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PUBLIC HEARING

before

**ASSEMBLY URBAN POLICY AND
WATERFRONT DEVELOPMENT COMMITTEE**

Waterfront Development in Hudson County

October 8, 1986
Doric Masonic Temple
Union City, New Jersey

MEMBER OF COMMITTEE PRESENT:

Assemblyman Ronald A. Dario, Chairman

ALSO PRESENT:

Hannah Shostack
Office of Legislative Services
Aide, Assembly Urban Policy and
Waterfront Development Committee

Hearing Recorded by
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New Jersey State Legislature
ASSEMBLY URBAN POLICY AND
WATERFRONT DEVELOPMENT COMMITTEE
STATE HOUSE ANNEX, CN-068
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M E M O R A N D U M

September 22, 1986

TO: MEMBERS OF THE ASSEMBLY URBAN POLICY AND WATERFRONT DEVELOPMENT COMMITTEE

FROM: ASSEMBLYMAN RONALD A. DARIO, CHAIRMAN *RD*

SUBJECT: PUBLIC HEARING ON WATERFRONT DEVELOPMENT IN HUDSON COUNTY

(Address comments and questions to Hannah Shostack, Committee Aide)

As Chairman of the Assembly Urban Policy and Waterfront Development Committee, I have scheduled a public hearing which will address the subject of Hudson River waterfront development. Specifically, the Committee will consider problems which have arisen in the redevelopment of the waterfront area in the Township of North Bergen.

Interested persons are invited to appear before the Committee to express their views of this subject. The time and place of the hearing are:

LOCATION

Doric Masonic Temple
906 Palisade Avenue
(downstairs)
Union City, N.J. 07087

DATE & TIME

Wednesday October 8, 1986
7:30 p.m.

Individuals wishing to speak at the public hearing should contact Hannah Shostack at (609) 292-1596. If possible, written testimony should be submitted for use by the members of the Committee and for the record.

TABLE OF CONTENTS

	<u>Page</u>
Gregory J. Castano, Esq. Romulus Development Corporation	2
Assemblyman Frank J. Gargiulo District 32	3
Assemblyman Jose O. Arango District 33	5
Charles S. Rocco President Roc Harbour Corporation	7
John M. Carbone, Esq. Carbone and Faasse Ridgewood	13
James Drago President Save the Palisades Association Union City	17
Thomas Vezzetti Mayor Hoboken	18
Mayme Jurkat Chairman Hoboken Waterfront Advisory Committee	20
Dave Kronick North Bergen Action Group	22
Helen Manogue Director Waterfront Coalition of Hudson & Bergen	23
Richard Dwyer Legislative Aide Senator Thomas F. Cowan District 32	26
Carmine Varano Resident of Union City	27

TABLE OF CONTENTS (continue)

	<u>Page</u>
Vito Brunetti Chairperson Riverview Neighborhood Association	29
Theodore Conrad	29
Joe Chesonis City Planner North Bergen	31

APPENDIX:

Letter Submitted by Gregory J. Castano, Esq. Romulus Development Corporation	1x
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(Hearing Transcribed by J & J Court Transcribers)

ASSEMBLYMAN RONALD A. DARIO (Chairman): First, I'd like to congratulate you for stopping riding around this neighborhood. Parking is obviously a difficult problem in our community. Unfortunately I couldn't use the chambers at City Hall because the court is in session, and therefore we chose our recreational site which certainly is adequate, but the parking is a problem. So I do appreciate the fact that you've arrived and arrived safely.

I'd like to start and how I'd like to conduct this is that I'd like to first tell you the reasons why we're having this hearing. When I was named to the Chairmanship of the Waterfront Development and Urban Policy Committee I set out to meet with, greet with, talk to elected officials, developers, organizations, and to ask them what can the State do to assist on problems, development or whatever, with the goal being that if we can all work together as a team, as I would like to use that terminology -- being a former athlete I learned a lot from my days of athletics -- and if we can operate as a unit, the people of our community will certainly be much better off.

There are problems along the waterfront, one which we're going to address this evening -- the Port Authority and the Hoboken problem and local problems with developers. So the philosophy is one not to hurt individuals but to help individuals. We have a lot to learn. The Committee is energetic, very sensitive to problems and what we're going to do is take one problem at a time. And hopefully the Port Authority and Hoboken will settle their own problems, but if not, we will have a hearing and try to find out how we can assist and that's my second hearing which I plan. Then my third hearing will be a general one, to listen to groups, to listen to the citizenry, not only developers, and listen to their problems and how it affects their communities.

So, in essence, we are here today to help, not to hurt. I reflect back to the waterfront and I think one of the reasons they named me the Chairman is because I was born and raised on

the waterfront in the Town of Hoboken. My first paycheck was from the Port Authority Pier. And I was very happy to be named Chairman because I feel that we can go out and do a very good job for our community and our town. This is our first hearing of what may be many if need be. If not, that's fine, and things are moving in a good fashion.

As I talk to other legislators in the Legislature they tell me the same thing with their committees. Let's listen to the people, let's listen to the developers, let's listen to the communities. And that's what we're going to do today. And hopefully whether it's through legislation, whether it's through basic common sense or whatever, if we can all pull together and work to develop the waterfront in Hudson County we'll all be better off.

So we're going to start off. I'd like to call to testify Assemblyman --

G R E G O R Y J. C A S T A N O: Excuse me, Mr. Chairman. May I be permitted to just make a short statement?

ASSEMBLYMAN DARIO: No. I would like to continue. I have a program and agenda. Your name is, sir?

MR. CASTANO: Gregory J. Castano.

ASSEMBLYMAN DARIO: All right. What I'd like you to do is -- I believe your name is listed here.

MR. CASTANO: No, it isn't, because I didn't sign up.

ASSEMBLYMAN DARIO: All right. Well, I'm going to list it, Greg. Can I have your last name?

MR. CASTANO: No, you're not. If I-- If you won't let me make a statement then what I'll do is--

ASSEMBLYMAN DARIO: No, it's not that I'm not letting you make a statement. Would you follow protocol in order?

MR. CASTANO: Well, suppose then that I leave a copy of my statement--

ASSEMBLYMAN DARIO: So I would like to have Mr. Frank Gargiulo please come up and--

MR. CASTANO: I'll leave a copy of my statement with

the--

ASSEMBLYMAN DARIO: No, I'd like you to testify. If it's important, you should say it.

MR. CASTANO: Everything I have to say is-- I can't testify. I have nothing to testify. But my statement--

ASSEMBLYMAN DARIO: Mr. Gargiulo, would you kindly step up?

MR. CASTANO: --I'm leaving with the reporter to ask you to incorporate it in the record.

ASSEMBLYMAN DARIO: I will put it in the record, sir.

MR. CASTANO: If there's anybody that--

ASSEMBLYMAN DARIO: If you chose not to testify, I have no problem. I don't know who you are, but I would accommodate you.

