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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 15, 2007  
9:00 a.m.

**MEMBERS OF COMMISSION PRESENT:**

Fruqan Mouzon, Chair  
Senator Walter J. Kavanaugh, Vice Chair  
Assemblywoman Marcia A. Karrow  
Charlene M. Holzbaur  
David A. Ridolfino



**ALSO PRESENT:**

Samuel Crane, *Secretary*

Robert J. Shaughnessy, *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, everyone.

This is the quarterly meeting of the State House Commission. We're in compliance with the Open Public Meetings Act and are ready to proceed.

Secretary Crane, will you please call the roll?

MR. CRANE (Secretary): Counsel Fruqan Mouzon.

MR. MOUZON: Here.

MR. CRANE: Deputy State -- Dave Ridolfino.

MR. RIDOLFINO: Here.

MR. CRANE: Director Holzbaur.

DIRECTOR HOLBAUR: Here.

MR. CRANE: Senator Kavanaugh.

SENATOR KAVANAUGH: Here.

MR. CRANE: Assemblywoman Karrow.

ASSEMBLYWOMAN KARROW: Here.

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

MR. MOUZON: Thank you.

MR. CRANE: The first item of business, Mr. Chairman, this morning is the approval of the February 8, 2007, State House Commission meeting minutes.

ASSEMBLYWOMAN KARROW: Move.

MR. MOUZON: Second.

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

Opposed? (no response)

None.

Approved.

Mr. Chairman, the first item on the agenda is -- the requesting party is New Jersey DEP, on behalf of the City of Trenton, requests approval to allow the relocation of Greg Grant Park in order to create a larger recreational facility. This project was approved by the State House Commission on December 12, 2005. The city now seeks an amendment of the original approval in order to address delays in planning and construction of the new park.

ASSEMBLYWOMAN KARROW: Move.

SENATOR KAVANAUGH: Second.

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

Opposed? (no response)

Item No. 3: New Jersey DEP, on behalf of the township of Middletown, requests approval to allow the diversion of approximately 1.201 acres of the Conifer Tract. The township's application was submitted to the State House Commission on December 11, 2006, for our meeting of that date. After concerns about the application were raised, the Commission tabled the matter.

The township has requested reconsideration of the application with the following changes: an addition of a soccer field to the future park, to be located as an overlay to the two baseball fields. And the township has recalculated the area of the diversion as 1.201 acres.

Mr. Chairman, when the State House Commission tabled this matter in December, the Mayor of Middletown -- who I believe is here today -- and their counsel, Mr. Bill Sullivan, were scheduled to testify. I recommend to you that you call them first, since they didn't get to testify last time on this matter. They've asked to address the Commission.

MR. MOUZON: Yes, Mayor.

And what's your name, sir?

**MAYOR GERARD P. SCHARFENBERGER:** My name is Gerry Scharfenberger.

MR. MOUZON: Mr. Scharfenberger, we'll hear from you.

**MAYOR SCHARFENBERGER:** Good morning, Chairman and members of the Commission.

My name is Gerry Scharfenberger, and I am the Mayor of Middletown Township. I would like to make a brief statement this morning in support of the application for diversion of approximately 1.2 acres of land on the Conifer property, on Route 36, which is in our community.

I know you're familiar with the facts, and I'm sure you have reviewed the thorough summary prepared by the Green Acres program. I would simply like to emphasize how important this project is to our community. For many years now, we have been working on a project to build 180 units of senior housing on a portion of the Conifer property to address a real need for that housing in Middletown, and to help satisfy our very substantial COAH obligation.

We are now in the threshold of finally seeing the project happen. The last piece of the puzzle is approval by the Commission of a diversion of a portion of the property for some parking and a small portion of a detention basin. We have agreed to compensate for the diversion by creating two baseball fields on another portion of the Conifer property, with the ability to overlay a soccer field on those fields for use when scheduling of the two sports permits.

We are also funding the construction of another soccer field in Atlantic Highlands. And the total estimated cost is more than \$2.6 million. I want to emphasize that Atlantic Highlands has no objection to the application before you.

At your December meeting, you heard from an individual who objected to various aspects of this application. At the suggestion of Green Acres, we met with him recently, listened to his suggestions, and actually redesigned the plan for the fields to try and address his concerns. This week we met with him yet again, showed him the new plan -- which is a part of the Green Acres summary before you. We really have made a good-faith effort to accommodate him and address all of the concerns that he had raised.

