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# *Commission Meeting*

of

## STATE HOUSE COMMISSION

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**LOCATION:** Committee Room 12  
State House Annex  
Trenton, New Jersey

**DATE:** March 13, 2008  
9:00 a.m.

### **MEMBERS OF COMMISSION PRESENT:**

Fruqan Mouzon, Chair  
Senator Bob Smith  
Senator Gerald Cardinale  
Assemblyman John S. Wisniewski  
Assemblyman Declan J. O'Scanlon Jr.  
Debra Bell  
Charlene M. Holzbaaur



### **ALSO PRESENT:**

Samuel Crane, *Secretary*  
Robert J. Shaughnessy Jr., *Counsel*

*Meeting Recorded and Transcribed by*  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

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**FRUQAN MOUZON (Chair):** Good morning, and welcome to the State House Commission's quarterly meeting.

We are in compliance with the Open Public Meeting Act. And I think we're ready to proceed.

Secretary Crane, can you please call the roll?

**MR. CRANE (Commission Secretary):** Yes.

Assistant Chief Counsel Mouzon.

**MR. MOUZON:** Here.

**MR. CRANE:** Deputy State Treasurer Bell.

**DEPUTY STATE TREASURER BELL:** Here.

**MR. CRANE:** Director Holzbaur.

**MS. HOLZBAUR:** Here.

**MR. CRANE:** Senator Smith.

**SENATOR SMITH:** Present.

**MR. CRANE:** Senator Cardinale.

**SENATOR CARDINALE:** Here.

**MR. CRANE:** Mr. Chairman, you have a quorum.

Oh, I'm sorry.

**MR. MOUZON:** Someone else joined.

**ASSEMBLYMAN O'SCANLON:** Assemblyman O'Scanlon, here for Assemblywoman Karrow.

**MR. CRANE:** Assemblyman O'Scanlon.

**ASSEMBLYMAN O'SCANLON:** O'Scanlon.

**MR. CRANE:** Mr. Chairman, you have a quorum.

The first order of business is the approval of the December 10, 2007 meeting minutes.

SENATOR SMITH: So moved.

MR. MOUZON: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

ASSEMBLYMAN O'SCANLON: I should abstain on those since I didn't attend that meeting. I'm in for Assemblywoman Karrow.

MR. CRANE: Yes.

SENATOR CARDINALE: Likewise. I was not a member at that time.

MR. CRANE: We show two abstentions. I think that gets us approval.

MR. SHAUGHNESSY (Counsel): It gets you whatever you're going to get, because we only have one, two, three, four, five--

MR. CRANE: Mr. Wisniewski will be here in a little while. So I think what we'll do is, maybe, if we need to--

MR. SHAUGHNESSY: That's fine.

MR. CRANE: We'll cast another vote with Mr. Wisniewski. I understand he's going to be here today.

MR. SHAUGHNESSY: Great. Thank you.

MR. CRANE: Members of the Commission, an addendum item was distributed to you via fax. It is the New Jersey Department of the Treasury, on behalf of the Department of Human Services-- They are asking-- On September 27, the State House Commission approved the direct sale of a property to the Camden Redevelopment Authority, or the appraisal, whichever was greater. This action requests that the approval be

changed to reflect the city of Camden as the purchaser, for the same purchase price of \$736,000.

SENATOR SMITH: So moved.

MR. MOUZON: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Let's go to No. 3 on the agenda. This is the New Jersey Department of Environmental Protection: requests approval to correct a lot and block number designation on a lease of approximately 4 acres to the Department of Law and Public Safety, New Jersey State Police. This was previously approved. This is a technical change in lot and block number.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

No. 4 on the agenda: The New Jersey Department of Environmental Protection requests approval to correct a block and lot number of approval given on March 14, 2005. We approved a conveyance of approximately 307 acres to Monmouth County. Monmouth County proposes the conveyance-- It's been previously-- This is a technical correction.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

No. 5 on the agenda--

These next ones are all actions requested by the Department of the Treasury.

The Department of the Treasury requests approval of a lease of a DEP residential property located at 529 Old York Road to Debra Cook for \$768 per month.

SENATOR SMITH: So moved.

MR. MOUZON: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

It's approved.

No. 6 on the agenda -- Department of the Treasury, again -- on the Department of Human Services, requests approval to lease space located on an existing water tower on the grounds of Trenton Psychiatric Hospital to T-Mobile for the installation of a cellular service antenna.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

ASSEMBLYMAN O'SCANLON: Can you make a note that I abstain on that one, please?

MR. CRANE: Okay. We'll note that for the record, please.

ASSEMBLYMAN O'SCANLON: I don't believe I have a conflict, but my vote isn't needed. I'm involved in that industry, so just in case--

MR. CRANE: Okay.

ASSEMBLYMAN O'SCANLON: Thank you.

MR. CRANE: Thank you, Assemblyman.

No. 7 on the agenda: The Department of the Treasury requests approval to lease two rooms located in the Old Barracks to the Crossroads of the American Revolution Association, Inc.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

No. 8 on the agenda: The New Jersey Department of the Treasury, on behalf of the Department of Human Services, requests approval to dispose of 130 acres of land and associated buildings located on the grounds of Greystone Psychiatric Hospital by auction.

SENATOR SMITH: So moved.

MR. MOUZON: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

No. 9 on the agenda: The Department of the Treasury, on behalf of the Department of Military and Veterans Affairs, requests approval to sell the improvements only at the Newton Armory to the town of Newton.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

The next group of actions are for the Department of Environmental Protection.

The first project is: The New Jersey DEP, Division of Parks and Forestry, requests approval to lease land and structures within the Liberty State Park to Educational Arts Team, Inc., a nonprofit organization, for a term of 20 years for educational, recreational, and interpretive programs for underserved youth.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

The Department of Environmental-- No. 11: Department of Environmental Protection, Division of Parks and Forestry, requests approval to lease office space in the Central Railroad of New Jersey Terminal in the Liberty State Park to statute -- Statue Cruises, Inc.

SENATOR SMITH: So moved.

MR. MOUZON: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

Next are from the Department of Transportation.

