulations at NJAC 194-1.2(a)8 is to promote development in accordance with good planning principles that relate the type, design, and layout of such development to both the particular site and the surrounding environs. The granting of the variance request will contribute to and

promote the intent of the District Master Plan by allowing the site to be utilized in a safe, orderly, and efficient manner. Therefore, the requested parking variance to permit 360 car parking spaces, whereas 378 spaces are required, will not substantially impair the intent and purpose of the regulations.

V. SUMMARY OF CONCLUSIONS

A. Standards for the Granting of a Special Exception to permit a secondary school in the Parks and Recreation zone as per N.J.A.C. 19:4-5.15(a)2.

Based on the record in this matter, the special exception use application to permit the Hudson County Tech High School, a secondary school, on the subject property is hereby recommended for APPROVAL subject to the following CONDITION:

1. The applicant shall provide a clear pedestrian route, including but not limited to, the construction of additional sidewalk where none currently exists and appropriate crosswalks, accessible ramps, pavement striping and signage, between the school driveway entrance and the existing sidewalk on the northbound side of the bridge over the NJ Transit Main Line.

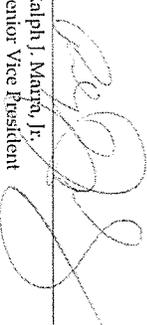
CONDITIONAL APPROVAL 7/5/16
Recommendation on _____ Date _____
Special Exception Request Sara J. Sundell, P.E., P.P.
Director of Land Use Management

CONDITIONAL APPROVAL 7-5-16
Recommendation on _____ Date _____
Special Exception Request Ralph J. Maura, Jr.
Senior Vice President
Legal & Regulatory Affairs

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19-4-8.4(a)63, which requires one parking space per employee, and one parking space per 10 students based on a maximum occupancy for a secondary school as determined by the NJUCC, for a total of 378 parking spaces, whereas 360 parking spaces are proposed.

Based on the record in this matter, the bulk variance application to permit 360 parking spaces on the subject property is hereby recommended for APPROVAL.

APPROVAL 7/5/16
Recommendation on Date
Variance Request 
Sara J. Sandell, P.E., P.P.
Director of Land Use Management

APPROVAL 7-5-16
Recommendation on Date
Variance Request 
Ralph J. Mairro, Jr.
Senior Vice President
Legal & Regulatory Affairs

RESOLUTION 2016-28

**RESOLUTION ISSUING A
DECISION ON THE VARIANCE APPLICATION
SUBMITTED AS PART OF FILE NO. 16-039
GLOMAR REALTY LLC/PAN AMERICAN COFFEE COMPANY -
ADDITION
BLOCK 219.02, LOT 66.06, IN THE BOROUGH OF RUTHERFORD**

WHEREAS, an application for two bulk variances has been filed with the New Jersey Sports and Exposition Authority (NJSEA) by Thomas J. O'Connor, Esq., of the firm Waters, McPherson, McNeill, P.C., on behalf of Glomar Realty, LLC, for the premises located at 275 Veterans Boulevard, Block 219.02, Lot 66.06, in the Borough of Rutherford, New Jersey; and

WHEREAS, the premises are located in the Hackensack Meadowlands District's Light Industrial A zone; and

WHEREAS, the bulk variances are sought in connection with the applicant's proposal to construct a 15,852-square foot warehouse building addition with associated site improvements on the subject property; and

WHEREAS, the applicant requested relief from N.J.A.C. 19:4-5.77(a)3ii, which requires a minimum total side yard setback of 90 feet, whereas a total side yard setback of 61.53 feet will be provided for the proposed building addition; and

WHEREAS, the applicant has also requested relief from N.J.A.C. 19:4-5.77(a)3iii, which requires a minimum rear yard setback of 75 feet, whereas a minimum rear yard setback of 41.63 feet will be provided for the proposed building addition; and

WHEREAS, notice of the requested bulk variance relief was given to the public and all interested parties as required by law and was published in The Record newspaper; and

WHEREAS, a public hearing was held in the Office of the NJSEA on Tuesday, May 17, 2016, before Sara Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer, Sharon Mascaró, P.E., Deputy Director of Land Use Management and Chief Engineer, Sharon Mascaró, P.E., Deputy Director of Land Use Management and Deputy Chief Engineer, Mia Petrou, P.P., AICP, Senior Planner, and Ronald Seelogy, P.E., P.P., Senior Engineer; and

