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# *Committee Meeting*

of

## SENATE LEGISLATIVE OVERSIGHT COMMITTEE

on

### SENATE CONCURRENT RESOLUTION No. 27

*(Determines that Special Area Management Plan proposed  
by HMDC is inconsistent with legislative intent)*

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**LOCATION:** Room 319  
State House  
Trenton, New Jersey

**DATE:** February 5, 1996  
10:00 a.m.

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

Senator John P. Scott, Chairman  
Senator Andrew R. Ciesla, Vice-Chairman  
Senator John O. Bennett  
Senator Henry P. McNamara  
Senator Ronald L. Rice  
Senator Nicholas J. Sacco

#### **ALSO PRESENT:**

Raymond E. Cantor  
Office of Legislative Services  
Aide, Senate Legislative Oversight Committee



*Meeting Recorded and Transcribed by*  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, CN 068, Trenton, New Jersey

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mjz: 1-50 (Internet edition 1997)

**SENATOR JOHN P. SCOTT (Chairman):** All right, we can now convene this Senate Legislative Oversight Committee. We have a quorum.

I would like to welcome everyone. I would also like to set some ground rules. This meeting is in regard to SCR-27 only. There will be no other pieces of legislation discussed at this meeting.

We want specifics. If you want to make a statement, keep it short, no more than three minutes. We have a lot of people who want to testify for and against. We will gladly listen to a short statement. If you have a long statement prepared, then I would ask that you submit it, so that we can take it into consideration. All the Committee members will receive a copy. If you do not have anything new, then please keep it short. I will make the sole determination as to who gets to speak a little longer, in the event that we do have questions of an individual.

This bill would amend the goals, objectives, and purposes of the HMDC -- well, the "Hackensack Meadowlands Reclamation and Development Act."

What we are trying to do here is to require a demonstration of an urgent need in the original mandate before allowing development in the Hackensack Meadowlands, as the SAMP -- the Special Area Management Plan. I had hoped to have a copy but I didn't want to carry it up myself, because, for those who have not seen it, it is about that high (demonstrates), some 4000 pages. I have read a lot of it. I have not been able to go through all the charts and graphs, but I certainly went through the writing of the statement.

It is a history book. It is a lot of things about the area. But it is also a fund-raising device that adds \$1.25 per square foot for office space, new and existing. It adds \$.25 per square foot for warehouse space, new and existing. It also determines winners and losers. The losers get to sell their development rights for whatever price they can get out of it, and put it in the bank. The winners, they are the ones who get to build on their

property. In this case, the major construction site would be the mini-city in Carlstadt, New Jersey, a small community of some 5000 people.

It is also to usurp the authority of the Council on Affordable Housing. It has taken the COAH responsibilities of 14 communities and has determined, by itself, that one town should have a major portion -- once again, Carlstadt. Secaucus will also have an impact with the Council on Affordable Housing requirement. From what I read, they do not have one now. There is some contention on that.

It also provides for studies. They are going to spend some \$538 million on studies. While it says in the body that it supports the Clean Air Act, it is going to violate the Clean Air Act with the increased vehicles. The infrastructure itself, today, is crammed every morning and every evening. It is almost to a point of gridlock, and yet we are going to add tens of thousands of vehicles on the streets.

The business community, which has supported this, feels that it is good because it provides jobs. They would be impacted with something very new -- environmental police. They are going to hire three, start with three. Their sole job will be to look for violators and create-- We all know it is similar to an automobile driving down the street, no matter what you do, you are in violation of some law someplace, no matter how hard you try. Based on past history with the DEP, they will seek to provide themselves as a funding mechanism to pay for their own salaries and to build a bigger, better police society.

We also have a violation, I feel, of the requirements for closing landfills. That was a major effort. This requires a reopening of a landfill. The landfill, once again, will most likely provide revenue. If this is as it appears to be, a revenue-producing mechanism, it is well-thought-out. If, however, it is for the health, welfare, and better being of the public, I think this is the point.

In addition, Carlstadt, a small community in District 36, currently about 5500 people, will suddenly find itself tripled in size, with a good chunk of the Council

on Affordable Housing requirements thrown in there. Carlstadt, I think, is about 300 years old. It is a nice, quiet community, a German community. I think the people there-- I believe we will hear from the Mayor. I will let him tell us about the referendum they had to find out how much support they have in Carlstadt. East Rutherford, another community next to it, has similar problems.

I have reviewed SAMP, and I will have questions. I am sure the other members of the Committee will have some questions, too.

We will get started now. Try to remember to keep it short. If you want to make a pitch, that's okay. We will listen to about three minutes of a speech, if you will.

Having said that, we will start the meeting. Assemblyman Impreveduto is not here, is he? (negative response) Okay. Then I will call Mr. Anthony Scardino, Executive Director of the HMDC.

Welcome, Mr. Scardino.

**ANTHONY SCARDINO JR.:** Thank you.

Senator, I assume I am limited to three minutes.

**SENATOR SCOTT:** No, you do not have a three-minute limit. You are going to get at least four. I hope you are not going to have to read the 11-page statement.

**MR. SCARDINO:** I am not going to read the statement, but I think it is incumbent upon the -- upon me actually, and I think important for everyone in the audience, particularly the members of the Committee, to have an opportunity to listen to at least a response or two to some of the statements you made in your opening comments, which I must submit to you, I think, are somewhat distorted and taken out of context, and which I think need serious clarification.

If we are all on the same path, and that path says that we want to do something for the region that, Senator, both you and I live in, a region that I served as Senator as well for seven years, and have spent most of my life there-- I understand as well as anyone else what I think the future holds for that region. When I think in terms



of what the Hackensack Meadowlands Development Commission was created for, then I think it reduces us to a point where we accept the fact that we have a responsibility to look at that region, to look at the mandates that were given to us at the HMDC, and to ensure that at least in the next 20 years there is a future for that region.

The Special Area Management Plan, known as the SAMP, we believe, provides the future for that region. The HMDC was created to provide an oversight -- planning, zoning, environmental protection, and solid waste management -- of a 32-square-mile region in the most densely populated area of the United States, and a region that had been seriously assaulted, particularly environmentally, for at least 150 years prior to the establishment of the HMDC.

This agency said, "Take this 32-square-mile region, 10 square miles larger than Manhattan, and turn it around economically, turn it around environmentally, and make sense out of the solid waste, or garbage that was being dumped into that region." Up until 1987, on the solid waste side, we were the recipients of 30 percent to 40 percent of all of New Jersey's garbage which was being dumped in the Meadowlands. We needed to stop that, and we did.