Now we are at a point where the senior housing project, as well as the project itself, on that property are in jeopardy if this application is not approved. I urge you to recognize all of the important issues at stake here and respectfully ask your approval of this project.

Thank you very much.

MR. MOUZON: Thank you, sir.

Mr. Sullivan.

**WILLIAM C. SULLIVAN JR., ESQ.:** Yes.

William Sullivan, Counsel at Scarinci & Hollenbeck. We're special counsel to the township of Middletown. And I'd just like to add a couple of other thoughts.

We have met with the DEP, with HMFA, with DCA on this. And we've met with Mr. Harmon twice. I think the approval sheet with the Commissioner's recommendation, that you have before you, does a good

job of explaining the sort of tortured history of this project; and the careful review by Green Acres of this application.

This project -- and the reason why we're here, to a large extent, is the result of changing regulations and requirements at the State level. New COAH regulations mandated more parking on this site. That's one of the reasons why we need the additional land that's the subject of this diversion. Then the new DEP stormwater regs came along, and suddenly we needed a much bigger detention basin. And that's the reason for the balance of the diversion. So those were the reasons why we really had to go and get the diversion and file the application.

The Green Acres summary to you, I think, carefully and reasonably explains the need for a reasonable interpretation of the regulations in this case -- the Green Acres regulations. And DCA and HMFA are solidly behind the project. I think we've really done everything feasible and reasonably possible to address the concerns of the only real objector to this proposed diversion. As the Mayor said, we redesigned the ball fields. And as a result of that redesign, we're providing even more recreational opportunities than we had originally proposed.

I'm sure that-- He's here today. I'm sure he's going to have his comments to make. I think you have to recognize that we're really on the precipice here. We need to start construction of this project. If we have to change roads or other things for this project, we're probably -- a developer probably has to go back for an amended CAFRA permit from DEP. That, in and of itself, would probably be enough to seriously jeopardize this project.

This project provides 180 affordable senior units where they are really needed. We all know that providing those kinds of units is a priority of the State. We're only here because of changes in other State regulations. And to compensate for it, we're building two soccer fields and two baseball fields -- brand new recreational facilities -- where none exist today.

To me, the project is a homerun. I hope that you will support it.

MR. MOUZON: Mr. Sullivan, I have one question.

We received a letter from Mr. Harmon late last night, and he mentioned an extra access road that he alleges could be dangerous. Would you mind speaking to that issue?

MR. SULLIVAN: Sure. That's what I was referring to before.

It's actually more like a driveway than a road. But it's the way that you would get from Route 36 into the 180 units of senior housing. It has been a part of the design of this project for a long time. Mr. Harmon's latest concern is that he thinks that we should redesign the road, put it in a new place -- which we're not even sure is technically feasible, because it goes right where the detention basin is supposed to go. So either we'd have to move the detention basin -- probably uphill, which is technically impossible -- or we'd have to -- somebody would have to build a bridge over the detention basin for the roadway.

And my point about all of this really is that that's probably going to require somebody to go back to DEP for a major modification of the CAFRA permit for this project, which is frequently a lengthy process, even if everybody likes the project. So that delay, in and of itself, would be

a serious problem. And frankly, I think there are lots of parks that have driveways that run through them.

We suggested in the meeting this week that we could do crosswalks, we could take other design measures necessary to provide adequate safety for people walking across the road from one side of the park to the other.

I just think we've done everything we can.

MR. MOUZON: Thank you, sir.

MR. SULLIVAN: Thank you.

MAYOR SCHARFENBERGER: Thank you.

MR. MOUZON: Mr. Harmon is here to testify, as well.

**MICHAEL G. HARMON:** Yes, sir.

MR. MOUZON: Mr. and Mrs. Harmon is it?

**JOAN DONNELLY, ESQ.:** No, Joan Donnelly, attorney on behalf of Mr. and Mrs. Harmon.

But Mr. Harmon has the facts.

MR. HARMON: Thank you, Mr. Chairman.

Green light? (referring to PA microphone)

Can you hear me?

HEARING REPORTER: Red light means on.

MR. HARMON: Oh, thank you. Sorry.

Red is on. Sorry.

Thank you for hearing me. Last time I was here, you were very nice.

I think the fact that you tabled it last time has been very helpful, in that there has been modifications to this plan that I think will benefit the public.