WHEREAS, Lisa John-Basta, Esq., of the firm, Chiesa, Shahinian, Gaintomosi, P.C., attorney for Linque H.C. Partners, LLC, offered comments at the hearing in support of the application; and

WHEREAS, a comprehensive report dated July 5, 2016, has been prepared indicating the recommendations of the Director of Land Use Management and the Senior Vice President of Legal & Regulatory Affairs in this matter; and

WHEREAS, a copy of the recommendation and comprehensive report was provided to the applicant on July 5, 2016; and

WHEREAS, the report recommends the approval of the requested bulk variance from N.J.A.C. 19:4-5.77(a)3ii, to provide a total side yard setback of 61.53 feet for the proposed building addition; and

WHEREAS, the report also recommends the approval of the requested bulk variance from N.J.A.C. 19:4-5.77(a)3iii, to provide a minimum rear yard setback of 41.63 feet for the proposed building addition; and

WHEREAS, the Board of Commissioners of the NJSEA has reviewed the full record, including the transcripts of the public hearings, recommendations on the application by the Director of Land Use Management and by the Senior Vice President, Legal & Regulatory Affairs, and the submissions of the applicant; and

WHEREAS, the Board of Commissioners concurs with the recommendations of the Director of Land Use Management and the Senior Vice President, Legal & Regulatory Affairs; and

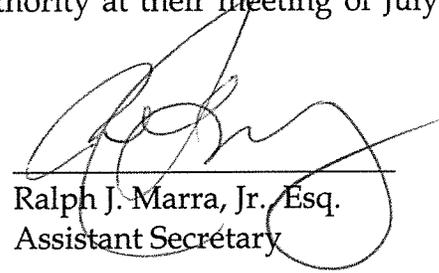
WHEREAS, the Board of Commissioners hereby determines that the requested bulk variance application to permit a total side yard setback of 61.53 feet for the proposed building addition conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e); and

WHEREAS, the Board of Commissioners hereby determines that the requested bulk variance application to permit a rear yard setback of 41.63 feet for the proposed building addition also conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the Glomar Realty LLC/Pan American Coffee Company - Addition variance application to permit a total side yard setback of 61.53 feet for the proposed building addition, is hereby **APPROVED** for the reasons set forth in the recommendation dated July 5, 2016.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the Glomar Realty LLC/Pan American Coffee Company – Addition variance application to permit a rear yard setback of 41.63 feet for the proposed building addition, is hereby **APPROVED** for the reasons set forth in the recommendation dated July 5, 2016.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 14, 2016.



Ralph J. Marra, Jr. Esq.
Assistant Secretary



MEMORANDUM

To: NJSEA Board Member and Wayne Hasenbalg, President/CEO

From: Sara J. Sundell *Date:* June 16, 2016

Subject: Variance Recommendation: - Glomar Realty LLC/Pan American Coffee Company-
Addition (File No. 16-039)

An application for two bulk variances has been filed with the New Jersey Sports and Exposition Authority (NJSEA) by Thomas J. O'Connor, Esq., of the firm Waters, McPherson, McNeill, P.C., on behalf of Glomar Realty, LLC, for the premises located at 275 Veterans Boulevard, Block 219.02, Lot 66.06, in the Borough of Rutherford, New Jersey. Said premises is located in the Hackensack Meadowlands District's Light Industrial A zone. The variances are sought in connection with the applicant's proposal to construct a 15,852-square foot warehouse building addition with associated site improvements on the subject property.

The applicant requested variance relief from the following:

1. N.J.A.C. 19:4-5.77(a)3ii, which requires a minimum total side yard setback of 90 feet. A total side yard setback of 61.53 feet will be provided for the proposed building addition.
2. N.J.A.C. 19:4-5.77(a)3iii, which requires a minimum rear yard setback of 75 feet. A minimum rear yard setback of 41.63 feet will be provided for the proposed building addition.

A public hearing was held in the Office of the NJSEA on Tuesday, May 17, 2016.

In a comprehensive report dated July 5, 2016, the Director of Land Use Management and the Senior Vice President of Legal & Regulatory Affairs recommended the approval of the bulk variances requested above. A copy of the comprehensive report and variance recommendation was provided to the applicant on July 5, 2016.

At this time, the Board of Commissioners is required to issue a decision on the variance application described above. A resolution requesting the same is attached for your consideration.

