

STATE HOUSE COMMISSION
PROPOSED MEETING AGENDA

~~ October 13, 2011, 9:00 AM ~~

Committee Room 3, First Floor
State House Annex, Trenton, New Jersey

CALL TO ORDER:

- ~ Dominick DiRocco, Assistant Counsel, Governor's Office
(on behalf of Governor Chris Christie)
- ~ Deputy State Treasurer Robert A. Romano
(on behalf of State Treasurer Andrew P. Sidamon-Eristoff)
- ~ Office of Management & Budget Director Charlene M. Holzbaaur
- ~ Senator Gerald Cardinale
- ~ Senator Bob Smith
- ~ Assemblyman Jon M. Bramnick
- ~ Assemblyman Jerry Green

OLD BUSINESS:

1. Approval of the June 30, 2011 State House Commission Meeting Minutes --
The verbatim record of the June 30, 2011 State House Commission meeting will serve as the official minutes.
2. Project: Route 2 (aka Route 17), Section 8, Parcel VX2A1A2 & VX3A1, Block 4603, Adjacent to Lot 39, Ramsey Borough, Bergen County

Requesting Party: The NJ Department of Transportation (DOT), Division of Right of Way, Property Management Unit, requests approval to sell by direct sale to the adjoining property owner, Milthom Realty, LLC (1070 Clifton Avenue, Clifton, NJ), a 3,092 square foot rectangular shaped parcel of vacant land to be assembled to their adjoining commercial property to add to the overall size of the undeveloped lot.

Terms: At the June 30, 2011 meeting, State House Commission members raised concern over whether or not the consideration was adequate for the property proposed for sale. A request was made to have the appraisal report provided to members for review. The original appraisal, conceptual development plan proposed as provided by the requestor engineer and additional comments from the DOT State reviewer have been included in members' briefing materials. The recommended sale amount shall be \$42,000, appraised value. Milthom Realty, LLC's principal managing partners are: Jeffrey Van Inwegen, M.D., 511 Hampton Hill Road, Franklin Lakes, NJ, Thomas Ragukonis, M.D., 6 Christopher Place, Saddle River, NJ, and Milton Brown, 26 Sandalwood Drive, Livingston, NJ.

NEW BUSINESS:

3. RPR #11-16, Block 22, Part of Lot 18, Union Township, Hunterdon County

Requesting Party: The NJ Department of the Treasury, on behalf of the Department of Human Services, requests approval to lease space on an existing water tower located on the grounds of the Hunterdon Developmental Center to Verizon Wireless to install and maintain cellular antenna and associated appurtenances.

Terms: The lease will be for a five year term with three, five year renewal options. The first year's rent will be \$38,000 with annual increases of 3.5% based on the previous year's rent. Real Property Review clearance was completed with no Department or Agency expressing formal interest or possible conflict with the proposed action.

4. RPR #12-10, Block 2101, Part of Lot 53, Vineland City, Cumberland County

Requesting Party: The NJ Department of the Treasury, on behalf of the Department of Human Services, requests approval to lease property located on the campus of the Vineland Developmental Center, West Campus, to the Vineland Board of Education to be used for a public school.

Terms: The lease will be for one year with three, one year renewal options at a base rent of \$260,000 annually, plus \$122,000 for utility expenses, for a total rental amount of \$382,000 per year. Real Property Review clearance is expected to be completed if no Department or Agency expresses formal interest or possible conflict with the proposed action.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) REQUESTS:

5. Project: Cooper River Park, Various Block and Lots within Camden City, Collingswood Borough, Pennsauken Township, Camden County

Requesting Party: The NJ DEP, on behalf of the County of Camden, requests approval to allow the County to convey approximately 0.803 ± acre of parkland (in fee and/or easements) to the DOT for the reconstruction of the Route 30/130 bridge over the Cooper River. The bridge replacement project will correct bridge and roadway operational and safety problems.

