



## REGULAR SESSION BOARD MEETING

Wednesday, July 22, 2009 (amended)

A Regular Board meeting of the New Jersey Sports and Exposition Authority was held on Wednesday, July 22, 2009 in the NJSEA Executive Offices in East Rutherford, New Jersey.

### **Members in Attendance:**

Carl J. Goldberg, Chairman  
Joseph Buckelew, Vice Chairman  
Raymond H. Bateman, Member (telephonic participation)  
George A. Castro, II, Member  
Armando Fontoura, Member  
Joseph Forgione, Member  
Harlynn Lack, Esq. NJMC Representative  
Pamela T. Miller, Esq., Member (telephonic participation)  
Michael Neglia, Member  
Fredrick Potter, Member  
Dennis R. Robinson, President and Chief Executive Officer  
R. David Rousseau, NJ State Treasurer  
Anthony Scardino, Member

### **Members Absent:**

Rev. Dr. David Jefferson, Member  
Richard Dressel, Member  
Arthur Winkler, Esq., Member

### **Also Attending:**

Joanne Cocchiola, Associate Counsel  
Joseph Consolazio, Senior Vice President, CFO  
Dennis Dowd, Senior Vice President, Legal and Governmental Affairs  
John Duffy, Vice President Engineering, Construction and Regulatory Affairs  
Nancy Feldman, Director, State Treasurer's Office  
Angelo Genova, Esq., Genova Burns, Vernoia  
James Minish, Executive Vice President Facilities  
John Samerjan, Vice President Communications  
Mark Stefanacci, Esq., Chief Operating Officer  
Lydia Stefanowicz, Partner - Edwards, Angell Palmer & Dodge  
Maura Tully, Assistant Counsel, Governor's Authorities Unit  
Robert Weakley, Senior Vice President, Human Resources/Labor Relations  
Members of UNITEHERE Local 100

Chairman Goldberg called the meeting to order at 10:04 a.m.

Chairman Goldberg 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.

Due to the presence of so many attendees from UNITEHERE, the Chairman entertained public comments at the start of the meeting.

Bill Granfield, president of UNITEHERE Local 100 introduced himself and advised the Board of the union's request to include worker retention in the Authority's RFP for a concessionaire. Two concession employees addressed the Board and reiterated Mr. Granfield's comments.

Mr. Robinson explained that food service should be of the highest quality in the industry. Language regarding provisions of interviews for current employees was included in the current RFP and the federal law requires mandatory bargaining should a vendor hire more than 50% of the employees.

Mr. Genova advised he will address comments in Executive Session as his remarks are subject to the attorney-client privilege.

The Chairman advised Mr. Granfield he and the Board will take his comments and letter under advisement.

**I. APPROVAL OF MINUTES**

Chairman Goldberg presented the minutes of the Board Meeting held on May 20, 2009.

Upon motion made by Commissioner Potter and seconded by Commissioner Scardino, the minutes of the Board Meeting held May 20, 2009, were approved by a vote of 12-0.

**II. EXECUTIVE SESSION**

Chairman Goldberg stated a need for the Board to enter into Executive Session to discuss contractual negotiations and personnel.

Upon motion made by Commissioner Forgione and seconded by Commissioner Buckelew,

**RESOLUTION 2009 – 13**  
**RESOLUTION AUTHORIZING THE NJSEA**  
**TO ENTER INTO A MEETING TO WHICH**  
**THE GENERAL PUBLIC SHALL NOT BE ADMITTED**

was approved by a vote of 12-0.

Executive Session commenced at 10:18 a.m. Public session resumed at 11:10 a.m.

**III. APPROVALS**

**A. Finance**

**1. Nineteenth State Supplemental State Contract Bond**

The Nineteenth State Supplemental State Bond Resolution was presented to the Board members. Ms. Feldman of the Treasury Dept. and Ms. Stefanowicz, Bond Counsel, Edwards & Engle addressed the Board. Ms. Feldman advised that the Resolution authorizes refunding of various bonds. The refunding will occur in August with a proposed competitive bond sale or a negotiate transaction with underwriters, if necessary. The maximum amount of the Resolution is \$65 million.

Upon motion by Commissioner Buckelew and seconded by Mr. Rousseau,

**RESOLUTION 2008 – 14**  
**NINETEENTH STATE SUPPLEMENTAL**  
**STATE CONTRACT BOND**

was approved by a vote of 12-0.