RECOMMENDATION ON THE VARIANCE APPLICATION OF

Glomar Realy LLC/Pan American Coffee Company - Addition

FILE # 16-039

I. INTRODUCTION

An application for two bulk variances has been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Thomas J. O'Connor, Esq., of the firm Waters, McPherson, McNeill, P.C., on behalf of Glomar Realy, LLC, for the premises located at 275 Veterans Boulevard, Block 219.02, Lot 66.06, in the Borough of Rutherford, New Jersey. The subject premises is located in the Hackensack Meadowlands District's (District) Light Industrial A zone. The variances are sought in connection with the applicant's proposal to construct a 15,852-square foot warehouse building addition with associated site improvements on the subject property.

Specifically, the applicant is requesting relief from the following:

1. N.J.A.C. 19:4-5.77(a)3ii, which requires a minimum total side yard setback of 90 feet, whereas a total side yard setback of 61.53 feet will be provided for the proposed building addition.
2. N.J.A.C. 19:4-5.77(a)3iii, which requires a minimum rear yard setback of 75 feet, whereas a minimum rear yard setback of 41.63 feet will be provided for the proposed building addition.

Notice was given to the public and all interested parties as required by law. The public notice was published in The Record newspaper. No written objections were received. A public hearing was held in the NJSEA Offices on Tuesday, May 17, 2016. All information submitted to the Division of Land Use Management relative to this application is made part of the record of this recommendation.

II. GENERAL INFORMATION

A. Existing and Proposed Use

The property in question is rectangular in shape, consisting of approximately four acres. It contains frontage on Veterans Boulevard to the south. The site is currently improved with a 60,988-square-foot one-story warehouse building with associated parking, and is occupied by Pan American Coffee Company. The northerly portion of the existing building is situated in the required rear yard at a setback of 41.01 feet. A compliant total side yard setback of 136.01 feet is currently provided. Two ingress/egress driveways provide access to and from Veterans Boulevard.

The site is bordered to the east by the property identified as Lot 66.07 in Block 219.02, upon which is situated a light industrial/warehousing and distribution facility. A stormwater ditch and concrete box culvert are located to the north on Lot 65.07 in Block 219.02. To the west is a vacant lot identified as Lot 3 in Block 219.04. Properties to the north and west of the subject property are located within the Hackensack Meadowlands District's Highland Cross Redevelopment Area. A 20-foot-wide temporary maintenance easement is located on the property along its rear lot line. Properties in the immediate vicinity are developed with a mix of office, light industrial and warehouse/distribution uses.

The applicant is proposing to construct a 15,852-square-foot warehouse addition to the existing warehouse/distribution building, with associated site improvements. No new loading areas are proposed. Three (3) existing loading doors are located behind the front building line on the southerly building elevation facing Veterans Boulevard. Two (2) additional existing loading areas are located on the westerly building elevation parallel to the Veterans Boulevard right of way. All existing loading areas are accessed from the aforementioned ingress/driveways

along Veterans Boulevard. There will be no decrease in the number of parking spaces provided on site.

B. Response to the Public Notice

No written objections were received prior to the public hearing.

III. PUBLIC HEARING (May 17, 2016)

A public hearing was held on Tuesday, May 17, 2016. NJSEA staff in attendance were Sara J. Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Sharon Mascaro, P.E., Deputy Director of Land Use Management and Deputy Chief Engineer; Mia Petrou, P.P., AICP, Senior Planner; and Ronald Seelogy, P.E., P.P., Senior Engineer.

A. Exhibits

The following is a list of the exhibits submitted by the applicant at the public hearing and marked for identification as follows:

<u>Number</u>	<u>Description</u>
A-1	"Site Plan for Proposed Warehouse Addition," Sheet 1 of 2, prepared by George D. Cascino, P.E., P.P., Professional Engineer and Planner, dated January 19, 2016, revised through March 22, 2016.
A-2	Aerial photograph exhibit, prepared by George D. Cascino, P.E., P.P., Professional Engineer and Planner, undated.
A-3	"Supplemental Landscape Plan for Proposed Warehouse Addition," Sheet 1 of 1, prepared by George D. Cascino, P.E., P.P., Professional Engineer and Planner, dated May 13, 2016.

B. Testimony

Thomas J. O'Connor, Esq., of the firm Waters, McPherson, McNeill, P.C., represented the applicant at the hearing. The following witness testified in support of the application:

1. George C. Cascino, P.E., P.P.

Staff findings and recommendations are based on the entire record. A transcript of the public hearing was prepared and transcribed by Susan Bischoff, Certified Shorthand Reporter.