Terms: As compensation for the disposal/diversion, the DOT will provide 1.622 acres of replacement parkland that will function as an extension of Cooper River Park. Through testing it was determined that a small area of arsenic was found that indicated the area to be above residential action levels but below any actionable levels on the replacement parcel. This area of delineated arsenic soil contamination will be excavated and disposed of offsite as part of the overall Route 30/130 improvements.

Since arsenic is not readily available for ingestion when bound in soil and is not volatile or radioactive, its removal will render the site clean. The excavated area will be backfilled with certified clean fill and seeded/mulched. Upon completion, remedial actions conducted at this area will be documented in a Remedial Action Report and Response Action Outcome to be prepared and submitted to the DEP under the Licensed Site Remediation Professional (LSRP) Program.

In order to compensate for the temporary closure of the Route 30/130 Bridge over the Cooper River to pedestrians and bicyclists, a temporary pedestrian bridge with lighting will be put in place during the construction of the bridge. This bridge will also be pedestrian/stroller, bicycle and handicapped accessible.

A Green Acres scoping hearing was held on January 7, 2010 with no comments being made that were relevant to the proposed disposal/diversion. The Camden County Parks Department held a public hearing on the final Green Acres application on April 20, 2011 with the majority of the comments made pertaining to the larger Route 30/130 project and not the Green Acres application. These comments included questions about maintenance and protection of traffic, construction schedule/staging and additional public involvement efforts for the larger Route 30/130 project. One commenter asked whether the flood plain would be altered as a result of the Green Acres disposal/diversion, especially along Park Drive. Project representatives explained that the project was designed to avoid any change in water surface elevation of the Cooper River. Furthermore, the new bridge will span the river without a pier and leave the river obstruction free. Another commenter inquired about appraised values in the area and whether a County press release indicating that County will be selling several parcels of parklands for \$497,850 was referring to the Green Acres disposal/diversion. The commenter asserted that if the article was about the parkland taking, the money from the sale should go towards parks within the County and not the general budget. It was later determined that there was a miscommunication between the DOT and Camden County that resulted in the County's impression that it was to receive both replacement parkland and monetary compensation. A third commenter asked whether DOT or DEP would consider other replacement parcels within a proposed "greenway" in Camden City, some of which are within DOT right of way, but not contiguous to Cooper River Park. Project representatives explained that DEP prefers to locate replacement land as close as possible to disposed/diverted parkland. One written comment asked if the project will "affect the Cooper River in any way" and stated concerns about flooding on South Park Drive. The proposed roadway improvements will not change flooding conditions along the Cooper River. Roadway improvements are not designed to alleviate or improve upon any potential existing flooding conditions.

6. Project: Berkshire Valley Wildlife Management Area (WMA), Block 255, Lot 25.01 (p/o), Jefferson Township, Morris County

Requesting Party: The NJ DEP, requests approval to convey approximately 0.045 ± acres of land in fee within the Berkshire Valley WMA to Morris County in connection with the replacement and realignment of County Structure No. 1400-832 (bridge replacement and realignment) on Berkshire Valley Road over the Rockaway River in Jefferson Township.

Terms: To compensate for the conveyance, the County will provide \$38,627 in time and materials to improve public access to the WMA. In addition, the County will provide and install 43 3" caliper replacement trees and 15 one to three gallon shrubs at an estimated value of \$36,550 in time and materials.

7. Project: Atlantic County Bikeway East, Block 1933, Lot 1 (p/o), Block 1934, Lot 1 (p/o), Block 1934, Lot 2 (p/o), Egg Harbor Township, Atlantic County

Requesting Party: The NJ DEP, on behalf of Atlantic County, requests approval to divert a total of 0.023 ± acre of parkland within the Atlantic County Bikeway, in connection with intersection improvements at Spruce Avenue and West Jersey Avenue in Egg Harbor Township.