Just to let you know, I am the adjacent landowner. But I've been involved with this particular property since about 1990. I was the former Mayor of Atlantic Highlands. I was also a councilman for 12 years. And I've been a State -- county park commissioner for Monmouth County -- probably one of the best parks in the state -- for 18 years. So I know parks. I know a lot about parks.

And just right off the bat, I would just like to make one comment -- or two comments -- about what was just said. Number one, Middletown would have you believe that this project -- that the compensation that they're offering -- the \$2.6 million is new money. In fact, I have the agreement with me here. The two towns-- It was sort of a border war. In 2001, there was a settlement. Middletown agreed to fund two baseball fields and a soccer field on this site, which is the drawing that you have on the top page that I just gave you. That's the original plan from 2001.

As you'll note, another key issue here-- You'll note there is a soccer field here on this plan. There's also an entrance to the development -- what you see is between the soccer field and the wet stormwater basin. That's what they agreed to fund. The budget for that was about \$2.2 million without any Green Acres contingency for funding. There was nothing in the agreement; and I have it with me. We purposely did not want to count on Green Acres having to fund this project. So, essentially,

what they're bringing to you today is about \$325,000 of new money. And they're telling you they would like to divert the acre.

I'm not opposed to the diversion. I'm not opposed to what they've done to the expanded parking. I'm not opposed to that at all. I know this project is going to happen, and I wish them well.

What I am opposed to is-- You'll see, on the second page -- if you don't mind, refer-- And I think pictures say a lot. What you'll see is, they've moved the road from along the highway up into that middle of what was a soccer field. That soccer field is gone. Atlantic Highlands has come up with an alternative location for that soccer field, and it's a great location. They have amended that plan. I was against-- I wasn't against that plan. But what happened was, where they are siting that is actually the site of a sailing club. The sailing club has a lease on the property where Atlantic Highlands is going to put that soccer field. They haven't worked that out. But having said that, I've heard they're going to work it out. It's a good idea.

What they've done here, as you can see on this, is they've overlaid the soccer field onto the two baseball fields. I think it makes a lot of sense. It's good planning. We don't have enough soccer fields in Atlantic Highlands. I don't think Middletown has enough either. So I like what they've done here. And they've moved the parking. I think that's smart.

I own the piece -- that kind of big wooded piece -- right above the property there. This is my main objection. That road -- that black thing going through there -- that's going to be seniors from 50 to whatever-age driving through the middle of this park. Both sides of that black road --

the big red area -- that's a retention basin now. What they're doing is, they're digging a big hole -- on your Green Acres parkland, they're taking out 38,000-or-so cubic yards of dirt -- that's your dirt -- they're moving it throughout the site, or maybe they're going to sell it. I don't know what they're going to do. I got a value from another former mayor yesterday -- in Middletown -- that I met with. He told me the approximate value of that -- just the dirt alone that they're moving out -- is going to be around -- could be as much as \$300,000, at somewhere between \$7 to \$12 a cubic yard. I don't know how that's addressed here.

But what we had was this independent soccer field, that you see here now. What we're ending up with is a giant hole in the ground, with a road running through it. That 80-year-old grandma or grandpa -- my dad is 80 years old -- are going to be driving through this park. And on both sides of that-- And they're calling this giant retention basin part of the park. I object to that.

What I believe should happen-- I believe, ultimately, what will happen is that this black-- If this went in-- I'd like to see the road moved back. They're saying they can't do that. Again, that, to me, was their decision to go to CAFRA. This is your parkland and our parkland. They decided Conifer was really no standing here -- they're a lessee of another piece of property. They came in and they went to get CAFRA approval on land that we own -- not that they own. It's land they sold to the borough and Atlantic Highlands for \$3 million. Now they come back and they want it back for free, essentially.

What I'm saying to you is, that diversion-- We should recognize that there is a diversion in that retention basin, and they should

come up with that, and recognize that that road is going to have to be fenced off. And we're losing a big chunk of our active recreational parkland; and we don't have a lot of flat area.

What I'm saying to you is, recognize that. And if you agree to this diversion, you should be adding at least one more acre to that diversion at a-- If it's land replacement, your table says three-to-one. If it's a monetary, it has to be four-to-one. So you're looking at somewhere around -- it's between \$700,000 and a million dollars that that is worth today. This is highway property. That's what that is worth on your replacement. And do it that way, because we have replaced the soccer field, but we haven't replaced the land here. We're turning it over to the developer.

