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# *Commission Meeting*

of

## STATE HOUSE COMMISSION

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**LOCATION:** Committee Room 7  
State House Annex  
Trenton, New Jersey

**DATE:** June 13, 2024  
9:00 a.m.

### **MEMBERS OF COMMITTEE PRESENT:**

Assad Akhter, Chair  
Senator Bob Smith  
Senator Anthony M. Bucco  
Assemblywoman Eliana Pintor Marin  
Assemblyman John DiMaio  
Aaron Binder  
Tariq Shabazz



### **ALSO PRESENT:**

Brittany Zulla  
*Acting Secretary*  
*JRS Administrator*

Tamara Loatman-Clark, Esq.  
*Deputy Attorney General for the State House Commission*

Robert E. Kelly, Esq.  
*Deputy Attorney General for the Judicial Retirement System*

***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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**ASSAD AKHTER (Chair):** I know Assemblywoman Pintor Marin is -- had to deal with a traffic accident, so she told me she'd be late.

So, we'll get started.

And, our secretary, Eric Brophy, is out of commission for this morning, so I will serve both roles as Chair and Secretary.

I will call the meeting of the June 13 State House Commission to order and read the public notice.

We are in compliance with the Open Public Meetings Act. Notice of this meeting of the State House Commission was given by way of notice on June 4, 2024, filed with the Secretary of State, distributed to the State House Press Corps, and posted on the State House Commission's website.

I will call the roll.

Chairman Akhter, myself. I am here.

Deputy Treasurer Binder.

MR. BINDER: Here.

MR. AKHTER: Office of Management and Budget, Mr. Shabazz.

MR. SHABAZZ: Here.

MR. AKHTER: Senator Smith.

SENATOR SMITH: Here.

MR. AKHTER: Senator Bucco.

SENATOR BUCCO: Here.

MR. AKHTER: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Here.

MR. AKHTER: And, as we noted, Assemblywoman Pintor Marin is delayed.

We have a quorum.

Do we have any public comments?

MS. BUSSELL: Jean Public, it's on the--

MR. AKHTER: OK.

The State House Commission received written comments from Jean Public on June 10, 2024. They have been distributed to the members and will be made part of the record.

We will now move onto old business.

Number 1 on the agenda-- Can I ask the members for a motion to approve the minutes from April 8, 2024, and April 25, 2024 meetings?

SENATOR BUCCO: So moved.

SENATOR SMITH: Second.

MR. AKHTER: Second.

All in favor.

Myself -- yes.

Mr. Binder.

MR. BINDER: Yes.

MR. AKHTER: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. AKHTER: Senator Smith.

SENATOR SMITH: Yes.

MR. AKHTER: Senator Bucco.

SENATOR BUCCO: Yes.

MR. AKHTER: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Abstain.

MR. AKHTER: Abstained.

Seeing that there are five votes in favor, that is-- That motion is approved.

We'll now move onto new business.

Number 2 on the list here is a Department of Transportation request. Project of the NJDOT North Service Road adjacent to Route 3, milepost 7.1 westbound, borough of East Rutherford, Bergen County.

NJDOT Division of Right of Way is requesting approval to enter into a license agreement with AT&T for the purpose of erecting a 150-foot monopole structure and concrete pads for ground-based equipment and cabinets within a 50-by-50 compound, allowing AT&T to improve and expand -- expand and provide -- reliable coverage to the public. The proposed parcel is on 2,500 square feet of land, located along the North Service Road adjacent to Route 3, milepost 7.1 westbound, in the borough of East Rutherford, Bergen County.

The terms of the licenses will be for a term of five years with three five-year renewal options. The licenses are non-exclusive and revokable by NJDOT for cause or for convenience. The rent will be a minimum of \$50,100 per year with an opportunity for greater, depending on renewal options and co-locations. In accordance with regulations of the Federal Highway Administration, all revenues derived from NJDOT's wireless telecommunications program must be used for transportation purposes, thus

the public will benefit by the supplementary funding, as well as increased telecommunications capability.

I will ask for a motion on item Number 2.

SENATOR SMITH: Just before you do--

MR. AKHTER: Yes--

SENATOR SMITH: --for some reason, I've marked on here in red ink -- and, I don't do that unless it's deliberate -- that this was supposed to be tabled.

I'm not asking that it be tabled, but did I get a miscommunication, or am I getting a little crazy in my old age?

MR. AKHTER: I think that was a different-- I think that was a different item that was originally there.

SENATOR SMITH: OK.

Move the matter.

MR. AKHTER: Move-- Senator Smith has moved the item.

SENATOR BUCCO: Second.

MR. AKHTER: Second by Senator Bucco.

We'll call the roll.

Treasury -- Binder.