MR. CASTANO: I just told you who I was. If there's anyone here who would like a copy of the statement I have a copy for everyone. I represent Mr. Edward Imperiteur.

ASSEMBLYMAN DARIO: Okay. So you're welcome to testify, too.

Mr. Gargiulo, please.

ASSEMBLYMAN FRANK J. GARGIULO: Thank you. First let me say to you, Mr. Dario, and to the people involved with the Waterfront Committee, I thank you for having the hearing. I think it's important. I think it's needed. I think the people in the community have a right to be heard and to testify before you and to have someone hear them.

I'm here tonight. I don't have any written statement, but I'm here tonight to address a problem that, for the people I represent in North Bergen -- I represent the 32nd Legislative District, of which North Bergen is one of the communities -- the immediate problem is this: About I guess six to eight weeks ago the Commissioners in North Bergen asked me to look into the fact that the development on the waterfront, which was partially developed already, was not bringing any tax ratables because of various problems that the developers were having, selling the

property or whatever. I don't know exactly what the problem is, but as far as the people are concerned in the community and the Commissioners were concerned, the property is valuable, the buildings are built, and the town should be able to assess them tax-wise and bring tax ratables into the town, thereby reduce the tax rate for all the residents of North Bergen. Somewhere along the line I dug up a figure of \$300 would be the immediate savings on each homeowner, approximately \$300, if the property was able to -- if the people who owned the property were able to sell it and close on it and the town was then, in the same token, able to assess them the taxes and collect those taxes.

In the long run that property down there-- My understanding is that it's worth about -- will be worth about \$500 million in tax ratables. I want to go on record as saying that my understanding of it is that that will double the tax base -- approximately double the tax base of the entire town of North Bergen. It becomes a very, I think, serious problem in that the people of North Bergen, and all the communities around here, but being I represent North Bergen, suffer under a tremendous tax burden right now. I think the opportunity for them -- if there's an opportunity for them to have their taxes reduced then I'm going to do everything possible to have that done. My only comment and my only reason for being here tonight is to bring that to your attention, to encourage the developers to work out whatever difficulties they have between themselves, so that North Bergen -- and I guess I could speak for the rest of the community -- but particularly North Bergen, the people of North Bergen could benefit from that development and the tax rate would be reduced. I think that the developers themselves would be more satisfied.

I would also encourage you to ask along the way, "Why is the development so slow in this community?" We talk about development and I haven't seen too much being done along the whole waterfront, at least in terms of towns along this immediate waterfront here, where the people would benefit from it. I think

it's time someone threw that question out.

I thank you for the opportunity to testify and if you have any questions, I'll answer as best I can.

ASSEMBLYMAN DARIO: So, Mr. Gargiulo, what you're telling me is that you're thinking in terms of revenue and ratables for the Township of North Bergen and that is one of your concerns, that they're being deprived if the development moves rather slower or not at a pace that you would like it to. So the town of North Bergen is, perhaps, in jeopardy of ratables. Is that--

ASSEMBLYMAN GARGIULO: Yes, what I'm saying is that there's actually some building done already. Some of that construction is completed and the town hasn't received one cent in taxes because there's some holdup between the developer and the buildings he's built, and the selling of that property and the Township assessing the taxes. And it really is in the developer's hands. It's not in the town's hands. The Township is just trying to collect their taxes and they're kind of frustrated at this point.

ASSEMBLYMAN DARIO: Okay, Mr. Gargiulo. Thank you for taking the time out to come here to testify before this Committee.

ASSEMBLYMAN GARGIULO: Thank you.

ASSEMBLYMAN DARIO: At this time I would like to call upon Assemblyman Jose Arango. Is Jose Arango present?

A S S E M B L Y M A N J O S E A R A N G O: Yes. Good evening, Mr. Chairman and members of the Assembly Urban Policy and Waterfront Committee. I'm Assemblyman Jose Arango. I'm very pleased to welcome you people to my district, and your district, Mr. Chairman. I appear before you this evening to address a most serious matter which may injure us.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Louder.

ASSEMBLYMAN ARANGO: I appear before you this evening to address a most serious matter which may injure the development of Hudson County waterfront. West New York has a population of

some 45,000 who dwell in presently 7/10th of a square mile. It is one of the most densely populated communities in the world, ranking with Calcutta. Overdevelopment on the waterfront will result in escalating municipal costs and will compromise the quality of life of West New York. If there has been any indication that this property prior to or after its purchase was underassessed, was the responsibility of the municipality or municipal officials to ensure that the property be reassessed to fair market value? We want to know if the municipality of West New York can re-evaluate that property before any development is done. Because, as you know, West New York being one of the smallest towns in Hudson County, we are the third highest when it comes to taxes -- property taxes.

Here I think we can save to the taxpayers a lot of money. Right now is incredible the amount of money that we're paying in West New York. Instead, I want to ensure that the residents of West New York reap the rewards and benefits of future developments. I also want to ensure that any development will be planned in a sensible and orderly manner, which will be -- respect the importance and beauty of the waterfront for the future generations.

I implore this Committee to follow its charge and to carefully review the issues. As elected officials we have a unique challenge before us today, an opportunity to make Hudson County the envy of our State. We can avoid the indiscriminate growth has brought other regions of our State and we can foster cooperation among all the towns who share the waterfront to create something that would compliment and benefit all the residents of the region.

Thank you for the opportunity. I hope we have a good solution. I hope we have a great waterfront for the State of New Jersey and Hudson County, but we have to be more than careful and we have to think about our taxpayers first, especially in West New York. Thank you, Mr. Chairman.

ASSEMBLYMAN DARIO: I have down next Roc Harbour, and I

believe Mr. Chuck Rocco.

C H A R L E S S. R O C C O: Good evening, ladies and gentlemen. I have a prepared statement which I will read.

Thank you for giving me this opportunity to appear before your Committee on this issue concerning not only myself and my corporation that I represent, but the taxpayers of North Bergen, the citizens of the State of New Jersey.

My name is Charles S. Rocco and I am President of Roc Harbour Corporation. I am continuing a family tradition as builder and developer in the State of New Jersey.

One of my projects is a condominium complex under construction in North Bergen. This multi-million dollar project is being built along the Hudson River.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Could you speak a little louder, please?

ASSEMBLYMAN DARIO: Yes. What I'd like to do is--

MR. ROCCO: It's--

ASSEMBLYMAN DARIO: Could you move this over? You're not like Mr. Arango and Mr. Gargiulo, powerful voice.

MR. ROCCO: One of my projects is a condominium complex under construction in North Bergen. This multi-million dollar project is being built along the Hudson. It is one of the finest developments in the area. Located on almost 30 acres Roc Harbour, when completed, will provide 127 low-rise units and 500 high-rise units.

The significance for the Town of North Bergen goes beyond the pride such a project lends to a community. The project will add millions of dollars in tax ratables to North Bergen and the County of Hudson.

Some dates will guide us through my testimony and will be helpful to this Committee. The property was purchased in October of 1982. The governmental approvals were secured in 1983 and the construction commenced in April of 1984.

