
Commission Meeting

of

STATE HOUSE COMMISSION

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

DATE: June 15, 2006
9:00 a.m.

MEMBERS OF COMMISSION PRESENT:

Judith L. Lieberman, Chair
(Representing Governor Jon Corzine)
Senator Walter J. Kavanaugh, Vice Chair
Senator Bernard F. Kenny Jr.
Assemblyman John S. Wisniewski
Assemblywoman Marcia A. Karrow
Gary Brune
Robert L. Smartt



ALSO PRESENT:

Samuel Crane
Secretary

Robert J. Shaughnessy
Counsel

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

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JUDITH L. LIEBERMAN (Chair): Good morning, everyone.

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

Mr. Crane, would you please call the roll?

MR. CRANE (Secretary): Yes.

Judith Lieberman.

MS. LIEBERMAN: Here.

MR. CRANE: Bob Smartt.

DEPUTY TREASURER SMARTT: Here.

MR. CRANE: Gary Brune.

MR. BRUNE: Here.

MR. CRANE: Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Here.

MR. CRANE: Assemblywoman Karrow.

ASSEMBLYWOMAN KARROW: Here.

MR. CRANE: Madam Chair, you have a quorum.

The first order of business is the approval of the minutes of the April 28 meeting of the State House Commission.

ASSEMBLYMAN WISNIEWSKI: Move they be approved.

ASSEMBLYWOMAN KARROW: Second.

MS. LIEBERMAN: Moved and seconded.

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

Moved.

The first items under new business are requested -- are Items No. 2 through 7. They are requested by the Department of Treasury, on behalf of other departments.

Item No. 2 on your agenda is on behalf of the Department of Environmental Protection. It requests the approval to lease a DEP residential property located at 34 Jefferson Lake Road, in Jefferson Lakes Camp and Travel -- to Jefferson Lakes Camp and Travel Company.

MS. LIEBERMAN: Is there anyone here to speak on any of these items? (no response)

If not, is there a motion?

ASSEMBLYWOMAN KARROW: Moved.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Approved.

Item No. 3 on your agenda is on behalf of the Department of Corrections: Approval to lease vacant land, located on the grounds of the East Jersey State Prison, to the Union County Utilities Authority for an environmental assessment sampling site.

MS. LIEBERMAN: Anyone here to speak on that matter? (no response)

ASSEMBLYMAN WISNIEWSKI: Move it.

DEPUTY TREASURER SMARTT: Second.

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

Opposed? (no response)

It's been approved.

On behalf of Ramapo College of New Jersey, they request approval to lease a rooftop to Verizon Wireless for the installation of a wireless antenna.

MS. LIEBERMAN: Anyone here on that matter? (no response)

ASSEMBLYMAN WISNIEWSKI: Move.

DEPUTY TREASURER SMARTT: Second.

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

Opposed? (no response)

Approved.

Number 5 on your agenda is on behalf of the Department of Law and Public Safety: Requests approval to license a parcel of vacant land, located on the grounds of the New Jersey Training School, to Verizon Wireless for the construction of a cell tower and associated equipment.

MS. LIEBERMAN: Is there anyone here to speak on that item? (no response)

If not, I'll have a motion, please.

ASSEMBLYMAN WISNIEWSKI: Move.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Ordered.

Number 6 is a request to lease rooftop space on the Labor and Industry Building to the city of Trenton for communications equipment.

MS. LIEBERMAN: Is there anyone here on that matter? (no response)

If not, a motion.

ASSEMBLYMAN WISNIEWSKI: So moved.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Approved.

Number 7 is on behalf of the Department of Law and Public Safety. It's a request to transfer 191.9 acres of vacant land to the New Jersey Natural Lands Trust for the development of a conservation easement on the grounds of the Albert Elias Residential Group Center, which is part of the historic Charles Lindbergh Estate.

MS. LIEBERMAN: Is there anyone here to speak on that matter? (no response)

ASSEMBLYMAN WISNIEWSKI: Move it.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Approved.

Now, for the next item-- It's from the Department of Transportation: Requests approval to sell a parcel of property containing 49 square feet to the Metuchen Assembly of God, the adjoining property owner.

MS. LIEBERMAN: Anyone here on that matter? (no response)

ASSEMBLYMAN WISNIEWSKI: Move it.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Approved.

