Commission Meeting
of
STATE HOUSE COMMISSION

LOCATION: Committee Room 15
State House Annex
Trenton, New Jersey

DATE: June 16, 2014
9:00 a.m.

MEMBERS OF COMMISSION PRESENT:

Amy E. Melick, Chair
Senator Bob Smith
Senator Gerald Cardinale
Assemblyman Paul D. Moriarty
Assemblyman Christopher A. Brown
Charlene M. Holzbaur
Steven Petrecca

ALSO PRESENT:

Robert J. Shaughnessy Jr.
Secretary

Gary A. Kotler
Counsel

Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey
STATE HOUSE COMMISSION
PROPOSED MEETING AGENDA
~~ June 16, 2014 - 9:00 AM ~~
Committee Room 15, Fourth Floor
State House Annex, Trenton, New Jersey

CALL TO ORDER:

~ Amy E. Melick, Special Counsel, Governor’s Office
  (on behalf of Governor Chris Christie)
~ Steven Petrecca, Assistant State Treasurer
  (on behalf of State Treasurer Andrew P. Sidamon-Eristoff)
~ Charlene M. Holzbaur, Director, Office of Management & Budget
~ Senator Gerald Cardinale
~ Senator Bob Smith
~ Assemblyman Paul D. Moriarty
~ Assemblyman Christopher J. Brown

OLD BUSINESS:

1. Approval of the March 27, 2014 State House Commission Meeting (SHC)
   Minutes -- The verbatim record of the March 27, 2014 SHC meeting will serve as
   the official minutes.

2. RPR 07-14A through 07-17D, East Jersey Prison, Block 908, Part of Lot 10,
   Woodbridge Township, Middlesex County

   Requesting Party: The NJ Department of the Treasury, on behalf of the Department
   of Corrections, requests approval to sell directly to Woodbridge Township 15.5 +/-
   acres of land and improvements for a restricted use located at the East Jersey State
   Prison.

   Terms: This sale is authorized by P.L. 2013, c. 198 (“Act”) approved on January 17,
   2014 which requires that the sale and conveyance be for a nominal value and be
   executed subject to a restricted use in accordance with the terms and conditions to
   be approved by the State House Commission. The Township has proposed a
   developable site that will contain up to 100 apartments and a recreational use that
   would include an indoor soccer complex. The Township shall allocate a minimum
   of 10% and a maximum of 25% of the housing units to be set aside for individuals
   with intellectual and developmental disabilities who are referred by the Department
   of Human Services, Division of Developmental Disabilities (DDD). It is anticipated
   that a developer/special needs developer will be procured competitively by the
   Township and the Township will donate the land to this developer. Also, the
Township will involve DDD in every aspect of the procurement and, once occupied, DDD will have significant input into the operation of the facility.

The Act's intent is for special needs housing units to be integrated into the housing to be developed on this property. Special needs housing means housing for individuals with developmental disabilities and other special needs. It is also the Act's intent that residents of the Woodbridge Developmental Center who have been impacted or who are yet to be impacted as a result of the imminent closure of the Woodbridge Developmental Center be given the highest priority to occupy the integrated special needs units that are created as part of the housing to be developed on this property so that these individuals have the option to remain residents of Woodbridge Township.

It is recommended that the property be sold as encumbered directly to Woodbridge Township for $1.00 and other good and valuable consideration. Deed restrictions will be placed on the property and DDD has suggested should at the minimum require:

1. A minimum of 10% and a maximum of 25% of the units (i.e. apartments), will be set aside for individuals with intellectual and developmental disabilities who are referred by DDD. The rents for these units will be set at no more than Fair Market Rent as published by the Department of Community Affairs in effect at the time of the execution of a lease. In no circumstance will the rent for these units be set at a rent higher than that of a comparable unit in the project not included in this set aside.
2. At least 50% of the units set aside for the DDD will be completely accessible.
3. The set aside units must be integrated into the larger development and not concentrated in a single building, floor or wing.
4. The set aside units must meet the DHS Office of Licensing standard for physical environment.
5. The set aside units will be 2, 3 or 4 bedroom units.
6. DDD will approve the design, unit mix and location within the development of the set aside units.

In addition to the above restrictions placed on the property, the State shall have the right to enjoin any violations of the restrictions. Deed restrictions may also require that if the set aside housing is not first developed, constructed and available for occupancy in a timely manner, the property may revert to the State or under certain circumstances the State may be entitled to fair market value compensation for the acreage conveyed as determined by the State's appraisal.

3. Project: Berkshire Valley Wildlife Management Area, Block 256, Part of Lot 4.02, Jefferson Township, Morris County

Requesting Party: The NJ DEP, Division of Fish and Wildlife, requests approval to amend the original approval granted by the SHC at the March 22, 2004 meeting to correct and clarify the following issues.
Terms: At the March 22, 2004 meeting, the SHC approved the conveyance of a 0.46 acre easement to Roxbury Township for the construction of a back-up municipal water well as directed by the Department's Division of Safe Drinking Water. As compensation, the Township agreed to dedicate for conservation and recreation purposes a 7.22 acre municipally owned parcel. Construction of the new water well was completed in 2006 and final operational permits were issued in 2007. During the preparation of the well easement document, DEP determined the following corrections and clarifications needed to be made to the original approval:

1) The tax designation for the diverted parcel should be Block 256, Lot 4.02 instead of Block 256, Lot 4.2.
2) The survey for the diverted parcel, which was finalized after SHC approval, specifies the diversion (easement area) is 0.420 acre (less than the 0.46 acre estimated in the original SHC summary).
3) The compensation parcel was surveyed in 1993 and the survey identifies the tax Lot number as Block 35, Lot 4. Tax lot numbers in Roxbury have changed since then. The new tax number for the compensation parcel is Block 7701, Lot 26, which was correctly reported in the original SHC Summary. DEP notes this old tax lot designation in order to tie the survey information to the SHC approval.
4) Although the proposed replacement land will still remain in Township ownership, the Township has agreed to place a restrictive covenant on the property by recording a deed in the chain of title so as to prevent any future inadvertent sale of the property by the Township. The property will be required to be listed on the Township's Recreation and Open Space Inventory upon its next receipt of Green Acres funding.

4. Project: Hamburg Mountain Wildlife Management Area, Block 190, Part of Lot 20, Vernon Township, Sussex County

Requesting Party: The NJ DEP, Division of Fish and Wildlife, requests approval to amend the original approval granted by the SHC at the June 27, 2013 meeting to correct and clarify the following issues.

Terms: On June 27, 2013, the SHC approved the conveyance of a non-exclusive access easement along an existing dirt road (known as Mountain Trail) within the Hamburg Mountain WMA to Philip and Donna Girlando, owners of an adjacent undeveloped lot (Block 194.05, Lot 14). As compensation for the access easement, the Girlando's proposed to convey to the DEP a 3.2 acre portion of their property for addition to the Hamburg Mountain WMA and make up a $5,500 value shortfall through cash compensation and/or additional replacement land. The property to be crossed by the proposed access easement (Block 190, Lot 20) is one of the lots acquired by the State from Mountain Creek Resort, Inc. in 2003 as part of the State's re-acquisition of the former Intrawest/Great Gorge resort property.

Subsequent to the June 2013 approval, environmental investigations of the Girlando property revealed that the proposed building lots on the property were constrained by fresh water wetlands, thereby necessitating renegotiation of the proposed access easement in order to allow the shifting of the proposed lots and a reduced potential
impact upon the wetland features located on the property. The Girlando’s have now proposed to acquire a longer (but narrower) easement along Mountain Trail (totaling about the same acreage as the original easement). They have also proposed to pave a 925 foot long by 18 foot wide section of Mountain Trail, create a turnaround/parking area for two cars at the end of the paved area and maintain the paved section of the road. The proposed driveway easement area includes two small “stubs” connecting the proposed home lots to the paved portion for the driveway across State property. (Based on further evaluation, the Division of Fish & Wildlife is no longer interested in acquiring the 3.2 acres on the Girlando property.)

**NEW BUSINESS:**

**DEPARTMENT OF TREASURY REQUESTS:**

5. TOC7, Trenton Office Complex, 225 East State Street, Suite 10, Block 202, Part of Lot 6, Trenton City, Mercer County

Requesting Party: The NJ Department of the Treasury, requests approval to lease commercial space within the Trenton Office Complex to LabCorp to be used as a patient service center. LabCorp is the current tenant of this space, however, the current lease and all renewal options have expired and a new lease must be approved.

Terms: The lease will be for a term of three years with three, three year renewal options. The annual rent for the first year will be $30,015 with the tenant receiving a $5,000 credit for flooring and painting, resulting in an effective rent of $25,015. The annual rent for the second year of the lease will be $30,912 and the annual rent for the third year of the lease will be $31,836. Any renewal options will be at the then fair market value.

6. RPR 14-17, Greystone Psychiatric Hospital Wastewater Treatment Plant, Block 10, Lot 1.01, Parsippany Township, Morris County

Requesting Party: The NJ Department of the Treasury, on behalf of the Department of Human Services, requests approval to grant easements to the Township of Parsippany for the installation and maintenance of sewer pipelines necessary to connect to the Greystone Psychiatric Hospital’s wastewater treatment plant. The Township has suffered the catastrophic failure of their sewer main near the Hospital and has requested connection to the State’s wastewater treatment plant.

Terms: The Township will be responsible for all costs associated with making the necessary connections. The State will enter into a Memorandum of Agreement with the Township to establish the costs and responsibilities the Township will be liable for in using the wastewater treatment plant. The direct benefits the State will reap include revenue to the State as the Township will pay for the wastewater treatment. Also, the increased flow to the Hospital’s treatment plant will benefit the plant by providing additional nutrients to the biological process in the plant that break down waste. The plant currently has a problem with maintaining these biological processes through the winter months. Maintaining a healthy and abundant biological process
is critical to producing higher quality discharge water after treatment has been completed. By producing higher quality effluent, the Hospital will be able to consistently meet the stringent requirements of its operating permit with the DEP. The State's long range goal is to sell the wastewater treatment plant directly to the Township. The Township has a greater need for wastewater treatment capacity that will increase over time.