Immediately adjacent to the property along its western edge is a single old railroad track which has existed for well

over 80 years. As most of you are aware the railroads at the turn of the century went through mergers and other corporate problems. Through this terminal constantly shifting ownership one element remained constant, railroads are major landowners of valuable and irreplaceable rights of worth. The particular ribbon of land owned by Conrail stretched from Edgewater to Hoboken. Its location and length allows for it to function either as a booster or barrier to development along the Hudson.

The story I shall relate to you highlights the problems with development in North Bergen and along the Hudson. The one issue holding up development is this rail line. The effect of this rail line from Conrail has frozen development and jeopardized the future of the area. The impish conduct of one individual and a conspiracy that he has masterminded pushes aside the common good of the area and the will of the people.

In 1976 Conrail acquired the freight rail service and roadbeds from bankruptcy railroads in the Northeast and Midwest regions. The Congress authorized the use of \$3.3 billion of taxpayers' money to make the line self-sufficient within five years and then the line was to be sold to private interests. The Northeast Rail Service Act of 1981 allocated Conrail additional taxpayers' dollars and granted a two and a half year extension of that reorganization. The taxpayers saved and rebuilt these railroads and remained the owners of the lines. Conrail during this period began to sell off some of its assets which were mainly land and buildings. Specific Federal and State laws required public notice of these sales, public bidding for their purchase, and real estate appraisals to assure their value.

There is a 54 foot rail bed which lies to the west of my property which I attempted to purchase from Conrail. Numerous written and oral communications took place between myself and my representatives with representatives of Conrail. In fact, I was told by one Thomas F. X. Scon (phonetic spelling), a Conrail employee in the Newark office, that this ribbon of rail line would be disposed of by public bid and I would be able to

participate in that public bidding process. This statement comported with the laws of the State of New Jersey, yet public bidding, fair appraisal, and public notice of sale were never to occur.

Mr. Scon, then the employee of Conrail, and later employee of Arthur Imperiteur through guile, deception, and subterfuge, was seeking a waiver from and dispensation with the public bidding requirements of the State of New Jersey and other protective requirements of the Interstate Commerce Commission. Mr. Scon, soon to be employee of Arthur Imperiteur, not only sought the waiver of public bidding, but he alone conducted the appraisal of the real estate and established the value of the property for a private sale, conducted the negotiations for the private sale of property, and entered into a contract with Arthur Imperiteur, his soon-to-be employer, as a sole and exclusive purchaser of the property.

This was after there was an expressed interest by myself and other property owners, the Township of North Bergen, and many other people to buy the property through public bidding. If this did not color the sale with wrongful activity on the part of Mr. Scon and Conrail, consider that Mr. Scon immediately after the sale of his pet project left the employment of Conrail and went to work for none other than the successful and only purchaser, Arthur Imperiteur. Thus the ribbon of rail line that could have a booster of development along the Hudson because a barrier to development. All properties were now effectively blocked from access to the roads and became landlocked. These circumstances have now placed all the adjacent property owners in a most unique position. Mr. Imperiteur and his new employee, Mr. Scon, now insist that I, along with many other property owners, have no right to cross the ribbon of rail line. The rail line was purchased by Mr. Imperiteur at a price set by Mr. Scon at \$75,000 an acre. Mr. Imperiteur and Mr. Scon are now offering me the rights to cross the property adjacent to my development for a rental of over \$1 million a year. Can property that was sold by

circumvented public bidding and then only for \$75,000 an acre be rendered for \$1 million a year?

This economic extortion was done to end my project and stop any development along the Hudson. Mr. Imperiteur and Mr. Scon have, and will continue to use, the same economic extortion against other developers. It must be remembered that Mr. Imperiteur is also a landowner along the Hudson and a developer who has attempted to monopolize the waterfront.

I have sustained substantial delays in my construction, have incurred enormous attorney's fees and engineering fees to litigate this matter and have had other parts of the project placed in jeopardy and delayed as a result of this impish conduct and extortion.

I would ask the Committee to consider these areas for new or revised legislation. With the sale of Conrail by the United States Government as is presently planned, there does not appear to be adequate protections in the laws of the State of New Jersey to ensure public bidding for disposal of these valuable pieces of property. Further, the type of activity that was noted here, particularly with the collusion between a purchaser and an official of Conrail could again place in jeopardy development in this State and work to the disadvantage of the residents of this State. You must remember that Conrail is owned by the United States Government, which is the taxpayers -- you and I. The profit from the sale of properties must go to the taxpayers and not to private developers who buy employees of Conrail. Disposal must be brought into the sunshine of public observation and avoid favoritism in the sale of property.

With the sale of railroad properties assurances must be made that there will be access for those property owners involved, that no property would be landlocked, and the type of economic extortion and skullduggery being practiced here by one man can neither be sanctioned, approved, or allowed ever to occur again.

Finally, the Governor has made the keystone of his

administration the development of this area along the waterfront. He has appointed members of his own staff to supervise and implement this development. He has lobbied, pushed, and conjoled the Port Authority of New York and New Jersey to cooperate and expedite the development of this area. The Governor realized the financial benefits to the taxpayers, the property owners, and the residents. He realized that this is the key development to meet needs of the 21st century for housing, commercial development, and financial stability of this region. We join with Governor Kean in this quest for excellence. Yet this ribbon of railroad will not be a booster for development, but will be a barrier to development. That one man, by his wrongful actions, will have a life and death control over development in this area, cannot be allowed to go unchallenged.

I urge this Committee to recommend a condemnation of this parcel, the taking of this parcel by the State for the use of the public rather than a single individual. The acquisition costs by this individual was \$75,000 an acre from Conrail. The total cost for condemnation would be minimal but the benefits would be great for the people of this area.

This Committee should seek to protect the property owners in the area. This Committee should seek to force the development in the area. This Committee should seek to aid and assist the municipalities and its taxpayers in generating a new tax base, commercial development, residential development, and transportation systems to meet the 21st century. That only can be accomplished by a public condemnation of the activities and the public taking of the land.

I thank you for your attention and concern in this matter. I stand ready to ask any questions -- answer any questions.

ASSEMBLYMAN DARIO: Mr. Rocco, it was a lengthy statement and I appreciate it, but there are some things that I would be interested to hear from you on. You know, when I announced that I was going to have these hearings, as I stated

before the reason, I received calls from the media, from people, always reminded me that there are things in this case in litigation. To be honest with you, I don't know the status. Perhaps somewhere along the line you may be able to tell me where that is because that's all I hear, it's in litigation, it's in litigation.

MR. ROCCO: It is in the hands of the judge now. He's making his decision.

ASSEMBLYMAN DARIO: The judge will render the decision shortly?

MR. ROCCO: Shortly.

ASSEMBLYMAN DARIO: In purchasing property whether it be -- let's assume Conrail. Have you ever purchased from Conrail?

MR. ROCCO: Yes, I brought property before from them under much the same circumstances, in a different part of the State.