C. Public Comment

Lisa John-Basta, Esq., of the firm Chiesa, Shahinian, Gaintomosi, P.C., attorney for Lincoln Equity, the owner of adjoining properties within the Highland Cross Redevelopment Area to the north and west, testified at the hearing in support of the application.

IV. RECOMMENDATION(S)

A. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.77(a)3ii, which requires a minimum total side yard setback of 90 feet. A total side yard setback of 61.53 feet will be provided for the proposed building addition.

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 19:4-4.14(e) state in part that, a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...

1. Concerning bulk variances:
 - i. The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zone, and is not created by any action of the property owner or the applicant.

The subject property is currently developed with a 60,988-square-foot warehouse/distribution building that occupies 39 percent of the site. The applicant is proposing to construct a 15,852-square-foot warehouse building addition to accommodate their expanding business operations at the site, which they currently own.

The proposed addition will provide a total side yard setback of 61.53 feet, whereas a minimum total side yard setback of 90 feet is required in the Light Industrial A zone. Presently, a conforming total side yard setback of 136.13 feet is provided. The existing building is situated in the required rear yard at a setback of 41.01 feet, which is encumbered by a 20-foot-wide temporary maintenance easement. Also, the existing building is set back 31.53 feet from the easterly side property line, where the minimum required side yard is no less than 30 feet on any one side. The configuration of the existing building on the subject property leaves only the westerly yard as the only practicable location for a warehouse building addition, having an existing side yard of 104.48 feet, in order to align with existing warehouse space and utilize existing loading doors. The requested variance to permit a reduced total side yard setback arises from this condition.

ii. The granting of the variance will not adversely affect the rights of neighboring property owners or residents.

The granting of the requested variance will not adversely affect the rights of neighboring property owners or residents. The neighborhood in which the subject property is located is primarily

industrial and commercial in nature; no residences are located nearby. The proposed building addition with a reduced total side yard, but compliant individual side yard setbacks, will border Lot 66.05, which is located west of the subject property and is currently undeveloped. Zoning approval was granted May 22, 2002, for the construction of a 216-room, 10-story hotel with associated parking to be located on neighboring Lot 66.05, which included a side yard setback of approximately 35 feet was approved from the proposed hotel on Lot 66.05 to the common lot line with the subject property. If this adjoining lot is developed in the future, the distance between the proposed warehouse building addition and the hotel would be approximately 65 feet. This distance between structures would allow for the provision of adequate light, air and open space for both properties.

The proposed improvements will not create any negative visual impacts to neighboring properties or impede their ability to function as intended. Landscaping will be installed along the westerly property line. Additionally, in response to concerns by the neighboring property owner, landscaped trellises are proposed to be attached to the westerly building facade to further visually screen the proposed addition from any future development on adjacent Lot 66.05. The proposed building addition will have no loading doors. All loading operations will continue to be conducted from the existing loading doors located along the southeasterly and southwesterly building facades.

iii. *The strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.*

The strict application of the regulations that would require a total side yard setback of 90 feet, whereas 61.53 feet is proposed, will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner. In order to comply with District zoning regulations, the footprint of the proposed building addition would have to be reduced by nearly 50 percent. The applicant attested that the additional warehouse space is needed to accommodate their expanding business operations and need for a functional storage configuration.

Alternative locations to construct the proposed addition are limited due to the siting and the internal configuration of the existing building on the subject property. The existing building encroaches into the northerly rear yard, and constructing the proposed addition in the easterly side yard would create the need for an individual side yard setback variance. Similarly, constructing the proposed warehouse building addition on the southerly portion of the site, adjacent to the existing office space, would place the new addition within the required front setback. This location is not practicable, as the existing office space would disrupt the flow of product and materials from one portion of the warehouse space to the other.

In balancing the requirements of the Light Industrial A zone with the particular characteristics of the subject property, the proposed variance is required to provide a functional warehouse building. The proposed warehouse building addition will be constructed adjacent to the warehouse portion of the existing building, which represents a consolidated approach to building configuration and site layout.

iv. *The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.*

There will be no substantial detriment to the public good and no adverse impacts to the public health, safety, morals, order, convenience, prosperity or general welfare by the granting of the requested variance. The placement of the proposed building addition within the westerly side yard as proposed will have no adverse impact on public safety or health, as adequate light, air and open space will continue to be supplied.