**DEPARTMENT OF TRANSPORTATION (DOT) REQUESTS:**

7. **Project:** Route 25A (Currently Route 21), Section 1, Parcel VX1B, Block 434, Adjoining Lot 1, Newark City, Essex County

   Requesting Party: The NJ DOT, Division of Right of Way, Property Management Unit, requests approval to dispose of an approximately 0.394 acre or 17,163 +/- square foot excess surplus lot currently in the I-2 Second Industrial District zone. The property will be sold as a direct sale to the only adjacent property owner, McCarter Associates, LLC (Martin Lucibello and Frank Rizzo) for $325,000, appraised value.

   Terms: The purchaser is currently encroaching on the VX parcel with a billboard and storage items used in connection with its concrete business on the adjoining property

8. **Project:** Route 178 Freeway, Section 1, Parcels VX29, VX32A, VX33, VX35, VX36A, VX36B, VX37, VX38, VX39 & VX42, Block 112, Lot 1, Morris Plains Borough, Morris County

   Requesting Party: The NJ DOT, Division of Right of Way, Property Management Unit, requests approval to seek State House Commission for approval to change the use of the State's interest in the Route 178 Freeway in accordance with Statute 27:6-1.1. Morris Plains Borough requests that the public uses on the subject parcels that were conveyed by deed dated July 5, 2013 be changed to include public housing, active recreation and to eliminate the public road and fire training facility. The previous approved uses of a recycling facility, open space and passive recreation will remain unchanged. The combined area for the ten parcels is approximately 10.647 +/- acres or 463,783 +/- square feet.

   Terms: The property was previously sold to Morris Plains Borough for the public use of open space, a fire department training facility, a public works recycling facility, passive recreation and part of an unimproved paper street. The Borough is requesting the property use be changed to public housing, a public works recycling facility, open space, active/passive recreation and to eliminate the public road and fire training facility. There is no consideration for this action.

9. **Project:** A.R.R.O.W. Rahway Valley Railroad, Part of Parcel 13F, Part of Lot 1.01 and Part of Lot 3 of Block 300, Kenilworth Borough, Union County
Requesting Party: The NJ DOT, Division of Right of Way, Property Management Unit, is seeking approval to lease to Maroukian Realty, LLC (Gregory Maroukian), an irregular area, totaling approximately 0.219 acres or 9,540 +/- square feet for parking and storage by the Lessee’s commercial tenant (Precision Escalator Products, Inc.).

Terms: The recommended lease amount is $254 plus a $76 municipal service charge, for a total rental of $330/month with an incremental rental increase of 5% per annum on the base rental. The lease will be on a month to month basis with final approval of the lease being contingent upon State House Commission approval.

10. Project: Route 80, Section 4D, Parcels VX79A2B, VX78A2, VX77A2, VX76A2, VX75A, VX74A1 & VX806, Block 7505, Adjoining Lot 28, Paterson City, Passaic County

Requesting Party: The NJ DOT, Division of Right of Way, Property Management Unit, requests approval to dispose of an approximately 0.43 acre (18,587 +/- square foot), irregular shaped lot of surplus vacant land located currently in the R-4 High Density Residential Zone. The property will be sold for public use, specifically redevelopment, to the Housing Authority of the City of Paterson (the only adjacent property owner), for its redevelopment project associated with the revitalization of the Alexander Hamilton public housing community and its surrounding neighborhood.

Terms: The recommended sale price is $80,000, appraised value.

11. Project: Route 4, (Currently Route 109), Section 45, Parcel VX1, Block 793, Adjoining Lot 11.01, Lower Township, Cape May County

Requesting Party: The NJ DOT, Division of Right of Way, Property Management Unit, requests approval to dispose of an approximately 0.742 acre or 32,305 +/- square foot surplus vacant lot currently in the General Business Zone to the only adjoining property owner, 791 Route 109, LLC (Gus Andy), for assemblage to potentially add parking, landscaping and displays.

Terms: The recommended sale price is $97,000, appraised value.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) REQUESTS:

12. Project: Municipal Open Space, Block 299, Part of Lot 1, South Brunswick Township, Middlesex County

Requesting Party: The NJ DEP, on behalf of the Township of South Brunswick, requests approval to allow the Township to convey approximately 0.408 acre of open space, in fee, to the South Brunswick Community Development Corporation (SBCDC) for the construction of a maintenance building. SBCDC is a private, non-profit corporation that provides subsidized affordable housing to very low income seniors in the municipality. Charleston Place is a senior residential facility located
immediately adjacent to the municipal open space (Block 299, Lot 1, comprising 1.787 acres).

Terms: SBCDC plans to construct a separate building for storage of gasoline, chemicals, tools and maintenance equipment on the open space. Currently, the maintenance shop occupies space in the community building which presents a safety hazard to residents that occupy the building. As compensation, South Brunswick will dedicate two vacant parcels totaling approximately 3.75 acres for permanent recreation and conservation purposes (Block 90, Lot 9.02 consisting of 1.87 acres) and Block 6, Lot 4.10 consisting of 1.88 acres. At the January 28 and May 13, 2014 public hearings no negative comments were expressed.

13. Project: Millville Wildlife Management Area — Cumberland County, Downe Township: Block 24, Lots 1, 2 & 3, Block 25, Lot 1, Block 26, Lot 1 and 10 and Block 28, Lot 1; Cumberland County, Commercial Township, Block 3, Lot 1; Cumberland County, Millville City, Block 141, Lot 2

Requesting Party: The NJ DEP, Division of Fish and Wildlife, requests approval to enter into a 20 year lease agreement with Atlantic City Electric (ACE) for the use of a right of way (ROW) for the operation, maintenance, repair, renewal and removal of existing 69kV transmission lines for the distribution of electricity. This lease will replace and supersede a 50 year lease with ACE which expired in 2009 for the same ROW.

Terms: In accordance with the Interagency State Land Lease Valuation Report the rent for the first year will be $481,470. With the 2.5% annual escalation, the total rent for the 20 year term will be $12,306,373.

14. Project: Delaware & Raritan Canal State Park, Block 2, Part of Lot 5, Stockton Borough, Hunterdon County

Requesting Party: The NJ DEP, Division of Parks and Forestry, requests approval to amend an existing lease with the Delaware River Mill Society to add 0.57 acres (including a structure known as the Prall House) to the leased premises. The parcel will be acquired by the Green Acres Program through a donation from the NJ Conservation Foundation. The State House Commission approved a 20 year lease with the Mill Society on September 23, 2004 and an amendment to the lease on July 15, 2010 for an additional 2.343 acres and a structure referred to as the Cathers Residence. The term of the lease will remain the same.

Terms: The payment for the lease amendment will be an additional one-time payment of $20. (The rent for 2004 was also a one-time payment of $20.) Tenant will be responsible for maintenance and upkeep of the land and structures and payment of all utilities. When a non-profit seeks to lease land for the purpose of providing public services, DEP charges a nominal fee for rent in light of the value of public services and funding provided by the non-profit organization in volunteer
hours, interpretive programming and improvements, maintenance and operation of the leased facility.

15. Project: Pigeon Swamp State Park, Block 18, Part of Lot 20.01 (Disposal), Block 18, Part of Lot 10.01 and Part of Lot 20.01 (Diversion), South Brunswick Township, Middlesex County

Requesting Party: The NJ DEP, Division of Parks and Forestry, requests approval to convey to the Township of South Brunswick approximately 5 acres in fee, 0.50 acre in permanent easements and 5 acres in temporary easements. The conveyances are needed by the Township in conjunction with the construction of a 2 mile, 2 lane segment of County Route 522 extending between U.S. Route 130 and Cranbury-South River Road (County Route 535).

Terms: Although the segment of Ridge Road that runs between U.S. Route 130 and County Route 535 is currently designated as a part of County Route 522, the Township proposes to construct a new roadway north of (and parallel to) Ridge Road as the final segment of Route 522 in order to divert commercial truck traffic away from residential areas along Ridge Road. The proposed road project also involves the construction of a connector road from Route 522 to Fresh Ponds Road in order to limit access by trucks from Route 130 to Fresh Ponds Road. The overall road project is to be undertaken by the Township. At the conclusion of construction, Middlesex County will assume ownership and operation of the new segment of Route 522 and the Township will retain ownership and operation of the Fresh Ponds connector road. In exchange for the conveyances, the Township and County will convey to the DEP, in fee, two properties totaling approximately 59 acres for addition to Pigeon Swamp State Park (a 5 acre portion of Block 18, Lot 19.01 and all of Block 18, Lot 23).

At the December 8, 2013 public hearing in South Brunswick two residents of the Township attended the hearing with no formal comments being raised. At the January 6, 2014 public hearing held in the City of Trenton, no one from the public attended. One written comment was sent to the DEP on December 7, 2013. The commenter expressed her opposition to the project and in general is against all diversions and disposals of public parkland. The commenter further stated she does not want to see any Green Acres encumbered land lost to building or macadam. There was no specific comment directed towards the County Route 522 extension project.

16. Project: Atlantic County Bikeway East, Block 2004, Part of Lot 1, Egg Harbor Township, Atlantic County

Requesting Party: The NJ DEP, on behalf of the County of Atlantic, requests approval to divert a total of 0.15 +/- acre of parkland within the Atlantic County Bikeway East, in connection with the NJ Turnpike Authority’s Garden State Parkway Widening Program from Interchange 30 to Interchange 80. The proposed diversion involves the expansion of a bridge over a 0.118 acre portion of the Atlantic Co.
Bikeway East and the relocation of a utility line below a 0.032 acre portion of the Bikeway in Egg Harbor.

Terms: To compensate for the diversion of these easements, the County proposes to offer $6,000 cash compensation to be deposited into the Garden State Preservation Trust Fund. At the April 9, 2014 public hearing, no public comments were voiced and no written comments received during the public comment period.

17. Project: Unnamed Parkland, Block 57, Part of Lot 31, Branchburg Township, Somerset County

Requesting Party: The NJ DEP, on behalf of the Township of Branchburg, requests approval to legalize the past diversion of unnamed parkland in connection with the construction of a police station in the mid-1980s.

Terms: To compensate for the illegal diversion of 3.12 acres of parkland, the Township will dedicate for recreation/conservation purposes a 30.414 acre parcel of former agricultural lands located elsewhere in the Township. Public hearings were held on August 13, 2007 and March 24, 2014 with no public comments received.

