
Commission Meeting

of

STATE HOUSE COMMISSION

LOCATION: Committee Room 9
State House Annex
Trenton, New Jersey

DATE: June 12, 2008
9:00 a.m.

MEMBERS OF COMMISSION PRESENT:

Fruqan Mouzon, Chair
Senator Bob Smith
Assemblyman John S. Wisniewski
Assemblywoman Marcia A. Karrow
Debra Bell
Charlene M. Holzbaur



ALSO PRESENT:

Samuel Crane, *Secretary*

Robert J. Shaughnessy, *Counsel*

Meeting Recorded and Transcribed by
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(The New Jersey State House Commission held a teleconference meeting on June 12, 2008, at 9:00 a.m. The member of the Commission present via teleconference was Assemblywoman Marcia A. Karrow)

FRUQAN MOUZON (Chair): Good morning.

Assemblywoman, thank you for joining us. I understand that this is a very difficult time for you. We appreciate you taking the time to join us this morning.

Good morning. Welcome to the State House Commission's quarterly meeting.

We are in compliance with the Open Public Meetings Act.

Secretary Crane, would you please call the roll?

MR. CRANE (Secretary): Senator Smith.

SENATOR SMITH: Present.

MR. CRANE: Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Present.

MR. CRANE: Assemblywoman Karrow.

ASSEMBLYWOMAN KARROW: Here.

MR. CRANE: Deputy State Treasurer Bell.

DEPUTY STATE TREASURER BELL: Here.

MR. CRANE: The most powerful woman in Trenton, Director Holzbaaur. (laughter)

DIRECTOR HOLZBAUR: Here.

MR. CRANE: Counsel Fruqan Mouzon.

MR. MOUZON: Here.

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

MR. MOUZON: Thank you.

MR. CRANE: The first order of business, Mr. Chairman, is to approve the minutes of the March 13, 2008, State House Commission meeting.

SENATOR SMITH: So moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

Approved.

We will now go to the agenda.

We have three items under old business.

The Department of the Treasury, on behalf of Military and Veterans Affairs, requests approval to revise the terms of the lease with the city of Vineland for the construction of a firehouse. This is to extend the time in which they have to construct the firehouse.

SENATOR SMITH: So moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

Approved.

Number three is--

SENATOR SMITH: Mr. Crane, for the record, I will be recusing myself from any action on item three.

MR. CRANE: Okay. Thank you, Senator.

The Department of Environmental Protection requests to convey .25 (*sic*) acre of Pigeon Swamp State Park to South Brunswick Township for a road right-of-way -- purposes in connection with the improvement of an intersection.

This is a corrective action based on an updated survey and listings of lots and blocks.

MR. MOUZON: So moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

Abstained?

Senator Smith abstains.

Number 4, Liberty State Park: The New Jersey Department of Environmental Protection, Division of Parks and Forestry, is requesting this correction to an action we took on March 13, 2008. It's an amendment of an approval concerning an amount of office space to be leased at the Central Railroad of New Jersey Terminal Building at Liberty State Park.

ASSEMBLYMAN WISNIEWSKI: So moved.

SENATOR SMITH: Second.

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

Opposed? (no response)

Okay. On to new business, item Number 5. The New Jersey Department of the Treasury requests approval to lease a DEP residential property at 409 South Middlebush Road to Richard Hewitt.

MR. MOUZON: So moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

Approved.

Number 6 on the agenda: The New Jersey Department of the Treasury, on behalf of the Department of Human Services, requests approval to grant a utility easement on a parcel of vacant land located on the grounds of Greystone Psychiatric Hospital to Morris County for the installation of underground utilities to service their new recreational facility.

ASSEMBLYMAN WISNIEWSKI: Move it.

MR. MOUZON: Second.

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

Opposed? (no response)

Approved.

Number 7: The New Jersey Department of the Treasury, on behalf of the Department of Corrections, requests approval to sell a cemetery to the Diocese of Trenton.

ASSEMBLYMAN WISNIEWSKI: Move it.

SENATOR SMITH: Second.

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

Opposed? (no response)

Approved.

Number 8: The Department of the Treasury, on behalf of the Department of Children and Families, requests approval to lease a 60'x60' parcel of vacant land located on the grounds of Arthur Brisbane Child Welfare Training center to Verizon Wireless for a cell tower.

ASSEMBLYMAN WISNIEWSKI: Move.

SENATOR SMITH: Second.

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

Opposed? (no response)

Approved.