The Department of Transportation, Division of Right of Way, Property Management Unit, requests approval to dispose of a 0.888-acre

irregular-shaped parcel located between 287 and South Jefferson Road in Hanover Township, Morris County.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

If I might, in the description of the item, it mentions that the property is to be sold to an adjoining owner, "Settimo and the Three Musketeers, LLC."

I don't know if we routinely list the membership of corporate entities with which we're dealing, but I'm wondering if that's probably a good idea -- only from the point of view of making sure we have no conflicts in either clients, friends, whatever -- that kind of thing. So I'm throwing it out as a suggestion. If we're doing business with any kind of a corporation, we probably should have the same kind of disclosure that you have when people do land use -- anybody who has a 10 percent or more interest -- just so that we avoid the appearance of or actual conflict.

I don't know Settimo or the Three Musketeers, LLC. And this is Hanover Township, Morris County. I don't do any business up there, so I'm real comfortable that I don't have a conflict -- but just to avoid in the future.

MR. SHAUGHNESSY: I understand, Senator. Thank you.

MR. CRANE: Is there a motion?

SENATOR SMITH: There was, and a second.

MR. CRANE: Oh, I'm sorry.

All in favor? (affirmative responses)

Opposed? (no response)

Approved.

No. 13: New Jersey Department of Transportation, Division of Right of Way, requests approval to dispose of 14.785 acres to Cinnaminson Township for public purpose in their Green Acres/Open Space Program.

SENATOR SMITH: So moved.

MR. MOUZON: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

Item No. 14: The New Jersey Department of Transportation, Division of Right of Way, requests approval to lease, on a month-to-month basis, approximately a 50-square-foot parcel to the Financial Resource Federal Credit Union, the adjoining property owner. This is in Bridgewater Township, Somerset County.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

No. 15: Again, the Division of Right of Way requests approval to dispose of 0.018 acres in the R-1 mixed residential commercial zone to the adjoining property owners for beautification purposes. This is in Bogota Borough, in Bergen County.

SENATOR SMITH: So moved.

MR. MOUZON: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

Department of Transportation, Division of Right of Way, requests approval to dispose of 0.196 acres -- vacant lot -- to the adjoining property owner, Campbell Soup Company. This is in Camden City, Camden County.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

The Division of Right of Way, again, requests approval to dispose of a 0.037 acre, irregularly shaped parcel at the intersection of Spring Valley Road and Route 4 to the adjoining property owner. This is in Paramus Borough, Bergen County.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

Again, the Division of Right of Way requests approval to lease, on a month-to-month basis, an area known as part of the former Raritan Valley Railroad, consisting of two irregular-shaped lots, containing approximately 30,000 square feet, to Epic Properties, LLC, which owns or leases the adjoining property. This is in Union Township, Union County.

SENATOR SMITH: Just for the record, I'm going to recuse myself. Years ago I represented a company called Epic. I don't know if this

is the same one or not. But that's the LLC disclosure thing. So just to be careful, I'm going to recuse myself from any discussion or participation.

MR. CRANE: Okay. Is there a motion?

SENATOR CARDINALE: So moved.

MR. CRANE: Second?

ASSEMBLYMAN O'SCANLON: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Mr. Chairman, I'm requesting, through you, a motion for the State House Commission to convene and sit as the Board of Trustees for the Judicial Retirement System.

SENATOR SMITH: So moved.

MR. CRANE: Second?

SENATOR CARDINALE: Second.

MR. CRANE: Second.

All in favor? (affirmative responses)

Opposed? (no response)

You are now sitting as the Trustees of the Judicial Retirement System.

The first order of business is approval of the minutes of the meeting held on December 10, 2007.

SENATOR SMITH: So moved.

MR. MOUZON: Second.

MR. CRANE: All in favor? (affirmative responses)

SENATOR CARDINALE: Once again, I would need to recuse myself from this vote, not having been a member.

ASSEMBLYMAN O'SCANLON: That goes as well for me, because I was not here.

SENATOR SMITH: That might be another instance where-- When Assemblyman Wisniewski is here, you might have a reconfirmation of his vote on that.

MR. CRANE: Right. Let us hold the minutes' approval then. We're waiting for Assemblyman Wisniewski.

Let's move to No. 2.

Senator Cardinale and Assemblyman, we sit, as you may know, as the Board of Trustees. And we have to approve certain actions of the pension fund on a quarterly basis. So we will go through approval of these reports. I think they've been supplied to you in advance.

The first one is the confirmation of death claims, retirement, and survival benefits.

Is there a motion?

SENATOR SMITH: So moved.

MR. MOUZON: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

We need financial -- approval of the financial statements as of August 31, 2007.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Approved.

Receipt of the Actuary's Annual Report of the Judicial Retirement System as of July 1, 2007.

SENATOR SMITH: So moved.

MR. MOUZON: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

That completes the agenda, Mr. Chairman.

Would you entertain a motion to adjourn as the Board of Trustees for the Judicial Retirement System?

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

Mr. Chairman, given the fact that we're going to have to go and approve these two minutes, may I recommend to you that we take a five minute break and wait for Assemblyman Wisniewski so that we can-- We have to approve the minutes of the previous meeting plus the minutes here. So if we could just wait for five minutes, and we'll see if we can find him.

MR. MOUZON: Sure.

MR. CRANE: Thank you, Mr. Chairman.

**(RECESS)**

**AFTER RECESS:**

MR. CRANE: Mr. Chairman, Assemblyman Wisniewski has arrived. You still have a quorum.

As a matter of-- Since we have two new members who obviously were not here on December 10, 2007, you're going to take a recast of the vote on the December 10, 2007 State House Commission meeting minutes.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (affirmative responses)

Opposed? (no response)

They are approved.

Item No. 2 on the agenda: The New Jersey Department of Environmental Protection requests approval to extend the deadline for the construction of park improvements. This is in Monroe Township, Middlesex County.

Mr. Chairman, you have a number of people on the list before you who wish to speak this morning on this particular matter. I understand that Mr. Richard Webster, an attorney representing some of the people that have raised questions about this project, is prepared to speak and express the concerns about those who are concerned with the project.

MR. MOUZON: Yes.

Mr. Webster.