The next items, Nos. 9 through 15, are from the Department of Environmental Protection.

The first item is on behalf of the township of Vernon: Requests approval to legalize an inadvertent diversion of 2.8 acres of Veterans Memorial Park for roadway and other purposes.

ASSEMBLYMAN WISNIEWSKI: Mr. Crane, I just have a question.

How do we inadvertently divert property?

MR. CRANE: Is there someone here to speak to that -- answer the Assemblyman's question?

JUDETH PICCININI YEANY: I'm Judeth Yeany, from the Green Acres Program.

I have with me Dave Smith, who was working with the township on this application.

This was a situation where this corner of the park was undeveloped, and the road was put through. At some later point, the septic system for the animal shelter was put in the area that, then, got cut off from the park. So the initial transaction was the road going through, which we wouldn't necessarily have known about, because we don't inspect parks that we didn't help fund.

At some future point in time, we found out about both the road and the septic system going in. And I can let Dave address any details of that.

ASSEMBLYMAN WISNIEWSKI: If you didn't fund the park acquisition, then why would there have to be an exchange of property?

MS. PICCININI YEANY: We restrict all parkland that the town owns at the time they take our funding. It's a condition of our funding. And the reason is because if we didn't do that, towns would take

our funding, and then they'd be free to sell off their existing parks. And the result of having taken the State money would be to reduce the amount of parkland in the state. So it is a condition of our funding, but this was--

ASSEMBLYMAN WISNIEWSKI: Does it get recorded in the deed somehow?

MS. PICCININI YEANY: We have inventories that we ask them to prepare, and those get recorded in the deeds at the county clerk's level.

ASSEMBLYMAN WISNIEWSKI: Okay.

DAVID SMITH: We agree that this took so long to get this to the State House Commission.

We've been working with Vernon Township. With the change of the administration, it's just -- different proposals they presented to us. And it just took years to finally get to this point.

ASSEMBLYMAN WISNIEWSKI: All right. Thank you.

There are a couple of others on here that say *inadvertent*. They're all, essentially, similar in nature?

MS. PICCININI YEANY: There are two transactions on today's agenda. One involves Vernon, the other involves the city of Newark. Those were almost all situations where we had not directly funded the parkland. But even in the ones that we did, and where we then inspected and found the violation, it took the city an incredible amount of time to come up with a plan to address all their collective violations.

And we were actually able to succeed in finally bringing this one to the Commission because we decided to make a concerted effort to

get the city's diversions resolved. Because they haven't been eligible for a funding since the 1980s because of these.

ASSEMBLYMAN WISNIEWSKI: That's the only hammer you have? They just don't get funding?

MS. PICCININI YEANY: Correct.

I mean, technically, the contract requires them to comply. There are measures we can take. But, realistically, we don't go around suing the towns about these things.

ASSEMBLYMAN WISNIEWSKI: Thank you.

MS. PICCININI YEANY: Okay.

MS. LIEBERMAN: Are there any other questions on this matter? (no response)

A motion, please.

SENATOR KAVANAUGH: Move.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Approved.

Would the record show that Senator Kavanaugh has joined us -
- for the purpose of a quorum and attendance, please?

Item No. 10 -- this is on behalf of the county of Bergen, and the borough of Palisades Park: Requests approval to grant a subsurface easement of approximately 7.74 acres in Overpeck Creek Park and 0.09 acres of Municipal Pool Park, to allow the Bergen County Utilities Authority to construct a 42- to 72-inch relief sewer parallel to the existing 60-inch sewer.

MS. LIEBERMAN: Is there anyone here on this matter? (no response)

ASSEMBLYMAN WISNIEWSKI: Move.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Approved.

Number 11, on behalf of the township of Bordentown: Requests the approval to release Green Acres restrictions on 1.51 acres of underground easement on parkland and to legalize the use of an additional 2.23 acres of parkland, for temporary work space in connection with the construction of a new 36-inch natural pipeline loop by Transcontinental Gas Pipeline Corporation.

MS. LIEBERMAN: Is there anyone here on this matter? (no response)

If not, a motion.

SENATOR KAVANAUGH: Move it.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Item No. 12 is the Division of Parks and Forestry: Requests approval to convey .16 acre drainage easement to the New Jersey Department of Transportation to upgrade a nine-storm water outfalls already located within the Delaware & Raritan Canal Park, and maintain the outfalls as necessary.