18. Project: 18th Street Land Swap, Block 57, Lots: 2 & 3 (p/o) (New Lot 1.01), Ship Bottom Borough, Ocean County

Requesting Party: The NJ DEP, on behalf of the Borough of Ship Bottom, requests approval to dispose of 0.06 +/- acre of parkland. The disposal will allow the Borough to swap parkland west of the bulkhead line with privately held land east of the bulkhead line (owned by Francis A. and Joan McTigue), in order to create a contiguous and municipally owned dune corridors as required as part of a beach replenishment project to be funded by the DEP and the Army Corps of Engineers.

Terms: In addition to conveying equal acreage to the Borough, the McTigue’s will tender $116,500 cash to equalize the exchange from a property value perspective. The Borough is proposing to construct recreation facilities including playgrounds, kayak and Jet Ski ramps and signage located at Shore Avenue Waterfront Park and Bay Terrace Waterfront Park. At the May 28, 2013 public hearing, there was minimal public opposition to the proposed disposal. All comments were adequately answered.

DIVISION OF PENSIONS AND BENEFITS’ REQUESTS:

19. Judicial Retirement System -
Requesting Party: The NJ Department of the Treasury, Division of Pensions & Benefits

Terms: The SHC shall sit as the Board of Trustees for the Judicial Retirement System to approve the following:
1. Approval of the Minutes of the Meeting Held on March 27, 2014
2. Confirmation of Death Claims, Retirements & Survivor Benefits

*EXECUTIVE SESSION* (as necessary)

*OTHER BUSINESS* (as necessary)

*ADJOURNMENT*
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pnf: 1-54
AMY E. MELICK (Chair): Okay, good morning, everyone. We’re going to start the session now.

Bob.

MR. SHAUGHNESSY (Secretary): Yes, in compliance with the Open Public Meetings Act, notice was filed with the Secretary of State, delivered to the State House press corps, and posted at the Office of the State House Commission.

I will move on to the call to order.
Special Counsel Melick.

MS. MELICK: Present.

MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.

ASSISTANT STATE TREASURER PETRECCA: Here.

MR. SHAUGHNESSY: Director Holzbaur.

DIRECTOR HOLZBAUR: Here.

MR. SHAUGHNESSY: Senator Smith.

SENATOR SMITH: Present.

MR. SHAUGHNESSY: Assemblyman Moriarty.

ASSEMBLYMAN MORIArTY: Here.

MR. SHAUGHNESSY: Assemblyman Brown.

ASSEMBLYMAN BROWN: Here.

MR. SHAUGHNESSY: Madam Chair, we have a quorum.

Moving on to old business, first we have No. 1, the approval of the March 27, 2014 State House Commission meeting minutes.

Do I have a motion to approve them?

SENATOR SMITH: Move it.

MR. SHAUGHNESSY: Second?

SENATOR CARDINALE: Second.

MR. SHAUGHNESSY: Motion and second.

All in favor?
ALL: Aye.

MR. SHAUGHNESSY: Any abstentions?

ASSEMBLYMAN MORIARTY: I abstain; I wasn’t here.

MR. SHAUGHNESSY: Okay, thank you.

Moving on to No. 2 on our agenda under old business: RPR 07-14A through 07-17D, East Jersey Prison, Block 908, part of Lot 10, Woodbridge Township, Middlesex County.

The Treasury, on behalf of the Department of Corrections, requests approval to sell to Woodbridge Township 15.5 +/- acres of land and improvements for a restricted use, located at the East Jersey State Prison.

This sale is authorized by P.L. 2013, chapter 198, the Act which requires that the sale and conveyance be for a nominal value, and be executed subject to a restricted use in accordance with the terms and conditions to be approved by the State House Commission. The Township has proposed a developable site that will contain up to 100 apartments and a recreational use that will include an indoor soccer complex. The Township shall allocate a minimum of 10 percent and a maximum of 25 percent of the housing units to be set aside for individuals with intellectual and developmental disabilities who are referred by the Department of Human Services, Division of Developmental Disabilities. It is anticipated that a developer will be procured competitively by the Township, and the Township will donate the land to this developer.

It is also the Act’s intent that residents of the Woodbridge Developmental Center, who have been impacted or who are yet to be impacted as a result of the imminent closure of the Woodbridge Developmental Center, be given the highest priority to occupy the integrated special needs units that are created, as part of the housing to be developed on this property, so that these individuals have the option to remain residents of Woodbridge Township.
Deed restrictions will be placed on the property as more particularly set forth in the public agenda. In addition to the above restrictions, the State shall have the right to enjoin any violations of the deed restrictions. Deed restrictions may also require that if the set-aside housing is not developed, constructed and available for occupancy, the property may revert to the State.

I know that we have representatives here from DDD, as well as the Mayor from Woodbridge, in case the Commission members have any questions on this matter.

Welcome, Senator Cardinale. Senator Cardinale has joined us. We’re on Item No. 2 on the agenda.

Do any members have any questions?

SENATOR SMITH: Yes.

MR. SHAUGHNESSY: Yes, Senator Smith.

SENATOR SMITH: First of all, I’m familiar with this because the law that you referred to was before the Legislature in 2013. I believe Senator Vitale was the sponsor. At that time there was a pretty thorough discussion of this issue. The State of New Jersey has taken a position with regard to many of the developmental centers that, because of budget constraints, there has to be some cutbacks, etc. And this, unfortunately, is one of the areas where the cutback is occurring. And at the time that we discussed this in 2013, there was a hope that we would see some way to address at least a portion of that.

And by having these units -- a number of these units being dedicated to DDD purposes, and also a recreational use for the Township, and housing choices for the residents in that area -- we thought it was a good idea then, and now it’s a pleasure to see it moving forward. Woodbridge Township, I think, is making a valiant effort to try to make the best out of a difficult situation with the closing of the center at that location.
So I’m hopeful that we’re going to hear more positive stuff about it, but I think it’s a pretty good project.

MR. SHAUGHNESSY: Thank you.

Any other members have any comments or question with regard to this project?

Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Thank you.

Yes, I think I got some clarification on this project, but I would just like to get some testimony on the record as to the public benefit and how many people will benefit, if that’s possible.

MR. SHAUGHNESSY: Good morning. Just please put your identities on the record and who you are here to represent. Thank you.

JOHN E. MCCORMAC: John McCormac, the Mayor of Woodbridge.

JANEL WINTER: Janel Winter, Director of Housing at the Division of Developmental Disabilities.

ASSEMBLYMAN MORIARTY: Thank you very much.

I think my questions have been answered, but as I said I’d like to get something on the record as to the number of developmentally disabled who may benefit from this project.

MAYOR MCCORMAC: We are committed to the maximum, Assemblyman; whatever the State DDD Division says to us can go there, we’re willing to commit to that number. We’re willing to commit to the maximum that the State allows. There will be approximately 100 living units; some of them can hold two, maybe three, maybe even four bedrooms so that the caretaker can live onsite with the three or four different residents who have disabled needs. But I can refer that back to Janel to be more specific.

MS. WINTER: The majority of the people who we serve are in shared housing, so we very rarely have someone who will live in a one-
bedroom; we have people who live in two-, three-, and four-bedrooms together. And then those units are staffed by staff who come in on shifts and will provide the services they need.

And then the other requirement that we always bear in mind is that the individuals we serve are going to be supported on our Medicaid Community Care waiver, which is a home and community-based services waiver and requires that settings maximize community integration. And so one of the things we look for in community integration is that no more than a maximum of 25 percent of the units are specifically set aside for people with developmental disabilities. And then that way people live with neighbors who may or may not have disabilities, who may or may not be supported through Medicaid; and we comply with the requirement for community integration.

So in terms of the exact number -- depending on the number of units, the number of people who would like to live there, and then the unit mix. So we may have a majority of three-bedrooms in the unit, depending on the needs of people; we may have two bedrooms. So it will depend ultimately on the unit mix and the desires of the people who would like to live there.

ASSEMBLYMAN MORIARTY: So from what I read here it could be 10 percent of the units, which would be 10; or 25 percent -- up to 25 percent which would be 25; so the maximum you’re thinking would be 25, if they were three bedrooms, and 75 developmentally disabled?

MS. WINTER: Exactly, yes.

ASSEMBLYMAN MORIARTY: Or as low as 20?

MS. WINTER: Yes, I think the lowest might be 20. Again, usually a three- to a four-bedroom tends to be what we see the most desire for -- what seems to work the best for us. But we do sometimes let people live in two-bedroom units.

ASSEMBLYMAN MORIARTY: And the rest of the units would be market rate?
MAYOR McCORMAC: Yes; yes, Assemblyman.

ASSEMBLYMAN MORIARTY: And if I could just get on the record the benefit -- the public benefit in terms of recreation. Could you just elaborate on that just a bit?

MAYOR McCORMAC: Well, there’s a need for those kinds of facilities in town, as there are pretty much all over the state. But we see it as an opportunity for jobs for the people who would live there. They could literally walk out of their house, walk across the street, and go to the indoor soccer complex and have a chance to be cashiers or any number of different jobs that would be theirs. So we’re looking at that as an employment base.

It’s also located within probably a quarter-mile to several employment opportunities, being that State property is across the street, plus all around the corners there are warehouses. So there are plenty of places within almost walking distance of that site for jobs for the people who would otherwise be placed there.

ASSEMBLYMAN MORIARTY: The indoor soccer facility would be operated by the Township, owned by Township?

MAYOR McCORMAC: Owned by the Town, operated by the Town. Any profit made would be rolled back into it. There would be no benefit to the Town. We right now run a community center that runs at a break-even; we price it so we don’t lose money; we price it so we don’t make money. We would run this in a similar way.

ASSEMBLYMAN MORIARTY: So there would be a choice to use the indoor soccer facility for groups--

MAYOR McCORMAC: Yes, it will be public, but there will be charges for all the services provided.

ASSEMBLYMAN MORIARTY: Would there be any ability for lower income groups to get it at a discounted rate, or free?
MAYOR McCORMAC: We have discounted rates at our current community center so, yes, I would assume we would continue that policy when we do run the indoor soccer complex.

ASSEMBLYMAN MORIARTY: Thank you. I’m satisfied that this is a good project. I just wanted to get a few things on the record.

Thank you.

SENATOR SMITH: If there are no other questions, I’d like to do an enthusiastic motion to approve this.

ASSEMBLYMAN MORIARTY: Second.

MR. SHAUGHNESSY: Okay. Any public comment before we proceed with the vote?

Yes, please, if there is anyone from the public who wants to be heard, please come up.

Kindly identify yourself, please.

BARBARA SACHAU: Barbara Sachau, in Flemington, New Jersey.

