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# *Commission Meeting*

of

## STATE HOUSE COMMISSION

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**LOCATION:** Committee Room 14  
State House Annex  
Trenton, New Jersey

**DATE:** October 6, 2005  
11:00 a.m.

**MEMBERS OF COMMISSION PRESENT:**

Mark Fleming, Chair  
Senator Walter J. Kavanaugh, Vice Chair  
Senator Bernard F. Kenny Jr.  
Senator Bob Smith  
Assemblyman John S. Wisniewski  
Assemblyman Peter J. Biondi  
Charlene M. Holzbaaur  
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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# TABLE OF CONTENTS

Page

**APPENDIX:**

(The New Jersey State House Commission held a special meeting on October 6, 2005, at 11:00 a.m. Members of the Commission present via teleconference were Senator Walter J. Kavanaugh, Senator Bernard F. Kenny Jr., Senator Bob Smith, Assemblyman John S. Wisniewski, Assemblyman Peter J. Biondi, and Charlene M. Holzbaaur. Members of the Commission present in person were Mark Fleming and Robert L. Smartt. Robert J. Shaughnessy, DAG; and Samuel Crane, Secretary, were also present.)

SENATOR KAVANAUGH: We've met the Open Public Meetings Act with the telecommunications call.

ASSEMBLYMAN BIONDI: Hello.

SENATOR KAVANAUGH: Peter, we've got everybody on.

Do you want to all identify yourselves in alphabetical order? And we'll get started.

SENATOR SMITH: Sure, Bob Smith.

ASSEMBLYMAN BIONDI: Pete Biondi.

ASSEMBLYMAN WISNIEWSKI: John Wisniewski.

DIRECTOR HOLZBAUR: Charlene Holzbaaur.

DEPUTY TREASURER SMARTT: Bob Smartt.

MARK FLEMING (Chair): Mark Fleming.

SENATOR KAVANAUGH: Okay. And myself, Walt Kavanaugh.

All right, let's get started. We've met the Open Public Meetings Act.

Did we have a roll call of those present -- we just did. So we count that as present.

And do we have a reading of the past minutes?

MR. FLEMING: I move the adoption of the minutes.

DEPUTY TREASURER SMARTT: Second.

ASSEMBLYMAN WISNIEWSKI: Second.

SENATOR KAVANAUGH: Moved and seconded.

Roll call.

ASSEMBLYMAN BIONDI: I'm abstaining.

SENATOR KAVANAUGH: Abstained by Biondi.

ASSEMBLYMAN BIONDI: I was absent.

ASSEMBLYMAN WISNIEWSKI: I was absent as well.

SENATOR SMITH: Yes by Smith. I was present.

SENATOR KENNY: Good morning, it's Senator Kenny.

SENATOR KAVANAUGH: Good morning, Senator.

SENATOR SMITH: If it's Senator Kenny, Senator Smith will bag off.

SENATOR KENNY: All right.

SENATOR SMITH: Everybody have a great day.

SENATOR KENNY: Thank you, Robert.

SENATOR SMITH: Bye, bye, now.

SENATOR KAVANAUGH: How has your surgery been?

SENATOR KENNY: Pretty good, Walter. Very good. It's four weeks today.

SENATOR KAVANAUGH: That's great.

SENATOR KENNY: And I seem to be making a nice recovery.

SENATOR KAVANAUGH: Wonderful.

SENATOR KENNY: Thank you.

DIRECTOR HOLZBAUR: That's wonderful.

SENATOR KENNY: Thank you.

SENATOR KAVANAUGH: He'd still appreciate our prayers.

SENATOR KENNY: Thank you very much.

SENATOR KAVANAUGH: Now we'll get started.

Sam, do you want to--

MR. CRANE (Secretary): Yes.

Mr. Chairman, we have two items before you today under new business. They are two requests from the Department of Environmental Protection.

I understand that each member has been supplied with the appropriate background material in advance.

The first one is a swap of land by DEP with the municipality of Millville. I know you have all had a chance to review it. The swap is consistent, the way I read it, with the rules under Green Acres. And, in fact, the municipality ends up with both a shopping center and better recreation fields at the end of the day.

So if we could, Mr. Chairman, consider the first one and have a motion and a second on that. And then we can have discussion.

ASSEMBLYMAN WISNIEWSKI: John Wisniewski moves.

MR. FLEMING: Second.