The environmental degradation that occurred has been turned around significantly. The Hackensack River and its tributaries have been cleaned up to a significant extent. The landfills in the district that the HMDC controlled are being closed properly. The only ones in the State of New Jersey, or maybe the second ones in the State of New Jersey to have raised the funds to do that. But there are countless thousands of acres still left to be remediated that predated the HMDC. They are spewing toxics, hazardous waste, into the waters of the Hackensack River and its tributaries. We are about the business of cleaning that up. SAMP also provides the mechanism to continue that cleanup.

What we see in SCR-27 are denials. Some of the denials are that we have a serious unemployment rate in the State of New Jersey. SAMP makes an attempt, an

effort, to address that in, again, the most densely populated area of our State and of the country. SCR-27 denies an opportunity for the creation of over 100,000 permanent new jobs. This is not based on pie in the sky. This is a continuum of what the HMDC has been doing. We are not coming here to tell you that we are dreaming. We have done the dreaming. Now what we are saying is that it is time to implement. To continue on the basis of having already created 75,000 jobs in that region, we now want to continue the next 20 years with a plan that will create 100,000 jobs.

It denies the opportunity for the creation of over 70,000 construction jobs; the opportunity for the creation of 140,000 induced or indirect construction-related jobs; the opportunity for expediting a streamlined permit process, something that everyone talks about, but very few have done anything about. We have. We have brought the Federal agencies, as well as our sister State agencies, together under one roof, where people thought seven years ago it would be impossible. What we have done with EPA, with the Army Corps, with DEP, and ourselves is, we are allowing the owner of property in the Meadowlands to come and sit under one roof and get one hearing, a hearing with all of the agencies together sitting, listening, and determining the outcome.

SENATOR SCOTT: Mr. Scardino, excuse me for one moment.

You know, I see all these “denies” and “perpetuates” and so on. Where do you see that? I think I have always told you that it is marvelous having the expedited, streamlined permit process, with less governance. You’re saying this legislation specifically denies that?

MR. SCARDINO: Yes, it does.

SENATOR SCOTT: In other words, if you are going to build the housing, you can’t have both? You must build the housing in Carlstadt in order to get the permitting?

MR. SCARDINO: What I am saying is, you have to look at the Plan in its holistic sense and look at it in all of its parts, not just its pieces. If you cull out different

pieces and look at them separately, you can make an argument for each and we can spend hours, days, years doing that.

SENATOR SCOTT: Well, all right. Let me ask you this.

MR. SCARDINO: What we are saying is, you need to look at the total Plan.

SENATOR SCOTT: Mr. Scardino, one of the things I don't want to see you do, though, is to say that it denies the opportunity for expediting a streamlined permit process. an opportunity to clean up the environment, smaller and smarter government. No, this is, you know-- There is no way this denies them, except for the fact that you are saying you do not want to do any of it. If you can't get the housing, you do not want the SAMP.

Part of the permitting -- I think that is what the original-- Everybody wanted that originally. Everybody said, "This is terrific." Now where you have gone is well beyond--

MR. SCARDINO: Are you saying that we agree with everything in the Plan except the housing?

SENATOR SCOTT: Well, basically, the housing is the big item. You have taken over COAH. You have taken over the decision of another government agency. You are saying about the housing that you will determine who gets what housing. Where in the world does your mandate say that?

You were supposed to have some development rights control, so it is not all the way it was going to be prior to the HMDC. I think I told you many times that I thought it was great. It did control. Now, however, we see the opposite. It has gone the full spectrum, and it is going to be controlled in one or two areas. That is the problem I have with it, and that is what this is all about. Not the fact of the permitting, that's great. I wish we had a few more agencies in the State that would be able to do that, but not say that you are going to control the housing, you are going to declare the winners

and losers, to the point where you have excluded so much land out there that a lot of builders who own the land -- they are the losers. You have a couple who are winners, one of them big time.

MR. SCARDINO: You are bringing in several issues, and I would like to address two of them, if I may. One is the issue with the housing, and the other is with the developers who are the winners and losers.

Unfortunately, either we have not gotten our message across in the material we have sent you-- I believe we have. I think it is fully explained that on the winners and losers issue, right now, the reason you have an agency like the HMDC in that particular area is because the land you are dealing with -- the wetlands -- is different than most of the other properties or land in the State of New Jersey, with the exception of wherever else there may be wetlands. But we have taken into consideration that something extraordinary has to be done with these wetlands, particularly inasmuch as they are impacted by what is called the "Federal Clean Water Act," under which we are all mandated.

The idea is to make sense out of that. Now, when you talk about private owners -- property owners, most of the property in the Meadowlands is privately owned. You have to keep that in mind. And you're right, a lot of that land under water, property owners could not do anything with it. What SAMP does-- They were paying taxes. They had the deed to the property. They tried to get fill permits, which were impossible to get from the Federal agency. It was taking as much as six to eight years. People were giving up in the process, because they could not financially afford it.

What SAMP does is, it allows people now who have wetlands property where they could not get a return on their investment, an opportunity to do so. Just the opposite of what you said in your statement.

SENATOR SCOTT: So you're saying the losers--

MR. SCARDINO: We can show the Committee and the Senators that. You know, anytime they want to see it, we will be glad to produce whatever is necessary to make that point. The bottom line is, if you owned property in the Meadowlands and it was wet, you paid taxes on it. You could not get a fill permit. SAMP now allows a process by which you can get that permit. It would not exist otherwise.

SENATOR SCOTT: Mr. Scardino, I think we just went off again. If you get the permits, that's terrific. My problem is, you have declared who the winners and losers are. You have declared the winner, whoever owns the property in the mini-city area. You have declared that the losers are those around it, because, quite frankly, they are not going to be able to have more construction.

MR. SCARDINO: Senator, it doesn't work that way. There is a balance in the Plan that says that whether you own land that is wet and you can build on or you own land-- Let me put it this way: There is land that is wet that you will not be able to build on. There is land that is wet that you will be able to build on. I am trying to simplify this.

The bottom line is, as you go through the formula, the methodology, both properties benefit in the process, where there are no benefits today.

SENATOR SCOTT: I guess I need it even simpler, because I guess I just can't comprehend. What you are saying to me is that under SAMP now, it will take a piece of property -- East Rutherford, let's say, all right, because it is right next to the property, and that now, the owner cannot sell it. All right? But under SAMP, he will then be able to sell it, because you will issue the permit for someone else to build on it, or he can sell it as a mitigation.

MR. SCARDINO: Exactly. He can sell it either as property that can be built on, or as property now that can be mitigated as a wetland.