**RICHARD WEBSTER, ESQ.:** Yes, thank you.

MR. MOUZON: Have a seat.

Yes, we'll hear from you, sir.

MR. WEBSTER: Ready?

Well, good morning. I'm Richard Webster, from the Eastern Environmental Law Center. I'm here representing the Sierra Club, New Jersey Conservation Foundation, Environment New Jersey, and Park Savers.

I did send in a letter -- or a fax -- yesterday. I hope the members have had a chance to have a look at that fax.

MR. MOUZON: Yes, we have.

MR. WEBSTER: I do have spare copies if anyone needs a copy.

Obviously, we object to this extension, primarily because this application was founded on a number of myths. I call it the *myths of Monroe*. The first myth is: the litigation by diversion opponents caused the delay. That's completely incorrect. We didn't even seek an injunction. Because progress was so slow, the courts had ample time to decide on the legality of this diversion.

The second myth is that the township had all the compensation land dedicated to it at the time of the previous approval. That's incorrect. A deed for approximately half the land wasn't obtained by the township until March 2006, months after the original approval.

The third myth is that the diversion saved around \$20 million. I had a look at the transcript. That's how it was advertised to you at the time -- this diversion would save the township \$20 million. In fact, even if all goes well -- and as I'll mention in a minute, there are some major risks out there -- but even if all goes well, this school will end up costing more than the original plan.

The fourth myth was that the diversion approval would allow the township to move ahead rapidly with a much-needed school.

Obviously, if that had happened, we wouldn't be here today. Here we are, two years later, and still little progress has been made. And the delays are all because the application was premature. The township and the county did not have the building blocks in place to enable this thing to go through.

The fifth myth, and perhaps the most important, was that the site contained no significant historic information. That's what the township historian had represented last time we were here. In fact, the site is of great historic significance. It's so significant that the DEP has refused to release four acres of the original site to be diverted. And any construction that occurs on the rest must be monitored by a team of archeologists.

Now, I find this quite ironic. The Green Acres Program and the Green Acres rules are designed to preserve historic sites. And here we have a situation where the Green Acres rules are being used to destroy a historic site. Both Native American tribes and the New Jersey Archeological Association have attested to the great significance of this site.

And finally, as late as October 2007, the county assured the DEP that it would hit the January 5 deadline. Two months later, the deadline was missed.

So considering this application request, I would like you to consider how those myths impact your decision, had it been made at the time. I'd also like you to consider that the Green Acres rules have become considerably tighter. In fact, they became tighter very soon after this diversion was originally approved.

If, knowing what you know now, you would not have approved the extension -- the diversion in the first place, I submit you should not approve this extension.

The county and the township are taking a major risk here. If they encounter historic resources during construction, the school could end up going way over budget and could end up being significantly delayed. So we're managing to extract a lose-lose out of the Green Acres Program. We're both destroying historic resources, and we're putting a local unit at needless risk of cost overruns and delay.

Finally, please note that the reason you didn't have full information is that last time many important issues were relegated to conditions. In the future, we ask you to insist that local (indiscernible) provide full information at the time of any application. Only through that mechanism will you be able to be fully informed about the merits of any application.

I respectfully ask you to turn down the request today.

Thank you.

MR. MOUZON: Are there any questions for this witness from committee members?

ASSEMBLYMAN O'SCANLON: If I may.

Mr. Webster, I'm new to this Commission, so I wasn't here for the first discussion.

With all of these negatives you put on the table, why do you think Monroe is going this route? If they have-- If it doesn't save them money, and it doesn't save them time, and it exposes them to additional risk, why are they pursuing this park?

MR. WEBSTER: Well, I wish that they could answer themselves. But my perception is that they became locked into this park, that they've been pursuing this high school on this site for four years now. And at each point, they think that it's going to happen quite soon. But, of course, it never does. It's kind of like trying to fix your Windows errors. You're always hopeful that they're about to happen, but they never actually get fixed.

ASSEMBLYMAN O'SCANLON: And the relative value of the 153 acres that's being added, versus the 35 acres that's being taken away from the park -- what are the dynamics of that?

MR. WEBSTER: Well, the reason that-- I mean, it appears that there is more land being added than taken away. But that's because the land that's being added is much less valuable than the land that's being taken away. The land that's being added has some major easements on it, it has some sewer lines going across it, it has stormwater basins in it, and it's generally land that developers couldn't use for housing, so they put into cluster zoning. And it's really not very suitable for recreation either, but we're hoping that it will have some conservation value.

ASSEMBLYMAN O'SCANLON: Thank you.

MR. MOUZON: Any more questions? (no response)

Thank you, Mr. Webster.

MR. WEBSTER: Thank you.

SENATOR SMITH: There's more witnesses, I think.

MR. MOUZON: There are people here from the township that want to speak to the concerns Mr. Webster just outlined for us.

And your name, sir and ma'am.

**ERIC M. ARONOWITZ, ESQ.:** It's Eric M. Aronowitz. I'm First Deputy County Counsel, on behalf of Middlesex County.

**NANCY STEWART, ESQ.:** Nancy Stewart. I'm here as Counsel for the township of Monroe.

**MR. ARONOWITZ:** Commissioners, Mr. Webster seems to be trying to fight the battle that he fought two years ago. This matter has been appealed to the Appellate Division. The Appellate Division rendered its decision in favor of the township and the county. Petition for certification was filed with the New Jersey Supreme Court. That petition was denied on September 18. So I think, clearly, the issue of the Commission's decision from January of 2006 is done.

We're only here regarding an extension of time so that Monroe Township can expend the \$500,000 on the new soccer complex, which is one of the conditions that the Commission put into its January 5 decision. The county has fully expended its \$627,000 on a Donaldson Park improvement project, which was previously approved by Green Acres. We've provided them with all the documentation and the vouchers, showing that we've expended the \$627,000.

I will defer to the township on the \$500,000. But again, until September 18 of 2007, this case was still pending before the New Jersey courts. I think any attorney worth his or her weight in salt would not have recommended to his or her client to proceed until all avenues of appeal have been finalized. That was done on September 18.