ASSEMBLYMAN DARIO: You have purchased property by Conrail?

MR. ROCCO: Oh, yes. Definitely. Absolutely.

ASSEMBLYMAN DARIO: And what the procedure was was similar to-- Maybe you can explain it to me? What was the procedure?

MR. ROCCO: Very much the same type of property and we were involved in a closed bidding, of which I think there was a minimum of five bids.

ASSEMBLYMAN DARIO: Property was bid on?

MR. ROCCO: Bid on.

ASSEMBLYMAN DARIO: I've made some notes of some of the things that, you know, I wish and I hope that when we come out of this hearing that there's something good going to come about it. You know I don't want to hurt you and I don't want to hurt Mr. Imperiteur. There are some things that you said in there, something that when we really get into it and I can really spend time dissecting and looked at that, you know, that I think we all

should be concerned. I think at this stage, myself, and what I would recommend, is the courts will make a decision. But there are a lot of things beyond that. As I go along I'd like you to know that this hearing should also, perhaps, help cases like this that they may never occur again if, in fact, there are major problems with it. So, in essence, not only are we here to help but in the future other developers, perhaps, can get to us with problems before they arise.

Now, in reference to your bidding on this project, all right, on the one you bid. On this particular project did you expect the bidding to go similar to what you had--

MR. ROCCO: We notified Conrail that we'd be interested in bidding four or five times. We did this many times to be part of the bidding.

ASSEMBLYMAN DARIO: Can I ask who that gentleman is?

MR. ROCCO: That's my lawyer.

J O H N M. C A R B O N E: John Carbone from Carbone and Faasse, Ridgewood, New Jersey. I've just advised Mr. Rocco that I prefer that he not go into the circumstances surrounding the litigation other than the statement he gave in order that we can preserve that separation of powers that Mr. Castano is so concerned about and each respective body of government handles their own function.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Can we ask what is the question the Court is deciding? What is in litigation right now? What is the question to the court?

ASSEMBLYMAN DARIO: The question I get -- and I'm going to entertain that question -- in reference to the litigation. I don't know if they would want to speak on it because, perhaps, it endangers their case, but what is litigation and perhaps, counselor, you can advise?

MR. CARBONE: Quite honestly, Chairman Dario, I'm not the attorney representing Mr. Rocco in that matter. George Geldman of Geldman and McNish of Hackensack, New Jersey is representing him. I'm not totally conversant with the issues in

that matter.

ASSEMBLYMAN DARIO: Mr. Rocco, did you know of anyone interesting in purchasing that property besides Mr. Imperiteur?

MR. ROCCO: There was numerous other property owners along the right-of-way that were interested in it. The town of North Bergen itself was interested in buying it.

ASSEMBLYMAN DARIO: Let me ask you this. I mean, you just made a statement there were other people interested. Now would you know that? Was there any--

MR. ROCCO: Through talking to them, people along the way.

ASSEMBLYMAN DARIO: And listening to your statement, obviously you felt that there should be public bidding on this particular project?

MR. ROCCO: It's the only fair way I know of. There is no other--

ASSEMBLYMAN DARIO: In reference to the project you have now, is there any project that's completed or part of it or--

MR. ROCCO: We have about 10 to 15% of our project completed at this point in time.

ASSEMBLYMAN DARIO: The argument I hear a lot -- maybe you can enlighten us all -- is that access-- Now, I'm not a developer, all right? Nor am I an engineer. I think I have a little bit of background and common sense, but maybe you can explain to me, access. Why is there a major problem when some people say you do have access?

MR. CARBONE: Again, Chairman Dario, I'd rather not go into those facts, but I think those are some of the issues that are covered in the litigation.

ASSEMBLYMAN DARIO: Would you mind telling me the estimated value when the project is completed, what you anticipate?

MR. ROCCO: When it's all done it will be between two and three hundred million dollars.

ASSEMBLYMAN DARIO: And at this stage are any projects ready for occupancy?

MR. ROCCO: We have approximately 60 ready to close the next one to two months.

ASSEMBLYMAN DARIO: I can understand counselor and yourself with litigation. I certainly don't want to jeopardize anything both for you and Mr. Imperiteur, and I obviously don't want to get into that, and that's obviously your prerogative not to answer and I tend to agree with it. I also want to thank you for appearing. But I also would like to tell you that we are a Committee, that we feel that we're energetic. We'd like to hear from both parties because there has to be a solution, and I'm not taking your side nor am I taking Mr. Imperiteur's side. But the fact is I can ask you people to please do all you can to rectify it. I guess the courts are going to make that decision.

And, you know, I can understand what you're saying. Hopefully I'll have somebody here from Mr. Imperiteur, although someone did leave a statement. But there are many things in the future and perhaps if we can put down -- and I'm going to be here to say who is right and wrong -- but you raise some valid points, some things that I would like to look at also. There's no doubt about it. But hopefully that all developers, perhaps before we get into this stage -- and I can understand your point where something that you weren't aware of. But I hope in the future that this never happens again for the best interests of the people.

And I want to really thank you for coming here and expressing and testifying.

MR. ROCCO: Thank you for giving us a chance to speak.

ASSEMBLYMAN DARIO: Mr. Gargiulo?

ASSEMBLYMAN GARGIULO: Mr. Rocco, I'm just curious. Somewhere along the line I heard that that project, when it was completed, could approach the \$500 million.

MR. ROCCO: When it's all done, with all approvals, possibly.

ASSEMBLYMAN GARGIULO: With all approvals.

MR. ROCCO: Right.

ASSEMBLYMAN GARGIULO: I would say \$200 million.

MR. ROCCO: This is what's approved so far. We hope to get more approvals.

ASSEMBLYMAN GARGIULO: So it could go as high as \$500 million?

MR. ROCCO: Easily, yes.

ASSEMBLYMAN GARGIULO: Another question. On the bidding process, you said you bid for some lands, similar lands, Conrail lands some other parts of the State--

MR. ROCCO: Right.

ASSEMBLYMAN GARGIULO: Was that an open bid? Was that an advertised bid at that time?

MR. ROCCO: Yes.

ASSEMBLYMAN GARGIULO: And the normal procedure was it was advertised, people who were interested came in and bid on it?

MR. ROCCO: It was an open bid with closed bidding.

ASSEMBLYMAN GARGIULO: Okay. Thank you.

ASSEMBLYMAN DARIO: Mr. Rocco, thank you.

MR. ROCCO: Thank you very much.

ASSEMBLYMAN DARIO: I'd like to call upon if anyone is here representing Mr. Imperiteur. There was a gentleman here who -- I really don't know his name. I didn't know really what he was saying. But is he still here? Mr. Gregory Castano, lawyer for Romulus. Anyone here that would like to testify for Romulus, Mr. Imperiteur or whoever? (no response) No one. All right.

We'll continue on. I'd like to call upon Mr. James Drago, President, Save the Palisades Association. Now, Mr. Drago, step up please.