SENATOR SCOTT: All right, so you can mitigate it. So there is someone who benefits quite a bit.

MR. SCARDINO: Both property owners will benefit.

SENATOR SCOTT: Do you think they will both benefit?

MR. SCARDINO: Absolutely.

SENATOR SCOTT: I am encouraged.

Let me ask you this: I have seen a list a mile long of the potential infrastructure that is going to be built in order to handle this. With your own personal experience, and my personal experience, the Route 17 Interchange has been going on for 20 years, 30 years, I don't know. It may be another 20, 30, or 50 years; it may never get built. According to DEP two years ago, they said it can't be built. We have a problem with that.

What is going to happen with this infrastructure that is not going to be built? Where are you going to put these vehicles that are going to be there every day? You know as well as I do that every day we look out on Route 3 and Route 17, and all we see is a parking lot. In the evening, the same thing. That is our problem. Now we are going to add to that by having all this residential construction of homes. That is permanent. Then, of course, the offices, and so on. There are real problems with that. I don't see anything in here--

In addition to which--

MR. SCARDINO: May I address that, sir?

SENATOR SCOTT: Yes, go ahead. I would like to hear that.

MR. SCARDINO: On that -- and, again, I will try to make this as clear as I possibly can, because this is not a statement, Senator. This is not a statement that we are making today as a result of appearing at this meeting. We have been saying it consistently throughout the process over the last several years.

Nothing gets built in the district, not one square foot, unless, first of all, it is market driven, number one, that the need is there and that it is going to be able to be built and sold; and number two, that the improvements to the infrastructure are in place.

Money must be in place to improve the infrastructure necessary not only for that project, but also to address the existing -- the lenders who exist as they relate to the infrastructure, whether it is transportation, flooding, whatever it may be. That money has to be committed and it has to be guaranteed before that project is built. And that is a bit unique.

SENATOR SCOTT: By whom?

MR. SCARDINO: By the developer, primarily the developer, depending on the size of the project.

SENATOR SCOTT: They are going to be responsible for building interchanges, and so on and so forth?

MR. SCARDINO: For the most part, in and around their project, they will be contributing hundreds of millions of dollars, in some cases, for the improvement of that infrastructure, yes, sir.

SENATOR SCOTT: Wow! So they can actually be -- that project is huge -- starting on road construction requirements in the Meadowlands area?

MR. SCARDINO: You have to remember that that is coupled with some State programs that are already in place, such as the realignment of Route 129, the West Shore Rail Connection for the transit piece.

SENATOR SCOTT: Well, the West Shore Rail--

MR. SCARDINO: The Route 17 south which is currently under review, which is all under a State program.

SENATOR SCOTT: I see. So, in other words, the State is going to have to appropriate the money, basically, for these projects.

MR. SCARDINO: No. What I am saying is, the State is already committed to these projects, to the credit of the State. But, in and around the--

SENATOR SCOTT: Well, they may be--

MR. SCARDINO: --development--

SENATOR SCOTT: You and I both know they may be committed in words, but they have not appropriated any money. They are not even close to it.

MR. SCARDINO: They have, sir. They have appropriated the money, as far as my understanding goes, for the Route 120 realignment.

SENATOR SCOTT: Oh, the Route 120, yes.

MR. SCARDINO: And there is now a feasibility study, which is the step before the preliminary engineering, for Route 17 south. So the commitments are there.

SENATOR SCOTT: What was the dollar amount on that one, \$343 million, or something?

MR. SCARDINO: It depends on whose numbers you use. Our estimate is probably going to be -- and it is just a guesstimate at this time, Senator -- about \$300 million for the five-mile extension from Route 17 and Route 3 down to Routes--

SENATOR SCOTT: Which we certainly agree is needed, without any additional construction that is needed in that particular area.

Mr. Scardino, one of the problems I also come up with is the fact that -- and I will open this to some questions -- we have here in the Analysis of Alternatives the fact that there are so many other areas that could be developed and could use this.

For example, in Jersey City we have the Hudson Exchange, known as Horsimus Cove. There are no ECRA complications, and there is something that could be developed.

In the City of Newark, the area between McCorridor Highway and the Passaic River. This is something that should be taken care of.

We have about five areas in Newark that you identify as probably some places that should be developed. We now have the Performing Arts Center. If you are familiar with it, and I drive that way a lot, that whole area could be helped. Under SAMP, what I am saying is, why can't we move some of this down into those areas? We have Paterson, Elizabeth. We have all these towns that have land now available that



really should be addressed, that would help the cities out, which is one of the things, I think, the Whitman administration has said they want to do -- help the cities out -- so they can have development where it should be.

We have potential urban sites in Jersey City -- the Newport and Hudson Exchange, Newark, Elizabeth. Elizabeth has a 166-acre industrial site, and yet we are trying to build into a new area. Passaic County: The City of Passaic has a 22-acre site. It is only a couple of miles away, as you know. What is it, three miles away, that site? (no response) Yet, here we are building in the wetlands. We are building in an area that, quite frankly, does not need the construction until after we exhaust the remedies of all the towns in the area, the 14 or 15 communities. That is where we should be developing, where we should be putting our efforts, in my opinion.

I want to get on with the meeting, because we don't have all morning. I would like you to stay for a moment to see if any Senators have any questions.

MR. SCARDINO: May I just address the issue of the outlying areas that you just raised?

SENATOR SCOTT: Okay, go ahead.

MR. SCARDINO: On that, based on our studies -- our analysis -- based on discussions with real estate professionals, as well as public officials in those respective communities you mentioned -- Newark, Jersey City, and the surrounding urban area around us -- there are differing needs that are identified for those specific areas. For example, in the Meadowlands district, there is a tremendous need, and it seems to be growing in terms of the warehouse and industrial space. There seems to be a great deal of interest on the part of people to locate within the Meadowlands region for that purpose.

The Newark market, for example, is essentially focused on legal, insurance, and institutional sectors. The Passaic County market is focused on other interests. My bottom-line point is that what we have done is, we have established an organization

representative of the areas where we meet periodically and where we discuss -- and this is a relatively new initiative on our part -- our respective needs and how we can work with one another in terms of, if there is an interest in the Meadowlands district that we can accommodate, we will work with the others in the outlying district and send these people to them, and vice versa. They, as well, have been sending people to us whom they feel may be better off locating in the Meadowlands district.

I might also add, just as a final note, Senator, that on the wetland issue, when you talk about the filling of wetlands, what SAMP calls for is the filling of 840 acres of the remaining some-odd 8000 acres of wetlands in the district. This SAMP will provide a conclusion to the issue of how much can be filled in, in the wetlands.

