

**NEW JERSEY STATE BUILDING AUTHORITY**  
**MINUTES OF BOARD MEETING**  
**December 20, 2007**

**MEMBERS PRESENT**

John Fisher, Chairman  
Charles Marciante  
Prentis Nolan  
Dennis McNerney  
Morris Rubino  
William Maer  
Debra Bell, State Treasurer's Designee  
James Vari, Capital Budgeting & Planning Comm. Designee

**OTHERS PRESENT**

Charles Chianese	Wayne Martorelli
Kavin Mistry	Steven Sutkin
Carl Costantino	Raymond Arcario
John DiGiorgio	Richard Flodmand
Vince Campanella	Nancy Feldman
Anthony Faraca	Sharon Price-Cates
Phillip Johnson	Karen DeMarco
Michael O'Reilly	Joseph Alessi
Mark Kaminski	

Chairman Fisher convened the meeting at 9:45 AM and read the following announcement:

"Pursuant to the New Jersey Open Public Meetings Act, the New Jersey Building Authority gave notice of the time, place and date of this meeting by providing notice of time, place and date to the Secretary of State of the State of New Jersey, the Newark Star Ledger, the Trenton Times, and the Bergen Record."

**I. ROLL CALL FOR ATTENDANCE**

Mr. Chianese proceeded with roll call. Members and others present are noted above.

**II. MOTION TO APPROVE THE MINUTES OF OCTOBER 16, 2007**

On motion by Mr. Rubino, seconded by Mr. Marciante with all members voting in favor, the minutes of October 16, 2007 were approved.

**III. MOTION TO APPROVE THE MINUTES OF EXECUTIVE SESSION OF OCTOBER 16, 2007**

On motion by Mr. Rubino, seconded by Mr. Nolan with all members voting in favor, the Executive Session minutes of October 16, 2007 were approved.

**IV. MOTION TO APPROVE AMENDMENT TO ELEVENTH SUPPLEMENTAL RESOLUTION**

Mr. Chianese introduced Ms. Feldman, Director of Public Finance and Kevin Mistry, DAG from the Division of Law & Public Safety and asked them to give the board an overview of the amendment to the Eleventh Supplemental Resolution.

Ms. Feldman stated that the Office of Public Finance is asking the Board to authorize an amendment to the Eleventh Supplemental Bond Resolution to ensure that a representative from the Board is authorized to make the amendments. This relates to the 2003 Bonds.

Mr. Mistry added that this resolution will reflect the reality and approving the resolution will be favorable to the State in that the Authority will be following the exact terms of the documentation.

On motion by Mr. Rubino, seconded by Mr. Nolan with all members voting in favor, the Amendment to the Eleventh Supplemental Resolution was approved.

**V. MOTION TO APPROVE ADMINISTRATIVE BUDGET FOR 2008**

Mr. Chianese stated that the budget is straight forward. This year's budget is lower than 2007's budget.

Mr. Chianese also noted that the Board had previously authorized a new hire with respect to the compliance office which we have yet to bring on board. This is not included in the 2008 budget because there was excess surplus that was carried forward from the Administrative Budget from last year that will cover the cost of any new hire in 2008.

On motion by Mr. Nolan, seconded by Mr. Maer with all members voting in favor, the Administrative Budget for 2008 was approved.

## **VI. MOTION TO APPROVE MEETING SCHEDULE FOR CALENDAR YEAR 2008**

Chairman Fisher stated that although there is a schedule in place, there may be an occasion where the Board may need to meet to approve different milestones on any particular project.

On motion by Mr. Rubino, seconded by Ms. Bell with all members voting in favor, the Meeting Schedule for Calendar Year 2008 was approved.

## **VII. PROJECT STATUS REPORT**

### **Emergency Operation Center**

Mr. Marciante asked what kind of savings is the State receiving from the solar installation. Mr. Chianese stated that he would like to invite Mr. Rhodes, Director of Energy Savings to the next Board meeting to present his findings.

Mr. DiGiorgio stated that the system is certified and operating according to design and that it is running at 97% efficiency. With the recent snow and ice storm the system was running between 60% to 70% efficiency.

### **Justice Complex**

Mr. Chianese stated that the Authority was made aware of a crack in one of the large atrium glass panels in the Justice Complex and asked Mr. Campanella to brief the Board on the status.

Mr. Campanella stated that one of the existing large atrium glass panels developed a small crack several weeks ago. It has since developed into a full length crack within the last two weeks. This is not part of the Building Authority renovation project. A safety film has been installed. The State is still awaiting a proposal from the vendor that has replaced other glass. In the interim the State will install an additional film on the exterior of the pane to further stabilize the pane of glass until the glass is received and installed. Unfortunately because of the size of glass it will take approximately 12 weeks to get the glass from China because there is no facility in the United States that can handle that size of glass.

Mr. Chianese asked if other than the exterior film that has been put in place, has the glass been looked at by an engineer and is everyone confident that the film will stabilize the glass until the new one is received. Also, Mr. Chianese asked who is responsible and will be paying for this repair.