MS. LIEBERMAN: Anyone on this matter? (no response)

ASSEMBLYMAN WISNIEWSKI: Move it.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Approved.

Number 13 -- this is the Division of Parks and Forestry, on behalf of the city of Newark: Requests approval to legalize an unapproved disposal of Green Acres encumbered parkland from Bragaw, Broadway, Morris Avenue Pool and Wilburton Parks, totaling about 1.03 acres.

This was the subject of the earlier discussion, Madam Chair.

MS. LIEBERMAN: Thank you.

Anyone here on that? (no response)

If not, a motion, please.

SENATOR KAVANAUGH: So moved.

MS. LIEBERMAN: Second?

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

None.

So ordered.

Number 14 -- this is on behalf of the borough of Pitman: Requests approval to allow the disposal of .112 acres of the L. Arthur Walton Park. This park is needed by New Jersey DOT for additional right-of-way, as part of the improvement of the intersection of State Route 47 and County Route 624.

MS. LIEBERMAN: Anyone on this item? (no response)

ASSEMBLYMAN WISNIEWSKI: Move it.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Approved.

Number 15 is on behalf of the county of Union: Requests approval to allow the conveyance of an easement to Kean University, in connection with the construction of a one-lane bridge to provide a shuttle bus and pedestrian link between the University's East Campus with the Main Campus.

MS. LIEBERMAN: Anyone on this matter? (no response)

If not, a motion.

ASSEMBLYMAN WISNIEWSKI: Move it.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

Madam Chair, that completes the agenda for the regular State House Commission meeting. I'd ask for a motion to adjourn and then reconvene as the Board of Trustees for the Judicial Retirement System.

ASSEMBLYWOMAN KARROW: Move.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

Madam Chair, I have to take the roll again for the purposes of this session, so we have a record of who was here. So I will do that.

Counsel Lieberman.

MS. LIEBERMAN: Here.

MR. CRANE: Mr. Smartt.

DEPUTY TREASURER SMARTT: Here.

MR. CRANE: Mr. Brune.

MR. BRUNE: Here.

MR. CRANE: Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Here.

MR. CRANE: Senator Kavanaugh.

SENATOR KAVANAUGH: Here.

MR. CRANE: Assemblywoman Karrow.

ASSEMBLYWOMAN KARROW: Here.

MR. CRANE: You have a quorum, Madam Chair.

There is an agenda at the back of the State House Commission agenda. The first item is to approve the minutes of our previous meeting as the Board of Trustees on April 28, 2006.

ASSEMBLYWOMAN KARROW: Move.

ASSEMBLYMAN WISNIEWSKI: Second.

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

Opposed? (no response)

The other one-- We have two.

The next-- Items No. 2 and No. 3 we have to act on separately, I would suggest. But they are considered together. One is the confirmation of death claims, retirements, and survivor benefits. These are consistent with the law and the operation of the pension fund. And Item No. 3 is the financial statements as of March 31, 2006, which are attached.

So we ought to have a motion for each of those items.

If anybody has any questions, we have people here from pensions who can answer them.

ASSEMBLYWOMAN KARROW: I move No. 2.

DEPUTY TREASURER SMARTT: Second.

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

ASSEMBLYWOMAN KARROW: Move No. 3.

DEPUTY TREASURER SMARTT: Second.

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

Opposed? (no response)

Approved.

Madam Chair, we have, at the request of the Judicial Pension System, a discussion of the situation of Judge Stephen Thompson and a possible forfeiture of pension.

MS. LIEBERMAN: Thank you.

DEPUTY TREASURER SMARTT: Can I move that we go into Executive Session for this discussion?

MS. LIEBERMAN: Oh, I'm sorry.

ASSEMBLYMAN WISNIEWSKI: Second the motion.

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

Opposed? (no response)

Excuse us, members of the audience.

(EXECUTIVE SESSION)

AFTER EXECUTIVE SESSION:

ASSEMBLYMAN WISNIEWSKI: I make a motion we adjourn.

ASSEMBLYWOMAN KARROW: Second.

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

Opposed? (no response)

SENATOR KENNY: I'm opposed to the adjournment.

(laughter)

MR. CRANE: Thank you.

Please note for the record that Senator Kenny was here.

(MEETING CONCLUDED)