What else I would like to say is, just as a protocol, I feel -- as someone who has been a commissioner and been involved in things -- not at your level by any stretch -- we haven't-- We just got that approval that the DEP Commissioner sent. We've been trying to get that.

I included in your package here something that irks me very deeply. And that is that-- You'll see, in the back of this package, where it appears that Conifer has been actually writing and editing this approval that you're ending up with. And you'll see in the back a fax from Conifer to the DEP on their letterhead, saying, "Please comment on our approval."

Now, my problem with that is, again, Conifer doesn't have standing. Number two, as a public -- I wasn't allowed to get this. Yet, in the back here -- you'll see, in the very back, you'll see a fax. Now, how did I get this? I got this by following OPRA.

I have no problem with some of the Green Acres people. But what I've said is, they have ignored most of your -- a lot of your own rules.

I go through that in my letter. And the two big rules that I believe they've omitted or ignored-- There's something called *fragmenting* a park. If this road isn't considered fragmenting a park, I don't know what is. What that means is that a big part of the park becomes not as good as it was. It was a soccer field, now it's a retention basin. I call that a *fragment*.

The second part is that-- What was my second part?

Excuse me one second. I had one other--

Oh, another thing: The compensation-- It says in your rules that the compensation cannot be for a previously approved project, as far as recreational fields. I have the approval right here from the governing body. I have the 2002 budget from T & M. I have it all.

And, again, I'm not asking you to-- I recognize that Atlantic Highlands and Middletown have reached an accommodation. We have made progress. I am just asking that if you are going to grant this diversion, recognize that there is at least another acre here. That area inside the road will have to be fenced off eventually. And condition your approval on them replacing it with three acres -- or three times the 1.2 -- 3.60 acres. I think that would solve the problem. Wherever they do it is fine, whether it's Atlantic Highlands or -- as long as it's on the Atlantic Highlands side of the highway.

One last thing, and I'll hang up.

When they originally made their presentation to Green Acres, no one knew about it. They were doing a diversion in 2005. They were actually going for a compensation by buying land across the highway. That ended up being rejected by Green Acres, and then they went to this field thing. What I'm saying is: If you condition your approval on them doing

3.60 acres, I have no gripes. Other than that, I believe you're giving land -- hard-won ground away to them, basically, for nothing. And they were paid.

Thank you.

MR. MOUZON: Thank you, Mr. Harmon.

Now, one thing. Mr. Sullivan testified that the basin had to be expanded -- that he was under orders to expand the basin. And looking at the map, if he does that, there really is no other place to put the road.

MR. HARMON: If you look on-- That's a great question. If you look at the first drawing I gave here -- the first one -- you'll see that the original plan actually approved by the planning board called for two basins. There was the basin here that you see, and another basin above the road. I kind of circled it. I don't have that plan with me. But there is-- You'll see, right above the building, there's a-- And that's actually on a part of the project. That's the eight acres that Atlantic Highlands ended up with.

It turns out that for \$384,000, we could have had this original plan. But this was all not public. And they decided to go the way they went. And I really don't have a problem with the basin where it is now. I have a problem with the road.

I don't know if that answers your question.

MR. MOUZON: It does.

Thank you, sir.

MR. HARMON: Thank you.

MR. MOUZON: Mayor Scharfenberger, would you mind coming back up?

ASSEMBLYWOMAN KARROW: It's a quick question. And maybe the folks from DEP could also answer this question.

Do you happen to have an ordinance in your town about net soil -- top soil removal loss? A lot of municipalities are moving that way, where they're creating ordinances that if you remove topsoil from one site, it has to be spread someplace in the same municipality, so many miles, or feet, or yards from that original site. Do you happen to have one?

MAYOR SCHARFENBERGER: Could I check with my Director of Planning to see where we stand with that?

At this time, we do not.

ASSEMBLYWOMAN KARROW: Is that something your municipality is developing?

MAYOR SCHARFENBERGER: That is something we are looking into. We are reviewing all of those types of ordinances and trying to fill in where we are missing that sort of mandate, yes.

ASSEMBLYWOMAN KARROW: Is it something that the developer would be willing to comply with now, even though it's not an approved ordinance?

MAYOR SCHARFENBERGER: I would have to confer with the developer.