## **VII. PROJECT STATUS REPORT**

### **Justice Complex**

Mr. Campanella stated that it was an existing pane of glass, not part of the Building Authority project. It has not been determined who will be paying for the repair, although it would not be the Building Authority. The glass has been monitored weekly to see if there is movement; to date there is no change. The crack has not penetrated the safety belt. Mr. Campanella also stated that an engineer has not examined the crack.

Mr. Marciante asked why the glass is not being replaced with wood until the glass is delivered. Mr. Campanella stated that the pane is 25 feet and most of the work would be setting up the crane.

Mr. Chianese stated that although this is not a Building Authority project the DPMC should consider having an engineer look at the glass to ensure that there is no imminent issues with waiting the 12 weeks. Mr. Chianese is concerned with weather changes or other issues (truck vibrations, acts of mother nature, etc.) which may cause the window to pop and glass pieces airborne presenting a serious situation for anyone in its path. Mr. Chianese is concerned with safety issues should the glass fall.

Mr. Campanella stated that he would discuss the matter with DPMC and suggest that an engineer take a look at the pane of glass. Mr. Chianese also suggested ensuring that the engineer routinely monitors the glass until the new pane is installed. Ms. Bell agreed and indicated DPMC would look into it immediately.

## **VIII. EXECUTIVE SESSION**

Chairman Fisher asked for a motion to move into Executive Session to discuss certain contractual matters relating to the Cultural Campus, the Thomas Edison State College project, the South Woods State Prison project, the Hamilton State Police project, the Emergency Operations project and the State Museum project and resolving that minutes of the executive session shall be disclosed to the public at such time as the Authority determines that the matters discussed can be disclosed. On motion by Mr. Marciante, seconded by Mr. Maer the Board moved into Executive Session. On motion by Mr. Rubino, seconded by Mr. McNerney the Board returned to Regular Session.

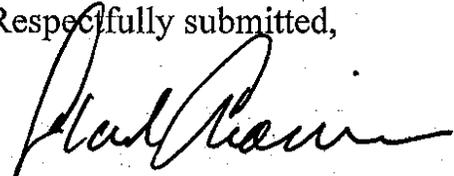
**IX. ADJOURNMENT**

There being no other business, on motion by Mr. Nolan, seconded by Mr. Vari, the meeting was adjourned at 10:20 AM.

The next Authority meeting is scheduled for February 19, 2008 at 9:30 AM at a location to be determined.

Chairman Fisher wished everyone a safe and happy holiday with their families.

Respectfully submitted,



Charles Chianese  
Secretary

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**Motion to Approve Amendment to Eleventh Supplemental Resolution**

<u>VOTED</u>	<u>AYE</u>	<u>NAY</u>
Chairman Fisher	X	
Charles Marciante	X	
Prentis Nolan	X	
Dennis McNerney	X	
Morris Rubino	X	
William Maer	X	
Debra Bell, State Treasurer Designee	X	
Gary Brune, OMB Director Designee	Not Present	
James Vari, Capital Budgeting & Planning Commission Designee	X	

This resolution represents the true and lawful actions of the New Jersey Building Authority taken at its December 20, 2007 meeting, signed and sealed on its behalf by its Secretary, this 21 day of December 2007.

  
CHARLES CHIANESE  
Secretary

**NEW JERSEY BUILDING AUTHORITY  
EXECUTIVE SESSION  
December 20, 2007**

**-CONFIDENTIAL-**

**HAMILTON STATE POLICE**

Mr. Martorelli stated that the State has agreed to mediate the claim and anticipated this will happen in January or February of 2008.

Ms. Bell asked what the expected length of the mediation would be. Mr. Martorelli would like to have it completed in 2-3 days. The nature of the dispute is narrow and should not take that long to resolve.

**THOMAS EDISON**

Mr. Martorelli stated that the project is up on appeal at this time. The briefs have been submitted. The State is awaiting an argument date for sometime in 2008. The State should have a decision by summer 2008.

**SOUTH WOODS**

Mr. Martorelli stated that they have the report from Miller-Remic in which they state that Perini is responsible for the leakage of the pipes. Mr. Martorelli stated that his recommendation will be to pursue recovery against Perini and the sub as opposed to recovery against the insurance policy.

Mr. Marciante asked if the State could buy insurance against faulty workmanship. Mr. Martorelli stated that he does not believe that the State can purchase this type of coverage.

Chairman Fisher stated that he had conversation with the principal engineer involved in the reconstruction of what actually took place. Apparently the paper trail is negative against Perini.

## STATE MUSEUM

Mr. Martorelli stated that Safeco was terminated in September. Safeco filed suite against the State and the State in turn filed a counter claim for approximately \$1.6M in anticipated overruns. The State is in the early stage of discovery.

Chairman Fisher asked Mr. Costantino to update the Board on the status of the project since Safeco was terminated. Mr. Costantino stated that in the 45 days since the turnover the State has engaged in a contract with Alchem and since then the Authority has been successful in turning over 50% of the building. The Authority is working closely with the Secretary of State's Office to accomplish their mission.

Mr. Costantino stated the next goal is to complete the lower level. It is anticipated that this will be completed in late January, early February.

Mr. Martorelli added that as the State's attorney, he would not feel half as confident as he does about this case but for the fact of the special way that Mr. Costantino came in and responsibly handled the project on behalf of the Board. Chairman Fisher thanked and congratulated Mr. Costantino.