I have a comment. It’s a good project, and I agree with a lot of it. However, I’d like to see a little bit more specificity in the numbers that are provided to developmental disabled people -- because we have here a big margin, from 10 percent to 25 percent. I’d like to see 25 to 40 percent set aside.

There is a crying need for housing for people like that, number one. Many people are on lists that go years and years long. And I also want to point that 1 out of 28 boys right now are being born autistic, or they are getting autistic from vaccines, so that we have a real problem coming up in the future in housing for people like that.

There is a crying need in the autism community for housing. So I’d like you to keep that in mind and make sure that there is housing for developmentally disabled.

Thank you.
MR. SHAUGHNESSY: Thank you very much.
And I believe in the agenda it does say that DDD will approve
design, unit mix, and location within the development of the set aside units.
So DDD will be intimately involved with the project.
Thank you.
I'm sorry; we have a motion -- motion and second.
Special Counsel Melick.
MS. MELICK: Yes.
MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale
SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: Senator Smith.
SENATOR SMITH: Yes.
MR. SHAUGHNESSY: Assemblyman Moriarty.
ASSEMBLYMAN MORIARTY: Yes.
MR. SHAUGHNESSY: Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.
MR. SHAUGHNESSY: The matter is approved.
On to No. 3 on the agenda: Berkshire Valley Wildlife Management Area, Block 256, part of Lot 4.02, Jefferson Township, Morris County.

DEP requests approval to amend the original approval granted by
the State House Commission, to correct and clarify certain issues as more
particularly described in the public agenda.
Previously, the State House Commission approved the conveyance of a 0.46-acre easement to Roxbury Township for the construction of a backup municipal water well, as directed by the Department’s Division of Safe Drinking Water. As compensation, the Township agreed to dedicate, for conservation and recreation purposes, a 7.22-acre municipally owned parcel. Construction of the new water well was completed in 2006, and final operational permits were issued in 2007. During the preparation of the well easement document, DEP determined that certain corrections and clarifications were needed to be made to the original approval.

Are there any members who have any questions or want to be heard on this matter?

SENATOR SMITH: Question: It looks like a very reasonable request. The only thing that struck me as a little unusual is that the replacement land will remain in the ownership of the Township. Why is that?

MR. SHAUGHNESSY: I believe the DEP is here to answer that.

JUDITH PICCINI YEANY, Esq.: Judith Yeany from the DEP’s Green Acres program.

The parcel in question was owned by Roxbury already, but it was not encumbered with Green Acres restrictions. We did our research and determined that it was not required to be on the recreation and open space inventory. But it was in a location where our Division of Fish and Wildlife did not want to administer it. It was not adjacent to any other State property.

So we agreed to let Roxbury retain ownership of the parcel, put a restriction on it, list it on their inventory; but we are putting language in the deed that they cannot turn around and sell that without our approval so that, down the line, if something happens to the property, we’re notified and they can’t just turn around and divest themselves of the property. So we thought that was a good compromise in this location.
SENATOR SMITH: I understand the deed restriction. I assume that the deed restriction can only be -- can't be released by Roxbury at some later time. The DEP would be a party to that? You would be receiving the easement?

MS. PICCININI YEANY: Right. The restriction we’re negotiating with Senator (sic) Bucco, who’s the Township attorney, says that they would not--

SENATOR SMITH: Assemblyman Bucco.

MS. PICCININI YEANY: Sorry; the Assemblyman says that they would not be able to transfer or sell the property without our approval. So we would have absolute say over what happens to that property in the future.

SENATOR SMITH: Right. And how about any development on the property? You said it can’t go to a private developer, but is the town still permitted to do other things on the property?

MS. PICCININI YEANY: It would be restricted for recreation and conservation purposes as that’s defined in the Garden State Preservation Trust Act. So it would have the same Green Acres restriction as any other property.

SENATOR SMITH: Good. Have we done this before, where we’ve allowed the diversion to remain in the hands of the diverter?

MS. PICCININI YEANY: It’s not common; it comes up occasionally. Not usually, but in this case, it seemed appropriate.

SENATOR SMITH: It has been done before.

MS. PICCININI YEANY: It has been.

SENATOR SMITH: Okay, thank you very much.

MR. SHAUGHNESSY: Thank you.

Do any other members have any questions or comments? (no response)

Any member of the public want to be heard on this matter? (no response)
Hearing none, I'll take a roll.
May I have a motion, please?
ASSEMBLYMAN BROWN: So moved.
MR. SHAUGHNESSY: Second?
SENATOR SMITH: Second.
MR. SHAUGHNESSY: Motion and second.
Special Counsel Melick.
MS. MELICK: Yes.
MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale
SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: Senator Smith.
SENATOR SMITH: Yes.
MR. SHAUGHNESSY: Assemblyman Moriarty.
ASSEMBLYMAN MORIARTY: Yes.
MR. SHAUGHNESSY: Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.
MR. SHAUGHNESSY: That matter is approved.
Moving on to No. 4, Hamburg Mountain Wildlife Management Area, Block 190, part of Lot 20, Vernon Township, Sussex County.

DEP requests approval to amend the original approval granted by the State House Commission at the June 27, 2013 meeting to correct and clarify certain issues.

Subsequent to the June 2013 approval, environmental investigations of the subject property revealed that the proposed building lots on the property were constrained by fresh water wetlands, thereby
necessitating renegotiation of the proposed access easement to allow the shifting of the proposed lots and a reduced potential impact upon the wetland features located on the property.

Do any members have any questions or comments about this matter? (no response)

Do any members of the public want to be heard? (no response)

MS. MELICK: Assemblyman Moriarty.

MR. SHAUGHNESSY: Okay; Assemblyman Moriarty, please.

ASSEMBLYMAN MORIARTY: I’m sorry; could someone from the DEP present themselves for a couple of questions? Is there anyone--

SENATOR SMITH: Yes, Judith.

ASSEMBLYMAN MORIARTY: Welcome back.

I have a question, because it appears that we made a deal in 2013 -- which this body approved -- which said, “We’re going to give something away, and the public benefit to us is we’re going to get 3.2 acres back and $5,500.” As an, “Oh, by the way,” at the end of my sheet here, it says, “based on further evaluation, the Division of Fish and Wildlife is no longer interested in acquiring the 3.2 acres on the Girlando property.” So now it seems to me that we gave something the public had away, and what did we get in return -- $5,500?

And also, if we’re not now taking the 3.2 acres, is there a dollar amount that should be raised to compensate for that? It’s unclear.

MS. PICCININI YEANY: Okay, the original deal was that we would grant access rights across a dirt road that already existed. This lot was not landlocked; there is legal access on the other side of the property. But to access the back of the property, where the homeowner wants to construct the lots, would involve crossing slopes and wetlands.

So based on the information that was available at the time, the landowner mapped out two lots that could be accessed by our dirt driveway.
And we went to the Commission to seek that approval. And at the time, we did feel that we would be willing to accept the balance of the lot -- the 3.2 acres -- as part of the compensation.

The homeowner had not done a detailed environmental investigation of those lots until after they got the approval for the driveway access. They didn’t want to invest money in a consultant if they weren’t able to get that access. So pretty much immediately, the consultant determined that there were issues, the way the lot was laid out, with isolated fresh water wetlands -- and we do have representatives of the property owner here -- and at that point they came back to us.

Part of what changed in between the first visit to the Commission and now was that we took a closer look at the 3.2 acres and realized, first of all, that they were not contiguous to our other holdings. We had mapping on our system that originally indicated that the lot next door was State property, when it turned out that it wasn’t. So we had proposed to accept those 3.2 acres thinking they were contiguous to our other holdings, and it turned out they weren’t -- it was private property.

It was also-- The property borders on the lake, and it’s a private lake to which we are not likely to be able to develop public access.

ASSEMBLYMAN MORIARTY: I’m sorry to stop you, but I get all that; I kind of read the thing. My question is, what is the quid pro quo now? Because it seems like we just gave back 3.2 acres, and did we get anything else?

MS. PICCININI YEANY: The 3.2 acres was actually not valued that high from a real estate perspective; I believe it was valued at $17,500, and the $5,500 represented the difference between the value of the land and the cost that the landowner would have incurred to cross the lot through the slopes and the wetlands to access those building lots. Now the deal is that they are taking a longer but narrower easement. They are going to pave the
road instead of leaving it as hard-packed gravel, and they are going to create a
turnaround at the end of it for us to accommodate a couple of cars to enhance
visitors to that area of the Wildlife Management Area.

I did bring with me, today, Tony Petrongolo from our Division of
Fish and Wildlife, because I anticipated there would be concerns about us not
taking the property; and he can address some of the management issues out
there.

ASSEMBLYMAN MORIARTY: So getting back to the public
benefit, are you saying that what they’re now going to do is a public benefit for
all? That this road that they’re going to do will facilitate the public and help
them enhance their enjoyment of nature or something? I need something to
know that we’re getting a greater public benefit to compensate for the fact that
we did not take the 3.2 acres -- or we got more money.

MS. PICCININI YEANY: We do believe it will facilitate access to
the Wildlife Management Area, but I’ll let Tony address that.

ANTHONY PETRONGOLO: The 3.2 acres that we were going to
get was wetlands that was found to be noncontiguous -- going to continue to
be there as habitat, and not very valuable to us.

What we’re getting in exchange is the paving of the public’s access
to Hamburg Mountain Wildlife Management Area -- a 920-foot, 5-foot section
with a parking area at the end of it, which the homeowners will continue to
maintain in perpetuity. So this dirt road access, which is difficult for us to
maintain to provide the public’s access, is now going to be paved, and
maintained, and have the snow plowed to get the public into that area.

I don’t see it here on this sheet, but it was valued -- and valued at
a higher level than what the 3.2 acres was valued at.

ASSEMBLYMAN MORIARTY: Okay, I get that; thank you for
enlightening me on what the public benefit is. I would just say, speaking for
myself only, in the future -- the deals that come before us, we’d like to know
that there’s been a little bit more work done so that we actually know whether a property is contiguous before we take it, or whether there’s wetlands before we say we want it -- because we really don’t need to be going back and redoing these things. So that would be helpful, going forward.

Thank you.

MS. PICCININI YEANY: Not a problem; thank you.

MR. SHAUGHNESSY: Any other members have any questions?

Senator Cardinale.

SENATOR CARDINALE: Is there also kind of an intangible public benefit in that the alternate access will not be used, which would have crossed some steep slopes, some environmentally sensitive areas? Those will be left untouched, I assume, by using this access.