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

The Chairman presented the report of cash disbursements over \$100,000 for the months of May and June 2009 and professional invoices for May 2009.

Upon motion made by Commissioner Castro and seconded by Commissioner Forgione, the cash disbursements over \$100,000 for the months of May and June 2009 and the professional invoices for May 2009 were approved subject to the following recusals:

<u>Member</u>	<u>Recused as to</u>
Chairman Goldberg	Creamer Sanzari Tri Venture; Creamer Sanzari Joint Venture; Joseph M. Sanzari, Inc.; Windels, Marx, Lane, & Mittendorf, LLP; Cole Schotz; Genova Burns & Vernoia
Commissioner Buckelew	Creamer Sanzari Tri Venture; Creamer Sanzari Joint Venture; Joseph M. Sanzari, Inc.; Willis
Commissioner Bateman	Willis
Commissioner Fontoura	Genova, Burns & Vernoia
Commissioner Forgione	Genova, Burns & Vernoia
Commissioner Neglia	Creamer Sanzari Tri Venture; Creamer Sanzari Joint Venture; Joseph M. Sanzari, Inc.; Genova, Burns & Vernoia
Commissioner Scardino	Creamer Sanzari Tri Venture; Creamer Sanzari Joint Venture; Joseph M. Sanzari, Inc.

**IV. COMMITTEE REPORTS**

**A. Construction Committee**

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

Mr. Duffy gave an overview of existing projects. Mr. Robinson thanked Mr. Duffy and his staff and NJ Transit for their work in assisting with the opening of the rail link that celebrated its grand opening this week.

**2. Review of Xanadu Construction Report**

The Chairman presented the Construction Report.

**3. Review of Meadowlands Railroad and Roadway Improvement Project Report**

Mr. Minish presented the Meadowlands Railroad and Roadway Construction Project Report and gave an update of the road improvement projects. Exit 16W has reopened. The flyover is expected to open in approximately eight (8) months.

**4. Approval of Construction Committee Minutes**

The minutes of the Construction Committee of June 10, 2009 were approved on motion made by Commissioner Buckelew and seconded by Commissioner Forgione subject to the following recusals:

The minutes of the Construction Committee of July 8, 2009 were approved on motion made by Commissioner Buckelew and seconded by Commissioner Neglia subject to the following recusals:

<u>Member</u>	<u>Recused as to</u>
Chairman Goldberg	Creamer Sanzari Tri Venture; Creamer Sanzari Joint Venture; Joseph M. Sanzari, Inc.; PS&S
Commissioner Buckelew	Creamer Sanzari Tri Venture; Creamer Sanzari Joint Venture; Joseph M. Sanzari, Inc.
Commissioner Neglia	Creamer Sanzari Tri Venture; Creamer Sanzari Joint Venture; Joseph M. Sanzari, Inc.
Commissioner Scardino	Creamer Sanzari Tri Venture; Creamer Sanzari Joint Venture; Joseph M. Sanzari, Inc.
Mr. Robinson	PS&S

**B. Master Plan Subcommittee**

1. The Minutes of the May 13, 2009 Master Plan Subcommittee meeting were presented by Commissioner Buckelew.
2. The Minutes of the July 15, 2009 Master Plan Subcommittee meeting were presented by Commissioner Buckelew

Upon motion by Commissioner Buckelew and seconded by Commissioner Neglia, the minutes of the Master Plan Subcommittee meetings held on May 13, 2009 and July 15, 2009 were approved by a vote of 12-0.

**C. Resolution Approving the Advertising Inventory Plan of the New Meadowlands Football Stadium**

Commissioner Neglia presented the Resolution Approving the Advertising Inventory Plan of the New Meadowlands Football Stadium.

Upon motion by Commissioner Neglia and seconded by Commissioner Buckelew,

**RESOLUTION 2008 - 15  
RESOLUTION APPROVING THE  
ADVERTISING INVENTORY PLAN OF THE  
NEW MEADOWLANDS FOOTBALL STADIUM**

was approved by a vote of 12-0.

V. **AWARDS AND CONTRACTS**

A. **Bids and Proposals Under \$100,000 Awarded by the Chief Executive Officer and or Chief Operating Officer Since the Last Board Meeting**

Communication Shelter All Sports Complex Facilities

One (1) bid was received in response to the Authority's advertised bid for a communications shelter that will house radio equipment being moved from Giants Stadium. A contract in the amount of \$47,144 was awarded to Pinnacle Wireless, Inc. the sole responsible bidder.