ASSEMBLYWOMAN KARROW: Is he here today?

MAYOR SCHARFENBERGER: I believe he is, yes.

ASSEMBLYWOMAN KARROW: Hi.

Could you come up?

**TIMOTHY D. FOURNIER:** My name is Tim Fournier, and I'm with Conifer.

Is it on? (referring to PA microphone)

Red is on.

ASSEMBLYWOMAN KARROW: It's the State. (laughter)

MR. FOURNIER: My name is Tim Fournier, and I'm the President and CEO of Conifer Realty, the developer of the site.

ASSEMBLYWOMAN KARROW: You have to hit that off. (referring to PA microphone)

Sorry. It's like-- Remember walkie-talkies when you were a kid?

Is that something you would be willing to agree to -- is to make sure that the topsoil stays within whatever they're currently developing, as far as an ordinance for topsoil removal?

It has become a very important trend in the state. A lot of municipalities are adopting ordinances that require topsoil to not leave the municipality. And most are requiring them to be spread someplace close to the site or on the site.

MR. FOURNIER: We would be very willing to comply with that, yes.

ASSEMBLYWOMAN KARROW: Okay. That's my only question.

MR. SULLIVAN: Mr. Chairman, could I have the opportunity, very briefly, to address a couple of those comments from Mr. Harmon?

MR. MOUZON: Sure.

MR. SULLIVAN: Really quickly, I think it's important to point out a couple of things.

First of all, the compensation for the property on the other side of 36, that Mr. Harmon says it rejected, wasn't rejected. As a matter of fact -- and we didn't want to go into this in any great depth because, frankly,

Green Acres has been very supportive of this project and this diversion. The reality is that the original plan for compensation for this diversion was to buy a piece of property, known as the Campo (phonetic spelling) property, on the other side of 46. Middletown went out and bought that piece of property -- spent almost \$1.5 million for that property. Unfortunately, we were not aware at the time that we should not have closed on that property before this diversion was approved by the State House Commission.

So the reality is that we are paying for the diversion of this property twice. We paid for it once with the Campo property, which doesn't count under the regs because we hadn't gotten the diversion first. And now we're paying for it with the building of the ball fields. So I think it's a little disingenuous to just pretend that that extra \$1.5 million didn't happen, because it did.

The detention basin would be required by the DEP -- was required by the DEP stormwater regs. The big hole in the ground -- we don't want it. The developer doesn't want it. We have to do it in order to satisfy the stormwater requirements.

And another important point is that only about 15 percent of the detention basin is caused by the senior housing. The rest of it is water coming off of the top of hill, including Mr. Harmon's property. So we'd have to have the hole anyway, in order to comply with the new stormwater regs, even if we were just going to build the ball fields.

And by the way, I still haven't seen the version of the DEP Commissioner's, with the signature of the Commissioner on it. I don't

think there's been any subterfuge here. I have the final version, but nobody was holding back any other information.

The two basins issue -- that was before the new stormwater regs. The new regs came in, and everything had to be redesigned. So I really think we've done our best here.

Thank you.

MR. HARMON: Mr. Chairman, may I just--

Sorry.

MR. MOUZON: Very briefly.

MR. HARMON: Yes, sir.

Just on that comment-- And I'm sorry to do this. But the property that was across the highway-- You have to understand, when these properties were bought in 2001 by Atlantic Highlands and Middletown, Atlantic Highlands had a full-use interest in the property. So the other project that he's talking about was for a different project called Kara Homes, in Gate Cottage. That was a separate deal, by a separate environmental group that sued over a project that is adjacent.

Sure, Middletown tried to piggyback that diversion into this project, but they didn't tell Atlantic Highlands, they didn't tell anyone. And it's not even close to the-- It's across the highway. So they're always buying property. So that's completely disingenuously said.

The other thing is, I'm not saying that it's not a hole; what I'm saying is, it's not a park anymore. That's why I'm asking for the diversion of three acres.

Thank you.

MR. MOUZON: Thank you.

Anyone else? (no response)

Is there a motion to move this item?

SENATOR KAVANAUGH: So moved.

ASSEMBLYWOMAN KARROW: Can I just make one statement?

Thank you.

I'm going to second this motion.