MS. PICCININI YEANY: Both in the original summary submitted in support of the approval, and the revised summary, we did make that point - - that part of why we were motivated to agree to this was to avoid those impacts on steep slopes and freshwater wetlands.

SENATOR CARDINALE: Thank you.

MS. PICCININI YEANY: And the redesigned house lots were shifted to further reduce wetlands impacts on that property.

SENATOR CARDINALE: So those are very substantial benefits to the overall good of the people of the State of New Jersey?

MS. PICCININI YEANY: We believe so. It’s not entirely clear whether Land Use would have granted a permit across the steep slopes and wetlands; but if that was the only access, they might have been forced to do that.

SENATOR CARDINALE: Thank you.

MR. SHAUGHNESSY: Any other members? (no response)

Any member of the public want to be heard in this matter? (no response)
Hearing none, may I have a motion, please?

ASSEMBLYMAN BROWN: So moved.

SENATOR CARDINALE: Second.

MR. SHAUGHNESSY: Motion and second, thank you.

Special Counsel Melick.

MS. MELICK: Yes.

MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.

ASSISTANT STATE TREASURER PETRECCA: Yes.

MR. SHAUGHNESSY: Director Holzbaur.

DIRECTOR HOLZBAUR: Yes.

MR. SHAUGHNESSY: Senator Cardinale.

SENATOR CARDINALE: Yes.

MR. SHAUGHNESSY: Senator Smith.

SENATOR SMITH: Yes.

MR. SHAUGHNESSY: Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Yes.

MR. SHAUGHNESSY: Assemblyman Brown.

ASSEMBLYMAN BROWN: Yes.

MR. SHAUGHNESSY: That matter is approved.

Next up is No. 5 on our agenda. TOC7, Trenton Office Complex, 225 East State Street, Suite 10, Block 202, part of Lot 6, Trenton City, Mercer County.

The Treasury requests approval to lease commercial space within the Trenton Office Complex to LabCorp to be used as a patient service center. LabCorp is the current tenant of this space; however, the current lease and all renewal options have expired and a new lease must be approved.

The lease will be for a three year-term. The annual rent for the first year will be $30,015; the annual rent for the second year of the lease will be $30,912; and the annual rent for the third year will be $31,836.
Do any members have any questions or comments about this? (no response)

Any members of the public want to be heard? (no response)

Hearing none, may I have a motion?

ASSEMBLYMAN BROWN: So moved.

MR. SHAUGHNESSY: Second?

SENATOR SMITH: Second.

MR. SHAUGHNESSY: Motion and second; thank you.

Special Counsel Melick.

MS. MELICK: Yes.

MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.

ASSISTANT STATE TREASURER PETRECCA: Yes.

MR. SHAUGHNESSY: Director Holzbaur.

DIRECTOR HOLZBAUR: Yes.

MR. SHAUGHNESSY: Senator Cardinale.

SENATOR CARDINALE: Yes.

MR. SHAUGHNESSY: Senator Smith.

SENATOR SMITH: Yes.

MR. SHAUGHNESSY: Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Yes.

MR. SHAUGHNESSY: Assemblyman Brown.

ASSEMBLYMAN BROWN: Yes.

MR. SHAUGHNESSY: That matter is approved.

On to No. 6 on our agenda: RPR 14-17, Greystone Hospital Wastewater Treatment Plant, Block 10, Lot 1.01, Parsippany, Morris County.

Treasury, on behalf of the Department of Human Services, requests approval to grant easements to the Township of Parsippany for the installation and maintenance of sewer pipelines necessary to connect to the Greystone Hospital’s wastewater treatment plant. The Township has suffered
the catastrophic failure of its sewer main near the hospital and has requested connection to the State’s wastewater treatment plant.

The Township will be responsible for all costs associated with making the necessary connections. The direct benefits the State will reap will include revenue to the State, as the Township will pay for the wastewater treatment. Also, the increased flow to the hospital’s treatment plant will benefit the plant.

Do we have any members’ questions or comments about this matter? (no response)

Hearing none, any public members want to be heard on this matter? (no response)

Okay, may I have motion to approve this matter?

ASSEMBLYMAN BROWN: So moved.

ASSEMBLYMAN MORIARTY: Second.

MR. SHAUGHNESSY: Motion and second.

I'll call the roll.

Special Counsel Melick.

MS. MELICK: Yes.

MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.

ASSISTANT STATE TREASURER PETRECCA: Yes.

MR. SHAUGHNESSY: Director Holzbaur.

DIRECTOR HOLZBAUR: Yes.

MR. SHAUGHNESSY: Senator Cardinale.

SENATOR CARDINALE: Yes.

MR. SHAUGHNESSY: Senator Smith.

SENATOR SMITH: Yes.

MR. SHAUGHNESSY: Assemblyman Moriarty.

ASSEMBLYMAN MORTARIY: Yes.

MR. SHAUGHNESSY: Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.

MR. SHAUGHNESSY: That matter is approved.

On to No. 7 on the agenda. These are Department of Transportation requests.

No. 7: Route 25A, currently Route 21, Section 1, Parcel VX1B, Block 434, adjoining Lot 1, Newark City, Essex County.

DOT requests approval to dispose of an approximately 0.394-acre lot currently in the I-2 Second Industrial District zone. The property will be sold to the only adjacent property owner, McCarter Associates, LLC. It will be for $325,000, the appraised value.

Any members have any questions or comments? (no response)

Any members of the public want to be heard on this matter?

Yes, ma’am. Ms. Sachau, correct?

MS. SACHAU: Correct.

MR. SHAUGHNESSY: Please come on up; thank you.

MS. SACHAU: I noticed that the previous recommendation for that land was it to be a passive recreation area. There are specific requirements for a passive recreation area which are not included in an active. I noticed that you’re changing it in this thing to an active area. An active area means that guns can be brought in to shoot in that area. I want you to know that Morris Plains is a very, very congested area. There is no reason to change this from a passive area.

MR. SHAUGHNESSY: Ms. Sachau--

MS. SACHAU: In addition--

MR. SHAUGHNESSY: Ms. Sachau, may I -- just for a moment.

What number, or what matter are you commenting on, please? Morris Plains?

MR. SHAUGHNESSY: Okay, we’re on No. 7.
MS. SACHAU: Oh, I thought you had called for No. 8.
SENATOR SMITH: Nope.
MS. SACHAU: Okay.
ASSEMBLYMAN BROWN: You can stay there.
MR. SHAUGHNESSY: Why don’t you stay there, because we’ll be there shortly.

We’re on No. 7 right now. If there are no members or public members to comment on No. 7, may I have a motion, please?

ASSEMBLYMAN BROWN: So moved.
SENATOR SMITH: Second.
MR. SHAUGHNESSY: Motion and second.

Special Counsel Melick.
MS. MELICK: Yes.
MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale.
SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: Senator Smith.
SENATOR SMITH: Yes.
MR. SHAUGHNESSY: Assemblyman Moriarty.
ASSEMBLYMAN MORTIARTY: Yes.
MR. SHAUGHNESSY: Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.
MR. SHAUGHNESSY: Okay, thank you. No. 7 is approved.

Now we’re on to No. 8. That is Route 178 Freeway, Section 1, Parcels VX -- and they are all preceded by VX -- VX29, 32A, 33, 35, 36A, 36B,
37, 38, 39 and 42, as referenced in the agenda. That’s Block 112, Lot 1, Morris Plains Borough, Morris County.

DOT requests approval to change the use of the State’s interest in the Route 178 Freeway, in accordance with Statute 27:6-1.1. Morris Plains Borough requests that the public uses on the subject parcels that were conveyed by deed, dated July 5, 2013, be changed to include public housing, active recreation, and to eliminate the public road and fire training facility. The previous approved uses of a recycling facility, open space, and passive recreation will remain unchanged.

And there is no consideration or contemplation for consideration for this change.

Okay, are there any members who have any questions or comments about this matter?

SENATOR SMITH: One or two.

MR. SHAUGHNESSY: Senator Smith, please.

SENATOR SMITH: The prior action to sell the property to Morris Plains Borough -- what was the consideration at that time?

MR. SHAUGHNESSY: Is there someone from DOT here to speak on this?

I understand also that there is a representative, Ms. Fraser, from Morris Plains, here as well.

GAIL H. FRASER, Esq.: Would you like me to come forward?

MR. SHAUGHNESSY: Please do.

Kindly identify yourself for the record and who you represent; thank you.

MS. FRASER: Good morning. I’m Gail Fraser. I’m here on behalf of Mayor Druetzler and members of the Borough Council. I serve as the Borough attorney.

The original purchase price was $75,000.
SENATOR SMITH: So the comment that there is no consideration for this action is not actually, technically correct. Consideration was previously paid.

MR. SHAUGHNESSY: Yes, thank you for that clarification. No new consideration, Senator -- right.

SENATOR SMITH: Right. And then one other question, and that is: We’re now going to allow public housing on the property. What is the extent of the public housing, and what do you mean by public housing?

MS. FRASER: What we mean is a 100 percent, municipally sponsored affordable housing project for low- and moderate-income. There will be no market rate units; it is not an inclusionary zoning project.

SENATOR SMITH: Got it.

MS. FRASER: The Borough Council will always own the property, and the Borough Council, once the building is developed -- the housing is developed -- the Borough Council will own the building as well.

If I may address the question about active recreation. Certainly if the Borough is planning on owning the property and constructing affordable housing, it has no intentions of having any sort of active recreational use that would be detrimental or dangerous. We were actually thinking of a swing set, a tennis court -- something of that nature -- that would be utilized by the people who are living in the low- and moderate-income units, as opposed to merely having passive recreation, such as trails. We wanted to make sure we covered that possibility.

MR. SHAUGHNESSY: Thank you.
Anything further?

MS. SACHAU: Yes, I have a comment on this.

MR. SHAUGHNESSY: Okay, please complete your comment.

MS. SACHAU: Number one, as a citizen of this state I object to open space being taken for all of these local community efforts. And I do
think that Morris Plains should buy property to use for some of these facilities -- recycling property and so forth. We're losing open space. Morris Plains is a very congested area and they should be keeping open space when they don’t need it for a road. If they need it for a road, that’s one thing. But they put a lot of other things in here -- a recycling facility and so forth.

