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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:** March 14, 2005  
9:00 a.m.

**MEMBERS OF COMMISSION PRESENT:**

Mark Fleming, Chair  
Senator Bernard F. Kenny Jr.  
Senator Walter J. Kavanaugh  
Senator Bob Smith  
Assemblyman John S. Wisniewski  
Charlene M. Holzbaur  
Robert L. Smartt



**ALSO PRESENT:**

Edward R. McGlynn, 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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SENATOR KAVANAUGH: Good morning, ladies and gentleman. Does anybody in the hall want to come in? We'll start the meeting.

This is the State House Commission meeting of March 14. All the notices have been sent, and we are in compliance with the Open Public Meetings Act.

Could we call the roll, please?

MR. McGLYNN (Secretary): Sure.

Deputy Treasurer Smartt.

DEPUTY TREASURER SMARTT: Here.

MR. McGLYNN: Director Holzbaur.

MS. HOLZBAUR: Here.

MR. McGLYNN: Assistant Counsel Fleming.

**MARK FLEMING (Chair):** Here.

MR. McGLYNN: Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Here.

MR. McGLYNN: Senator Kavanaugh.

SENATOR KAVANAUGH: Here.

Do we have a motion to move the January 11, State House Commission minutes?

ASSEMBLYMAN WISNIEWSKI: So moved.

SENATOR KAVANAUGH: It's been moved and seconded.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

Just as a housekeeping measure, we have correspondence from Barbara Sachau, who normally writes to us, concerning the State House Commission meeting and matters thereon. I have shared that with every member of the Commission by way of fax and/or overnight mail, and will make it a part of the record.

We have an added item, Mr. Chairman. It's Item No. 2, on-- It's old business, so I will declare it Item No. 2, RPR 04-21. It's an easement. Block 105, Lot 12, in Union Township, Union County. Treasury, on behalf of Kean University, requests approval to grant an additional easement to Union Township on Block 105, Lot 12, for the purposes of locating a sanitary sewer connection between Block 105, Lot 14, which it owns, and the Joint Trunk Sewer located on another of its properties, Block 105, Lot 16. The easement is required for the redevelopment of Block 105, Lot 14.

We previously approved this measure -- approved a similar measure on March 22, 2004. It is a previously agreed to compensation of \$50,000, which is considered adequate compensation, including this easement.

ASSEMBLYMAN WISNIEWSKI: Is that in this book?

MR. McGLYNN: It was mailed-- It was overnighted, and should be part of the record.

SENATOR KAVANAUGH: Is anyone here regarding this matter?  
(no response)

If not, could we have a motion, please?

Motion.

Second?

ASSEMBLYMAN WISNIEWSKI: Second.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

SENATOR KAVANAUGH: So ordered.

Now, moving to new business and the Department of Treasury requests.

Number 2.

MR. McGLYNN: Item No. 2, RPR No. 93-62, Block 902, Lot 10, in Allamuchy Township, in Warren County.

Treasury requests approval to lease a DEP residential property, located at 6 Sunrise Parkway, to Joann and Michael Providakis. The lease term will be for one year, with four, one-year renewal options at a rate of \$685 per month, with annual increases based on the Consumer Price Index. The new rent reflects the increase in the CPI over the past year.

And we also have another residential lease, Mr. Chairman, if you'd like me to do that one.

SENATOR KAVANAUGH: Sure, go ahead.

MR. McGLYNN: That's Item No. 6, RPR No. 05-23, Block 57.01, Lot 55, in Franklin Township, Somerset County.

Treasury, on behalf of the Department of Environmental Protection, requests approval to lease a DEP residential property located at 90 Cortelyous--

SENATOR KAVANAUGH: Cortelyous. (indicating pronunciation)

MR. McGLYNN: Say it again, I'm sorry.

SENATOR KAVANAUGH: Cortelyous. (indicating pronunciation)

MR. McGLYNN: Thank you.

To Elbereth LLC, doing business as Bug Juice Properties, to be used as a day camp. The rent will be \$900 per month and will be for a term of one year, with four, one-year renewal options, with annual increases based on the Consumer Price Index.