If we go under the current Master Plan, it will call for more than twice the development that SAMP calls for, and it will call for more than twice the filling of wetlands, and then some, that SAMP calls for. That is the responsibility, the nature of SAMP itself, and speaks to what it is all about.

SENATOR SCOTT: Well, Mr. Scardino, in all due respect, from Black's Guide, the people who check on real estate, they say there is a little over a 30 percent vacancy rate in that area at this time in warehousing, and some 20 percent plus in office space, primary office space. Why in the world would we want to build -- authorize the building of warehousing when there is a 30 percent vacancy rate?

MR. SCARDINO: As I said, SAMP will be market driven. You know, you can put all of these things in place, but if there isn't somebody there willing to spend the money to build it because somebody is willing to occupy it, it is not going to go anywhere.

On the office space side, our latest numbers indicate that we are down to 14 percent, and declining. Our anticipation when we developed this program was that we would probably need some Class A office space by the year 1998 to the year 2000. We are already showing that there is a market for it at this time in the region.

As far as warehousing space is concerned-- Do you have those numbers?  
(speaking to associate, Ms. Lawlor, in audience; indiscernible response)

SENATOR SCOTT: Let me ask you this, Mr. Scardino, continuing on--

MR. SCARDINO: The same effect with warehouse space. We understand that there is a need.

SENATOR SCOTT: My numbers are as of October 1995. I don't know how late yours are. Are they as of January 31?

**D E B O R A H   L A W L O R:** Yes. (speaking from audience)

SENATOR SCOTT: That is pretty damned good if you can get that close that quick.

MR. SCARDINO: Debbie?

MS. LAWLOR: Actually, ours are, because they are from Chrishman and Wakefield. Ours are particularly to the Meadowlands region, where Black's Guide--

SENATOR SCOTT: That is what this is. Do you understand the Meadowlands region, as I read it in SAMP, covers six counties almost.

MS. LAWLOR: No, no, the Meadowlands region just being parts of Hudson and Bergen.

SENATOR SCOTT: Hold it, I'm sorry. You can't speak from there, okay? Please give your name.

MS. LAWLOR: Debbie Lawlor. I am the Chief Planner for the Meadowlands Commission.

The numbers we have in terms of vacancy rates are actually done for those sections of Bergen and Hudson Counties that fall within the Meadowlands' jurisdiction. They go slightly beyond our boundary within those counties. They were done by Chrishman and Wakefield, which is located in East Rutherford. They do numbers all across New Jersey.

SENATOR SCOTT: Well, I think Black's Guide does them impartially. That is exactly what they do for a business, is to track vacancies, you know, and, as of October 1995--

You have an expert which sells real estate. I have an expert that actually tracks real estate. I have to go with the guy who doesn't bother selling it, he really tracks it as a business. I think that is more to the point.

I understand, Mr. Scardino, that the Sports and Exposition Authority has plans to do some construction -- an ice-skating rink, retail space, offices, whatever. What impact does that have on your total Plan? I have a figure of some 2 million square feet. Is that about right?

MR. SCARDINO: Yes. That is the latest figure we heard, too, but then when we looked at it more closely, it was more like 1.4 million. Predicated on what we have allowed for the Sports and Exposition Authority in our proposal before the Federal agencies, we recognize some 500,000 square feet of that 1.4 million, because anything above the 500,000 is classified as sports related and entertainment related, as related to the Sports and Exposition Authority. This met, so far, with the understanding of the Federal agencies we have worked with.

Now, there isn't a master plan that supposedly exceeds that number of 500,000, but we have not really finalized that at this point. Right now, there are 500,000 square feet for the Sports and Exposition Authority within the Special Area Management Plan proposal.

SENATOR SCOTT: I didn't read that in there. You know, possibly I missed it, since the Plan is 4000 pages.

Are there any questions?

SENATOR RICE: Mr. Chairman?

SENATOR SCOTT: Senator Rice.

SENATOR RICE: Let me just say that I have a problem with the legislation to some reasonable degree, a real serious problem with all these authorities. I never know how to say things in Trenton, primarily because of where I am from and my ethnic background. Oftentimes, when you say things, people paint you as a racist, etc., which is fine, but there are things that have to be said.

There is always a trust factor with me. I can recall, and I am sure you can, too, the incinerator in Newark. And I can recall that people did not want that incinerator. It was shoved down our throats by the State and the County Executive, former Assemblyperson Peter Shapiro.

Then I recall, also, understanding that if you did the incinerator, there had to be at least a backup landfill for the ash. Then I recall the counties getting together. I believe Hudson was one of them, Bergen, etc. They had this group. They were supposed to find out where in New Jersey the most suitable site was for this landfill -- the most suitable and the least suitable. Believe it or not, they came back with some sites between Bergen County and Essex County near Roseland and, all of a sudden, a deal was cut with this big management company to transport all the stuff out of State.

The City of Newark was supposed to be a host community, which meant that we were supposed to receive some revenues as the host community. My argument has been -- since that day to this day, and I don't know why the administration does not pursue it in court -- that there was a breach of contract, because the dollars we were getting did not come up to the dollars that, in essence, we should have received.

Let me tell you why: We, on the Council, received some internal memos that we were not supposed to have, scraps of paper. When County Executive Shapiro saw them, he said, "Oh my God, don't put this thing in Roseland. We have to get Hughey, or Dewey, or whatever his name is, and let him know that. We have to ship this stuff out for political reasons."

So the incinerator was good enough for Newark, but the backup landfill was not good enough for anyplace else in the region, which means that Newark is paying more money to ship out of State. My argument has been that the revenues we were supposed to receive as a host are less than what we should be receiving, because we are spending some of those dollars to ship out of State. We should not pay anymore.

I have always had a distrust for entities, and a bigger distrust for those of us in government who go on to run these agencies, the Paul Contillos and others, because I watch how they use them to their benefit politically. I also have a distrust-- I go up into the Bergen County, Hudson County, Passaic County area quite often. The one thing I have learned to do -- and this is where I don't want people to take what I say the wrong way -- is, I have learned to pay attention to who have the jobs, and to find out in this one State, many places in this one state that the Governor talks about, and the diversity other governors talk about-- Why is it that the unions still do not have a significant number of minorities and women on those jobs? They fake it in the city, because we can watch. They think that we do not go up Route 17, Route 202, Route 206, etc., but some of us do.