Upon motion by Commissioner Fontoura and seconded by Commissioner Castro, the award under \$100,00 were approved by a vote of 12-0.

B. **Awards Exceeding \$100,000 and Awarded by the Chief Executive Officer Since the Last Board Meeting**

1. **LED Matrix Board** **Meadowlands Racetrack**

Three (3) proposals were received in response to the Authority's advertised request for a LED Matrix Board for use at the Meadowlands Racetrack. The current board is beyond repair. A contract in the amount of \$140,000 is recommended for award to Daktronics Inc., the low qualified proposer.

Upon motion by Commissioner Castro and seconded by Commissioner Forgione, the contract in the amount of \$140,000 will be awarded to Daktronics, Inc., by a vote of 12-0.

2. **Janitorial Services** **All Sports Complex Facilities**

Seven (7) bids were received in response to the Authority's advertised request for janitorial services for all NJSEA facilities. A three-year contract in the amount of \$18,507,002 is recommended for award to ISS / TMC Services, the low qualified bidder, ISS / TMC.

Upon motion by Commissioner Castro and seconded by Commissioner Potter, the three-year contract in the amount of \$18,507,002 will be awarded to ISS/TMC by a vote of 11-0. Commissioner Forgione recused himself from the vote

3. **Refuse Removal and Recycling** **All Sports Complex Facilities**

Four (4) bids were received in response to the Authority's advertised request for refuse removal and recycling services for all Sports Complex facilities. A three-year contract in the amount of \$311,614 (\$103,788/year) is recommended for award to Interstate Waste Services, the low qualified bidder.

Upon motion by Commissioner Castro and seconded by Commissioner Potter, the contract with Interstate Waste Services in the amount of \$311,614 (\$103,788/yr) was approved by a vote of 12-0.

C. **Empowerment Request**

1. **Track Lighting (Sole Source)** **Meadowlands Racetrack**

In July 1993, on the basis of a competitive process, Musco Sports Lighting was awarded a contract to provide and install a licensed sports lighting system for use

in lighting the Meadowlands Racetrack. This lighting system requires the use of a patented Sylvania 1500-watt bulb. Sylvania is contractually obligated to sell bulbs to Musco. Based on the useful life of the bulbs, they are replaced every two years. The last time the bulbs were replaced was in April 2007. A purchase order in the amount of \$55,700 for 948 bulbs was issued to Musco Lighting. Authority electricians installed the bulbs.

Upon motion by Commissioner Castro and seconded by Commissioner Forgione, empowerment request to purchase 948 bulbs for a total cost of \$55,700 from Musco Sports Lighting was approved by a vote of 12-0.

**2. Empowerment / Exigency Request IZOD Office Renovation**

The operating agreement with New Meadowlands Stadium LLC did not provide for administrative offices for Authority staff. Office space that was previously occupied by the New Jersey Devils in the IZOD Center was identified as space that could accommodate the majority of displaced Authority personnel. However, the space has to be reconfigured.

The design and construction documents for renovating the space in the IZOD Center will be completed by the July 6, 2009.

To provide for sufficient time to move Authority personnel before year-end, the construction award process needs to be expedited, especially in light of the next Authority Board meeting scheduled for September 16. The Authority will solicit bids for the project. However, due to the timing issues, it is requested that the Authority's Chief Executive officer be empowered to award a contract to the lowest responsible bidder. The results of this solicitation will be presented at the September Board meeting.

Upon motion by Commissioner Forgione and seconded by Commissioner Castro, empowerment request was approved by a vote of 12-0.

**3. Sony TVs / High Definition Camera**

At the October, 2008 Board meeting, authorization was granted to purchase HD televisions from Sony, Inc. on the basis of a solicitation that combined a marketing partnership opportunity with the purchase of televisions. Sony's commitment to purchase \$25,000 in sponsorship/advertising inventory resulted in the lowest cost for the televisions. This award also provided Sony with the right of first refusal on future purchases of HD televisions and HD cameras.

Cameras currently in use at the Meadowlands are at the end of their useful life and need to be replaced. If the Meadowlands races were televised in HD and transmitted in HD to Monmouth Park and the off track wagering facilities, it would significantly enhance the presentation of the races, thereby increasing the chances that patrons would not only come to the racetrack facilities and place bets on the Meadowlands races but also entice existing patrons to bet on Authority races instead of other tracks. The Authority earns more from bets placed on Authority races than from bets placed on other tracks.