SENATOR KAVANAUGH: Note the presence of Senator Smith. Good morning.

SENATOR SMITH: Good morning.

SENATOR KAVANAUGH: Moved and seconded.

MR. FLEMING: Second.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

SENATOR KAVANAUGH: So ordered.

MR. McGLYNN: Item No. 3, RPR No. 05-17, Block 28, Part of Lot 41, in Franklin Township, Hunterdon County.

The Department of Treasury, on behalf of the Department of Environmental Protection, requests approval to dispose of the historic Pittstown Railroad Station, associated outbuilding, and approximately one plus or minus acre of land to Franklin Township. In lieu of monetary compensation, Franklin Township will be responsible for all costs associated with the restoration and rehabilitation of this historic property.

SENATOR KAVANAUGH: Anyone here to be heard? (no response)

Could we have a motion please?

ASSEMBLYMAN WISNIEWSKI: Move it.

SENATOR SMITH: Second.

SENATOR KAVANAUGH: It's moved and seconded.

Roll call.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

SENATOR KAVANAUGH: So ordered.

MR. McGLYNN: Item No. 4, RPR No. 05-18, in Readington Township, Hunterdon County.

Treasury, on behalf of the Department of Environmental Protection, requests approval to dispose of the historic Readington Farmstead,

associated frame house, and two outbuildings with approximately one plus or minus acre of land to Readington Township for restoration, rehabilitation, and public use. In lieu of monetary compensation, Readington Township will be responsible for all costs associated with the restoration and rehabilitation of this historic property.

SENATOR KAVANAUGH: Anyone here to be heard? (no response)

I would just like to see if the Commission agrees, but I think that in a situation like this, it's property that Readington is going to get. But I think that they -- it should be in there that they have to start restoration within, say, a period of six months or a year, such as--

MR. McGLYNN: Is there a motion with -- for six months or a year?

SENATOR KAVANAUGH: Whatever the Commission wants, six months or a year.

ASSEMBLYMAN WISNIEWSKI: It's probably a little quick to do it in six months. Probably should have a year.

SENATOR KAVANAUGH: A year. Okay, within a year.

MR. McGLYNN: So this is a motion to approve, provided that there is construction started within one year.

SENATOR KAVANAUGH: Rehabilitation.

MR. McGLYNN: Rehabilitation.

ASSEMBLYMAN WISNIEWSKI: Second.

SENATOR KAVANAUGH: Moved and seconded.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

SENATOR KAVANAUGH: Okay, No. 5.

MR. McGLYNN: Thank you.

RPR No. 05-21, Block 6, Lot 1, Greenbrook Township, Somerset County.

Treasury, on behalf of the Department of Human Services, requests approval to dispose of the historic Trust House, located on the grounds of the Greenbrook Regional Center, to Greenbrook Township for historic preservation and light recreational use. In lieu of monetary compensation, Greenbrook Township will be responsible for all costs associated with the restoration and rehabilitation of this historic property.

SENATOR KAVANAUGH: I'd like to add to that, within one year.

ASSEMBLYMAN WISNIEWSKI: Second.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

We've done Item No. 6.

Item No. 7, RPR No. 05-24, Block 2078.1, Lot -- it should be 1.04 instead of J. I'm not sure. But we'll say J.04, Jersey City, Hudson County.

Treasury, on behalf of the Department of Education, requests approval to dispose of a 1.46 plus or minus acre parcel of vacant land located on the grounds of the Jersey City Regional Day School to the Jersey City Board of Education for the construction of a new school. The property is a portion of land acquired by the State from the Jersey City Redevelopment Agency at no cost to the State. This property will be conveyed for \$1.

SENATOR KAVANAUGH: Motion.

ASSEMBLYMAN WISNIEWSKI: Second.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

SENATOR KAVANAUGH: Bob Smith.

MR. McGLYNN: He sits as an alternate to Senator Kenny. He's welcome to sit at the table, obviously.

And we'll note that Senator Kenny is here.

SENATOR KAVANAUGH: Moved and seconded on No. 7.

MR. McGLYNN: We took the vote already.

SENATOR KAVANAUGH: Okay.