Then when you look at the whole Meadowlands group-- I have not paid attention to see what type of -- I don't want to say "affirmative action," but what type of objective relationships they have with all people. Then when I see jobs coming into a particular region, you know, if you walk into those corporations, you still don't see a significant number of minorities, even though you may see a significant number of women. Then when you get into the Bergen County area, and you go into buildings and start talking to people, they don't know who you are. You say, "Where do you live?" "New York, New York, New York." So I say to them, "Why are we building industry on this side of our borders to employ a population from New York, when we have the unemployment rates you talk about? And why do we not encourage--

“You have new training programs for urban dwellers who also have an ethnic background. I can assure you that most urban dwellers have a real problem economically to train and get some of these ‘jobs’ coming in.”

What does the Meadowland authority -- your authority, the authority you work with -- what do you do or say to developers when they come in and say, “We want a contract to do all these things”?

I can almost assure you that not one person on the Commission sat down and said, “Well, we don’t have to build anything, but we want to. We know under law that we cannot make you do anything, but can we have an understanding that there is going to be real participation, because New Jersey people have needs, regardless of their biological makeup, so that people like Senator Rice, who happens to be African-American, doesn’t have to raise the issue whereby people look at him like he’s crazy.”

If any of my colleagues raise the issue, it is an acceptable issue to discuss. When I raise it, or people like me raise it, it becomes an excuse -- “You want everything for blacks. You want everything for this. You want everything for that.” If women raise it, they want everything for women.

So I have a real nasty taste about the incinerator situation, which you were a part of in terms of just interacting -- okay? -- and State government was, too. I have a real serious problem when cities like Newark, and others, getting all these criticisms about failing school systems and corruption. I am not saying we shouldn’t receive the criticisms, but we never have the benefit of the press talking about the good things that are happening.

When you mentioned this group that spoke to local officials, believe it or not, I am still on the City Council. I am a local official. And guess what? As far as this counts, I happen to be the Chairman of the Economic Development Finance Committee. I don’t remember talking to anybody.

Now, you can talk to the administration, but if you lay it under Plan C (indiscernible) on the City Council desk, and I say “No” and my colleagues give me four votes, you’re in hot water. So, while we are not talking, so somebody can keep some integrity in the process, then you talk about how Newark is the lowest in insurance, legal, and that kind of industry, and you’re right. It has happened by a natural process.

But apparently, you talked to the wrong officials in Newark, because Newark is also talking about how to get the manufacturing industry and some of those other organizations back, because we have the largest and the strongest port around, etc. There are people who travel throughout this country who are very interested in that kind of a dialogue with folks.

So I have to agree with the Senator that we do not need to, like, reinvent the wheel. We do not need to go and create something until we take advantage of what we have in terms of our natural resources, our human resources, etc. Now, if it is just a matter of keeping jobs for the people on the Commission and people working for the facility, then we can work that out, too. But it seems to me that good, sound management, at least from the State perspective--

I would expect the authorities to be more narrow in their thinking, because if I was on the board I would probably be the same way. But, as legislators and Governor, we should be more objective in looking at these kinds of things, and say, “Look, we are going to help you, but this is not the way to do it.”

The reason I say I had problems with the legislation is because I recognize the need to have all those jobs in New Jersey, particularly with the AT&T situation and everything that has happened, and particularly with the projection that was done under the Tom Kean administration. In the year 2000, and thereafter, there are going to be 200,000 jobs in New Jersey, and we will only be able to fill 100,000 of them. That is the part that always stays with me, because you’re saying that the government was right, there is a way of creating them, but I still see 100,000 slots I can’t fill, which means New



York, because nobody is going to deal with Passaic residents, Paterson residents, Jersey City residents, Trenton residents if they want to travel by rail, and Newark residents. That is the point.

For that reason, I am going to vote to release this bill. I am going to vote to release it until someone can tell me, before we get to a floor vote, why I shouldn't continue to support this legislation. I don't see any real benefit in it for New Jersey as a whole. I am not so sure there is a real benefit-- There are some benefits for the region, but the question is, I am not sure about the pain for the gain.

I see unions benefiting, and I do support labor. I am a Democrat. I believe in putting people to work. But I do not see a lot of people who look like me, and look like others from the urban cities benefiting, even with the unions. They don't even put us in them half the time. They give us less work.

Then I see businesses being hurt. I have enough problems with the Meadowlands right now that nobody wants to address. There is minority participation, but there is an injustice in terms of treatment. I don't have all the answers, I am only one person. But once in awhile I like to publicly make citizens aware that I do have an idea about what is going on. Sometimes, they may not know these things, and I want to keep them public, not that anybody cares to any reasonable degree, and not that I can change things overnight. But I have a real concern.

One of my concerns happens to be in terms of trust and commitment of entities like yours -- not you personally, but entities like yours: Passaic Valley Sewage, you know, the Port Authority, and all the rest of them. I can't even get the Governor to sign a simple referendum demolition bill. I just don't understand New Jersey.

SENATOR SCOTT: Thank you, Senator Rice.

Senator Sacco?

SENATOR SACCO: We have severe time constraints right now. I would rather defer my comments until later.

SENATOR SCOTT: We are under time constraints.

Thank you, Mr. Scardino.

We got started a little bit late, and we are running a little bit late, so I would ask, once again, to keep it short, keep it sweet.

I would like to call Mayor William Roseman, from Carlstadt.

**MAYOR WILLIAM ROSEMAN:** Thank you, Senator.

Before speaking, I would first like to submit some reports that Carlstadt has previously submitted during the SAMP hearings. I think they give a very good, general overview on Carlstadt's stand.

Thank you, Senators, for inviting me to come down to speak to you today with regard to this bill.

My name is William Roseman. I have lived in the Borough of Carlstadt my entire life. I served as a Councilman for a 14-year period, and recently was elected Mayor.

For expediency, knowing that there are certain time constraints, I will get right to the point. In particular, the SAMP has a devastating impact on the Borough of Carlstadt, some of the items the Senator alluded to a little bit earlier, which include approximately 5800 housing units. For every one housing unit, Carlstadt currently has one resident. We would be increasing Carlstadt's population from approximately 5500 to 5600 individuals to approximately well over 14,000. It would be equivalent to two of the largest shopping malls that we have up in Bergen County that they would be placing down in Carlstadt as well, and enough office complexes to be equivalent to one-and-a-half Empire State Buildings.

In particular, to address these issues individually, the housing aspect, we believe, will create a polarization within our community. The residential area -- the newly proposed residential area -- will be more than two miles separated from the current residential area. We believe that will create lopsided government and, in that regard, we

believe it will be equivalent to Dickens' tale, "It was the best of times, it was the worst of times," with the newer side of Carlstadt getting all the attention, and the old side of Carlstadt going to hell in a handbasket.