And I just want to say that, in a previous political life, I was a local elected official that went through a Green Acres diversion very similar to this, where the local government bought the property in 1980 to put a municipal building on in the future. And six years later, the local government had changed, and they took Green Acres money, because they found out that they could save taxes if they put it under Green Acres. And when I got elected 15 years later, and we were ready to build the municipal building, we found out we couldn't anymore. And we had to go through a diversion like this, where we had to acquire land, and we had to move fields. And it came under public protest from the people who used the soccer field.

And like that application, I am always in awe when the public gets a say, and things happen, and they change. And in 1995, when we did that in my township, the public came out and they got a lot of concessions.

And I'm very impressed, Mr. Harmon, that you've come out, and things have moved, and they have progressed, and changed. And I applaud you for being part of the public process.

I think that the Green Acres rules are onerous to require this kind of negotiation. I also want to applaud the DEP for being flexible. I think they're made difficult, but they're also -- there's some flexibility there.

So I think everybody has given a little, and everybody has won a little.

And I want to thank the developer for agreeing to leave the soil in the town. I think that's really important.

And I would encourage the Mayor to adopt an ordinance as soon as possible on that.

So I second this.

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

Opposed? (no response)

Approved.

Item No. 4- These are the Department of Treasury requests. They're requesting a 20-foot-wide by 3,500-foot-long easement, across Skillman Farm, to Sharbell Development Corporation, for the installation and maintenance of a sanitary sewer force main that will connect to the North Princeton Development Center sewer treatment plant.

SENATOR KAVANAUGH: Sold.

ASSEMBLYWOMAN KARROW: Second.

MR. CRANE: Moved and seconded.

All in favor? (affirmative responses)

Opposed? (no response)

None.

No. 5, on behalf of the Department of Corrections -- requests approval to dispose of two single-family residences at Bayside State Prison.

ASSEMBLYWOMAN KARROW: Move.

SENATOR KAVANAUGH: Second.

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

Opposed? (no response)

None.

No. 6: Again, the Department of Corrections requests approval to grant a 180-by-200-foot permanent easement, on the grounds of Mountain View Youth Correctional Facility, to the Town of Clinton Water Department, to allow the placement of a new water storage tank.

ASSEMBLYWOMAN KARROW: Mr. Crane, before we vote on that--

I hate to be Scrooge on this, because it's my district and my municipalities. But the application says it's the Town of Clinton, and the letter asking if there were any problems went to the Clinton Township Mayor. And I would approve this today, pending that the Mayor of Clinton has no problems -- the town.

I don't know-- The water company is owned by the Town of Clinton.

Is this right, Gene? Tell me. Tell me you did this on purpose. That would make me happy.

**EUGENE HAYMAN:** No, the property is in Clinton Township.

ASSEMBLYWOMAN KARROW: Yes, it is.

MR. HAYMON: The request is made by the Town of Clinton Water Company.

ASSEMBLYWOMAN KARROW: So this is right?

MR. HAYMON: That's right.

ASSEMBLYWOMAN KARROW: Oh, I'm so happy.

MR. HAYMON: Okay.

ASSEMBLYWOMAN KARROW: Then I move it. (laughter)

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

Opposed? (no response)

None.

From the Department of Transportation, we have a series of requests here.

The division of Right of Way, Property Management Unit, requests to sell two triangular-shaped remnants along Route 1 to two -- to two abutting commercial uses.

ASSEMBLYWOMAN KARROW: Move.

MR. MOUZON: Second.

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

Opposed? (no response)

None.

No. 8 on your agenda: Again, the division of Right of Way, Property Management Unit, requests approval to sell a 0.261 acre parcel in a residential zone that would accommodate a single-family residential dwelling. This property is to be sold at public auction.

ASSEMBLYWOMAN KARROW: Move.

MR. MOUZON: Second.

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

Opposed? (no response)

No. 9: Again, the division of Right of Way asks approval to sell a 0.309 acre parcel in the township of Manalapan to an adjoining property owner, Neil Grossman.

ASSEMBLYWOMAN KARROW: Move.

MR. MOUZON: Second.

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

Opposed? (no response)

No. 10 on your agenda: Again, the division of Right of Way requests approval to sell a 1.174 acre parcel in the RO-MXD Office Zone to adjoining property owner.

ASSEMBLYWOMAN KARROW: Move.

MR. MOUZON: Second.

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

Opposed? (no response)

No. 11 on the agenda: New Jersey DOT, division of Right of Way, requests approval to sell 0.243 acres in the Business General Zone to the adjoining property owner. This is in Paramus, Bergen County.