MR. BINDER: Yes.

MR. AKHTER: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. AKHTER: Senator Smith.

SENATOR SMITH: Yes.

MR. AKHTER: Senator Bucco.

SENATOR BUCCO: Yes.

MR. AKHTER: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. AKHTER: And, I will mark myself as a yes.

All in favor, so motion is approved.

Item agenda Number 3: It's a project on Route 280, section 4, parcel VX4C, adjacent to block 106, lot 24:01, Township of West Orange, Essex County.

The NJDOT Division of Property Management requests approval to convey 89,603 square feet -- or 2.057 acres -- of NJDOT-owned excess land located in West Orange Township, Essex County, acquired as Route 280, section 4, now known as Parcel VX4C, to the adjoining property owner, Waystone Realty, LLC, to be used for residential development with the purpose of establishing an equestrian training facility for people with special needs. NJDOT has determined that Parcel VX4C has no current or future use by the Department. The County of Essex and Township of West Orange have expressed no interest in acquiring Parcel VX4C for public use. Title has been vested in the State of New Jersey for more than 10 years.

The terms: The parcel will be sold for the appraised value of \$114,000. The buyer has been made aware that the property is part of the Llewellyn Park Historic District, listed on both the New Jersey and National Registers of Historic Places, and that there could be restrictions on how the property is developed due to its historic significance. The buyer has also agreed to NJDOT restrictions that include preserving the drainage easement and pipe right for cleaning the installation at the buyer's expense of suitable fencing on the parcel to delineate between the parcel and NJDOT's right of

way, and the offsetting of the parcel's boundary line 15 feet from the fencing for NJDOT maintenance.

I will ask for a motion on item Number 3.

ASSEMBLYMAN DiMAIO: So moved.

SENATOR SMITH: Second.

MR. AKHTER: Second.

So moved by Assemblyman DiMaio; second by Senator Smith.

Are there any questions? (no response)

If not, I will ask--

Mr. Binder.

MR. BINDER: Yes.

MR. AKHTER: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. AKHTER: Senator Smith.

SENATOR SMITH: Yes.

MR. AKHTER: Senator Bucco.

SENATOR BUCCO: Yes.

MR. AKHTER: And, Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. AKHTER: And, I am a yes.

All are in favor.

The motion carries.

Moving onto Number 4, the Division of Pension and Benefits.

Oh, I'm sorry, we need to adjourn as the-- I need a motion to adjourn as the State House Commission in order to come back as the Judicial Retirement Board.

SENATOR SMITH: So moved.

UNIDENTIFIED SPEAKER: Is there a motion?

MR. SHABAZZ: Second.

MR. AKHTER: Motion, Senator Smith.

Second by Mr. Shabazz.

Mr. Binder.

MR. BINDER: Yes.

MR. AKHTER: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. AKHTER: Senator Smith.

SENATOR SMITH: Yes.

MR. AKHTER: Senator Bucco.

SENATOR BUCCO: Yes.

MR. AKHTER: And, Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. AKHTER: And, I am in favor.

So, all are in favor.

We will now sit as the Judicial Retirement System.

And, Brittany will serve as the secretary (indiscernible).

Read agenda item Number 1.

MS. ZULLA: OK, agenda Number 1 on the JRS agenda is the approval of the minutes of the meeting held on April 8, 2024 and April 25, 2024.

SENATOR SMITH: So, I have a question on that.

Were either of those two meetings -- do they include consideration of the Carlia Bradley (*sic*) matter?

MS. ZULLA: Of the final administrative--

SENATOR SMITH: OK--

MS. ZULLA: --consideration -- the--

SENATOR SMITH: In both of them, or just--

MS. ZULLA: Just one, the -- April 25.

SENATOR SMITH: All right, so, I am going to recuse myself. I recuse myself from consideration on the matter.

But, I don't think I should vote on the minutes.

MS. ZULLA: OK.

MR. AKHTER: That's fine.

MS. ZULLA: Of the April 25 meeting?

MR. AKHTER: That's fine, in order to be safe, that's fine.

ASSEMBLYMAN DiMAIO: You're going to take these separately, right?

MS. ZULLA: I can do that, yes.

So, we'll start--

ASSEMBLYMAN DiMAIO: Because, I was here for one and not the other.

MS. ZULLA: OK, all right.

So, can I have a motion to approve the minutes from April 8 meeting?

SENATOR BUCCO: So moved.

MR. SHABAZZ: Second.

MS. ZULLA: OK, thank you.

Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Smith.

SENATOR SMITH: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Abstain.

MS. ZULLA: Thank you.

And, now, for the April 25, 2024 meeting.

Can I have a motion?

SENATOR BUCCO: So moved.