There will be no changes to the current on-site vehicular circulation pattern, and no new loading doors will be provided. Access to the site from Veterans Boulevard will be maintained as it currently exists. In addition, excess noise, odor, vibration, or glare will not be generated as a result of the proposed building addition. Testimony was provided that the proposed addition will not require an increase in staffing levels. Therefore, it is not anticipated that the proposed building addition will cause significant changes to current traffic levels. The granting of the requested variance will

enable the construction of the proposed warehouse building addition to allow Pan American Coffee Company to remain at its current location, where it has been in operation for the past two years, thereby promoting neighborhood stability and economic prosperity.

v. The variance will not have a substantial adverse environmental impact.

The granting of the requested variance will have no adverse environmental impacts. The location of the proposed building addition in relation to the total side yard will not cause the District's performance standards regarding noise, vibrations, airborne emissions, hazardous materials, glare or water quality to be exceeded. The improved site will maintain 33 percent open space, more than double the minimum open space requirements of the Light Industrial A zone, and adequate drainage will be provided.

vi. The variance represents the minimum deviation from the regulations that will afford relief.

The requested variance represents the minimum deviation from the regulations that will afford relief. The applicant attested that the additional warehouse floor space is required to accommodate their expanding business operations. Potential locations to provide a conforming building addition outside of the westerly side yard are not available due to the existing site and building configurations and the presence of an easement.

Although the total side yard required by District regulations will not be attained by this application, the proposed warehouse addition will provide for the minimum required side yard setback on any one side of 30 feet within the westerly side yard. Additionally, the total lot coverage, minimum open space, and parking requirements are met by this application, which are indicators that the subject property is not being overdeveloped.

vii. Granting the variance will not substantially impair the intent and purpose of these regulations.

Specific purposes of the District regulations include providing sufficient space in appropriate locations for a variety of uses, and ensuring that such uses are suitably sited and placed in order to relate buildings and uses to each other and to the environment so that aesthetic and use values are maximized. The proposed total side yard is consistent with this intent by allowing the site to be developed and utilized in a safe, orderly, and efficient manner.

Furthermore, the intent of requiring a total side yard setback greater than the sum of individual side yard setbacks is to encourage a creative urban design aesthetic. A total side yard setback requirement allows an offset in building placement between sites in order to promote visual interest through a varied development pattern within the streetscape.

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 194-5.77(a)3iii, which requires a minimum rear yard setback of 75 feet. A minimum rear yard setback of 41.63 feet will be provided for the proposed building addition along the northerly property line.

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 194-4.14(c) state in part that a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...

1. Concerning bulk variances:

i. *The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zone, and is not created by any action of the property owner or the applicant.*

The subject property is currently developed with a 60,988-square-foot warehouse/distribution building that occupies 39 percent of the site. The applicant is proposing to construct a 15,852-square-foot warehouse building addition to accommodate their expanding business operations at the site, which they currently own.

The proposed addition will provide a minimum rear yard setback of 41.63 feet, whereas a minimum rear yard setback of 75 feet is required in the Light Industrial A zone. The existing building is situated in the required rear yard, at a pre-existing nonconforming setback of 41.01 feet, and the site is encumbered by a 20-foot-wide temporary maintenance easement. A 20-foot wide rail siding easement exists in the rear yard, between the rear building line and the aforementioned easement. The footprint of the proposed

addition is designed to align with the existing rear building line and the existing warehouse space in the building.

This combination of conditions, relating to the siting of the existing building and the presence of an existing maintenance easement and railroad siding easement, impact the site in a unique manner. These conditions are not ordinarily found in the Light Industrial A zone and were not created by any action of the property owner.

ii. *The granting of the variance will not adversely affect the rights of neighboring property owners or residents.*

The granting of the requested variance will not adversely affect the rights of neighboring property owners or residents. The neighborhood in which the subject property is located is primarily industrial and commercial in nature; no residences are located nearby. The reduced rear yard setback resulting from the proposed building addition will border a 48-foot-wide drainage easement containing a headwall and drainage ditch within a portion of Lot 65.07. Lot 65.01, to the north of the drainage easement, is currently undeveloped. Zoning approval was granted May 22, 2003, for the construction of two 12-story, 456,000-square foot office towers with associated parking to be located on Lot 65.01. If Lot 65.01 is developed in the future, the distance between the proposed warehouse building addition and the closest office tower will be sufficient to allow for the provision of adequate light, air and open space to both properties.

The proposed improvements will not create any negative visual impacts to neighboring properties or impede their ability to function as intended. The proposed building addition will have no loading doors. All loading operations will continue to be conducted from the existing loading doors located along the southeasterly and southwesterly building facades.

iii. The strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.