MR. McGLYNN: Item No. 8, Montclair State University, Campus Softball Stadium, Block 1004, Lot 1.01, Montclair Township, Essex County.

Montclair State University requests approval to lease 500 square feet of land and light poles to Omnipoint Facilities Network 2 LLC for the installation of cellular antennas and associated equipment on the grounds of Montclair State University. The property is owned by the NJ Educational Facilities Authority. However, State House Commission approval is required for the wireless application. The term will be for 10 years, with one, five-year renewal option, at an annual rent of \$30,000 for the first year of the lease, with annual increases of 5 percent thereafter.

SENATOR KAVANAUGH: Is anyone here to comment? (no response)

Motion, please.

MR. FLEMING: Move.

ASSEMBLYMAN WISNIEWSKI: Second.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

SENATOR KAVANAUGH: Department of Transportation.

Continue.

MR. McGLYNN: These-- We'll do as many as I can get through. They can all be done together. Items 9 through 14--

If you would just ask, Mr. Chairman, if anyone is here in opposition of these.

SENATOR KAVANAUGH: Is anyone here for nine through 14? (no response)

MR. McGLYNN: Item 9 is project Route 24N, Section 22, Parcel VX29, Phillipsburg, Warren County.

Bureau of Right of Way, Property Management Unit, requests approval to sell an irregular shaped parcel of vacant land containing .250 acres, or 10,869 square feet. It will be sold via direct sale, at a price to be determined by staff appraiser, to an adjacent property owner, Michael Hennessy.

Item No. 10, Project Route 22, Section 2E, Parcel VX5A2, in Springfield, Union County.

Bureau of Right of Way, Property Management, requests approval to sell an irregular shaped parcel of land containing .431 acres, or 18,774 square feet; to be sold either via direct sale to an adjacent property owner, and shall be conditioned upon the requester obtaining sign-off from other adjacent property owners; or the property shall be auctioned at a price to be determined by a staff appraiser.

Item No. 11, is Project Route 44, Section 2, Parcel VX28B, in West Deptford, Gloucester County.

Bureau of Right of Way requests approval to sell a triangular shaped parcel of vacant land containing .173 acres, or 7,536 square feet. It will be sold directly to the previous property owner, A.C. Schultes, Inc., at a price of \$7,500, as recommended by a staff appraiser.

Item No. 12 is Project Route 28, Section 26, Parcel VX23B, in Bridgewater, Somerset County.



Bureau of Right of Way, Property Management Unit, requests approval to sell a rectangular shaped parcel of vacant land containing .143 acres, or 6,250 square feet. Property to be sold directly to the adjacent property owner, the Gale Company, at a price of \$39,900, as recommended by a staff appraiser.

Item No. 13 is a project on Route 29, Section 10, Parcel VX21D2, in Hamilton, Mercer County.

Bureau of Right of Way, Property Management Unit, requests approval to sell a triangular shaped parcel of vacant land containing .018 acres, or 811 square feet. Property to be sold directly to the adjacent property owner, Paul Olhovsky, at a recommended sale price of \$1,500.

Item No. 14 is a project on Route 92, Section 1, Parcel R5B and R5C, in East Windsor, Mercer County.

Bureau of Right of Way requests approval to sell an irregular shaped parcel of vacant land containing approximately 6.733 acres, or 293,289.48 square feet. This is a drainage basin located on those parcels that must be relocated. The final size and shape of the parcels will be determined at a later date. Property to be sold either by public auction or directly to the adjacent property owner, Anthony Mazzucca of the Blackpoint Group, at a recommended sale price of \$600,000.

SENATOR KAVANAUGH: Anyone care to comment? (no response)

Motion, please.

MR. FLEMING: Moved.

SENATOR KAVANAUGH: Moved and seconded.

ASSEMBLYMAN WISNIEWSKI: Second.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

Ayes have it.

SENATOR KAVANAUGH: DEP requests.

MR. McGLYNN: Items No. 15, 16, 17, 18, 19, 20, 21, and 22 all concern cropland or pastureland. If you'd like, I can do them in tandem.

SENATOR KAVANAUGH: Yes.