There are a few people here that would like to say a few things on other things that they're concerned about in reference to the waterfront. With the time that we have I feel that I'll address and let those individuals -- I believe there are three left who would like to speak on -- not necessarily have

to be on that particular problem, out something on the waterfront.

J A M E S D R A G O: I don't know who to address this to, so I addressed it to Hannan Shostack, who made the appointment for me, I believe from Trenton.

The developing Hudson River waterfront will, inevitably, affect the economy of the entire State. We have here the four main crossings of the Hudson River; the Washington Bridge, the Lincoln and Holland Tunnels and the PATH Trains. All four of these crossings are already operating far beyond their planned capacities. Half hour delays in the morning at the tunnels are normal. The PATH trains are jam packed already. The bridge also has lengthy delays and the Port Authority warns of the steady increases of traffic with no solutions in sight.

The idea that ferry service will relieve those traffic jams is only wishful thinking. Remember that the first two tubes of the Lincoln Tunnel put five ferry lines out of business. How can one or two or three ferry lines relieve the jams that now exist at the three tubes? The North Hudson waterfront, of which North Bergen is a part, has its own additional bottlenecks. At the north end is narrow River Road which cannot be widened without destroying a large part of Edgewater. At the south end there is the entrance to Lincoln Tunnel and that area every morning and every evening is an ocean of vehicles. Any sizable increase in traffic from any part of the North Hudson waterfront will inevitably cause endless gridlock at the Lincoln Tunnel.

The local municipalities show no inclination to keep the waterfront developments within viable limits. Each developer is scrambling to get his buildings in before any limits are set. And the mayors and their planning boards are giving the developers practically all they demand. We are heading for eventual chaos on this waterfront which will naturally affect the entire State. Therefore it is up to the State, the Legislature, to take a live interest in this waterfront -- all of it -- and now. What happens here now must be of interest to Trenton,

Vineland, Lakehurst, Essex County, all over sections of the State, farm areas, commercial areas, industrial areas, the shores. Every State Senator and Assemblyman must take interest.

Those four Hudson River crossings are our most important connections with the rest of the U. S. A. We must have overall State supervision with State authority on the waterfront. That authority must set quotas for each municipality. The quotas that we suggest are based on equal percentages. That way most objections from municipalities will be avoided. Each municipality can still collect its own taxes as before. This can easily be worked out. But the overall necessity right now is to have an overall authority from the State to monitor the developments. Thank you.

ASSEMBLYMAN DARIO: Mr. Drago, I want to say thank you for coming. Those who don't know Mr. Drago, he's been leading this charge for -- I'm not going to tell them how many years, Mr. Drago. I'll let you tell them. But a man with courage who has been pressing the issue and I do take my hat off to you, Mr. Drago, for attending and keep up the good work.

Mayor Vezzetti, please. I understand you'd like to testify also. Those who don't know Mayor Vezzetti of Hoboken, this is Mayor Vezzetti.

MAYOR THOMAS VEZZETTI: I'd only say a few words. I have my right-hand spokesman here, Mayme Jurkat, and she's doing a heck of a job there right now. Let me say about Mr.-- I thought Mr. Rocco had good points there because really, we're going to be flooded. Hoboken is the most important center of it all. Hoboken is really the heartland of it. And what I'd like to say here that the Assemblymen try to work with the Waterfront Advisory Committee, my group in Hoboken, to see what's got to be done here because we're going to be inundated with it all. And I don't think anyplace in the United States or on that waterfront is going to be more severely impacted than Hoboken; car-wise, building-wise. We're trying to reverse around. In Hoboken we have infrastructure troubles here. We have parking

troubles. We have everything you can think of because we're only a square mile, but that square mile is the Gold Coast of the waterfront. That must be protected for the citizens of Hoboken. We just can't look at it as is, Hoboken is going to be the dumping ground for everybody coming in there.

A lot of plans are looking at them to relieve the whole State traffic problems and all, and they're going to dump it in Hoboken. Now that is inconceivable to Hoboken. We just can't afford-- Up where I live at the other end of town you can't park now. We just came up here and this is good compared to Hoboken. So now you can get a little concept of what's going on in Hoboken. Not only the parking, as I said, the infrastructure is falling down. It's like "London Bridge is falling down" and we've got to look at the total impact on Hoboken for the citizens of Hoboken -- not for the whole State of New Jersey, but I think it has to be reversed around. We're going to bring in new -- Conrail and all this other stuff in there. Hoboken is the mecca of it all, to relieve the State, but that isn't fair to Hoboken. Hoboken must be relieved of all the congestion that's coming here.

And I'm asking, too, particularly-- Now we've got Ron -- I can say this personally, if you don't mind -- Ron elected and I want to say the Republicans have been really-- I could thank them, okay. And you know I'm a Democrat. But I'm going to thank the Republicans. They have really gone out of their way and it's really a credit to them. What they're doing is trying to help us. I want to thank you all. Mayme will give you more impact as to that. Thank you very much.

ASSEMBLYMAN DARIO: Thank you, Mayor. I think the Democrat/Republican reflect to back to what I said before about a team, you should have no label on a good team. So a combination of all groups do represent a solid team and we'll certainly address those problems.

I believe Ms. Mayme Jurkat, the Chairman of the Hoboken Waterfront Advisory Committee.

M A Y M E J U R K A T: Good evening and thank you. Mayor Vezzetti has already touched on a couple of things that I want to say. I'd like to start, first of all, by saying that I've had the privilege and honor of not only serving on Mayor Vezzetti's Waterfront Advisory Committee, but I have also been on Governor Kean's Commission on Waterfront Development. The Commission has met in Hudson County; it has an office in Jersey City. And there has been over the almost two years that I've served on this Committee a deep sensitivity to the local situation. And the fact that we've had citizen representatives, some born and bred in this County, from all sectors on this Commission has been, I think, one of the more obvious and good examples of democracy in action.

We've come up or at least the technical people have come up with a transportation plan for this county that makes a great deal of sense. That transportation plan includes a light rail system from the tunnel in Weehawken down to the terminal in Hoboken. As Mayor Vezzetti has so eloquently pointed out, we have both the advantage and the disadvantage of being in the geographical center, north/south of Hudson County. We also happen to have one of the largest, multi-service, multi-modal transportation centers in the State. That transportation center is a very important hub and we think it's vital to the development of this region. We know it's vital to the State. It's vital to the New York City economy because it takes workers over there. We're very aware of our responsibility to the economy of the region.

At the same time we're very aware that the development along the waterfront is going to have impact in added traffic -- car traffic, vehicular traffic, bus traffic, people traffic, and we are very eager at this point to support the light rail program. We would like to urge you and your Committee to do all that you can in terms of influence, in terms of appropriations, in terms of planning, to see that that light rail system gets implemented and gets implemented soon.

we're being told that the first eight years of the Port Authority project are going to be the same eight years that we're going to get our western transitway. Now there is talk that that western transitway is going to go along the Conrail right-of-way and that that transitway will include both busses, vehicles, and light rail. We feel very strongly in Hoboken that the light rail system has to be implemented early on and that even interim bus service is not acceptable in terms of carrying all the traffic of all of the development north of Hoboken. We're told that the Hartz development is going to run shuttle busses to the terminal every six minutes during rush hour. Do you realize that they're going to have to get out at 14th Street and walk because they'll never get to the terminal right now. Washington Street is jammed packed with busses, cars parking, etc?