The strict application of the regulations requiring a rear yard setback of 75 feet along the northerly property line, whereas 41.63 feet is proposed, will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner. Alternative locations to construct the proposed building addition are limited due to the location of the existing building on the site. The existing building currently encroaches into the northerly required rear yard, 41.63 feet from the rear lot line. The proposed addition is proposed to align with the existing rear building line.

Pushing the rear building line in a southerly direction to comply with the required 75-foot rear yard setback would result in the placement of the addition in a location that would eliminate access to the only loading doors on the westerly facade. There would be insufficient area to install a functional loading area in the side yard of a proposed building addition, and front yard loading is prohibited. Furthermore, constructing the proposed addition in

any other location on the site would be impracticable, and would impact the ability to provide a functional loading and parking layout.

Ultimately the proposed variance is required to ensure a functional addition that aligns the warehouse space in the proposed addition with the existing warehouse space.

iv. The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

There will be no substantial detriment to the public good and no adverse impacts to the public health, safety, morals, order, convenience, prosperity or general welfare by the granting of the requested variance. No adverse impacts to public health will result from the proposal, as adequate light, air, and open space will continue to be provided.

There will be no changes to the current on-site vehicle circulation pattern, and no new loading doors will be provided. Access to the site from Veterans Boulevard will be maintained as it currently exists. In addition, excess noise, odor, vibration, or glare will not be generated as a result of the proposed building addition. Testimony was provided that the proposed addition will not require an increase in staffing levels. Therefore, it is not anticipated that the proposed addition will cause significant changes to current traffic levels. The granting of the requested variance will enable the construction of the proposed warehouse building addition to allow

Pan American Coffee Company to remain at its current location, where it has been in operation for the past two years, thereby promoting neighborhood stability and economic prosperity.

vi. The variance will not have a substantial adverse environmental impact.

The granting of the requested variance will not have any adverse environmental impacts. The location of the proposed addition in relation to the rear yard will not cause the District's performance standards regarding noise, vibrations, airborne emissions, hazardous materials, glare or water quality to be exceeded. The improved site will maintain 33 percent open space, more than double the minimum open space requirements of the Light Industrial A zone, and adequate drainage will be provided.

vii. The variance represents the minimum deviation from the regulations that will afford relief.

The granting of the requested variance to construct a 15,852-square-foot warehouse building addition with a minimum rear yard setback of 41.63 feet represents the minimum deviation from the regulations that will afford relief. The applicant seeks to maintain the existing rear yard setback for the proposed addition to align the existing and proposed warehouse spaces, and thereby ensure a functional building layout. Additionally, the total lot coverage and open space requirements are met by this application, which signifies that the subject property is not being overdeveloped.

viii. Granting the variance will not substantially impair the intent and purpose of these regulations.

Specific purposes of the District regulations including providing sufficient space in appropriate locations for a variety of uses, and ensuring that such uses are suitably sited and placed in order to relate buildings and uses to each other and to the environment so that aesthetic and use values are maximized. The placement of the building addition effectively balances the zoning requirements for the Light Industrial A zone with the specific characteristics of the site, as detailed above. Granting the requested variance would allow the rear building line to remain consistent with the existing setback of the building. The current warehouse facility will be able to remain at its current location through the development of a functional addition. Therefore, the proposed variance will contribute to and promote this intent by allowing the site to be developed and utilized in a safe, orderly, and efficient manner.

V. SUMMARY OF CONCLUSIONS

A. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.77(a)3ii, which requires a minimum total side yard setback of 90 feet, whereas a total side yard setback of 61.53 feet will be provided for the proposed building addition.

Based on the record in this matter, the bulk variance application to construct a 15,852-square-foot warehouse building addition with a minimum total side yard setback of 61.53 feet, whereas a minimum total side yard setback of 90 feet is required, is hereby recommended for APPROVAL.

APPROVAL 7/5/16
Recommendation on Date
Variance Request Sara J. Sundell, P.E., P.P.
Director of Land Use Management

APPROVAL 7-5-16
Recommendation on Date
Variance Request Ralph J. Marra, Jr.
Senior Vice President
Legal & Governmental Affairs

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.77(a)3iii, which requires a minimum rear yard setback of 75 feet, whereas a minimum rear yard setback of 41.63 feet will be provided for the proposed building addition along the northerly property line.

Based on the record in this matter, the bulk variance application to construct a 15,852-square-foot warehouse building addition with a minimum rear yard setback of 41.63 feet, whereas a minimum rear yard setback of 75 feet is required, is hereby recommended for APPROVAL.