We need to provide additional community services. Carlstadt has a very fine volunteer Fire Department. It has served us since 1872. We would lose our volunteer Fire Department, lose our volunteer Ambulance Corps, and it would cost us approximately \$60 million to house and school the additional children that would be brought into the area.

The shopping area, we believe, will contribute to air pollution, air pollution, from what I have read, that would require governmental agencies to come in and check the quality of our air at that time.

It would cause extreme traffic problems with the advent, keeping in mind that we are in the heart of the area right next to Giants Stadium, the arena, and the racetrack. Traffic, right now, is horrendous.

As the Senator alluded to earlier, right now, we have a 30 percent vacancy in the Borough of Carlstadt. Just recently, we had to refund \$2.5 million in tax refunds to some of these corporations. The magnitude of the additional office complex, we believe, will have an additional detrimental effect on our community.

Generally speaking, the people in Carlstadt are very upset. Seventy-seven percent of those who voted in a nonbinding referendum voted against this project. Recently, a poll was taken of Borough residents which showed that between 81 percent, and with the margin for error, 87 percent were against this particular project. The question my residents, or my constituents have is: "What wrong turn did government made, when the people of their own community no longer have a say over what occurs within their boundaries?" This was supposed to be the primary purpose of our government in general, and here Carlstadt has nothing to say about what is going on.

Carlstadt supports SCR-27. We believe that if what is good for the HMDC is as good as the HMDC projects, then certainly the people in Carlstadt would not have a problem with it, and they undoubtedly do. We believe the power should be granted back to the people. The people of Carlstadt should have the opportunity to comment, or to at least make a statement in this regard, and rule their own destiny.

The passage of SCR-27 does not hurt the HMDC. What it does is, it perhaps maybe will put a clamp on the hubris of this bureaucratic agency that believes they know what is best for the people better than the people do.

In this regard, I would like to again thank you for inviting me to come down to speak.

SENATOR SCOTT: Thank you, Mayor.

Buddy Davis -- is he here?

MAYOR ROSEMAN: Yes, he is here.

SENATOR SCOTT: Would it be possible for us to combine, because--

**C O U N C I L M A N T H O M A S R. D A V I S:** I was going to suggest, Senator, that I would send in my written statement.

SENATOR SCOTT: I appreciate that. Thank you very much. Buddy Davis, Councilman, Borough of Carlstadt.

MAYOR ROSEMAN: I also have a written statement, which I will submit. Thank you.

SENATOR SCOTT: Thank you.

Mayor Anthony Just, Mayor of Secaucus. Assemblyman Impreveduto, maybe you would like to sit with the Mayor.

**A S S E M B L Y M A N A N T H O N Y I M P R E V E D U T O:** Why, Mayor, I would be absolutely honored.

SENATOR SCOTT: Mayor, Assemblyman, as I said, we are pressed for time, because we have a caucus, and so on, so we are kind of cutting it to the quick.

ASSEMBLYMAN IMPREVEDUTO: All right. I can wait until the next hearing.

SENATOR SCOTT: Well, we will let the Mayor go, and then you may add to it, if you would.

**MAYOR ANTHONY E. JUST:** I want to say thank you very much. It is nice to be here, and it is nice to see that someone has concerns about what is happening under the HMDC -- the Hackensack Meadowlands Development Commission. I know that Senator Sacco was a Commissioner up until recently on the HMDC, as he served his town, North Bergen. He is a Mayor, and his is also one of the 14 towns.

Since January 13, 1969, I have felt that the 14 mayors of the 14 towns were like geldings on a horse breeding farm. You see, we have very little to say. I am going to give you some proof.

When the Kearny official, Raymond Narwood, was insisting that some of the people who are developing in our towns come before the Planning Board-- See, he would deny that. I just want to bring a little history to this, and then I will go into the SAMP, if I may.

SENATOR SCOTT: You are not going to have, you know--

MAYOR JUST: I know, I have three minutes, and I will stay to that.

Just to add something to the minutes here, this was from Mr. Scardino to the construction official, Raymond Narwood: "Furthermore, you stated that the town takes the position that applicants must appear before the Planning Board. Since the Commission -- the HMDC -- functions as the Planning Board and Board of Adjustment for all 14 towns, what legal basis is there for this determination? Why would the town want to submit potential developers to a duplicative process that would only serve to delay development?"

Now, let me say this: I sent this flyer out prior to election. I had to tell the people what SAMP was all about. "It is filling in 900 acres -- close to 900 acres -- of pristine wetlands, building the following in Secaucus and Carlstadt: 14,000 housing units, 24.3 million square feet of office space, 9 million square feet of warehouse or distribution space" -- and, by the way, a lot of vacancies in Secaucus on Metro Way and in other areas of town -- "2.5 million square feet of commercial property."

Now, Secaucus has the experience of dealing with other development. SAMP is in addition to Allied Junction's 540 Story Towers, 5 million square feet, Villages at Mill Creek, 2000 residential housing units, and the Hess 23-story commercial tower. See, Secaucus is a breadbasket for 40,000 people; 14,000 of us live here. So the HMDC came in, January 13, 1969, issued the permits, but we got stuck with a \$33 million sewage treatment debt for expansion. The expansion of the treatment plant cost us \$33 million. We, the people of Secaucus, are paying off that debt. Yet, over the years that we have been within the HMDC, we have already contributed \$30 million to the HMDC tax-sharing formula.

So, from past experience where we had nothing to say about what comes into our town, we have had to suffer the expenses of sewage treatment. Hartz is suing Secaucus to take over delivery roads, and we have nothing to say about building them, planning them, or engineering them. The HMDC just backs off.

So what will happen with SAMP? The same thing that has happened over the past 20-some-odd years. Secaucus, you are stuck with it. You have your headaches. You should be happy because you have the hotels and other problems that go with it, because we helped to bring those things there.

Secaucus taxes are not that cheap, what we have to give out. The problem is, I would hope that someday, as you study this whole situation, that you will go back to giving us home rule. I am a Mayor, elected by the people. The HMDC has been

mandated by elected officials, but they are not elected people. If I do something wrong in my town, people, in two years, can dump me out. What do you do with the HMDC?

I am happy to be here. I am telling you my problems. Don't give us more problems. I am glad you are interested in what is going on with SAMP, but stop it.

Thank you very much.

SENATOR SCOTT: Thank you.

Assemblyman?

ASSEMBLYMAN IMPREVEDUTO: Thank you, Senator.

It is sometimes difficult to follow the Mayor and his impassioned pleas when it comes to the HMDC.