Terms: To compensate, the County proposes to decrease the width of West Jersey Avenue within the limits of the project, thereby increasing the size of the Atlantic County Bikeway by 0.009 acre. The proposed improvements will reduce the amount of impervious surface within the project limits and result in an increase in the area dedicated to parkland at this location. A public hearing was held on May 4, 2011 in Egg Harbor Township with no adverse comments being received at the hearing or at any time during the public comment period.

8. Project: Middlesex Greenway, Block 43, Lot 5 (p/o) and 7 (p/o), Metuchen Borough, Middlesex County

Requesting Party: The NJ DEP, on behalf of Middlesex County, requests approval to allow the conveyance of an easement on 0.23 ± acre of parkland to the NJ Department of Transportation (DOT) in connection with the replacement of the Route 27 bridge over the Middlesex Greenway (formerly the abandoned Conrail South Plainfield Branch) in Metuchen Borough.

Terms: To compensate, the DOT will construct two ADA compliant ramps and sidewalks alongside the Greenway for access to the future trail to be constructed within the Greenway. In addition, lighting and security cameras will be installed on the new bridge structure for trail users' safety. It is estimated that the cost of the two ADA compliant ramps, 10' wide sidewalks constructed from the walkway on the bridge to the access ramps, camera and security lighting will be \$160,000. Based on

an appraisal performed by DOT and approved by the Green Acres Program, the value of the proposed 0.23 acre bridge easement has been established as \$30,000.

A public hearing was held on January 5, 2011 by Middlesex County with no public opposition to the proposal. One member of the public questioned whether bikers and walkers would be temporarily routed around the bridge area while construction was taking place. Representatives of the DOT committed to providing alternative routes for walkers and bicyclists during the construction phase of the bridge replacement project.

9. Project: Auten Road Open Space, Block 150, Lot 4 (p/o), Hillsborough Township, Somerset County

Requesting Party: The NJ DEP, on behalf of Hillsborough Township, requests approval to allow the diversion of a 2.042 ± acre utility easement on a portion of Block 150, Lot 4, in order to accommodate the addition of new overhead electric transmission lines by Public Service Electric & Gas within an existing utility corridor.

Terms: To compensate, the Township proposes to accept \$82,000 cash compensation (ten times the appraised value of the diverted area) from PSE&G and dedicate the compensation to a future Township open space acquisition to be completed within two years. The Township's consultant determined that a total of 26 trees with a 6" caliper or greater will be removed from parkland for this project. The Township has submitted a tree compensation proposal of which the Green Acres Program is evaluating. Once the extent of tree compensation has been accounted for through other DEP programs' requirements, PSE&G will pay cash compensation for any remaining trees still "owed" to the DEP to be deposited in the "Shade Tree and Community Forest Preservation License Plate Fund".

Public hearings were held on December 9, 2010 and July 20, 2011 at the Township's municipal complex with no public opposition being expressed at either hearing.

10. Project: Raritan Greenway, Block 123.02, Lot 1 (p/o), Somerville Borough, Somerset County

Requesting Party: The NJ DEP, on behalf of Somerset County, requests approval to allow the diversion of a 0.755 ± acre utility easement on a portion of Block 123.02, Lot 1, in order to accommodate the addition of new overhead electric transmission lines by Public Service Electric & Gas within an existing utility corridor.

Terms: To compensate, the County proposes to accept \$34,000 cash compensation (ten times the appraised value of the diverted area) from PSE&G and dedicate the compensation to a future County open space acquisition to be completed within two years.

The Green Acres Program is in the process of evaluating the County's proposed tree compensation and determining the extent to which PSE&G is already replacing the same trees as a result of the requirements of other DEP regulatory programs (to avoid duplication in mitigation/compensation requirements). Once the extent of tree compensation has been accounted for through other DEP program requirements, PSE&G will pay compensation for any remaining trees still "owed" to the DEP and be deposited in the "Shade Tree and Community Forest Preservation License Plate Fund".

Public hearings were held on December 9, 2010 and July 20, 2011 with no public opposition being expressed at either hearing.