Monroe Township can explain -- when they did award a contract, there was a bid challenge. Judge Francis, who is the assignment judge in Middlesex County, issued a restraining order that no action could

be taken. That lasted approximately two months into the beginning of February of this year. So Monroe could not have taken any action regarding the contract until that case was decided.

And having said that, I will just turn it over to the township.

MS. STEWART: Mr. Chairman and members of the committee, I will respond briefly to what Mr. Webster has raised and expand a little bit on what Mr. Aronowitz has stated.

As Mr. Aronowitz stated, no attorney or prudent township would go ahead with construction while litigation was pending regarding the site of such construction. That has been resolved.

It's important to point out, there were many conditions on the approval that was granted two years ago. All of those conditions have been met with the exception of this one \$500,000 expenditure. And this is-- It was to be spent for the construction -- the moving and reconstruction of the soccer complex. These funds -- the \$500,000 -- have been earmarked. They cannot be used for any other purpose. Eighty-five thousand, approximately, of that \$500,000 has already been expended, and the remainder will be expended shortly.

The litigation that was brought by the second lowest bidder has been resolved. It was resolved as of February 20. A new contract has been signed with the second lowest bidder. They are moving ahead. So that money will be expended shortly. That was the only condition left.

As to another issue that was raised by Mr. Webster: Why is Monroe pursuing this alternative? Because it's the best alternative there is. There was extensive research into finding a location for this new high school. This was pursued at length and in depth. And this was the best

solution. And that's why Monroe is trying to move forward. We're moving as quickly as we can. And with your approval-- Monroe needs this school, Monroe wants this school. And with your approval, it will be a reality shortly.

I've read the submission by the DEP. I think it explains everything else. But if there are questions, I would be happy to answer them.

I also have with me-- We have one township councilwoman, we have members of the board of education, the administrator, the counsel for the board of ed.

So I don't want to spend additional time if it's not needed, but I'm certainly happy to answer any questions that any of the Commissioner members have.

MR. MOUZON: Any questions?

ASSEMBLYMAN O'SCANLON: If I may, real quick.

MR. MOUZON: Sure.

ASSEMBLYMAN O'SCANLON: Just a ballpark, how much money have you spent on this project, total, that would be wasted if you were to change gears now? I'm not going to hold you to it. I know we're on the record here. But I'm just wondering-- I'm just trying to get a handle on it.

MS. STEWART: You know, I think that's something that the board of education might be able to answer more carefully than I could.

ASSEMBLYMAN O'SCANLON: The second thing is: Do you have any fear over the issues of historic significance that have been put on

the table? How is that -- and this four acres that apparently there was some restriction-- Perhaps you--

MS. STEWART: I can speak briefly, and then Mr. Aronowitz can in greater detail.

ASSEMBLYMAN O'SCANLON: Sure.

MS. STEWART: I know these matters have been addressed in detail. They have been investigated. And the four acres, yes, are restricted. I read the reports. The likelihood of historical significance on the rest of the site is really very low. Nevertheless, all the construction is being carefully monitored. And this is a plan that was worked out with the DEP. But Mr. Aronowitz maybe could add to that.

MR. ARONOWITZ: Assemblyman, the four -- I think it's 4.46 acres -- has been fenced off. We are not conveying that to the township.

ASSEMBLYMAN O'SCANLON: That's not right in the center of the property, so it's not--

MR. ARONOWITZ: No, they've actually-- My understanding is, they've moved the design of the new high school to avoid that four-acre site. The county is going to retain ownership of that. We're leaving it in place. It will not be disturbed. We've been assured by the board of ed and the township that they will take every, every action during the course of construction to ensure that this parcel is not disturbed.

ASSEMBLYMAN O'SCANLON: Thank you.

SENATOR SMITH: One or two questions, if I might.

Has the conveyance of the 151 acres for the 35 acres occurred yet?

MR. ARONOWITZ: Yes, that occurred. I believe it was-- I want to say--

SENATOR SMITH: December 10?

MR. ARONOWITZ: December 10 of last year.

SENATOR SMITH: And just for the new members serving here, this went through a public process with the board of freeholders?

MR. ARONOWITZ: Absolutely.

SENATOR SMITH: And with regard to locally -- in addition to all the normal things that go on in council meetings, there was a bond issue that went up in Monroe for this new construction, correct?

MS. STEWART: Yes.

SENATOR SMITH: And that was passed by the voters of the Monroe Township?

MS. STEWART: Oh, yes. That was a while ago.

SENATOR SMITH: Right. But the project has had a lot of public participation, chances for voters to vote. And it's been through this committee back in 2005.

And as I understand your position, the only outstanding issue is this last \$500,000.

MS. STEWART: Yes.

SENATOR SMITH: Okay. And your contention is that, because we have laws that give everybody a right to challenge things, you ended up with a challenge on the bid for the \$500,000 for the soccer fields, and that's what has caused the delay?

MS. STEWART: Yes.

SENATOR SMITH: There's a recommendation here from the DEP to -- if the extension is granted, to put a date of July 5, 2008 to require that final cash compensation. How was the date July 5, 2008 chosen? Do you know?

MS. STEWART: I believe that the contract provides that the work be completed within 180 days. And I--

SENATOR SMITH: That's not enough time.

MS. STEWART: I'm sorry?

SENATOR SMITH: That's not enough time, if completion is required.

MS. STEWART: Well, the money just needs to be expended under the terms of the agreement.

SENATOR SMITH: Oh, so if there's a contract, the project's going forward, that's enough.

MS. STEWART: Yes, it is.

SENATOR SMITH: All right.

I might want to ask that question of the DEP, just to-- I'd like to know how July 5 was picked. That's the--

MS. STEWART: I could be wrong about the reason for that, but I notice that that's what it was in the contract.

MR. MOUZON: Can you identify yourself?

**J U D E T H P I C C I N I N I Y E A N Y:** I'm Judeth Yeany, from the Green Acres Program at the DEP.

The July 5 date was chosen for several reasons. First was that we had to acknowledge, in practical terms, that we were already almost two months past the original deadline. So we were trying to pick a number that

we thought, realistically, the township could meet. We tend to deal in six-month increments when we ask for extensions. I think if you go back in the records of the Commission, it's not unusual for us to have to ask to extend this type of deadline. And we tend to do it in six-month blocks. So it really was just trying to pick a deadline that was realistic and acknowledge that almost two months had already passed.