MR. McGLYNN: Thank you.

Item No. 15, Wawayanda State Park, Block 61, Part of Lot 6; Block 60, Part of Lot 13, in Vernon Township, Sussex County.

DEP, on behalf of Parks and Forestry, requests approval to enter into a five-year lease with George Lee for approximately 34 acres of crop and pastureland. Compensation is \$469.92 annually, and shall be increased every five years according to the State Farmland Evaluation Advisory Committee.

Item No. 16, Wawayanda State Park, Block 33, Part of Lot 4, in Vernon Township, Sussex County.

DEP requests approval to enter into a five-year lease with Andrew Borisuk Jr. for approximately 20 acres of cropland. Compensation is \$391.60 annually, and shall be increased every five years according to the State Farmland Evaluation Advisory Committee.

Item No. 17 is High Point State Park, Block 146, Part of Lot 6, in Wantage Township, Sussex County.

DEP requests approval to enter into a five-year lease with George Schleich for approximately 31 acres of cropland and approximately 15 acres of pastureland. Compensation is \$753.83 annually, and shall be increased every five years according to the State Farmland Evaluation Advisory Committee.

Item No. 18, Wawayanda State Park, Block 42, Part of Lot 12; Block 43, Part of Lot 4, in Vernon Township, Sussex County.

DEP, on behalf of the Division of Parks and Forestry, requests approval to enter into a five-year lease with William Becker for approximately 19 acres of cropland and approximately 54 acres of pastureland. Compensation is \$1,881.10 annually, and shall be increased every five years according to the State Farmland Evaluation Advisory Committee.

Item No. 19 is the Monmouth Battlefield State Park, Block 69, Part of Lot 14.01, in Manalapan Township, Monmouth County.

DEP requests approval to enter into a five-year lease with Roy Etsch for approximately 33.7 acres of cropland. Compensation is \$659.85 annually, and shall be increased every five years according to the State Farmland Evaluation Advisory Committee.

Item No. 20 is Monmouth Battlefield State Park, Block 69, Part of Lot 14.01, in Manalapan Township, Monmouth County.

DEP requests approval to enter into a five-year lease with Drew Lucas for approximately 65 acres of cropland. Compensation is \$1,272.70 annually, and shall be increased every five years according to the State Farmland Evaluation Advisory Committee.

Item No. 21 is Allaire State Park, Block 958, Lot 7, in Wall Township, Monmouth County.

DEP requests approval to enter into a five-year lease with John Tobia for approximately 58 acres of cropland. Compensation is \$2,135.64 annually, and shall be increased every five years according to the State Farmland Evaluation Advisory Committee.

Item No. 22 is Wawayanda State Park, Block 33, Part of Lot 4, 4.02, 4.04; Block 91, Part of Lot 6 and Lot 12, in Vernon Township, Sussex County.

DEP requests approval to enter into a five-year lease with James Rickey Jr. for approximately 150 acres of cropland. Compensation is \$2,937.00 annually, and shall be increased every five years according to the State Farmland Evaluation Advisory Committee.

MR. McGLYNN: That's the cropland.

SENATOR KAVANAUGH: Anyone care to comment on the crop and pasturelands?

MR. McGLYNN: I have one more, Item No. 24. Would you like me to do that one, also?

SENATOR KAVANAUGH: Sure.

MR. McGLYNN: No. 24 is Six Mile Run Recreation Area, Block 58, Lot 12, in Franklin Township, Somerset County.

DEP, on behalf of the Division of Parks and Forestry, requests approval to enter into a five-year lease with Lisbeth Higgins for approximately 80 acres of cropland. Compensation is \$1,556.40 annually, and shall be increased every five years according to the State Farmland Evaluation Advisory Committee.

SENATOR KAVANAUGH: Anyone here to comment? (no response)

If not, a motion.

ASSEMBLYMAN WISNIEWSKI: Move it.

MR. FLEMING: Second.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

Item No. 23 is Washington Crossing State Park, Block 121, Lots 3 and 5, Hopewell, Mercer County.