Number 9: The New Jersey Department of the Treasury, on behalf of the Department of Human Services, requests approval to lease the West Apartment Building located on the grounds of the New Lisbon Developmental Center to AdvoServ of New Jersey, a service provider under contract with the Division of Developmental Disabilities.

SENATOR SMITH: So moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

Approved.

Members of the Commissions, numbers 10 and 11 are similar actions here. They just happen to be-- We have to list them separately because they are separate parcels.

The Department of the Treasury requests approval to lease a DEP residential property located at Meadow Avenue. And they also request approval to lease a residential property located at 103 Luscroft Road. These are two of our traditional leases with the Department of -- DEP. So could we move 10 and 11 as a group?

ASSEMBLYMAN WISNIEWSKI: Move.

SENATOR SMITH: Second.

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

Approved.

Number 12: The Department of the Treasury, on behalf of the Department of Children and Families, requests approval to dispose of 30-plus acres of vacant land located at 1600 Stuyvesant Avenue. This is in Ewing Township, Mercer County.

I note that the property will be sold at auction once real property review clearance is received.

ASSEMBLYMAN WISNIEWSKI: Moved.

MR. CRANE: Second.

All in favor? (affirmative responses)

Opposed? (no response)

Approved.

Number 13 -- these are all from the Department of Environmental Protection.

The New Jersey DEP, Division of Parks and Forestry, requests approval to convey to W.A. Golf Company, LLC an approximately 10-square-foot area within an access easement. This is located in Jersey City, in Hudson County.

SENATOR SMITH: So moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

Approved.

Again in Jersey City, Liberty State Park, in Hudson County, the Division of Parks and Forestry requests approval to vacate up to an acre of public access easement located on the north side of Chapel Avenue. In exchange, the underlying property owner, Applied, will convey to DEP

approximately .951 acre of public access easement along the rights -- easement rights along Chapel Avenue.

SENATOR SMITH: Is this the matter that we received a letter from Applied dated June 11? This is the one where Applied talks about its affiliated companies?

MR. CRANE: Yes.

SENATOR SMITH: Okay. Just for the record, one of the problems you always have with members of this Commission being lawyers is that you want to make sure you're not voting on a matter that involves any of your clients.

A Josiah Wishnick (phonetic spelling) was questioned about who the Applied companies were. He sent back a letter dated June 11 with, it looks like, about 60 different companies that -- or maybe more -- that are part of these Applied companies. I reviewed that list to make certain that none of them are clients. And none of them appear to be, so I think I'm okay to vote on this.

ASSEMBLYMAN WISNIEWSKI: I would just echo Senator Smith's comments. I've looked at it, and none of them appear to be my clients. I don't think I have any issue in voting for this either.

SENATOR SMITH: Move the matter.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

Numbers 15 and 16 are again linked. They are in two different townships.

This is DEP, on behalf of the townships of Hillsborough and Branchburg -- are requesting you to approve allowed diversion of some property for the construction of a new, overhead electric transmission line between two existing lines. These are-- They happen to fall in two different towns, that's why they're two different actions. But they are approval for the PSEG easements to put the new, overhead electric lines in.

ASSEMBLYMAN WISNIEWSKI: Do you want to move them both at the same time?

MR. CRANE: Yes, if you would.

ASSEMBLYMAN WISNIEWSKI: So moved.

SENATOR SMITH: Second.

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

Opposed? (no response)

The Department of Transportation, Division of Right of Way, requests approval to sell an approximately .213 acre parcel located at the intersection of Route 46 and Baldwin Road to an adjoining property owner. This is in Parsippany-Troy Hills, Morris County.

MR. MOUZON: Moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

Approved.

The Division of Right of Way, Property Management Unit, requests approval to lease, on a month-to-month basis, an area known as part of the former Raritan Valley Railroad, consisting of an irregular-shaped

lot containing approximately 18,700 square feet, to Epic Properties, LLC. This is in Union Township, Union County.

SENATOR SMITH: For the record, I'm going to recuse myself. I don't think I have a conflict, but I once represented a company called Epic. I don't think it involves any of these people. But to be safe--

MR. CRANE: The record will show that the Senator will not participate in this.

Is there a motion?

ASSEMBLYMAN WISNIEWSKI: Moved.

MR. MOUZON: Second.

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

Opposed? (no response)

Approved.

ASSEMBLYMAN WISNIEWSKI: Mr. Secretary, I just-- On the two matters we did on PSEG-- Looking at it after we made the motion, it dawned on me that I think my firm may do something. Can we reconsider that so that I may recuse myself from that? It was 16 and 17, I think.