And number one (sic), I believe that swing sets are passive recreation, so I see no need for active -- an active designation here, number one, because it can always be used, then, for guns once you call it that. And the wrong thing about that is that you also have lead deposition with the use of guns and shooting in an area, which will negatively impact the brains of those poor children who live in the affordable housing.

Thank you.

MR. SHAUGHNESSY: Thank you.

SENATOR SMITH: One more question.

MR. SHAUGHNESSY: Yes, Senator Smith.

SENATOR SMITH: Where does Morris Plains stand on its affordable housing obligations? Are they in compliance or not in compliance with COAH?

MS. FRASER: We have never applied for substantive certification.

SENATOR SMITH: Right.

MS. FRASER: We are now building a 56-unit, 100 percent low- and moderate-income property directly across the street from this, which is why we wanted to include this in our plan -- that we’re now developing an amended Fair Share Housing Plan that would incorporate third round. We’re presently in the court system on our affordable housing.

SENATOR SMITH: Do you have a builder’s remedy situation?

MS. FRASER: We have a builder’s remedy situation that relates to first and second round. As you know, Senator, the third round rules were
recently published, and until then we didn’t know what our obligations on third round was going to be.

Under the proposed rules we have an obligation of one more unit in addition to the first and second obligation. Obviously, we have a dispute in court; we believe we satisfied our first and second round obligation or have made reasonable accommodation for it. Obviously, there’s a difference of opinion on that.

I would also point out that the swath, from the fire training facility to affordable housing, only involves a 5.4-acre portion of the property that we previously acquired. All of the remaining parcel that was designated for open space will remain open space. And the recycling center has been on property, and we have rented the property from DOT, for many years -- I could be wrong, but I’d have to guess close to 20 years. And it was when the lease came up for renewal we sat down and had a dialogue with DOT about actually purchasing the property.

SENATOR SMITH: Okay. Going where I’m afraid to go, but I have to ask this question. Who are the litigants?

MS. FRASER: The litigants are M & M.

SENATOR SMITH: Okay, I’m officially recusing myself; I represent M & M. I don’t represent them in Morris Plains, but I just think I should be out of this totally since I’m involved with one of the partners.

MR. SHAUGHNESSY: Your recusal is noted for the record.

SENATOR SMITH: Thank you.

MR. SHAUGHNESSY: Any other members have any questions or comments? (no response)

May I have a motion?

SENATOR CARDINALE: So moved.

ASSEMBLYMAN BROWN: Second.

MR. SHAUGHNESSY: Motion and second; thank you.
Special Counsel Melick.

MS. MELICK: Yes.

MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.

ASSISTANT STATE TREASURER PETRECCA: Yes.

MR. SHAUGHNESSY: Director Holzbaur.

DIRECTOR HOLZBAUR: Yes.

MR. SHAUGHNESSY: Senator Cardinale.

SENATOR CARDINALE: Yes.

MR. SHAUGHNESSY: Senator Smith. Oh, pardon me -- Senator Smith, recusal.

SENATOR SMITH: Abstain -- recusal, right?

MR. SHAUGHNESSY: Thank you very much.

MS. FRASER: Thank you.

MR. SHAUGHNESSY: Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Yes.

MR. SHAUGHNESSY: Assemblyman Brown.

ASSEMBLYMAN BROWN: Yes.

MR. SHAUGHNESSY: That matter is approved.

No. 9 on the matter: Rahway Valley Railroad, part of Parcel 13F, part of Lot 1.01, and part of Lot 3 of Block 300, Kenilworth Borough, Union County.

DOT seeks approval to lease to Maroukian Realty, M-A-R-O-U-K-I-A-N Realty, LLC, an irregular lot totaling 0.219 acres for parking and storage for the lessee’s commercial tenant, which is Precision Escalator Products, Inc.

The recommended lease amount is $254 plus a $76 municipal service charge, for a total rental of $330 a month, with an incremental rental increase of 5 percent per annum on the base rental. The lease will be on a month-to-month basis.
SENATOR SMITH: Mr. Chairman -- or Madam Chairman -- if I might.

It’s 10:00 and the Senate Democratic Caucus is to meet on the budget. That will not be as good a meeting as this meeting. (laughter) However, I’d like to leave my vote on Items 9, 10, 11, 13, and 14.

MR. SHAUGHNESSY: Not on No. 12?

SENATOR SMITH: And 16. I’m abstaining on-- They are all yesses. But I have to abstain on 12 and 15. And the reason for the abstention: Our firm prosecutes in South Brunswick. And thanks to Steve Lonegan, who did an ethics complaint against me as an Assemblyman for voting on a budget where, in the budget, there was a dog park for East Brunswick -- but we were the prosecutors in East Brunswick -- and somehow that created a conflict, which the Ethics Commission dismissed. I think it’s wiser when any town that we might represent is a party before the board that we not participate.

So if you would note the abstention on those two items, and a yes on the rest, I’d appreciate it.

MR. SHAUGHNESSY: Senator, just quickly, though. I understand you are in the affirmative on 9, 10, 11, 13, and 14; abstain on Nos. 12 and 15. I think there may be three other matters: 16, 17, and 18.

SENATOR SMITH: Oh, I’m sorry. Yes on everything.

MR. SHAUGHNESSY: And the pension matters.

SENATOR SMITH: Yes on the pension matters as well.

MR. SHAUGHNESSY: Okay.

SENATOR SMITH: All right?

MR. SHAUGHNESSY: And yes on 16, 17 and 18.

SENATOR SMITH: Yes, sir.

MR. SHAUGHNESSY: Thank you, sir.

SENATOR SMITH: Thank you. And our apologies--

ASSEMBLYMAN MORIARTY: We ended up with too much stuff.
SENATOR SMITH: (Indiscernible) schedule on the days of the State House Commission.

MR. SHAUGHNESSY: Okay. We’re on No. 9 right now. Anyone from the public want to be heard on No. 9? (no response)

If not, may I have a motion on No. 9?

ASSEMBLYMAN BROWN: So moved.

SENATOR CARDINALE: Second.

MR. SHAUGHNESSY: Motion and second; thank you.

Special Counsel Melick.

MS. MELICK: Yes.

MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.

ASSISTANT STATE TREASURER PETRECCA: Yes.

MR. SHAUGHNESSY: Director Holzbaur.

DIRECTOR HOLZBAUR: Yes.

MR. SHAUGHNESSY: Senator Cardinale.

SENATOR CARDINALE: Yes.

MR. SHAUGHNESSY: Senator Smith, who is still in the room, is in the affirmative.

Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Yes.

MR. SHAUGHNESSY: Assemblyman Brown.

ASSEMBLYMAN BROWN: Yes.

MR. SHAUGHNESSY: That matter is approved.

Moving on to No. 10: Route 80, Section 4D; parcels are represented in the public agenda -- the numerous parcels as identified in the agenda.

DOT requests approval to dispose of an approximately 0.43 acre irregular-shaped lot of surplus vacant land located currently in the R-4 High
Density Residential Zone. The property will be sold for public use, specifically redevelopment, to the Housing Authority of the City of Paterson, the only adjacent property owner, for its redevelopment project associated with the revitalization of the Alexander Hamilton public housing community and its surrounding neighborhood.

The recommended sale price is $80,000, the appraised value.

Any members want to be heard on this matter? (no response)

Any members of the public want to be heard on this matter? (no response)

ASSEMBLYMAN MORIARTY: I said move it.

MR. SHAUGHNESSY: Hearing none, may I have a motion?

ASSEMBLYMAN MORIARTY: I said move it.

MR. SHAUGHNESSY: Okay, great. Thank you, Assemblyman.

Second?

ASSEMBLYMAN BROWN: Second.

MR. SHAUGHNESSY: Motion and second. Thank you, Assemblyman.

ASSEMBLYMAN MORIARTY: I’m trying to speed things up.

MR. SHAUGHNESSY: I appreciate it.

ASSEMBLYMAN MORIARTY: I have a meeting as well.

MR. SHAUGHNESSY: Okay.

Special Counsel Melick.

MS. MELICK: Yes.

MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.

ASSISTANT STATE TREASURER PETRECCA: Yes.

MR. SHAUGHNESSY: Director Holzbaur.

DIRECTOR HOLZBAUR: Yes.

MR. SHAUGHNESSY: Senator Cardinale.

SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: Senator Smith is in the affirmative on that matter.

Assemblyman Moriarty.
ASSEMBLYMAN MORIARTY: Yes.
MR. SHAUGHNESSY: Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.
MR. SHAUGHNESSY: Thank you.

No. 11, please: Route 4, currently Route 109, Section 45, Parcel VX1, Block 793, adjoining Lot 11.01, Lower Township, Cape May.

DOT requests approval to dispose of approximately 0.742 acres of surplus vacant lot, currently in the General Business Zone, to the only adjoining property owner, 791 Route 109, for assemblage to potentially add parking, landscaping, and displays.

The recommended sale price is $97,000, the appraised value.

Any member want to be heard? (no response)
Any public member want to be heard? (no response)
ASSEMBLYMAN MORIARTY: Motion.
MR. SHAUGHNESSY: Okay, motion.
ASSEMBLYMAN BROWN: Second.
MR. SHAUGHNESSY: Second.
Special Counsel Melick.
MS. MELICK: Yes.
MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale.
SENATOR CARDINALE: Yes.

ASSEMBLYMAN MORIARTY: Yes.

MR. SHAUGHNESSY: And Assemblyman Brown.

ASSEMBLYMAN BROWN: Yes.

MR. SHAUGHNESSY: That matter is approved.

Moving on to the DEP requests, the Department of Environmental Protection: No. 12, Municipal Open Space, Block 299, part of Lot 1, South Brunswick Township, Middlesex County.

DEP, on behalf of the Township of South Brunswick, requests approval to allow the Township to convey approximately 0.408 acre of open space to the South Brunswick Community Development Corporation for the construction of a maintenance building. South Brunswick Development Corporation is a private, not-for-profit corporation that provides subsidized affordable housing to very low income seniors in the municipality. Charleston Place is a senior residential facility located immediately adjacent to the municipal open space.

The plans are to construct a separate building for storage of gasoline, chemicals, tools, and maintenance equipment on the open space. Currently the maintenance shop occupies space in the community building, which presents a safety hazard to residents that occupy the building. As compensation, South Brunswick will dedicate two vacant lots totaling approximately 3.75 acres. At the January 28 and May 13, 2014 public hearings no negative comments were expressed.