DEP, on behalf of Parks and Forestry, requests approval to enter into a five-year license agreement with the Washington Crossing Association

of New Jersey, for use of the Open Air Theatre within Washington Crossing State Park, to conduct musical and dramatic theatrical performances, and to conduct educational, recreational, and community activities that support the historic interpretation of the Washington Crossing State Park and its significance in American history. Compensation is \$3,000.00 annually.

SENATOR KAVANAUGH: Anyone here to comment? (no response)

Motion, please.

MR. FLEMING: Move.

ASSEMBLYMAN WISNIEWSKI: Second.

SENATOR KAVANAUGH: Moved and seconded.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

Item No. 25 is Weehawken Waterfront Park, Block 36.04, Part of Lot 6; and Block 36.05, Part of Lot 1.01, in Weehawken Township, Hudson County.

DEP, on behalf of the township of Weehawken, requests approval to dispose of 1.63 acres of municipal parkland to be used for housing and roadway construction, for redevelopment along Weehawken's waterfront. Approximately 1.21 acres of vacant parkland will be developed by Port Imperial South, LLC for residential housing, and 0.42 acres will become part of Port Imperial Boulevard, a municipal roadway. As compensation, Port Imperial will convey, to Weehawken, 10.2 acres of upland, Block 36.05, Lot 1.01; 1.4 acres dedicated to the Hudson River Waterfront Walkway; 16 acres of underwater Block 36.05, Lot 4.01, that will be associated with the recreational uses of the municipal waterfront park, and will provide donations for the construction of the waterfront park.

SENATOR KAVANAUGH: That's the type of land that I used to buy, that underwater property. (laughter)

MR. McGLYNN: It's good.

SENATOR KAVANAUGH: Anybody here to comment? (no response)

SENATOR KENNY: Move.

ASSEMBLYMAN WISNIEWSKI: Second.

SENATOR KAVANAUGH: Moved and seconded.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

Item No. 26 is Woodland Avenue Park, Block 171, Lot 14, in Pleasantville City, Atlantic County.

DEP, on behalf of Pleasantville City, requests approval to convey 1.7 acres, in fee, to the city of Pleasantville Housing Authority to accommodate the Hope VI revitalization of a severely distressed public housing development. As compensation, Pleasantville City has proposed to dedicate two properties, one adjacent to the remainder of the park, Parcel A; and one nearby on Woodland Avenue, Parcel B, adjacent to the new residential housing project. Parcel A is a .9 acre lot located at the intersection of New Road, Route 9, and the Atlantic City Expressway's right-of-way. Parcel A is currently wooded with no structures on-site. Parcel B is a .8 acre parcel that currently is the site of the existing housing development.

The city has estimated that the proposed improvements will cost approximately \$140,000. The 1.7 acres of diverted parkland, appraised at \$245,000, will be compensated for by the dedication of 1.7 acres of land, valued at \$200,000, and \$100,000 worth of park improvements, totaling an overall value of \$300,000.

SENATOR KAVANAUGH: Anyone here to comment? (no response)

MR. FLEMING: Moved.

ASSEMBLYMAN WISNIEWSKI: Second.

SENATOR KAVANAUGH: Moved and seconded.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

Item 27 is the Madden Field and East Hazelwood Park, Blocks 301, 303, and 305, Lots 1, 4, and 3, Rahway City, Union County.

DEP, on behalf of the city of Rahway, requests approval to dispose of 0.444 of an acre of Madden Field and 0.043 of an acre of East Hazelwood Park to New Jersey DOT for improvements to Routes 1 and 9, including the replacement of the bridge over the Rahway River. As compensation, the New Jersey DOT proposes to acquire a 0.34 acre parcel, in fee, and deed it to the city to be used as replacement parkland.

SENATOR KAVANAUGH: Anyone here to comment? (no response)

Motion?

ASSEMBLYMAN WISNIEWSKI: Move.

MR. FLEMING: Second.

MR. McGLYNN: All in favor. (affirmative responses)  
Opposed. (no response)

Item No. 28 is the Knoll Golf Course, Block 494, Part of Lot 1, Parsippany-Troy Hills Township, in Morris County.