We are going to be using two main southbound streets, Washington and Hudson, to accommodate the incredible projected numbers of busses and automobiles. We we simply, already-- I heard Mr. Arango say we have Calcutta-like densities as it is. It's true. We have the kind of densities that could support a light rail system were it built tomorrow. We could accommodate those kinds of densities and I think unless we want to literally choke to death on bus fumes that we simply must implement the light rail system and soon. Thank you.

ASSEMBLYMAN DARIO: Thank you, Ms. Jurkat. I want to say, for those who don't know Chairlady, Chairwoman Mayme Jurkat and her Committee-- I've been to her Committee meetings. I've been to three or four, and they meet every Monday night, large group of people. This has got to tell you something. When they meet annually, and they don't miss, and they've been doing it for I don't know how many months or years--

MS. JURKAT: A year.

ASSEMBLYMAN DARIO: A year, and they do it without a salary and they do it for the best interest of the town of Hoboken. So that tells you where they're coming from. And we

want to address-- We may not always agree with you -- hopefully we will -- but I really have to take my hat off to your Committee. I've met with you at least three or four times. I've met with your councilmen. I meet with the people of Hoboken. I'm willing to go morning, noon, and night to help you and the town of Hoboken. As I discussed with Mr. Rocco just now and Mr. Imperiteur, we're here to help people. I'm looking forward and we're fortunate that, like in the Assembly, there are a number of committees that we're on. I happen to be on my second committee, although not the Chairman, a member of Transportation. So we would look with, obviously -- to look at your problems and certainly do everything we can to remedy them.

I want to thank you and you can thank your group, too.

I believe we have the North Bergen Action Group.

D A V E K R O N I C K: (phonetic spelling) Mr. Chairman, members, thank you very much for the invite. On behalf of the North Bergen Action Group I'd like to emphasize the urgent need for the establishment of a coordinating agency to oversee the waterfront development. This was clearly brought out in Mr. Rocco's situation. I think perhaps had this agency been in effect, this might have been mitigated or perhaps already resolved.

As was clearly stated in the River City Study which I'm sure you're all familiar with. It was done by the Regional Plan Association, this study. Quote: "The New Jersey side of the Hudson River could become one of the world's greatest waterfronts if the waterfront is planned and developed as a single length of the river entity. If the redevelopment is fragmented and haphazard or on the other hand, will consist of isolated clusters that have little to do with each other or the 11 Palisade and waterfront municipalities from Fort Lee to Bayonne which they belong." There is a desperate and critical need to coordinate the development of all aspects. Everything must be considered and by that we mean transportation, sewage, traffic, open park areas, building density -- as Hoboken just mentioned -- building

heights, parking, waterfront assessability, preservation of the Palisades, the quality of the air, the quality of life. And these are just but a few considerations.

With area residents already feeling the effects of increased traffic, population density, pollution, dirt, finding the bad effects, if you will, of increased population with the building that's going on. So it becomes quite apparent to all citizens in the area that only by creating a planning and development agency which has the power to bring all the pieces of the proposed development together in an orderly fashion for the benefit and good of all the citizens that live in the area-- That is, in my opinion, gentlemen, the solution. I think that is probably the crux and the most important issue that we would like to drive home at this point.

Thank you for the opportunity.

ASSEMBLYMAN DARIO: Thank you. I believe we covered the list of those people who signed to speak or testify to the Committee. Is there any other individual or group that might want to address the Committee? Ms. Helen Manogue.

H E L E N M A N O G U E: Thank you. My name is Helen Manogue. I am the Director of the Waterfront Coalition of Hudson and Bergen, as well as being the Chairperson of the Hoboken Environment Committee, I serve on Mayor Vezzetti's Waterfront Advisory Committee, and I'm also a member of the Board of New Jersey Committee of the Regional Plan Association.

I think basically what I'm talking to here tonight is the Waterfront Coalition of Hudson and Bergen and that is a group of 17 nonprofit, non-political organizations, both statewide as well as ranging from Bayonne all the way up to the George Washington Bridge. And the main focus of that Coalition is to urge -- as your previous speaker just mentioned -- is to urge that there be created an entity that, in fact, would control the development and the planning for that whole region from the George Washington Bridge down to the tip of Bayonne.

What the previous speaker said is absolutely true and

what Mayme Jurkat was talking about and Mayor Vezzetti was talking about before, we cannot, even though the topic of your hearing tonight really has to do with North Bergen and has to do with Roc Harbour and Imperiteur, there is no way that you can talk about North Bergen or any municipality that fronts on the Hudson River waterfront without talking about all of the other municipalities that line that waterfront.

Now, we're talking about 17 miles there that are deeply involved in very, very big problems at this point. What we're going through right now -- and I can attest to this because I go to board meetings, both Board of Adjustment meetings as well as Planning Board meetings in Hoboken, as well as the Waterfront Advisory Committee meetings -- we are giving away variances for development in our town as though they were lollipops. And there is no planning. There is no way in which our Board of Adjustment or our Planning Board can sit down and just talk about us as a single entity. There has to be a breakdown of the china walls that exist between municipalities in Hudson County. And whether that means getting the planning boards together initially, getting the boards of adjustment together initially, so that they start talking to each other-- Perhaps we have to amend the Municipal Land Use Law in some way in order to be able to get regional coordination going. But I think the most perfect thing that we could possibly get to and get to very quickly is a regional implementation and planning agency for that entire area. And that does not only include just those municipalities that border directly on the waterfront. We're talking about the impacts on Union City and on some of the other municipalities that are up on top of the Palisades because they are going to be very, very definitely affected by all of the development that's going on, not just the traffic. But I think, as Mayor Vezzetti talked about before, the sewage problems and all the rest of it that we have--

I really came here tonight to beseech you to do something and that is, as a Committee to hold more public hearings

in Hudson County, not necessarily only in Hoboken, but in Jersey City and in the northern part of the County and perhaps even in southern Bergen County and to hear what the people of these communities think about the waterfront development. I think we all want the Gold Coast; we all want development. We're not against it. We've seen our pier areas rotting for years. We know we need the ratables, but we have to do it with a sensitivity to the people that are already existing here. And the point is that in Hoboken our born and raised people and the people that stayed during the hard times -- and I'm sure this is true in Weehawken and Jersey City and all the rest of these municipalities in Hudson County -- the people who stayed during the hard times are getting pushed out. And this is happening because there is unbelievable, uncontrolled development going on here. Plus, even the people who stay are finally going to be consumed by the fumes from all of the traffic that's going to be generated here.