APPROVAL 7/5/16
Recommendation on Date
Variance Request Sara J. Sundell, P.E., P.P.
Director of Land Use Management

APPROVAL 7-5-16
Recommendation on Date
Variance Request Ralph J. Marra, Jr.
Senior Vice President
Legal & Governmental Affairs

RESOLUTION 2016-29

RESOLUTION AUTHORIZING THE APPROPRIATION OF ADDITIONAL FUNDING FOR PHASE 5 OF THE MEADOWLANDS ADAPTIVE SIGNAL SYSTEM FOR TRAFFIC REDUCTION (MASSTR)

WHEREAS, the Hackensack Meadowlands Transportation Planning District Act (the "Act") authorized the NJMC and now the NJSEA (collectively, the "Authority") to create a regional transportation plan establishing goals, policies, needs, and improvement priorities for transportation in the Hackensack Meadowlands District ("District"), and to undertake the development of transportation projects to effectuate said plan; and

WHEREAS, in accordance with the Act, the Meadowlands District Transportation Plan (the "Plan") was adopted by resolution on November 28, 2007; and

WHEREAS, in accordance with the Plan, the Authority developed and designed an adaptive traffic signal system, known as the Meadowlands Adaptive Signal System for Traffic Reduction ("MASSTR"), to efficiently reduce roadway congestion, delays, travel time, fuel consumption, and airborne emissions; and

WHEREAS, to fund the MASSTR project, the Authority applied for and was awarded a \$10,008,056 USDOT TIGER II grant, which required that the Authority provide twenty percent in matching funds towards the implementation of the MASSTR project; and

WHEREAS, under the Act, the Authority administers the Meadowlands Transportation Planning District Fund (the "MTPD Fund"), which is comprised of fees assessed on District development based upon projected impact on the transportation system, with such fees to be ultimately used for transportation projects in accordance with the Plan; and

WHEREAS, under Resolution No. 10-85, to fulfill the twenty percent match required by the grant, the Authority allocated \$2,502,014 from the MTPD Fund for the MASSTR project; and

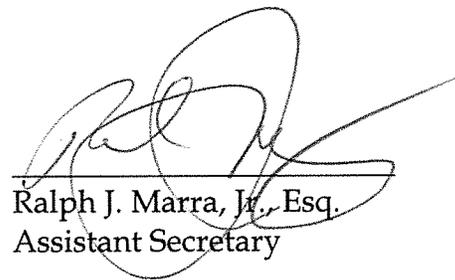
WHEREAS, the MASSTR project is designed as a scalable system with the intent that expansion would occur over time as new development takes place in the District and signalized intersections become available for installation of adaptive equipment; and

WHEREAS, to undertake such project expansion in a manner that limits mobilization costs for the Authority, additional intersections have been incorporated into the existing scope for the fifth phase of MASSTR project construction; and

WHEREAS, as a result of the expansion, along with Phase 5 construction delays caused by the unavailability of NJDOT-controlled intersections along State Route 46, an additional allocation of \$665,000 from the MTPD Fund is needed to complete this phase of the MASSTR project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the New Jersey Sports and Exposition Authority authorizes the transfer of \$665,000 from the MTPD Fund to be utilized for the completion of Phase 5 of the MASSTR project.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 16, 2016.



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

RESOLUTION 2016-30

**RESOLUTION AUTHORIZING THE PRESIDENT AND CHIEF EXECUTIVE
OFFICER TO ENTER INTO A CONTRACT FOR
INSURANCE BROKERAGE SERVICES**

WHEREAS, the New Jersey Sports and Exposition Authority (NJSEA) utilizes the services of an insurance broker to provide consulting and brokerage services to assist in the acquisition of property, casualty and other insurance coverage; and

WHEREAS, this is an important service that requires the broker to secure insurance coverage at the most competitive market price, provide coverage consultation on claims against the NJSEA, and advise NJSEA staff on issues related to carrier service: and

WHEREAS, the NJSEA issued a Request for Proposal ("RFP") dated May 03, 2016 to supply insurance brokerage services for a three-year term, with an option to renew for an additional two years; and

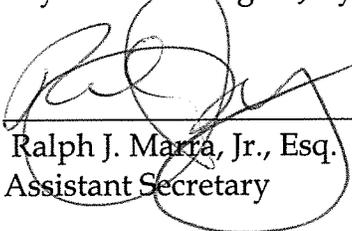
WHEREAS, in response to the RFP, proposals were submitted by Willis of Pennsylvania, Inc., Marsh USA Inc. and Taylor Oswald, LLC; and