DEP, on behalf of the township of Parsippany-Troy Hills, requests approval to divert 0.39 of an acre of the 338-acre Knoll Golf Course to construct a water booster station and water mains, allowing the township to obtain potable water from the Jersey City Municipal Utilities Authority. Currently, the township is serviced by wells drawing water from a sole source aquifer with no backup and regulated supply. As compensation, the township will dedicate, for conservation and recreation purposes, a 5.126 acre municipally owned parcel that was obtained partially in 1951 by tax foreclosure and in 1960 for municipal purposes.

SENATOR KAVANAUGH: Anyone here to comment? (no response)

Motion, please.

ASSEMBLYMAN WISNIEWSKI: Moved.

MR. FLEMING: Second.

SENATOR KAVANAUGH: Moved and seconded.

MR. McGLYNN: All in favor. (affirmative responses)  
Opposed. (no response)

Item No. 29 is the Bernie Anderson Park, Block 547, Part of Lot 1, Woodbridge Township, Middlesex County.

The New Jersey Department of Environmental Protection, on behalf of the township of Woodbridge, requests approval to divert approximately 0.002 acre of Bernie Anderson Park, which is 5.74 acres, in order to rectify a sign encroachment by the owners of a recently developed modern strip mall. There will be improvements that will include park benches, a picnic table, and garbage cans totaling approximately \$750, which is in excess of the value of the conditional easement.

SENATOR KAVANAUGH: Is there a reimbursement for that?

MR. McGLYNN: Just the \$750.

SENATOR KAVANAUGH: Any motion?

ASSEMBLYMAN WISNIEWSKI: Moved.

MR. FLEMING: Second.

MR. McGLYNN: All in favor. (affirmative responses)  
Opposed. (no response)

Item No. 30 is the Turkey Swamp Wildlife Management Area, Block 93, Part of Lots 34, 50.02, 75-77, in Freehold Township, Monmouth County.

DEP, on behalf of the Division of Fish and Wildlife, requests approval to convey approximately 307 acres of the Turkey Swamp Wildlife Management Area, located along the western boundary of Turkey Swamp County Park, to Monmouth County. Monmouth County has proposed an exchange of lands with the State in the interest of consolidating its landholdings and straightening the irregular western boundary between Turkey Swamp Park and the Turkey Swamp WMA. The county will relinquish its entire 33.18 percent undivided interest in the West Turkey Swamp tract, which is 925.26 acres, to the State. Monmouth County has agreed to deed-restrict the lands, to be received from the State, for public recreation purposes, including hunting and conservation uses.

Given the proximity of the two tracts in the same municipality, Freehold Township, as well as the physical similarities of the two parcels, the Green Acres Program has determined that the fair market value of the parcels proposed for exchange are reasonably equivalent. As noted, the county has agreed, as a condition of the exchange, to permanently deed-restrict the property to be conveyed by the State.

SENATOR KAVANAUGH: Anyone here to comment? (no response)

Motion, please.

MR. FLEMING: Moved.

ASSEMBLYMAN WISNIEWSKI: Second.

SENATOR KAVANAUGH: It's been moved and seconded.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

Item No. 31 is the Potter Avenue Park, Block 313, Lot 36 and Part of Lot 37; Block 312, Lots 4-6 inclusive, and Part of Lot 7, in Long Branch City, Monmouth County.

I note that Mr. Richard McOmber, Esq. is here on behalf of the Long Branch Board of Education, representing them -- and I know is in favor of this proposal.

The Department of Environmental Protection, on behalf of the city of Long Branch, requests approval to allow the use of approximately 0.50 acres, plus or minus, of Potter Avenue Park for the construction of a

stormwater facility, a parking lot, a public road, and for the relocation of utilities associated with the construction of a new elementary school, in exchange for 1.11 acres of adjacent replacement land to be dedicated as parkland. In addition, a ball field and a soccer field will be constructed for recreational use. As compensation for the disposal of Potter Avenue Park, the city will dedicate, as parkland, 1.107 plus or minus acres replacement land. The 2:1 ration of replacement land will allow for more than double the open space, in addition to the new recreational facilities.

SENATOR KAVANAUGH: Is there anyone here other than Mr. McOmber who cares to comment? (no response)

Motion, please.