Any members want to be heard or comment on this matter? (no response)

Any members from the public here want to be heard? Yes, Ms. Sachau again, please.
MS. SACHAU: I oppose the use of open space for all of these issues that are being reported here.

And taxpayers were taxed to provide open space, and this is a situation where there will be a creeping use of open space, and we really need to stop it because taxpayers are being taxed to save it. And endless ones on this agenda show use of open space for the wrong purposes. Please try to take that into consideration in voting on these issues on open space use.

MR. SHAUGHNESSY: Ms. Sachau, may I ask. Do you have a similar comment on any other matters? I believe you had one on 13--

MS. SACHAU: Yes, I have a comment on any use of open space, yes.

MR. SHAUGHNESSY: Okay, thank you.
MS. SACHAU: Thank you.
MR. SHAUGHNESSY: Okay, may I have a motion on No. 12?
SENATOR CARDINALE: Motion.
MR. SHAUGHNESSY: Second?
ASSEMBLYMAN BROWN: Second.
MR. SHAUGHNESSY: Special Counsel Melick.
MS. MELICK: Yes.
MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale.
SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: And I believe Senator Smith, on No. 12, abstains.
Assemblyman Moriarty.
ASSEMBLYMAN MORIAERTY: Yes.
MR. SHAUGHNESSY: And Assemblyman Brown.

ASSEMBLYMAN BROWN: Yes.

MR. SHAUGHNESSY: That matter is approved.

Moving on to No. 13: Millville Wildlife Management Area, Cumberland County; with further description as in the public agenda.

DEP requests approval to enter into a 20-year lease agreement with Atlantic City Electric for the use of a right-of-way for the operation, maintenance, repair, renewal, and removal of existing transmission lines for the distribution of electricity. This lease will replace and supersede a previous 50-year lease with Atlantic City Electric, which expired in 2009, for the same right-of-way.

Rent for the first year will be $48,470 (sic), then, with a 2.5 percent annual escalation, the total rent for the 20-year term will be in excess of $12 million.

Any members of the Commission want to be heard on this matter? (no response)

Any members of the public want to be heard on this matter? (no response)

Hearing none, may I have a--

Oh, I’m sorry.

MS. SACHAU (off mike): Ms. Sachau wants to be heard.

MR. SHAUGHNESSY: Yes, Ms. Sachau.

MS. SACHAU: There is no indication on this agenda item on who will get the money from this huge lease agreement. I’d like it specifically addressed on who -- what agency will get the money. I do not want the money to go to the New Jersey DEP; I’d like to see it go to the general taxpayers’ fund for spending. We have a huge deficit in this State, and I notice that there is no indication of who -- what agency will get these funds. Can you please find that out and put that in the record?
MR. SHAUGHNESSY: I have to believe that it will be the State of New Jersey, Department of Environmental Protection.

Is there anyone here who can confirm that?

Thank you, sir.

GEORGE A. CHIDLEY: Good afternoon. My name is George Chidley. I am the Acting Administration for Office of Leases.

The money actually will go to Fish and Wildlife.

MS. SACHAU: Well, I want to oppose that, because I find that agency to be extremely mismanaged and I find that the actions of that agency are not in the best interest of the people of the State of New Jersey. I have gone to their meetings for 20 years, I’m quite familiar with what they do, and I don’t think that their budget should be enhanced by these funds on open space. Because open space belongs to all of the people of New Jersey, it doesn’t just belong to the actions of this agency. I really urge you to look very carefully at letting this go to New Jersey Division of Fish and Wildlife. And I also think we ought to specify who’s getting it, in any event. Because what this agency does is, they use it -- put it in the Hunters and Anglers fund, which is not available to all the people of New Jersey.

So there is an issue here on where these funds are going. This open space land should be for the benefit of all taxpayers.

Thank you.

MR. SHAUGHNESSY: Thank you for your comment.

SENATOR CARDINALE: The witness raises an interesting question: It’s broader than this particular item. Do we have an option of designating where monies go other than to the Department that’s disposing of the property?

MR. SHAUGHNESSY: I don’t know the answer to that question, Senator. It might be statutory; I don’t know the answer to that question.
SENATOR CARDINALE: Can we get the answer at some point in time?

MR. SHAUGHNESSY: Could someone from the DEP--Ms. Yeany, again.

MS. PICCININI YEANY: We can certainly research the issue further. But my recollection is, we’ve been advised in the case of Fish and Wildlife properties in the past that funding grant agreements that they have with the Federal government require them to capture lease revenue on their properties. That’s the argument I’ve always gotten in the past on the Fish and Wildlife properties. We can certainly look into it further.

SENATOR CARDINALE: So that it’s not a New Jersey law that we have to deal with, but rather the interrelationship with the Federal government?

MS. PICCININI YEANY: In the case of the Fish and Wildlife properties, yes.

MS. SACHAU: I think she’s talking about the Hunters and Anglers fund, which is different from the benefit of the general taxpayers of New Jersey. I think that’s the Federal rule that you’re referring to.

MS. PICCININI YEANY: No, I don’t think so. This is funding for positions and projects elsewhere in the Division. Hunters and Anglers, I believe, is a New Jersey statutory creation.

MR. SHAUGHNESSY: Thank you very much for that clarification.

SENATOR CARDINALE: May I ask a question of the DEP?

MR. SHAUGHNESSY: Surely, Senator.

SENATOR CARDINALE: When you do your budgetary requests, is there something that indicates these sources of income that might not otherwise appear and these nonrecurring sources of income? But I’ve never
served on the Budget Committee as long as I’ve been in the Legislature so if I had I might know the answer to that question.

MS. PICCININI YEANY: And I’m sorry, I’m not going to be able to answer that question. I’m not involved in the budget process at all. But again, if you’d like that information we can try to track it down.

SENATOR CARDINALE: Well, it occurs to me that if you suddenly find yourself with money that’s kind of just flowing in and unaccounted for otherwise, what do you do with it?

MS. PICCININI YEANY: Again, I don’t know. I’m not involved in budgeting our operations at all. Sorry.

SENATOR CARDINALE: Thank you.

MS. SACHAU (off mike): I have a follow-up question.

This says this is a renewable lease. Have you already been getting income from this?

MS. PICCININI YEANY: I’ll defer to Mr. Chidley on that. I’ll give up my seat.

MR. CHIDLEY: Thank you.

Yes, under the prior lease agreement there was a one-time payment. It was minimal; it was like a dollar. So, yes there was income, but it was 50 years ago. We haven’t been realizing any income on the property subsequent to that payment.

MS. MELICK: Okay, thank you.

MR. SHAUGHNESSY: Any other public comment or anything like that? (no response)

Okay, thank you very much.

MS. SACHAU: Well, I would like specificity of who’s getting this money before you pass and approve it. I do think--

MS. MELICK: Excuse me, Ms. Sachau--

MS. SACHAU: --that people of New Jersey want to know.
MS. MELICK: We have heard your remarks; we appreciate them.
It's the Commission's decision.
Thank you.

MR. SHAUGHNESSY: Okay, so voting on No. 13, as represented in the agenda.
Motion, please?
MS. MELICK: So moved.
ASSEMBLYMAN BROWN: Second.
MR. SHAUGHNESSY: Motion and second, thank you.
Special Counsel Melick.
MS. MELICK: Yes.
MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale.
SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: Senator Smith has been marked in the affirmative on No. 13.
Assemblyman Moriarty.
ASSEMBLYMAN MORIA RTY: Yes.
MR. SHAUGHNESSY: And Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.
MR. SHAUGHNESSY: Thank you; moving on to No. 14.
Delaware & Raritan Canal State Park, Block 2, part of Lot 5, Stockton Borough, Hunterdon County.

DEP requests approval to amend an existing lease with the Delaware River Mill Society to add 0.57 acres, including a structure known as the Prall House, to the leased premises. The parcel will be acquired by the
Green Acres Program through a donation from the New Jersey Conservation Foundation.

The payment for the lease amendment will be an additional one-time payment of $20. Tenant will be responsible for the maintenance and upkeep of the land and structures, and payment of all utilities. The nonprofit also provides the State with volunteer hours; interpretive programming; and improvements, maintenance, and operation of the leased facility.

Any members have any questions or comments about this matter? (no response)

Any member of the public want to be heard? (no response)

Hearing none, may I have a motion?

ASSEMBLYMAN BROWN: So moved.

SENATOR CARDINALE: Second.

MR. SHAUGHNESSY: Motion and second.

Special Counsel Melick.

MS. MELICK: Yes.

MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.

ASSISTANT STATE TREASURER PETRECCA: Yes.

MR. SHAUGHNESSY: Director Holzbaur.

DIRECTOR HOLZBAUR: Yes.

MR. SHAUGHNESSY: Senator Cardinale.

SENATOR CARDINALE: Yes.

MR. SHAUGHNESSY: Senator Smith in the affirmative.

Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Yes.

MR. SHAUGHNESSY: Assemblyman Brown.

ASSEMBLYMAN BROWN: Yes.

MR. SHAUGHNESSY: That matter is approved.
On to No. 15: Pigeon Swamp State Park, Block 18, part of Lot 20.01 for disposal; Block 18, part of Lot 10.01 and part of Lot 20.01 for diversion, South Brunswick Township, Middlesex County.

DEP requests approval to convey to the Township of South Brunswick approximately 5 acres in fee, 0.50 acre in permanent easements, and 5 acres in temporary easements. The conveyances are needed by the Township in conjunction with the construction of a 2-mile, 2-lane segment of County Route 522 extending between U.S. Route 130 and Cranbury-South River Road, which is County Route 535.

In exchange for the conveyances, the Township and County will convey to the DEP, in fee, two properties totaling approximately 59 acres for addition to Pigeon Swamp State Park -- a 5-acre portion of Block 18, Lot 19.01 and all of Block 18, Lot 23.

At the December 8, 2013 public hearing there were no formal comments raised. At the January 6, 2014 public hearing held in Trenton, no one from the public attended. There was one written comment sent to the DEP on December 7, 2013. The commenter expressed her opposition to the project, and in general is against all diversions and disposals of public parkland. There was no specific comment directed, though, to the County Route 522 extension project.

Do any members have any comments or questions in regard to this? (no response)

Any member of the public want to be heard? (no response)

Hearing none, may I have a motion, please?

ASSEMBLYMAN MORIARTY: I’ll make a motion.

ASSEMBLYMAN BROWN: Second.

MR. SHAUGHNESSY: Motion and second.