We speak, I think, more particularly in Hoboken about this because we have been on the verge of a renaissance for many, many years in Hoboken. And I think we're beginning to see the other side of the moon. We're seeing that it isn't all glorious once you redevelop. So I would beseech you and urge you -- and I know I spoke with you, Assemblyman Dario, yesterday about this possibility of holding some more hearings in front of this Commission -- and this time talking about not just a specific area because you cannot speak just about a specific area when you're talking waterfront. You're talking about the whole Hudson River waterfront redevelopment and what it's going to mean to the people, and give the public an opportunity to get up here and speak and to give you their impressions and their thoughts and their suggestions as to what we think would be the appropriate thing to do.

ASSEMBLYMAN DARIO: Let me add to that, at the beginning of the meeting I had stated that we are planning such meetings to take place. Perhaps one maybe in the future with

reference to Hoboken's problems with the Port Authority. Then we will have one in general and that will be a lengthy one because I don't think we can resolve many things in one hearing. But rest assured you will be seeing us here quite often and hopefully that we will get ideas, will get some pieces of legislation that are worthwhile to move on the Assembly floor, to the Senate, and to the Governor to sign. I'm anxious to look into Roc Harbour about their views of some legislation that perhaps we should change. This is what it's all about. We will be here and we'll have every person in the world that wants to stand up and speak and maybe it will help us, because the bottom line is what I said before, that if we work together as a unit, together as people, just like a little Pop Warner football team, if we play together we're going to win together. And I firmly believe that.

MS. MANOGUE: Okay. Thank you very much. I really appreciate the opportunity that you've given us to speak on this issue tonight. Thank you very much.

ASSEMBLYMAN DARIO: Is there anyone else who would like to--

R I C H A R D D W Y E R: Chairman, my name is Rich Dwyer and I'm a legislative aide to State Senator Tom Cowan.

Right now in Hudson County, as everyone is aware, we have seen the whirlwind of development taking place and we know what happens in a whirlwind. It comes in and it leaves a mess behind. What we have to try to do, all of us together, is to try to make sure that this whirlwind is contained, that we get respectable and conscientious developers in who will look not only for their own profits and for their own benefits, but for that of the community that they leave behind.

The meeting here tonight is basically revolving around Romulus versus Roc Harbour and the case in Hudson County Superior Court. As representatives of the Legislature, we all operate on a system of checks and balances and the Judicial branch is separate from us.

I also suggest that when we deal with developers we

should also rely on a system of checks and balances. Right now it's foremost in our minds that we get balanced developing, but there's also a check we should do, too. Make sure that we're checking on development procedures and that developers are going through the proper steps and if we see something that we think is inappropriate at the time, like we're seeing tonight -- we have a football coach up here and right now this is one of the flags that has gone up. This is stopping the action taking place on the waterfront right now. This must stop and we must keep moving ahead together and maybe we should add maybe a few more seats up there and have more representatives because, as you say, it's a team and we all have a common interest. And the checks and balances must be very important to all of us and also that we must just keep working harder and harder to make sure that balanced development takes place in Hudson County.

I want to congratulate the Committee for having a meeting here tonight because I think it's very important to bring this issue to the citizens of Hudson County. Thank you.

ASSEMBLYMAN DARIO: Thank you. At this time I believe there's no one else who would like to testify. Yes, Mr. CARMINE VARANO: Actually I don't have any testimony to give, but I would like to make-- Incidentally, my name is Carmine Varano and I'm a citizen here and I live here in Union City. I just -- if you're taking records tonight recording what's going on, I imagine that you received this letter that was given at the beginning there. And even though, Mr. Chairman, you did ask a few times whether any clients were here from the (indiscernible) Corporation the lawyer made it plain -- believe me, I'm not taking sides at all, but he's making plain in the letter, "accordingly I have directed my clients not to appear on October 8th." So even though, interestingly, the letter is dated October 8 and if you go to the continuation page you see it's October 7th. So probably it was typed yesterday, maybe with the intentions of getting it here to you before the meeting began. So probably out of courtesy to Imperiteur people it isn't that

they just sidestepped everything. They make it plain accordingly because everything in is litigation.

ASSEMBLYMAN DARIO: By no means did I-- Excuse me for interrupting, but by no means do I say the sidestepped anyone. It's their prerogative.

MR. VARANO: Right, but I mean considering the fact that a couple of times you asked whether there were representatives here, you see. It immediately implied that they just disregarded you so I imagine this official letter--

ASSEMBLYMAN DARIO: Can I respond to that, though? I just didn't understand. The gentleman had interrupted the meeting. I think that morally or just out of pure manners that you would conduct yourself as a gentleman. I didn't see that take place. I wasn't going to speak on it because I have a little more class than that individual. And I don't even know who he is.

MR. VARANO: All I have was Jacobson if I remember right. He wasn't a lawyer.

ASSEMBLYMAN DARIO: But he certainly had a proper time to present his piece but he seemed to bust in on the meeting.

MR. VARANO: Okay. All right.

ASSEMBLYMAN DARIO: I don't believe that's the American way to do things.

MR. VARANO: I agree with you. Anyway I definitely--

ASSEMBLYMAN DARIO: But we will put it in the record, sir.

MR. VARANO: Yeah, this is what I mean, to give them courtesy. At least they gave you something. And I definitely agree with Ms. Manogue, the resident there, in congratulating you for these meetings. And as intelligent and as well read as some of us think we are, I just hope the judge who is adjudicating the case now knows some of this information that was brought out tonight, you see. Otherwise it wouldn't be-- If he doesn't have-- If he's not apprised of all these ins and outs I imagine it would be difficult for him to make a proper adjudication on

the case. That's all I'm thinking.

ASSEMBLYMAN DARIO: Thank you, Mr. Varano.

MR. VARANO: You're welcome.

ASSEMBLYMAN DARIO: Anyone else?

V I T O B R U N E T T I: Thank you. My name is Vito Brunetti. I'm the Chairperson of the Riverview Neighborhood Association. It's a small group on the cliffs of Jersey City Heights. I'm also one of the newer members of Helen Manogue's Waterfront Coalition.

I wanted to confirm everything that I've heard from the North Bergen group representative and Helen's statement. I would also like to stress the need for the Palisades as an element of this waterfront development. We ourselves are a small group. We exist for about four or five blocks. We're at Ogden, Ogden Avenue and Palisade Avenue, from Riverview Park to Kunio Place (phonetic spelling). And yet, within the last year we have fought and defeated before the Board of Adjustment in Jersey City alone at least three or four projects that have meant to what we consider destroy the beauty of the Palisades. We consider the Palisades one of the last natural landmarks in our area and it's a shame that the developers are seeing it only as a means of building as a foundation, either on-- We literally defeated a project that was going to build a series of townhouses on the Palisades themselves. We're now gearing up for a fight with a new development who is planning to build something in front of the Palisades on the bottom of it. So we stress the need for what Helen and other people have said for a regional plan and also to include the preservation of the Palisades in that development. Thank you.