Certainly, as you well know, and as many of the members of the Committee know, I have done a lot of legislation, certainly, in the past eight years concerning the HMDC. Probably one of the most important pieces of it is the fact that in all cases, the mayor of an individual municipality really has no say on what is happening in his own town.

In the situation of Secaucus, it is virtually over 90 percent of all the land in the town -- in the municipality. The Mayor and Council have no control over it. People have elected the officials to have a say in their town, but, unfortunately, they don't, in this particular case, unlike any other situation.

However, when it comes to development of any kind, way, shape, or form, I think it is certainly incumbent upon the HMDC to listen to the towns and the mayors of those particular towns, not only where the development is going to be taking place, but those contiguous municipalities which also bear the burden of that development, in many cases.

I am not anti-HMDC in any way, shape, or form. I just believe they have gone beyond their purview in some instances. The original concept was right. Having a Master Plan for orderly development makes sense to me. The problem comes in as:

Do we put all of the development in one area? We do not all necessarily agree with the Master Plan as it exists, but the concept of the Master Plan is good.

I have been a proponent. I have legislation in that talks to the fact that the mayor of a particular municipality where development takes place would have the right to veto any HMDC plan where development would take place in the Mayors' Committee. The Mayors' Committee would then veto that project. The only way that could be overturned, under my legislation, would be by a unanimous vote of the Commissioners of the HMDC. Currently that process is there where, I think, a majority of the mayors on the Mayors' Committee can reject a development plan, and then -- two-thirds?

MR. SCARDINO: Five of the seven.

ASSEMBLYMAN IMPREVEDUTO: Five of the seven Commissioners can override that. My plan just takes a step forward similar to this, where the mayor would take it to the Mayors' Committee. He could veto that Committee, being the mayor of the town where the development was going to take place, and then that would force the Mayors' Committee to reject the plan, and the HMDC, then, would need to override that with a unanimous vote of all seven of its members.

SENATOR SCOTT: I will take a look at your legislation. Perhaps we can do something about--

MAYOR JUST: Senator, may I have one more line?

SENATOR SCOTT: Mayor, we are well beyond the three minutes.

MAYOR JUST: All right.

ASSEMBLYMAN IMPREVEDUTO: I know you are in a rush.

SENATOR SCOTT: Thank you very much.

MAYOR JUST: Thank you very much. I'm happy with that. It was nice to be here.

ASSEMBLYMAN IMPREVEDUTO: I think his concern is the concern not only of the town of Secaucus, but of Carlstadt and many of the other towns.



Guys, thanks for having the meeting. I need to run to my next committee meeting.

SENATOR SCOTT: I understand, Assemblyman. Thank you.

SENATOR RICE: Mr. Chairman, let me just--

SENATOR SCOTT: Oh, I'm sorry, go ahead, Senator Rice.

SENATOR RICE: As I recall, this issue of home rule is not new coming from the Mayor. If I recall, we sat, probably, at the same hotel in Newark when Florio came off of his new campaign manager. Were you at that meeting, Mayor, and you argued with reference to excluding you from the process? Remember the Florio campaign and the guy who ran the campaign came to town? Are you from Secaucus?

MAYOR JUST: Yes.

SENATOR RICE: I recall your arguing that same issue about folks coming in and telling us what to do in our towns. You argued that Secaucus was a very small place, and you resented the fact that we continued to try to push you around up here.

I just want to let you know that this issue of home rule is not new from the Mayor.

SENATOR SCOTT: I know. It has been going on.

Thank you very much, Mayor.

MAYOR JUST: Thank you.

SENATOR SCOTT: Once again, I took the liberty of extending the Assemblyman the courtesy of testifying -- professional courtesy. I would like to now hear from Deborah Hollander.

**DEBORAH I. HOLLANDER, ESQ.:** My name is Deborah Hollander. I am in-house counsel with Hudson Meadows Urban Renewal Development Corporation. I have extensive notes and analysis. Rather than go through them in detail, I would prefer to submit them and just address a couple of the points that have already been raised. Is that acceptable? (no response)

First of all, I would like to make a couple of points about winners and losers under the SAMP and the business community support for the SAMP. It is not true that the entire business community supports the SAMP, because most of the business community would be losers under the SAMP. Every existing business property will be taxed an extra \$300 million under the SAMP. What's more, the SAMP predicts that there will be an overall vacancy rate of 15 percent to 20 percent if the SAMP plan goes through. This is in the draft EIS in Section 2. It has not been widely publicized.

Well, New Jersey has been suffering from those kinds of vacancy rates, but there is certainly no reason to plan for them in the future, and that has nothing to say about what the vacancy rates and the economic impact would be on cities in the area which actually want development.

With respect to the issue of whether the SAMP adequately reflects the needs of cities such as Newark, I went through the SAMP discussion of cities very carefully. What it says specifically is that "the prime real estate market," the people they want to bring the jobs to, are not the type of people who want to live in the cities. I found this personally offensive. I have lived in cities. I like city dwelling.

It also makes comments that apart from a few industries, very few white-collar businesses are going to want to stay in places like Newark. Well, I drive through Newark every day and, frankly, I see a thriving town. I also note that the SAMP itself notes that one of the most successful housing projects in the entire State recently, much more successful than in the suburbs, has been the new Society Hill Project in Newark. That in itself, I think, addresses the question of whether or not housing must be built in places like Carlstadt, must be built on wetlands, and must destroy, for those people who prefer small town living, that option.

Another issue regarding urgent need, which I really--

SENATOR SCOTT: Deborah, I am going to have to really be strict now. I'll tell you why. We are closing up at 11:30. I have seven or eight people at least who

would like to testify. If you multiply seven or eight times three, it doesn't work out to the time.

MS. HOLLANDER: May I just address the solid waste, because I think this is critical.

SENATOR SCOTT: You have to cut right to the quick.

MS. HOLLANDER: The SAMP -- as you indicated -- proposes a major new construction and demolition unit to be built on Kearny, the first reopening of the supposedly closed landfill, a landfill, by the way, which had been closed by HMDC.

The State has filed briefs in the United States District Court and it has begged the U.S. Congress, saying: We do not have-- There is not enough construction and demolition debris out there to support the existing and the already bonded State facilities. The State has submitted documents saying that all the municipally bonded authorities may go bankrupt, may be unable to develop their closing funds, may require huge new taxes to support the facilities that already exist, and what they need, supposedly, is construction and demolition debris. They cannot afford to compete for them.