Special Counsel Melick.

MS. MELICK: Yes.
MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale.
SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: Senator Smith abstains with regard to No. 15.

Assemblyman Moriarty.
ASSEMBLYMAN MORIARTY: Yes.
MR. SHAUGHNESSY: And Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.

MR. SHAUGHNESSY: That matter is approved; No. 15 is approved.

No. 16: Atlantic County Bikeway East, Block 2004, part of Lot 1, Egg Harbor Township, Atlantic County.

DEP requests approval to divert a total of 0.15 +/- acres of parkland within the Atlantic County Bikeway East, in connection with the New Jersey Turnpike Authority’s Garden State Parkway Widening Program from Interchange 30 to Interchange 80. The proposed diversion involves the expansion of a bridge over a 0.118 acre portion of the Atlantic County Bikeway East, and the relocation of a utility line below a 0.032 acre portion of the Bikeway in Egg Harbor.

To compensate, the County proposes to offer $6,000 cash compensation to be deposited into the Garden State Preservation Trust Fund. At the April 9, 2014 public hearing, no public comments were voiced and no written comments received during the public comment period.

Going back to -- for the moment -- going back to No. 13 for the moment. I just have a clarification. I may have misspoke or misread into the
record, maybe, the annual rent. The first year rent will be $481,470 as specified in the agenda. I just want to make that clarification before we go on.

So we’re on No. 16. Does anyone have -- any member have any questions or comments with regard to that?

Assemblyman Moriarty, please.

ASSEMBLYMAN MORIARTY: The 0.15 acres of parkland -- is that Green Acres?

MR. SHAUGHNESSY: I believe so. May we have someone, please, to clarify that?

Thank you.

JESSICA PATTERSON: Hi, I’m Jessica Patterson from the Green Acres Program.

The parkland is actual County owned -- Atlantic County.

ASSEMBLYMAN MORIARTY: Okay, so that they don’t have to give us other land because it was County owned?

MS. PATTERSON: It was a minor diversion, so money can be given back as compensation for minor diversions.

ASSEMBLYMAN MORIARTY: Thank you for the clarification.

MR. SHAUGHNESSY: Any other members have questions or comments? (no response)

Any members of the public want to be heard? (no response)

Hearing none, may I have a motion?

ASSEMBLYMAN MORIARTY: I'll make a motion.

MR. SHAUGHNESSY: Thank you, Assemblyman.

Second?

MR. PETRECCA: Second.

MR. SHAUGHNESSY: Motion and second, thank you.

Special Counsel Melick.

MS. MELICK: Yes.
MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale.
SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: Senator Smith as affirmative.
Assemblyman Moriarty.
ASSEMBLYMAN MORIZARTY: Yes.
MR. SHAUGHNESSY: And Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.
MR. SHAUGHNESSY: Thank you; that matter is approved.
No. 17: Block 57, part of Lot 31, Branchburg Township, Somerset County.

DEP, on behalf of the Township of Branchburg, requests approval to legalize the past diversion of parkland in connection with the construction of a police station in the mid-1980s.

To compensate for the diversion of 3.12 acres of parkland, the Township will dedicate, for recreation and conservation purposes, a 30.414-acre parcel of former agricultural lands located elsewhere in the Township. Public hearings were held on August 13, 2007 and March 24, 2014 with no public comments received.

Any members have any questions or comments with regard to this? (no response)

Any members of the public wishing to be heard? (no response) Hearing none, may I have a motion?
ASSEMBLYMAN BROWN: So moved.
MR. SHAUGHNESSY: Thank you. Second?
MS. MELICK: Second.
MR. SHAUGHNESSY: Second.
Special Counsel Melick.
MS. MELICK: Yes.
MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale.
SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: Senator Smith in the affirmative; thank you.

Assemblyman Moriarty.
ASSEMBLYMAN MORIZARTY: Yes.
MR. SHAUGHNESSY: Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.
MR. SHAUGHNESSY: That matter is approved.

On to the last matter before we move to the Division of Pensions and Benefits.

This is No. 18: 18th Street Land Swap, Block 57, part of Lots 2 and 3, which is new lot 1.01, Ship Bottom Borough, Ocean County.

DEP requests approval to dispose of 0.06 +/- acre of parkland. The disposal will allow the Borough to swap parkland west of the bulkhead line with privately held land east of the bulkhead line, owned by Francis A. and Joan McTiegue -- M-C-T-I-E-G-U-E -- to create a contiguous and municipally owned dune corridor, as required as part of a beach replenishment project to be funded by the DEP and the Army Corps of Engineers.

In addition to conveying acreage to the Borough, the McTiegue’s will tender $116,500 cash to equalize the exchange from a property value
perspective. The Borough is proposing to construct recreation facilities including playgrounds, kayak and Jet Ski ramps; and signage located at Shore Avenue Waterfront Park and Bay Terrace Waterfront Park. At the public hearing, there was minimal public opposition. All comments were adequately addressed, according to the DEP.

Any members have any questions or comments with regard to No. 18? (no response)

Any public member want to be heard? (no response)

Hearing none, may I have a motion?

SENATOR CARDINALE: So moved.

ASSEMBLYMAN BROWN: Second.

MR. SHAUGHNESSY: Motion and second; thank you.

Special Counsel Melick.

MS. MELICK: Yes.

MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.

ASSISTANT STATE TREASURER PETRECCA: Yes.

MR. SHAUGHNESSY: Director Holzbaur.

DIRECTOR HOLZBAUR: Yes.

MR. SHAUGHNESSY: Senator Cardinale.

SENATOR CARDINALE: Yes.

MR. SHAUGHNESSY: Senator Smith in the affirmative.

Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Yes.

MR. SHAUGHNESSY: Assemblyman Brown.

ASSEMBLYMAN BROWN: Yes.

MR. SHAUGHNESSY: Thank you.

Okay, now moving on to the Division of Pensions and Benefits requests.
May I have a motion to sit as the Judicial Retirement System Board?

SENATOR CARDINALE: So moved.
ASSEMBLYMAN BROWN: Second.
MR. SHAUGHNESSY: Motion and second.
All in favor?
ALL: Aye.

MR. SHAUGHNESSY: Any opposed, any abstentions? (no response)

Okay, we’re moving on to No. 19, number 1: Approval of the minutes of the meeting held on March 27, 2014.

All in favor?
ALL: Aye.

MR. SHAUGHNESSY: Any opposed or abstentions?
SENATOR CARDINALE: Abstain.
ASSEMBLYMAN MORIARTY: Abstain; I was not here.
MR. SHAUGHNESSY: Okay, thank you.

Next, number 2: Confirmation of Death Claims, Retirements and Survivor Benefits as listed in the members’ packages.

Do I have a motion for that?

ASSEMBLYMAN BROWN: So moved.
SENATOR CARDINALE: Second.
MR. SHAUGHNESSY: Motion and second.

Special Counsel Melick.

MS. MELICK: Yes.

MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale.
SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: Senator Smith in the affirmative.
Assemblyman Moriarty.
ASSEMBLYMAN MORIARTY: Yes.
MR. SHAUGHNESSY: Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.
MR. SHAUGHNESSY: Thank you.
The last matter sitting as the Judicial Retirement System Board is receipt of the financial statements of January 2014 to February 2014. May I have a motion on that?
SENATOR CARDINALE: So moved.
ASSEMBLYMAN BROWN: Second.
MR. SHAUGHNESSY: Motion and second.
Special Counsel Melick.
MS. MELICK: Yes.
MR. SHAUGHNESSY: Assistant State Treasurer Petrecca.
ASSISTANT STATE TREASURER PETRECCA: Yes.
MR. SHAUGHNESSY: Director Holzbaur.
DIRECTOR HOLZBAUR: Yes.
MR. SHAUGHNESSY: Senator Cardinale.
SENATOR CARDINALE: Yes.
MR. SHAUGHNESSY: Senator Smith in the affirmative.
Assemblyman Moriarty.
ASSEMBLYMAN MORIARTY: Yes.
MR. SHAUGHNESSY: Assemblyman Brown.
ASSEMBLYMAN BROWN: Yes.
MR. SHAUGHNESSY: Thank you.
I think that concludes.
Is there a motion to adjourn?

ASSEMBLYMAN MORIARTY: I have a question.

MR. SHAUGHNESSY: Yes, please.

ASSEMBLYMAN MORIARTY: I was not here at the last meeting. I see No. 4 on this, there was a presentation by the Director of the Divisions of Pensions and Benefits. Was there some discussion of the fund that I missed?

MR. SHAUGHNESSY: From last meeting--

MS. MELICK: I believe they provided us with their annual actuarial presentation.

MR. SHAUGHNESSY: Yes, we received--

MS. MELICK: It was just a presentation.

MR. SHAUGHNESSY: We could get you a copy of that.

ASSEMBLYMAN MORIARTY: I would like that.

MR. SHAUGHNESSY: Sure.

ASSEMBLYMAN MORIARTY: I have previously said that I would like the fund managers to be presented to us so that we could learn more about the health and the investing philosophy of the fund managers. I feel, as someone who is supposed to be looking over this fund, that I don’t have enough information to make sure that it is stable and sound. And I would like to renew that request -- that we have the fund managers here to discuss their major holdings, their philosophies, and so forth, at some point in the near future.

MR. SHAUGHNESSY: Thank you, Assemblyman. We’ll direct that request to the Division of Pensions to respond.

ASSEMBLYMAN MORIARTY: And I can get a copy of the presentation?

MR. SHAUGHNESSY: Yes.

ASSEMBLYMAN MORIARTY: Thank you.

MR. SHAUGHNESSY: Yes, from the last meeting.
ASSEMBLYMAN MORIARTY: Thank you.

ASSEMBLYMAN BROWN: It was very exciting. (laughter)

MR. SHAUGHNESSY: Okay, may I just have, quickly, a motion to go back sitting as the State House Commission?

ASSEMBLYMAN BROWN: So moved.

MR. SHAUGHNESSY: Second?

MS. MELICK: Second.

MR. SHAUGHNESSY: Second.

All in favor?

ALL: Aye.

MR. SHAUGHNESSY: Now a motion to adjourn.

ASSEMBLYMAN BROWN: So moved.

SENATOR CARDINALE: Second.

MR. SHAUGHNESSY: Motion; second.

All in favor?

ALL: Aye.

MR. SHAUGHNESSY: Thank you so much for your time in this busy season.

(MEETING CONCLUDED)