ASSEMBLYMAN DARIO: Thank you. Thank you, sir.

T H E O D O R E C O N R A D: My name is Theodore Conrad and I guess I've been fighting for the Palisades just like Drago. But I wrote a study on transportation in Hudson County from 1966 to 1985, and I probably gave Mr. Imperiteur a copy and I've sent copies to the State. Unfortunately nobody gets beyond the

second paragraph. So I had a whole system worked out which is existing from Lackawanna Station to the bottom of the hill, passing Weehawken, going all the way up to the old Susquehanna tunnel. I think that's what Roc Harbour is now fighting Imperiteur about. But we figured out that the train from Weehawken could make it to Hoboken terminal in five minutes and at that time they had six Budd cars left over. All we had to do was fix the tracks and there's an incline right into the thing -- would be the north end track of the station. Well, every time I suggested something to the Department of Transportation they went right out and knocked it off. So they pulled off the tracks for this incline -- they just don't want to do anything about it -- and then they immediately got rid of the six Budd cars.

When Mayor Cappiello was mayor, of course, of Hoboken and they had to face the PATH strike I said we could use the Governor's Island Ferry -- there were two reserve ferries -- into the Hoboken slips and they fit into the Governor's Island Ferry slip. And the Commandant said, "Yes, we could try it out." So I told Cappiello about it but they got a little scared, you know. "You can't do this without a study." So that that died out and now we have an \$8 million study which is taking four years.

Only recently I had the opportunity to go to Governor's Island and there I discovered that the large Staten Island Ferries will also fit in the Governor's Island Ferry and in Hoboken. And now they've got two left over, if you say in the paper, and you could bring those over and try them out. You can get 2000 people on them and they'll go to South Ferry and everybody can have breakfast on board and save the employees the trouble of having it after they get to work. But really, here it is. Now why do we have to make studies, \$8 million, when we've got the damn thing there and try it out. Does everybody get chicken that they can't do this? They don't like mass transit. They're getting a nervous breakdown about it. And they talk about light rail. Why do you want light rail when you've got heavy rail. If you've got a heavy bridge that took 400 ton

locomotives you can run light rail over those. You're not going to pull that up and put light rail in. But when I talk to people in transportation, this is about the way they think: "We have to have light rail." And I did at one time, there was a-- we're talking transportation with the State and there was one professor from Stevens in and I was so proud and I showed him my book and he said, "Wow, you know, we no longer teach railroading at Stevens." So there's no one who really knows about this, and just like classical architecture, saving the courthouse, whatever it is, and the architect now gets a nervous breakdown about doing something. This is the reason we're not coming up with ideas for mass transit too much, everybody is scared.

But if you want me, I'll show you what to do.

ASSEMBLYMAN DARIO: I'll see. Thank you, Mr. Conrad. It's our first and there will be others. I see a hand waving back there. I think this will probably be our last testimony, no disrespect.

J O E C H E S O N I S: My name is Joe Chesonis from North Bergen, New Jersey. I'd like to take the position that is opposite of regionalization, which is continuing on -- just as devil's advocate -- and a comparison towards the last, you know, and bulwark of individual municipalities and their independence of and forthrightness for making their own development decisions. Okay? That's all.

What I'm proposing here, okay, is that I understand the transportation problem. If the densities on the waterfront become as great as they say they will, there will be severe consequences. One of the problems is that who should bear the cost of this, the State or the individual development companies who are proposing this type of development? Each municipality -- giving you a structure here, okay -- should solve its problem. No regionalization. The regionalization comes based upon the natural gravity of big money trying to solve a transportation problem. The other problems in terms of water supply, water pollution, water treatment, are fundamentally technological

problems. Each individual unit could solve their own water pollution control problems. Technologically we're here right now -- 21st century right now.

So what I'm advocating here, right now, mainly as the devil's advocate, to the regionalization problem is that each municipality forthrightly make their own waterfront decisions and the waterfront decisions are characteristic of the place. Each place has its own identity of its own self. It depends upon -- I'm a city planner -- and it depends upon where everybody defines where the boundary is, that becomes the size of the problem. We could extend this boundary over to New York City's waterfront and then everybody would be over here also, okay. And including beyond, you know, George Washington Bridge, and we'd be here with all sorts of other different types of solutions, too. But just as a devil's advocate for something that hasn't been advocated at all, is that each municipality handle its own problem and the solution for -- the cost of the solution, the cost of the solution of the transportation problem be borne by the developers of the waterfront and they should handle their loads of development impact themselves. Thank you very much.

ASSEMBLYMAN DARIO: Thank you. I'd like to thank everyone for coming and as I said before, we will be active and hopefully we'll get together and get some good development going. Thank you for being here.

(HEARING CONCLUDED)

APPENDIX

New Jersey State Library

100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098

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October 8, 1986

Members of the Assembly
Urban Policy and Waterfront
Development Committee

Gentlemen:

I represent Mr. Arthur E. Imperatore, Arcorp
Properties and Romulus Development Corp.

The chairman of your committee, by letter dated
September 22, asked Mr. Imperatore to "set aside the evening
of October 8 in order to testify before the Committee."

In his letter, the chairman in explaining his
purpose for convening the October 8 meeting stated that he
is "somewhat concerned about the dispute which continues
unresolved in North Bergen."

In an article which appeared in the Jersey Journal
on Thursday, October 2, 1986, the chairman more specifically
explained to reporter Peter Weiss that "the purpose [of the
meeting] is to review the problems between Imperatore's
Romulus Development Corp. and Rocco's Roc Harbour firm
* * *" [Emphasis added.]

From the chairman's statements, it is clear that
the October 8 event is intended to "review" the case of
Romulus Development Corp. v. Roc Harbour Corporation which
is pending before the Superior Court of New Jersey, Chancery

IX

TOMPKINS, MCGUIRE & WACHENFELD

Members of the Assembly
Urban Policy and Waterfront
Development Committee
Page Two
October 7, 1986

Division, Hudson County, under Docket No. C-2922-85E.

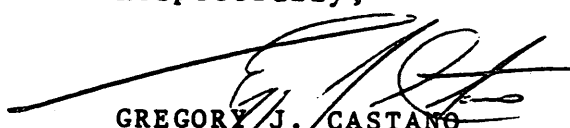
This is a case which has generated 18 days of trial during which the Court has heard 26 witnesses and examined 281 exhibits. Both sides recently submitted their written briefs and final argument will take place in two weeks.

In my view, it would be highly improper for a litigant to submit the subject matter of a case pending before the judiciary to another branch of government for "review" or to be in any way involved in such a "review." An invitation to do so is highly unusual and inconceivably insensitive to the jealously guarded Constitutional precept of separation of powers.

Accordingly, I have directed my clients not to appear on October 8.

My clients have confidence in the judicial process. They will not participate in any endeavor to undermine it.

Respectfully,



GREGORY J. CASTANO
For TOMPKINS, MCGUIRE & WACHENFELD

GJC:jka

2x