11. Project: Veterans Memorial Park, Block 193, Lots 5 (p/o), 5.01 (p/o) and 8.01 (p/o), Hazlet Township, Monmouth County

Requesting Party: The NJ DEP, on behalf of Hazlet Township, requests approval to allow the County of Monmouth to acquire 0.109 ± acre of parkland in connection with the improvement of the intersection of Middle Road (County Route 516) and Union Avenue to relieve traffic congestion and increase vehicular and pedestrian safety.

Terms: To compensate, Monmouth County will construct sidewalks on the Township parkland to link with other walkways and trails. Pursuant to N.J.A.C. 7:36-26.5, a tree assessment was prepared to determine the number of trees that would need to be replaced. A certified tree forester has determined that the loss of 14 trees requires mitigation by the replanting of 113 trees ranging from 2.0" to 2.5" in caliper. Hazlet Township has agreed to replant the 113 trees throughout its municipal recreation properties. On June 21, 2011, Hazlet Township conducted a public hearing regarding the proposed conveyance of parkland to Monmouth County with no public opposition being voiced. During the post-hearing public comment period, Hazlet Township received an e-mail from a resident who raised concerns with the overall road project. The commenter felt that the roadway improvements will lead to an increase in drivers speeding through the intersection and an increase of carbon monoxide pollution. The Township responded that following completion of the intersection improvements project, public safety and vehicular capacity will be enhanced. In addition, traffic congestion will be lessened, thus decreasing vehicular delays, back-ups and carbon monoxide pollution. The widening of both Middle Road and Union Avenue will result in the loss of 14 trees at Veterans Memorial Park.

12. Project: Buccleuch Park, Block 437, Lot 1 (p/o), New Brunswick City, Middlesex County

Requesting Party: The NJ DEP, on behalf of the City of New Brunswick, requests approval to allow the City to relocate its existing wastewater pump station from one

location to another within Buccleuch Park. The existing pump station is antiquated and it is the intent of the City to replace the facility with a new wastewater pump station that complies with current DEP design criteria.

Terms: To compensate for the proposed diversion of 0.008 acre of parkland, the City proposes to demolish the former pump station, restore the land area as public open space and make \$62,500 in improvements to the historic Buccleuch Mansion in the park.

The City of New Brunswick conducted a public hearing on April 7, 2011 at which time several members of the Daughters of the American Revolution commended the City's proposal to provide funds for the repair of the Buccleuch Mansion as compensation for the proposed diversion since the mansion runs strictly on donations. At the public hearing and through repeated written communications to the DEP and the City, another City resident, Mr. Bruce Newling, has stated his opposition to the proposed diversion. Mr. Newling's objections have been summarized and are included in each State House Commission members' briefing materials.

DEPARTMENT OF TRANSPORTATION (DOT) REQUESTS:

13. Project: Route 25, 38 & 45, Parcels VX23B, VX24B & VX39, Block 6610, Adjoining Lot 3, Pennsauken Township, Camden County

Requesting Party: The NJ DOT, Division of Right of Way, Property Management Unit, requests approval to sell by direct sale to the only interested adjoining property owner, Elite Holdings, LLC, principal managing member Fadi Cherfane of 406 Holly Glen Drive, Cherry Hill, NJ, 16,498 square feet of excess surplus parcels of vacant land for use as additional parking and storage for an auto repair business.

Terms: The recommended sale amount shall be \$30,000, appraised value.

DIVISION OF PENSIONS AND BENEFITS' REQUESTS:

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

Terms: The State House Commission 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 May 2, 2011.
2. Confirmation of Death Claims, Retirements & Survivor Benefits.
3. Financial Statements for Period of July 2010 to May 2011.
4. Receipt and Discussion of Annual Actuarial Report as of July 1, 2010
5. Discussion of Financial Status of the Judicial Pension System

EXECUTIVE SESSION (as necessary)

OTHER BUSINESS (as necessary)

ADJOURNMENT