MR. CRANE: Absolutely, Assemblyman.

A motion to reconsider items number 15 and 16.

MR. MOUZON: So moved.

MR. CRANE: Seconded.

SENATOR SMITH: Second.

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

Opposed? (no response)

ASSEMBLYMAN WISNIEWSKI: And for the record, I'm going to recuse myself on that.

MR. CRANE: Is there a motion to approve 15 and 16?

SENATOR SMITH: So moved.

MR. MOUZON: Second.

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

Opposed? (no response)

Approved.

Thank you, Assemblyman.

The New Jersey Department of Transportation, Division of Right of Way, requests approval to sell a 2,913-square-foot parcel of vacant land to an adjacent -- land adjacent to the requestor's property located at the intersection of Mountainview Boulevard and Route 23. This is in Wayne Township, Passaic County.

ASSEMBLYMAN WISNIEWSKI: Moved.

MR. MOUZON: Second.

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

Opposed? (no response)

Number 20: The Division of Right of Way, Property Management Unit, requests approval to dispose of .115 acres, or about 5,000 square feet, of vacant lot in the highway commercial zone to the adjoining property owner. This is located in Howell Township, Monmouth County.

SENATOR SMITH: So moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

Approved.

Number 21: Again, the Division of Right of Way requests approval to dispose of a 477-square-foot, irregular-shaped parcel at the intersection of Morris Avenue and Fanny Road to the adjoining owner. This is located in Mountain Lakes Borough, Morris County.

MR. MOUZON: So moved.

SENATOR SMITH: Second.

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

Opposed? (no response)

Approved.

Mr. Chairman, we should entertain a motion to convene the State House Commission to sit as the Board of Trustees for the Judicial Retirement System.

SENATOR SMITH: So moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

You're now sitting as the Board of Trustees of the Judicial Retirement System.

The first action on the agenda is the approval of the minutes of the meeting held on March 13, 2008.

ASSEMBLYMAN WISNIEWSKI: So moved.

SENATOR SMITH: Second.

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

Opposed? (no response)

Number 2 is the confirmation of death claims, retirements, and survivor benefits.

SENATOR SMITH: So moved.

MR. MOUZON: Second.

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

Opposed? (no response)

Approved.

Number 3 is to approve the financial statements dated February 28 -- 29 -- excuse me, it's a leap year -- 2009 -- 2008. (laughter)

Is there a motion?

SENATOR SMITH: There is, but there's a question too.

MR. CRANE: Oh.

SENATOR SMITH: We are contemplating -- or actually voted on a judicial pay raise. Has anybody looked to see whether the Judicial Retirement System, unlike some of our other pension systems, is solvent and doesn't have any issues?

MR. CRANE: Do you want to address that?

P E T E R J. G O R M A N: I'm Pete Gorman, from the Division of Pensions.

SENATOR SMITH: Yes, sir.

I don't know if you heard the question. The question was-- We have a lot of issues in some of our other pensions -- that we're underfunded. We have some financial issues that we have to work out. And we just authorized the increase in judicial salaries. Does our-- Is our system solvent on the judicial pension side? Do we have any issues like that?

MR. GORMAN: There are increases, but-- They're in fairly good shape -- the fund itself.

SENATOR SMITH: That's the answer to the question.

MR. GORMAN: If you're going to make me guarantee it, no, Senator. (laughter)

SENATOR SMITH: No, no.

MR. GORMAN: But no, they're in fairly good condition. And I think when a lot of things change -- maybe the markets or something like that -- it will be nothing to worry about. There's nothing to worry about right now either.

SENATOR SMITH: Okay. Thank you.

MR. CRANE: Is there a motion to approve the financial statements?

SENATOR SMITH: So moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

And Number 4 is the approval of the publication of the proposed re-adoption of the System's Administrative Rules.

SENATOR SMITH: So moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

The Division has asked us to hold on Number 5 until our next meeting, so we do not have to take action on that today.

Mr. Chairman, a motion to adjourn as the Board of Trustees of the Judicial Retirement System.

ASSEMBLYMAN WISNIEWSKI: So moved.

SENATOR SMITH: Second.

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

Opposed? (no response)

Motion to adjourn as the State House Commission.

ASSEMBLYMAN WISNIEWSKI: So moved.

SENATOR SMITH: Second.

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

Thank you.

(MEETING CONCLUDED)