WHEREAS, an evaluation committee comprised of the CFO/Director of Finance, Assistant CFO/Deputy Director of Finance and Senior Operations Administrator, reviewed the proposals, and ranked the proposals based on established criteria; and

WHEREAS, the committee determined that the proposal supplied by Willis of Pennsylvania, Inc. is the most advantageous to the NJSEA, price and other factors considered, and recommends award of the contract to Willis Towers Watson in the amount not to exceed \$120,000 for year one, \$95,000 per year for years two and three.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Sports and Exposition Authority that the President and Chief Executive Officer is hereby authorized to execute a contract with Willis of Pennsylvania, Inc. for insurance brokerage services for an amount not to exceed \$120,000 year one, \$95,000 per year for years two and three and optional two-year extension at the expiration for the three-year term.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at its meeting of July 14, 2016.


Ralph J. Marfa, Jr., Esq.
Assistant Secretary

RESOLUTION 2016-31

**RESOLUTION AUTHORIZING THE PRESIDENT AND CHIEF EXECUTIVE OFFICER
TO ENTER INTO AN INTERLOCAL AGREEMENT WITH
THE HUDSON COUNTY IMPROVEMENT AUTHORITY FOR DISPOSAL SERVICES**

WHEREAS, the New Jersey Sports and Exposition Authority (NJSEA) operates the Keegan Landfill in Kearny, NJ; and

WHEREAS, the Hudson County Improvement Authority (Authority) is the entity designated by the Hudson County Freeholders to manage the County's solid waste; and

WHEREAS, the Authority is authorized to enter into an Interlocal Agreement with the NJSEA pursuant to N.J.S.A. 40A:11-5(2); and

WHEREAS, the Authority routinely solicited public bids to acquire a disposal site to continue its current practice of waste flow control; and

WHEREAS, the bids received were higher than those provided by the NJSEA which would have resulted in an increase in the tipping fee for the residents and businesses in Hudson County; and

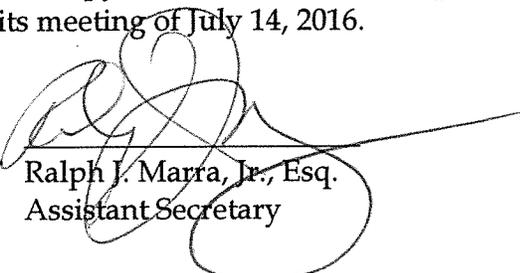
WHEREAS, the non-processible portion of the Hudson County waste stream is currently directed to the Keegan Landfill in compliance with an Interlocal Agreement between the parties; and

WHEREAS, said agreement expired on June 30, 2016; and

WHEREAS, the parties wish to extend the current agreement for a period of six (6) months because it provides the Authority with the least expensive disposal option and is at a rate that is simultaneously advantageous to the NJSEA.

NOW, THEREFORE, BE IT RESOLVED that the President and CEO is authorized to enter into this agreement with the Hudson County Improvement Authority for solid waste disposal services for the term starting July 1, 2016 and ending December 31, 2016.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at its meeting of July 14, 2016.


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

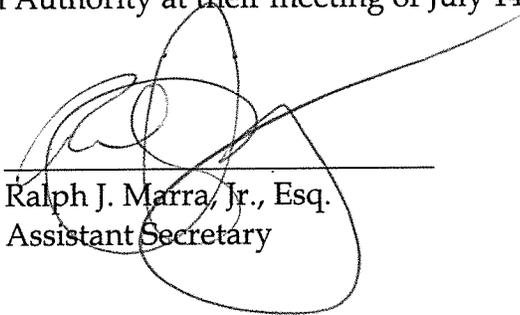
RESOLUTION 2016-32

**RESOLUTION AUTHORIZING THE
NEW JERSEY SPORTS AND EXPOSITION AUTHORITY
TO CONDUCT A MEETING TO WHICH
THE GENERAL PUBLIC SHALL NOT BE ADMITTED**

BE IT RESOLVED by the New Jersey Sports and Exposition authority ("Authority") that it shall conduct a meeting to which the general public shall not be admitted to discuss personnel matters, the status of pending and anticipated litigation and other matters within the attorney client privilege, contract negotiations, and, if necessary, to act upon pending contracts.

BE IT FURTHER RESOLVED that the time when such discussions may be disclosed to the public shall be when and as such disclosure may be made without adversely affecting the Authority's pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by the statute.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 14, 2016.



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