ASSEMBLYWOMAN KARROW: Move.

MR. MOUZON: Second.

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

Opposed? (no response)

No. 12: This is from the Department of Transportation -- Wireless Communications request. They request approval to license a site to erect a wireless communications facility on State-owned property. This property is located in Wall Township, Monmouth County.

ASSEMBLYWOMAN KARROW: Move.

MR. MOUZON: Second.

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

Opposed? (no response)

Approved.

The Department of Environmental Protection requests, beginning with No. 13: Division of Fish and Wildlife requests approval to convey a total of up to one acre of road right-of-way within the Van Nest Refuge to Mercer County, in connection with roadway improvements to Quaker Bridge Road.

ASSEMBLYWOMAN KARROW: Move.

MR. MOUZON: Second.

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

Opposed? (no response)

Approved.

No. 14: The Division of Parks and Forestry requests approval to enter into a 20-year lease of approximately 16,760 feet, with a 50-foot easement, to the Tennessee Gas Transmission Company, for the purpose of maintaining and operating an existing natural gas pipeline. This is located in Montague and Wantage townships, in Sussex County.

ASSEMBLYWOMAN KARROW: Move.

SENATOR KAVANAUGH: Second.

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

Opposed? (no response)

In Hillsborough Township, Somerset County: the New Jersey DEP, Division of Parks and Forestry, requests approval to convey up to one acre, in fee, to Somerset County, in connection with roadway improvements and a bridge replacement.

ASSEMBLYWOMAN KARROW: Move.

SENATOR KAVANAUGH: Second.

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

Opposed? (no response)

No. 16 on your agenda: On behalf-- New Jersey DEP, on behalf of the City of Camden, requests approval to allow the granting of an easement to the township of Cherry Hill, to allow the replacement of an existing sewer pump station on county-owned parkland.

ASSEMBLYWOMAN KARROW: Move.

SENATOR KAVANAUGH: Second.

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

Opposed? (no response)

Approved.

No. 17: In Bridgewater Township, Somerset County, on behalf of the Township of Bridgewater -- requests approval to allow the diversion of 3.956 acres of the Township's Green Knoll ball fields' facility, in connection with the renovation and expansion of the Township's municipal building.

SENATOR KAVANAUGH: So moved.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Mr. Chairman, that completes the State House Commission agenda.

You should consider a motion to convene the State House Commission as the Board of Trustees of the Judicial Retirement System.

ASSEMBLYWOMAN KARROW: So moved.

SENATOR KAVANAUGH: Second.

MR. MOUZON: We have a motion and second.

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

Opposed? (no response)

None.

Mr. Chairman, we have four actions before you today. The first is to approve the minutes of the meeting held on December 11, 2006.

ASSEMBLYWOMAN KARROW: So moved.

SENATOR KAVANAUGH: Second.

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

Opposed? (no response)

Item No. 2 is the confirmation of death claims, retirements, and survivor benefits.

ASSEMBLYWOMAN KARROW: Move.

SENATOR KAVANAUGH: Second.

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

Opposed? (no response)

Approved.

Approval of the financial statements as of November 30, 2006.

SENATOR KAVANAUGH: So moved.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Approved.

Finally -- the final item is approval of increase in judicial contributory insurance rates effective May 1, 2007; and optional group-term life and group-variable universal life by 9 percent, with a two-year rate guarantee.

SENATOR KAVANAUGH: So moved.

MR. MOUZON: Second.

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

Opposed? (no response)

None.

Mr. Chairman, no other business coming before the Board of Trustees, motion to adjourn as the Board of Trustees.

ASSEMBLYWOMAN KARROW: Move.

SENATOR KAVANAUGH: Second.

MR. MOUZON: We are adjourned.

MR. CRANE: No, now you have to--

Before you have to go back and adjourn as the State House Commission, Mr. Chairman, could you give me one moment please?

Mr. Chairman, a member of the public wished to address an item that was previously approved by the State House Commission, and has agreed to waive those comments at this time pending a meeting to resolve those issues.

So a motion to adjourn as the State House Commission would be in order.

MR. MOUZON: Okay.

ASSEMBLYWOMAN KARROW: Move.

MR. MOUZON: Second.

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

Opposed? (no response)

All right, approved.

The meeting is adjourned.

**(MEETING CONCLUDED)**