SENATOR SMITH: Right.

MS. PICCININI YEANY: And the project is expected to cost more than \$500,000, so it does not need to be complete for a compliance to occur.

SENATOR SMITH: Just underway and a contract in place.

MS. PICCININI YEANY: Those funds expended.

SENATOR SMITH: And just for the record, the DEP is in favor of the granting of the extension, correct?

MS. PICCININI YEANY: Yes, we're the ones who requested--

SENATOR SMITH: Requested it to be.

MS. PICCININI YEANY: --that the item be put on the agenda.

I have two points I hope to address that Mr. Webster had raised, if now is the appropriate time.

MR. MOUZON: Yes.

MS. PICCININI YEANY: Assemblyman O'Scanlon asked about the replacement land and the value issue. The significance of the fact that the county and the township had to spend \$1.127 million on park improvements had to do with the fact that although the acreage of the replacement land was significantly greater, there was a shortfall in the

market value. So the park improvement money represented that shortfall. And it's not unusual for that money to be spent after the approval. And, in fact, we didn't mention this in the memo we submitted, but when the replacement land was actually surveyed -- which was one of the conditions of the approval -- it was shown to be greater in size than what had originally been estimated. So I think the final amount was 178 or thereabout that got transferred.

And when we drafted the document to release the Green Acres restrictions on the parcel, a condition of that release was that the release would not be effective until title to the replacement lands had changed hands. So we did feel that we had that covered.

I also wanted to address the historic issue, because I didn't want to leave the impression that we expected there to be historic -- significant historic issues lurking on the portion of the site that will be used for the school. We did do a partial release, because there was significant archeological investigation in between the time of the original approval and now. There are different levels of investigation, and the entire site received a Phase II investigation, which I've been told is fairly unusual. Usually there's a Phase I. It gives you some idea of whether it's a suitable site or not. But a Phase II was done here.

When the Phase II revealed that the 31 acres that we released were not -- that there were not significant issues there, but that the four acres did seem to have possible potential for significant artifacts, we decided that we could not release the entire site. So we released 31 acres and told the township and the county that there would have to be archeological monitoring during construction so that if something, in fact, does come up

on the site, we'll take appropriate action at that time. So that was a condition that we, as an agency, imposed on the project after the Commission approved the -- based on the information that the investigation showed.

So I know that our State Historic Preservation Office feels fairly confident that on the majority of the site -- what we did release -- that there are not going to be issues there. And it's up to the township and the county to decide if they want to do the additional investigation on the remainder of the site that would show whether or not it's suitable for the project. But the county has gone on record with us as saying that they have no current intention of using the rest of the site and that they're going to try to confine the project to the portion that we already released.

So we're fairly confident on the historic issue. And I did not want to leave the impression that that is going to be a problem.

And I can answer any other questions you have.

MR. MOUZON: Are there any other questions? (no response)

Thank you.

Are there any other witnesses that would like to testify to this matter? (affirmative responses)

Please step forward.

Ladies first. (laughter)

That's fine.

**B E R T R A M E. B U S C H, E S Q.:** Good morning, members of the State House Commission.

My name is Bertram E. Busch, from the law firm of Busch and Busch, in North Brunswick. I represent the Monroe Township Board of

Education. I'm here partly as a resource. But the superintendent, who could not be here today, has asked the President of the Board of Education, Kathy Kolupanowich, to read a very brief, one-page statement, if that would be okay.

MR. MOUZON: That would be fine.

MR. BUSCH: Ms. Kolupanowich.

**KATHY KOLUPANOWICH:** Good morning.

My name is Kathy Kolupanowich. I am President of the Monroe Township Board of Education. And on behalf of the Board of Education and our Superintendent of Schools, Ralph Ferrie; our district staff; and especially our Monroe Township students, I want to emphasize how critical it is for the State House Commission to reaffirm its previous decision regarding the release of the restrictions on the land in Thompson Park required to build the new Monroe Township High School.

During the past two months, since the second successful referendum was passed by Monroe Township's registered voters, the district administration has been working diligently to ensure that the new building is built in a timely manner.

Immediately following the successful December 2007 referendum that was required to secure the additional funds needed to build this facility, the construction documents were completed and the bidding process was initiated. The district anticipates opening these bids on March 25, 2008, and awarding the bids shortly thereafter. In addition, the \$41.9 million in bonds were closed upon during the past two weeks. It is anticipated that the district will be able to break ground for this much-needed facility some time in June.

Through this process, the goal is to open the building for students in September of 2011. This new school is a critical component of the district's facilities plan that will finally address the enrollment increases that have occurred during the past decade. The township has indicated that it has fulfilled the requirements regarding the location of the soccer fields.

Please permit the process to continue in order to meet the needs of Monroe Township students.

Thank you for the support that you have given us in the -- to the district in the past. And I know that you will make the decision that is in the best interest for all of our students.

Thank you.

MR. BUSCH: Thank you.

And if there are any questions we could, perhaps, help you.

SENATOR CARDINALE: For the school board person: Tell me about this bond issue vote. Was this a contested vote? Were there people saying no and people saying yes?

MS. KOLUPANOWICH: Our original bond referendum was in, I believe, September of 2002. And it was overwhelmingly defeated in our district because of a number of reasons. So we got the community back together -- about 70 members of the community -- to look into another site for our high school. And we went through many different sites -- approximately, I think, 12 -- that we had looked at to build our high school. And it was recommended that we look into the 35 acres across the street from our current high school, which would solve a lot of our district's problems.

That referendum was held in December of 2003, I believe, and was overwhelmingly passed by the community. It was then supported by both the township and the county. And from there -- when we got their support, we went through the land diversion process.

Recently, in December of 2007, we had another referendum to add the additional moneys that we had needed to build this high school. And that, again, was overwhelmingly passed by the town.

SENATOR CARDINALE: Were the opponents of this particular site represented in that election? By that I mean, did they contest this vote? Did they present their arguments to the public?