ASSEMBLYMAN DiMAIO: Second.

MS. ZULLA: Thank you.

Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MS. ZULLA: Number 2 on the item -- confirmation of death claims, retirements, and survivor benefits.

Can I have a motion to approve?

MR. BINDER: Motion.

MR. AKHTER: Second.

MS. ZULLA: Thank you.

Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Smith.

SENATOR SMITH: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MS. ZULLA: Thank you.

UNIDENTIFIED SPEAKER: Are we excused? Are we going to (indiscernible)

MR. AKHTER: I'm sorry?

UNIDENTIFIED SPEAKER: Our case has been read, so  
can we leave?

MR. AKHTER: That's your choice, Sir.

UNIDENTIFIED SPEAKER: Thank you.

Sorry.

MS. ZULLA: OK, Number 3 on the agenda is to receive  
financial statements for September 2023 through January 2024.

Can I have a motion?

SENATOR SMITH: So moved.

MR. AKHTER: Second.

MS. ZULLA: Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Smith.

SENATOR SMITH: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MS. ZULLA: All in favor.

Thank you.

OK, so, now, my portion is done.

MR. AKHTER: I see that the Assemblywoman is here.

Good morning.

ASSEMBLYWOMAN PINTOR MARIN: Good morning.

MR. AKHTER: Assemblywoman, we are about to conclude the JRS portion of the meeting. Are there-- Do you want to record your votes on any of the items?

ASSEMBLYWOMAN PINTOR MARIN: Yes, so, I want to record my vote as supportive. And, so, yes.

MR. AKHTER: Yes.

MS. ZULLA: Thank you.

Same with the Judicial Retirement System -- were you at both meetings?

MR. AKHTER: Yes, this -- so this -- yes.

As far as the -- as far as the minutes -- I'm sorry, as far as the minutes, I believe she's abstaining on both. The last meeting, because you were not present, correct?

ASSEMBLYWOMAN PINTOR MARIN: Exactly.

MR. AKHTER: Yes.

So, just in terms of the last two items that we took (indiscernible).

MS. ZULLA: OK.

All right, so, now that the JRS portion is over, can we return--

MR. AKHTER: I would like to make a point of privilege here before we conclude the JRS portion. I want to recognize that our Deputy Attorney General, Robert Kelly, this is his final meeting after I believe more than 16 years--

MR. KELLY: Sixteen years with Pensions, yes.

MR. AKTHER: Sixteen years with Pensions, serving this state, dealing with the topics -- I won't speak for the legislators here -- but that I think most of us would be lost on without his help in my short time on this board, and I'm certain for others who have served on this board that his wise guidance and counsel on many issues.

You know, when they gave me this assignment, they didn't explain what the State House Commission is and they *certainly* didn't explain what the Judicial Retirement Board System was, and the responsibilities that come with it, and that we might be deciding on certain futures of honorable members of the court here.

And, so, without Bob, we'd really be at a loss and the decision-making here would not be -- would not be really as fulsome as it would be without him.

So, thank you, Bob, for everything you've done. I don't know if any of the Legislators want to say anything--

SENATOR SMITH: What kind of a good retirement are you going to take? Where are you going to go? What are you going to do?

MR. KELLY: That's kind of up in the air. I've got a-- I've got a lot of interests outside that I want to pursue, including music, writing, and I have a big stack of Constitutional law books I would like to start reading.

SENATOR SMITH: Reading?

MR. KELLY: Yes.

SENATOR SMITH: OK.

MR. AKHTER: (laughter)

SENATOR SMITH: (laughter)

That doesn't sound like a retirement.

MR. KELLY: I will be-- Well, I hope I have a lot of years  
to--

SENATOR SMITH: Enjoy.

MR. KELLY: I will.

SENATOR BUCCO: From my short period of time here,  
I can tell you your advice has been critical and I wish you the best of luck on  
your retirement--

MR. KELLY: Thank you--

SENATOR BUCCO: --and enjoy your time.

ASSEMBLYMAN DiMAIO: I can ditto everything said.

Congratulations, and enjoy your time. It's precious.

MS. ZULLA: Yes, and, if it wasn't for you, I wouldn't  
know what I'm doing half the time, so, I really, really appreciate you.

ASSEMBLYWOMAN PINTOR MARIN: I just want to  
say thank you because we don't really know each other but we actually have  
a lot of people in common. So, your knowledge and depth of your work  
really, really, really is outstanding.

So, congratulations and enjoy it.

MR. KELLY: Thank you.

MR. AKHTER: Bob, anything you'd like to say on the  
record here?

MR. KELLY: Well, I guess I've been off and on; I've  
counseled the Board at different times over the last five years or so, but

mostly in the last, I guess, what, two years? Around the time that Gary Kotler left, although I was assisting Gary from the Pension side.