MR. FLEMING: Move.

ASSEMBLYMAN WISNIEWSKI: Second.

SENATOR KAVANAUGH: It's been moved and seconded.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

SENATOR KAVANAUGH: Is that all we have?

MR. McGLYNN: Yes, that's all we have in this.

We now turn to our--

SENATOR KAVANAUGH: Going into Division of Pensions and Judicial Retirement System.

MR. McGLYNN: Trustees of the Judicial Retirement System.

And we need approval of the minutes of the meeting held in December 13, 2004.

ASSEMBLYMAN WISNIEWSKI: So moved.

SENATOR KAVANAUGH: Second.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

Item No. 2 is the confirmation of death claims and retirements. I guess we need to confirm they died.

Do we have a motion on that?

ASSEMBLYMAN WISNIEWSKI: Moved.

SENATOR KAVANAUGH: Second.

MR. McGLYNN: All in favor. (affirmative responses)

Opposed. (no response)

We need a motion on the financial statements as of December 30, 2004. It seems to be solvent.



Make a motion.

SENATOR KAVANAUGH: Move.

ASSEMBLYMAN WISNIEWSKI: Second.

MR. McGLYNN: All in favor. (affirmative responses)

Now, there is an issue concerning the group term life insurance for members of the Judicial Retirement System. It has been suggested that any motion to approve this have a condition which says that it shall be no more than 20 percent of the premium rate. There are discussions ongoing with the insurance company that the rates may be lower.

SENATOR KAVANAUGH: Yes. So moved.

MR. McGLYNN: Is there a second?

MR. FLEMING: Can I address that for a second.

MR. McGLYNN: Sure.

MR. FLEMING: I'm just wondering if it's better to hold the item until-- Is there a meeting next month?

MR. McGLYNN: No. We meet quarterly, so the next meeting will be sometime in June. If we did it for no more or up to 20 percent, unless it can be negotiated for less than that, is that okay with you?

MR. FLEMING: Yes.

MR. McGLYNN: I think that's okay with Judge Karchman. I don't want to get him mad.

MR. FLEMING: It seems to me, though, if the upper level is set, the negotiations might be effected knowing that there is an upper limit of 20 percent.

MR. McGLYNN: Okay. Maybe Mr. Gorman can--

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

SENATOR KAVANAUGH: Pete, do you want to turn the button there, please? (referring to PA microphone)

MR. GORMAN: It still stays on red.

SENATOR KAVANAUGH: That's what you want.

MR. McGLYNN: Yes, that's what you want. Red you're on.

MR. GORMAN: Oh, okay. The one time red means go.

I'm Pete Gorman, from the Division of Pensions.

What Prudential submitted was a proposal for 20 percent, where, in fact, they're negotiating right now. It looks more like 15 percent or thereabouts. But rather than hold the approval up for another two or three

months, we would suggest that if it says up to a maximum, or no more than 20 percent-- That way, if it's 15 percent, 10 percent, we don't have to come back and delay the thing.

ASSEMBLYMAN WISNIEWSKI: What's the harm if we wait until the next meeting?

MR. FLEMING: I did notice in the materials the contract does expire April 30, 2005.

ASSEMBLYMAN WISNIEWSKI: Oh, okay.

MR. GORMAN: Right. We won't be meeting before the deadline.

MR. McGLYNN: Mr. Chairman, if someone thinks this will somehow disrupt the negotiations, I have no problem, as Secretary, of doing a phone call or a special-- A phone call--

ASSEMBLYMAN WISNIEWSKI: I think that would be better. Otherwise, I think you're really setting the bar.

MR. McGLYNN: You jeopardize-- That's right. You're right.

So why don't-- If it's okay with the rest of the members of the Commission, why don't we hold the matter? And I will-- Once the negotiations are finalized, we will do the appropriate notifications and do phone conversation just to ratify.

Is that okay?

SENATOR KAVANAUGH: Sounds good to me.

All in favor. (affirmative responses)

MR. McGLYNN: I have no other matters to be considered by the Commission. So, with that, thank you.

**(MEETING CONCLUDED)**