MS. KOLUPANOWICH: I believe they were out in the public giving their opinions about the -- both referendums. But again, the community supported the school district.

SENATOR CARDINALE: Thank you.

MR. MOUZON: Are there any more questions from the committee members? (no response)

Thank you.

MR. BUSCH: Thank you.

JENNIFER DRESSSEL: Jennifer Dressel. I'm with Park Savers. I'd just like to start out by saying that I've been involved with this issue and have been going to the meetings for five years, and I want everybody on the Commission to know that this is a net loss of 35 acres. As a resident of Monroe Township, I gain nothing by this diversion. I actually lose 35 acres of parkland, because the 152 acres that is being exchanged has already been preserved through cluster zoning.

Earlier, when Mr. Aronowitz was up here, you know, it was alluded that the reason that this has been delayed is because of Park Savers and our litigation. And numerous times, in meetings and in the newspaper, they have said that they are going forward regardless, unless and until they are told to stop, and that the government doesn't stop because of a lawsuit. And I'd just like to briefly say that in January of 2006 I came before this Commission and, in great detail, gave every reason why you should deny this application and ask that you deny this diversion. You went ahead and granted a conditional approval based upon lies from the Township -- the greatest of which is that the Bethel Mission settlement was not located on the 35 acres that they want to take. Lo and behold, artifacts were found in the park, and through sleight of hand and twist of words it gets downgraded and miscategorized, and I can't believe that you are letting them still have the land. These three surveys should have been done, and Thompson Park should have been preserved forever in perpetuity like it was originally supposed to be. So now what you going to do? Are you going to continue to help them lie, cheat, and steal, or are you going to serve the public?

MR. MOUZON: Are there any questions for this witness? (no response)

Thank you.

SENATOR SMITH: You have two other witnesses.

MR. MOUZON: Yes. We have two other witnesses.

Thank you, Ma'am.

**J E F F T I T T E L:** Jeff Tittel, New Jersey Sierra Club, and I'll be brief. I know you have a busy day.

We got involved in this project many years ago with our local members, and I just want to go back to that referendum. Our position back then was “good idea, wrong location,” and it wasn’t directly tied to this spot. We do not get into positions of opposing schools; we just believe they should be put in areas that are not dedicated to the public trust, as a park is, that are not historic and environmentally sensitive.

And we believe that this project is one of those projects that you won’t see the end of. Because as you all know -- and I’m sure everyone has seen them in their towns and have heard stories -- once these projects start having one problem after another, they’ll be more coming. And quite frankly, if they picked a better site that was not dedicated open space, that was not historic and environmentally sensitive, that school would be open now. And you’ll find that if this continues there will be more problems, because these kinds of sites, that we consider dogs, keep coming back and there will be one more problem after another. And so, quite frankly, I believe you should turn down the extension, let them get a better site, and they’ll have a school a lot quicker than will happen here.

Thank you.

MR. MOUZON: Thank you, sir.

Yes, Ma’am.

**AUDREY CORNISH:** My name is Audrey Cornish, and I’m a Park Saver. And I did come before this Commission once before. I was not allowed to speak the last time because you cut us off.

I just wanted to say that Monroe is 43 miles long, only half developed. Thirty-five acres is not a critical part of the township. They have plenty of places to put this school so that it would have fields. The

day that this school opens it will be to capacity. Three stories high -- the only way they're going to be able to add on to this school, unless they take more parkland, is to go up. Pretty soon the school will start looking like the Empire State Building. They have 43 miles of a town only half developed. There are plenty of places in Monroe to have put this school.

They wanted to appease the retirement communities because they didn't want to overtax them. That was the bottom line. And when you ask if everybody had information: half of Monroe that is developed is retirement communities which are gated communities. These communities, you cannot get into to explain to the retirements communities what is going to happen if they vote for this referendum. At best, you can stand in front of a Stop & Shop, but you can't get the information to those people who are voting other than, "Your taxes are going to be lower if you do this." The fact is the taxes are not going to be lower. Every single thing that they promised those people that voted for those referendums has not come true.

This school started out being \$89 million. They just had a \$48 million second referendum. And who knows by 2011 how many more referendums. So we're going to be spending more money for a small school that will be to capacity the day that it opens, when you're in a township -- not like Highland Park, where there is no space; not like Spotswood or Helmetta, where if they come before you and ask for parkland it might be necessary -- but this is Monroe -- 43 miles long. This school doesn't have fields, doesn't have a lot of things that the kids in the township deserve. But they have set their minds towards this 35 acres across the street from the school and have not diversified at all, haven't even gone out and looked at-- And we've taken people from the Environmental Protection Agency

and showed them places where they could build this school on a hundred acres, have fields, and have a real high school like most other towns, instead of presenting--

These kids are in trailers. Every school has trailers -- trailer after trailer. It's, "Welcome to Monroe, the school system that's a trailer park," because we're so overcrowded. And they're willing to settle on 35 acres instead of going out and getting a hundred acres because they're afraid of the political ramifications from the retirement communities. You know, this could have been passed. Many towns have a referendum that's defeated the first time it's put out and then they work the next year for the same referendum. The original referendum was for a full high school with fields on a hundred acres. Defeated, they've let the land go.

I mean, there has been no logic along this line. And this Committee -- the last time we came before this Committee you had an incomplete application and you passed it. Why you would pass an incomplete application is beyond me, but we can't go back. We can't go back and undo what has already been done, but you can make rules and regulations now. Unfortunately, as far as I can see, every rule has been broken in order to get to this point. Because if the land was as valuable as the 35 acres -- they could build it on 158 acres if it was actually attached to the park, and within walking distance and well-developed land, because they already own that. They got that through cluster zoning. So why don't they build the school on the 158 acres that they're exchanging? It would have cost them the same amount of money except for the fact that they can't build on it. They can build on the 35 acres, they can't build on the

land that they're giving you in exchange. I mean, all you have to do is see it.