And, I've always been pleased to work with this group because you're obviously so committed to doing the right thing and taking things critically. I have to come and say, "Here are your options," and when we've done a sensitive issue that Assad referred to of occasional forfeiture judgements, you've shown the ability to look at each one very separately. Not-- You're not a hanging board; you're not a board that just ignores anything that comes before you, so that's-- I've always been able to expect a considered decision from this Board.

So, I appreciate that, and I wish you all well going forward.

Oh, by the way, just on a side note, the matter that Senator Smith referred to is separate to an appeal that's just been filed in the Appellate Division, so you'll be hearing more from my successor about that.

(laughter)

MR. AKHTER: They may have to make a call to you, Bob, for referral, so you have to keep your phone on you on that one.

(laughter)

But, thank you. If it wasn't for civil servants like yourself, the State couldn't run, and we know that, so thank you.

With that, we'll ask-- Do we need a vote to adjourn as the-

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MS. ZULLA: Yes, to return.

MR. AKHTER: OK, so, motion to-- I'll make the motion to adjourn.

MR. BINDER: Second.

MS. ZULLA: Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Smith.

SENATOR SMITH: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MS. ZULLA: Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MS. ZULLA: Thank you.

MR. AKHTER: So, we'll return now as the State House Commission.

Assemblywoman, would you like to record your votes on the items that were on the State House Commission agenda?

ASSEMBLYWOMAN PINTOR MARIN: Yes, the (indiscernible) projects, correct?

MR. AKHTER: Yes, there are three-- There are three items regarding property, all were passed affirmatively. Are you--

ASSEMBLYWOMAN PINTOR MARIN: Yes, the DOT-- Yes, I'm a yes on all of them.

MR. AKHTER: OK. So please, for the record, record that Assemblywoman Pintor Marin was in affirmative on Items 2 and 3 on the agenda. Those are the two items.

With that, I will ask if the members have any other matters they would like to discuss.

State House Commission?

SENATOR SMITH: Didn't we-- Didn't we say that we wanted to get the Seaside Heights back in here about the merry-go-round?

MR. AKHTER: I don't--

SENATOR SMITH: Or, am I-- Always, I'm worried about whether I'm losing it or not.

But, you may remember that was an ongoing controversy. We allowed some piece of shore property -- our property -- or a lot of them to give some of their property, so that they could take the merry-go-round and put it in a special facility--

MR. AKHTER: OK--

SENATOR SMITH: --down at Seaside Heights. We ended up, I think also, giving a good bunch of money from the DEP for historic preservation.

We had years where nothing happened. So, last time I was down in Seaside Heights I saw the building, but it wasn't open, and, I don't know about anybody else, but I'd like to hear an update. I'd like to know what happened with our money and what happened with the merry-go-round. So, maybe next-- Maybe we can invite them in to get a little report?

MR. AKHTER: Cindy, do you have some color on this? I don't believe I've dealt with this since I've been on the board.

ASSEMBLYMAN DiMAIO: It was a while--

SENATOR SMITH: Years.

MR. AKHTER: We'll ask DEP to provide an update next meeting.

MS. BUSSELL: OK.

SENATOR SMITH: And/or Seaside Heights.

MR. AKHTER: OK--

SENATOR SMITH: The municipality took this ball and ran with it--

MR. AKHTER: OK--

SENATOR SMITH: --and then I think asked for money from DEP to implement it.

MR. AKHTER: OK.

ASSEMBLYMAN DiMAIO: So, they built the building?

MS. BUSSELL: No--

SENATOR SMITH: The building is up and I see -- every once in a while I do a little walk down there, I see the merry-go-round inside, but I don't see the building open. And, I'd like to hear how much money it cost, a little report on, did we do the right thing or not?

MR. AKHTER: OK.

So, Cindy, we'll ask for an update at the next meeting.

And, thank you, Senator Smith, for bringing that attention to our -- matter to our attention.

Any other items, or any other discussion here? (no response)

With that, I'll ask for a motion to adjourn.

SENATOR SMITH: So moved.

ASSEMBLYWOMAN PINTOR MARIN: Second.

MR. AKHTER: Assemblywoman Pintor Marin.

We'll go to the roll.

Deputy Treasurer Binder.

MR. BINDER: Yes.

MR. AKHTER: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. AKHTER: Senator Smith.

SENATOR SMITH: Yes.

MR. AKHTER: Senator Bucco.

SENATOR BUCCO: Yes.

MR. AKHTER: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. AKHTER: Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. AKHTER: And, I'll be a yes.

So, thank you all for meeting, and we'll see you soon.

The meeting is adjourned.

**(MEETING CONCLUDED)**