SENATOR KAVANAUGH: It's moved and seconded.

Just one question. Has there been any comments from the people in Millville, regarding this, with the State House Commission?

MR. CRANE: No. There was a public hearing required, I believe. A public hearing is required on this. It was held in Millville, and there was no comment at that hearing.

SENATOR KAVANAUGH: No objection or comment.

MR. CRANE: No objection or comment.

SENATOR KAVANAUGH: All right, it's been moved and seconded.

Sam, would you just read the roll, please?

MR. CRANE: Senator Kavanaugh.

SENATOR KAVANAUGH: Yes.

MR. CRANE: Senator Kenny.

SENATOR KENNY: Yes.

MR. CRANE: Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Yes.

MR. CRANE: Assemblyman Biondi.

ASSEMBLYMAN BIONDI: Yes.

MR. CRANE: Director Holzbaur.

DIRECTOR HOLZBAUR: Yes.

MR. CRANE: Mr. Smartt.

DEPUTY TREASURER SMARTT: Yes.

MR. CRANE: Mr. Fleming.

MR. FLEMING: Yes.

SENATOR KAVANAUGH: Motion carries.

MR. CRANE: Okay.

The second item is for Cranford Township. Again, the material has been supplied. As the material says, this is to facilitate a flood control project that has, according to the background material, plagued this particular piece of property for a number of years. This would allow the municipality of Cranford to undertake that flood control project.

A hearing -- Senator, anticipating your question -- was held, and there was no comment in the municipality of Cranford.

SENATOR KAVANAUGH: Okay.

Is there a motion?

ASSEMBLYMAN BIONDI: Move it, Biondi.

ASSEMBLYMAN WISNIEWSKI: Wisniewski, second.

SENATOR KAVANAUGH: Moved by Biondi and seconded by Wisniewski.

Roll call, please.

MR. CRANE: Okay, a roll call. Senator Kavanaugh.

SENATOR KAVANAUGH: Yes.

MR. CRANE: Senator Kenny.

SENATOR KENNY: Yes.

MR. CRANE: Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Yes.

MR. CRANE: Assemblyman Biondi.

ASSEMBLYMAN BIONDI: Yes.

MR. CRANE: Director Holzbaur.

DIRECTOR HOLZBAUR: Yes.

MR. CRANE: Mr. Smartt.

DEPUTY TREASURER SMARTT: Yes.

MR. CRANE: Mr. Fleming.

MR. FLEMING: Yes.

SENATOR KAVANAUGH: Motion passes.

Is there anything else to come before us?

MR. SHAUGHNESSY (Counsel): It's Bob Shaughnessy, Senator Kavanaugh.

I'm sorry if I didn't hear it, but I just wanted to mention that notice of this meeting has been in accordance -- and given in accordance with the Open Public Meetings Act.

SENATOR KAVANAUGH: Thank you, Bob.

MR. SHAUGHNESSY: You're welcome, Senator.

MR. CRANE: Mr. Chairman, the only other piece of business is a motion to adjourn, unless the members have something to bring before it.

SENATOR KAVANAUGH: I was just going to ask for a motion to adjourn.

ASSEMBLYMAN WISNIEWSKI: Motion to adjourn.

ASSEMBLYMAN BIONDI: Second.

SENATOR KAVANAUGH: It's been moved and seconded.

Roll call.

MR. CRANE: Senator Kavanaugh.

SENATOR KAVANAUGH: Yes.

MR. CRANE: Senator Kenny.

SENATOR KENNY: Yes.

MR. CRANE: Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Yes.

MR. CRANE: Assemblyman Biondi.  
ASSEMBLYMAN BIONDI: Yes.  
MR. CRANE: Director Holzbaur.  
DIRECTOR HOLZBAUR: Yes.  
MR. CRANE: Mr. Smartt.  
DEPUTY TREASURER SMARTT: Yes.  
MR. CRANE: Mr. Fleming.  
MR. FLEMING: Yes.  
SENATOR KAVANAUGH: Motion carries.  
Thank you, lady and gentlemen.  
SENATOR KENNY: Thank you.  
ASSEMBLYMAN WISNIEWSKI: Thank you.  
ASSEMBLYMAN BIONDI: Thank you.  
SENATOR KAVANAUGH: It was good being with you.  
Good-bye.  
MR. CRANE: Good-bye.

**(MEETING CONCLUDED)**