Responses to the RFP, that contained detailed specifications for the purchase of HD televisions and HD cameras to be offset by a commitment to buy sponsorship advertising inventory, were received from Sony for HD televisions and the HD cameras, from Samsung for HD televisions, and from as Diversified Systems, Inc. for the HD Sony and Hitachi cameras. (see Exhibit I )

As a result of Sony's commitment to purchase \$44,372 in sponsorship/ advertising inventory at the Meadowlands Racetrack, a contract for the purchase of televisions and HD cameras in the net amount \$549,336 is recommended for award to Sony, Inc.

Upon motion by Commissioner Fontoura and seconded by Commissioner Castro, the empowerment request that the Authority's Chief Executive Officer be empowered to award a contract with Sony, Inc., for the purchase of televisions and HD cameras in the net amount \$549,336 was approved by a vote of 12-0.

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

Mr. Robinson updated the Board on business at the facilities. Staff has reduced expenses and there is a \$1.2 million positive variance in the budget year-to-date. Account wagering has been successful and is up 9.5% from the prior year due to the success of the marketing plan in Southern New Jersey. The Jonas Brothers concerts were both sold out and customer reviews were excellent.

The Mid Year Pollstar ranking ranked the IZOD Center at No. 25 worldwide and No. 11 in the United States. On a combined basis, the IZOD Center (25) and the Prudential Center (55) would be the ninth highest ranked arena in the world, showing the strength of the regions marketplace.

The Haskell, on August 2<sup>nd</sup>, is expected to be one of the most exciting races of the year. The Hambletonian will take place on August 8, 2009. The approved renditions of the Bayonne facility were presented to the Board.

The Community Relations program is participating in the IMAGINE ten-week literacy program. Students will compete to win tickets to events at the facilities. Over 456 Libraries and 126,000 children are participating.

The Chairman advised that Colony Capital has successfully negotiated a new lending and financing package. Representatives of Colony Capital will be meeting with the Chairman and Mr. Robinson in the next few weeks.

**Hearing no further questions or comments from the Board or the general public, Chairman Goldberg requested a motion to conclude the meeting.**

**Upon motion made by Commissioner Fontoura and seconded by Commissioner Buckelew, the meeting was adjourned by a vote of 12-0 at 11:50 a.m.**

**I certify that this is a true and accurate transcript of the Regular Session Minutes of the New Jersey Sports and Exposition Authority of July 22, 2009.**

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**Joanne Cocchiola, Esq.**  
**Assistant Secretary**



**NEW JERSEY SPORTS AND EXPOSITION AUTHORITY  
REGULAR SESSION  
Wednesday, July 22, 2009**

**I. APPROVAL OF MINUTES**

Approval of Regular Session Meeting Minutes held on May 20, 2009 (ACTION)

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

**III. EXECUTIVE SESSION**

**IV. APPROVALS**

**Finance**

1. Approval of Cash Disbursements Over \$100,000 for May and June 2009 and Professional Invoices for May and June 2009 (ACTION)
2. Nineteenth Supplemental State Contract Bond Resolution (ACTION)

**V. COMMITTEE REPORTS**

**A. Construction**

1. Review of Engineering Projects at the Meadowlands Sports Complex and Monmouth Park Racetrack (DISCUSSION)
2. Review of Xanadu Construction Report (DISCUSSION)
3. Review of Meadowlands Railroad and Roadway Improvement Project Report (DISCUSSION)
4. Approval of Construction Committee Minutes of
  - June 10, 2009 (ACTION)
  - July 8, 2009 (ACTION)

**B. Master Plan Subcommittee**

- Approval of Master Plan Subcommittee Minutes of
- May 13, 2009 (ACTION)
  - July 15, 2009 (ACTION)



**C. Master Plan Committee Resolution**

Resolution Approving the Advertising Inventory Plan of The New Meadowlands Football Stadium (ACTION)

**VI. AWARDS and CONTRACTS**

- A. Award Under \$100,000 and Awarded by the Chief Executive Officer and the Chief Operating Officer since the Last Board Meeting (ACTION)
- B. Awards Exceeding \$100,000 (INDIVIDUAL ACTIONS)
- D. Other Awards (ACTION)

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