And I'll have to tell you something: Through this five-year process, all I heard was "I have to save my job." Well, as a citizen and a taxpayer, I'd like to see somebody do their job. Not save it, just do it. And if this is the rules and the regulations, then follow the rules and the regulations. You don't just keep going around and around and around, otherwise you're telling the rest of us that, "All right, here's the law, but you can do whatever you want anyway, because we can make it up as we go along." And that's how I feel that has happened in this situation -- that people just made it up as they went along, saving their jobs, worrying about how the-- No one, I don't believe, as much as they have walked around saying, "Kids first"-- The kids first hasn't done for the kids first, because the kids deserve a regular high school just with fields and all the things that it would -- might need for expansion. Unless you're going to give them -- and it's not even 35 acres anymore, the school's even on less property -- you know, unless, like I said, this place is going to look like the Empire State Building, without fields and just parking lots.

And the other thing is that -- where no one has done their job -- is at the bottom of this hill, where they're building this high school and they're blacktopping, is a flood zone. It's Jamesburg at the bottom of the hill. Jamesburg's been hit more than once with floods, and that hasn't been taken into consideration. And I think that that's a very important fact for you to look into before you make your decision to give them another extension.

Thank you.

MR. MOUZON: Yes, Ma'am.

JANE TOUSMAN: Good morning. I'm Jane Tousman of Edison, but I am on the Executive Committee of the Sierra Club, and I've been with the Park Savers since the beginning of this whole thing.

I feel very strongly that there has been State precedent that has been set in the courts by the Plainfield versus Cedar Cove case, in which it said that, "Basically a park that is used as a park can remain a park." And there's other legislation out there that has stated that "Parkland, once it is designated as parkland, it should stay as parkland." I feel that this particular case, once it's decided by all of you, that you will set precedence -- and bad precedence at that. Because the taxpayers have said, "We want Green Acres, and we want them kept. We don't want to see them abused, not even for a school site." If the officials had really gone out and tried to build a school in any other area there would be no fight about this. But this sets a very, very bad precedent for all the Green Acres in the State of New Jersey. So I hope that you will carefully consider that when you consider your decision, and try to make sure also that our historic sites have significance and that they can be kept as well. All 35 acres should certainly be surveyed, because this Bethel Mission was a very special happening and it should be contained and it should be kept, and the history should go to all future generations.

Thank you.

MR. MOUZON: Yes, ma'am.

AMY HANSEN: Good morning, Chairman and Commission. I'm Amy Hansen with New Jersey Conservation Foundation, and I'd like to

briefly just state that I hope you'd listen to the concerns of the citizens. And we support Mr. Webster's comments.

Thank you.

**C H E R Y L M I N E O** (phonetic spelling): Cheryl Mineo, Monroe Township.

There have been several questions from this Commission asking about votes. I'd like to point out that this is really not just a local issue. Park Savers and all the conservation groups have been fully in support of a new school. I, myself, have been a community member for 30 years and voted for the original 2002, \$110 million referendum, and I've always been in support of the schools.

Having said that, however, if we're talking about votes, I'd like to remind this Commission that this is not just a local problem. It's a State issue, it's a county issue, it's a Green Acres issue, it's an open space issue. And after the 2003 vote for the \$82 million, or \$81 -- whatever it is -- on the referendum-- When, by the way, the voters in Monroe were not clear that the land was available, because at that time when that referendum was passed, the county and the State still owned the land. So there was no land on the referendum, and it wasn't parkland on the referendum that was voted on. It was merely construction costs to be voted on.

Secondly, after that vote, the county had a referendum for the open space. It was open space. Talk about votes -- overwhelmingly voted for funding for open space. People in this state, in the community, and in the county voted to increase their own taxes with a mandate to preserve open space. And that was overwhelmingly voted. And even in Monroe after the school referendum vote, the people in Monroe voted -- more

people voted for the open space tax in Monroe than voted for that referendum -- the \$81 or \$82 million referendum. More people in Monroe voted to have an open space tax. So to me, that tells me that there is a mandate to protect open space.

One of the things that's very rarely said is that open space money has been used to divert this land, which I think is a travesty of the whole system. The other thing is that-- Again, it's not just a local issue. We need a school, we desperately need a school. We also think, that the way this has evolved, that this school is not going to be satisfactory for the students, and where will they go when again expansion or -- with your need-- The only place to park will be on the rest of the public land -- will be in Thompson Park. If you look at the plans, there is nowhere else to go except on-- It will be other soccer fields or anything. So Monroe is going to just sort of usurp the parklands probably without regard for the rules.

And I would like to finish with saying that we feel that the rules have not been followed and that they have been obscured, and I think it's a dangerous precedent. And your position is to protect all the people in New Jersey. The children will get their school. They should have gotten a school long ago. We are very much in favor of having this school, but not in this place, because we don't think it serves the public good and we don't believe it serves the state good. Because I would like Green Acres to answer how many diversions have been applied for since this has gone down. There are people in the state, community, municipalities, and even the environmentalists who know that if this goes through, public space is going to be the first thing that municipalities go after when they need to sort of placate their voters and say they're going to give them free land. This free

land has cost the voters of Monroe \$42 million. So it was never free land. So it's obscuring the facts, obscuring the truth.

I am impassioned also to put a school in this town. We absolutely need it; there has never been a question. What's happened to -- in this application-- I would ask you to deny this application because you're just really creating problems for the rest of the state with rules and regulations that are just not being followed.

So thank you for your time.

MR. MOUZON: Yes. You have to step up and speak into the microphone.

MR. BUSCH: Again for the record, Bertram E. Busch, Attorney for the Monroe Township Board of Education.

The former Board president, who was present at the time of the 2003 referendum, Joseph Homoki, would like to speak. Before he does, I would just want to remind the board, the State House Commission, that all of the substantive issues that have been raised by the objectors today essentially were resolved through the litigation which resulted -- as Mr. Aronowitz, Deputy County Counsel, said -- in a denial of a petition for certification on September 18, 2007. Following that the Department of Environmental Protection issued its release of the Green Acres restrictions and deed. That was November 29, 2007.

Just a reminder -- all you are being asked to look at is an application by DEP, and on behalf of the County of Middlesex and the Township of Monroe, to extend the time which was originally set by your ruling of January 5, 2006, which gave two years, which would be January 5, 2008, for the Township to expend and the County to expend \$1,127,000.

More than half of that has been expended. It's just your request to extend the time to spend the money.

And if I could just have Mr. Homoki come forward, that would be the end of my presentation.

Oh, I'm sorry.

MR. MOUZON: Thank you.

Oh, sorry.

ASSEMBLYMAN O'SCANLON: Sorry Mr. Busch, I meant to ask you before. Do you have a number of what's been spent on this project overall to date -- ballpark?

MR. BUSCH: The expenditures to date -- I can tell you the original referendum was \$82.5 million. Because of the passage of time and other issues, a second one in December '07 was 41.9 million. The expenditures would be for bond counsel, which would be McCarter & English; for the architect, which originally was MRM, now DIG -- I don't have the numbers. We recently started with the geotechnical engineers, Melick-Tulley, and they are being monitored by the archeologist Grubb.

Sir, I don't have a bottom-line number, but if we need that I can get it to you.

ASSEMBLYMAN O'SCANLON: Okay.

MR. BUSCH: Thank you.

**J O S E P H H O M O K I:** My name is Joe Homoki. I'm on the Board of Education, Monroe Township.

As a board member, I'm responsible for the education of the children of our township, but I'm also responsible to the taxpayers of Monroe Township. All the arguments that had been presented we have

heard for the last four years over and over and over again. There's absolutely nothing new that I heard this morning that was presented by the opposition. I represent 30,000-plus people in Monroe Township. In spite of these arguments that have been presented at all the board meetings, the people still gave us \$41 extra million to complete the high school.

And I also want to say that the delays that we had -- constant delays -- cost us an extra \$41-point-some million to build a high school. If the delays would not have taken place, we could have built a high school for much, much less. I also want to say that the location is ideal. It's next to our football field. We don't have to replace any sports complexes -- no football field, no baseball, no tennis courts -- because they're all there. It's right next door. So I'm simply asking you to address what the request is -- and I think Mr. Busch has just said that. The arguments were all over the place. The request is very simply an extension, period. That's all it is.

So I'm really asking on behalf of the people of Monroe Township, the children of Monroe Township, the Board of Education, and all of us in Monroe to pay attention to the people who have supported us in this cause.

And I thank you very much for that.

MR. MOUZON: Thank you, Mr. Homoki.

Are there any more witnesses?

MR. WEBSTER: Richard Webster.

I just want to make a quick correction. The litigation did not concern the historic issues about the site, because they had emerged after the Appellate Division opinion was rendered. So I just wanted to make that very clear.

Thank you.

SENATOR SMITH: One more.

MR. MOUZON: Oh, there's another one.

Mr. Homoki, you want to come back.

SENATOR SMITH: You have to sit at the table.

MR. HOMOKI: I had it down in my notes, but I just skipped it. I just want to say that 4 acres, 4.5 acres is all fenced in, untouchable. Okay?

MR. MOUZON: Any more witnesses? (no response)

Okay, thank you.

SENATOR SMITH: Mr. Chairman, if I might. I sat, as Assemblyman Wisniewski sat, at the initial presentation on this issue, and at that time we considered the objections brought by many of the parties present today, as well as the proponents. When we made that decision, we thought we were making the right decision. And quite frankly, a lot of the comments that were made today are a lot of the objections that were made at that time. When I made the decision then, I tried to guide myself by the principle that when government acts -- when we take an action it should be reasonable and it should try to be in the best interest of the public. And I think we have to take note of the fact that there was a very extensive public process, both at the Middlesex County level, at the local level, a number of referendums, bond issues, etc. And also note that there was a very extensive review by the courts, both the Superior Court level and the Appellate Division level, and then the rejection for the matter being taken up by the Supreme Court. So it's had very extensive court review. The courts found that the actions were proper.

I continue to note that the Board of Education of Monroe Township, and the township government, and the county government are continuing to support the project, and that they've all worked cooperatively together to do what they think is in the best interest of the citizens of Monroe Township in Middlesex County.

And then I get to the bottom line, which is-- I bleed as green as anybody in this room. And that being said, the environmental issues sometimes involve a tradeoff. And I think the DEP protected the environment. I think they didn't get a pound of flesh, I think they got several pounds of flesh on this by asking for 151 acres and then getting 178 acres, as I understand the testimony. So they've gotten a very good exchange of land. On the other hand, the Township got 4.5 acres less than it could use, and then they picked up another \$1.12 million for environmental and recreational improvements. So I think the DEP has perhaps gone beyond what it may have -- maybe what it should have done. But it's clear to me that there's been a very good consideration for the land that's been traded off.

And then finally, there's a comment that we may be setting some terrible precedent. But our job, as a State House Commission, is to consider when there is a need to make adjustments. And we have preserved land -- and everybody on this Commission wants to see our preserved land increase and our open space increase -- but there are times when you have to make reasonable adjustments. That really speaks to the project itself and the issues that came up years ago. What's before us today is just the extension of time. And the question is, were the delays involved with the extension of time to a large extent out of the hands of the township? And it

looks to me like they were. It looks like it's a reasonable request, and it looks like all of the governments involved have acted in good faith. They've gone ahead with the number of improvements, they've exchanged land, they've done everything that we've asked them to do, and then they ended up with a court fight about a bid concerning the soccer fields. So it appears to me that everything has been done properly, everybody is acting in good faith and trying to do the right thing by the taxpayers, which is not to say the objectors are not acting in good faith. And we all have the same concerns. But in this case, the balance has to go, in my view, to the town, county, and school board.

So I'm going to move the extension of time.

ASSEMBLYMAN WISNIEWSKI: I'll second the motion.

MR. CRANE: All in favor? (ayes respond)

Opposed? (no response)

MR. CRANE: None.

Approved.

Mr. Chairman, a motion for adjournment.

SENATOR SMITH: This meeting, but you still need one more set of minutes to be approved, right?

MR. CRANE: He can sign them.

SENATOR SMITH: Oh, he can sign them.

MR. CRANE: Counsel has advised me he can sign them.

ASSEMBLYMAN WISNIEWSKI: Motion to adjourn.

SENATOR SMITH: Second.

MR. CRANE: All in favor? (ayes respond)

You are adjourned, Mr. Chairman.

**(MEETNG CONCLUDED)**