The HMDC, planning a massive new regional solid waste facility for construction debris as part of the SAMP, has a fund raiser. Well, I cannot think of anything more ludicrous than having to have the State go begging, hand in hand, to the Federal District Court, saying: "Okay, maybe this looks like it violates interstate commerce, but please create an exception. We need to be able to stir construction and demolition debris to existing facilities. Have the United States, have the congressional delegation begging with their colleagues from around the country for a special exemption on that.

SENATOR SCOTT: Deborah, I'm sorry, but I have to cut you off. We just do not have the time.

From here on, if you have something specific-- We have heard a lot of testimony. As you can see, some of the Senators are leaving for other hearings, and so on. We will take the testimony. If you have it in writing, leave it, and it will be appended to the transcript. We will go on from here. Thank you.

Mr. Alfred Porro.

**ALFRED A. PORRO JR., ESQ.:** I have a written statement, which I will submit, and I will be well within the three minutes.

**SENATOR SCOTT:** You're down to two and a half.

**MR. PORRO:** Two and a half, okay. Senator, I know the way you like to bullet things, so I'll bullet it.

The dream has turned into a nightmare. I represent the Borough of East Rutherford and the Borough of Carlstadt. We do not want the mini-city. We do not want a new city in our Meadowland.

On the statement, you will see on pages 3 and 4 that I have given you a chronological breakdown of what has happened since 1967 through 1995. Former Senator Scardino was right. In 1967, we needed coordination. The dream started. The first 10 years of the dream were true master planning, true coordination. You will see that, gradually, it turned into the end pages as we started hitting 1988 -- and I am not covering all of the dates -- into the 1990s. We found an agency that was unresponsive to what the people in the communities were saying. You will see that they have formed a partnership, and the partnership is called Empire. They have created their own Empire to put into our Meadowlands a new city.

This is a nightmare to the communities. It is a nightmare to every one of the cities that are faltering. It is a nightmare to Newark. It is a nightmare-- You name the city, and it is a nightmare to them. It is also a nightmare to the other communities within the HMDC. Lastly, it is a nightmare to every one of the other landowners who are going to be asked for the special assessment to carry that load.

I thank you.

SENATOR SCOTT: Thank you very much, Mr. Porro. We appreciate that.

Mayor Pete Russo.

**MAYOR PETER J. RUSSO:** My name is Peter J. Russo, former Assemblyman from 1967 to 1973. I was in the Assembly when this bill passed. I am so happy that at that time I voted against this bill, and I would vote against the Meadowlands Commission again if I were still an Assemblyman.

Now, here we have The Observer in Kearny. Kearny gets \$2,811,700. North Arlington gets \$442,000. Lyndhurst has to pay \$285,000. I would like to have you keep that paper there.

SENATOR SCOTT: I get a copy of it. Thank you.

MAYOR RUSSO: Now, this group of people want to spend \$900,000 of our taxpayers' money.

SENATOR SCOTT: Nine hundred million. I think it is \$900 million.

MAYOR RUSSO: Nine hundred million. Here they are-- We have cities like Camden, a mess. Jersey City -- I walked on Central Avenue and all that area -- a mess. Paterson, a mess. Passaic, a mess. Union City, a mess. Newark, a mess. Hoboken, a mess. All these cities. If you have \$900 million, you better put the money where it should be put, where people need help and are not getting it from this Meadowlands Commission.

This Meadowlands Commission should be reconstructed. When it was constructed in the year 1969 -- that is when it was really constructed -- they didn't have one Assemblyman on the Commission, or one Senator, during the last 25 years.

During the last 25 years, what have they done? They were ordered by Governor Kean to put DeCorte Park in. They never put it in. They were ordered to put the extension to Route 17 in on the open floor. The Hackensack Meadowlands

Development Commission defeated Route 17 going through the Meadowlands. It was a disgrace that they did that, because they caused nothing but problems with our taxes.

Now, when you talk about the 18 towns that are surrounded here, these people need tax relief. They do not need more huge buildings. They are not going to do it. Carlstadt should not be burdened with this 5800 homes. This is a disgrace to the State of New Jersey. Mr. Scardino and his company, who have \$4 million in salaries, should, once and for all, do something about it, something constructive for our people. We don't have it here, and I am sick and tired of them running our area up there. This is more like a dictatorship than it is something run by the government.

The Assembly and the Senate, for the last 25 years, have not known anything about it. Within one mile of their place -- I will soon be finished -- they have contaminated land right near that building there. For the last 25 years, they have done nothing to take that away from there.

Now, this Meadowlands Commission should be reconstructed by the Assembly and the Senate.

SENATOR SCOTT: Mayor Russo, I have to thank you very much. I am glad you have some feelings on this.

I would like to call Alan Steinberg, Assistant Commissioner of Commerce, who is opposed to the legislation.

**ASST. COMM. ALAN STEINBERG:** Thank you, Senator. Out of my deeply felt respect for the Senate schedule, and also due to the fact that I am severely afflicted, I will keep my--

SENATOR SCOTT: I can hear that.

ASSISTANT COMMISSIONER STEINBERG: --remarks to less than 60 seconds.

There is a need, in this era of downsizing, for substantial economic development. In this era of continuing environmental pollution, there is a need to preserve health and the environment.

Our position is that SAMP is a most noble attempt to balance the needs of economic development and the environment. In this era of population growth, there is a need for expanded housing consistent with concerns of home rule and the quality of life. We feel that SAMP is also a noble effort in that regard.

We understand fully the concerns that have been expressed here. However, we feel that the process of the adoption and formulation of SAMP has proceeded in a most deliberative and careful manner, and for that our Department extends its congratulations to Tony Scardino and his staff.

We do oppose the legislation and, as a Department, we espouse the position that SAMP should proceed forthwith.

Thank you, Senator.

SENATOR SCOTT: Thank you.

Next we will have Jeryl Maglio. I don't know if you just came in, but we are cutting you down to a very quick response. We do not have the time. We are out of time, completely out of time.

**J E R Y L M A G L I O:** Thank you, Senator. Sorry, I was upstairs testifying at another hearing that we discovered over the weekend, too.

Thank you, again, for allowing us to speak. We obviously oppose SAMP. It involves-- I will just capsulize it. We have here the reopening of the Keegan Landfill.

SENATOR SCOTT: I'm sorry. Excuse me. You have to introduce yourself.

MS. MAGLIO: Jeryl Maglio, Hudson Meadows Urban Renewal. We are property owners in the HMDC District.

The reopening of the Keegan Landfill violates-- It was opposed by the mayors. It violates the Solid Waste Management Plan. With the recent Court decision, it is now financially unfeasible. It is opposed by the people.

I think that besides reopening the Keegan Landfill, which is one of our problems, HMDC has included a 300-acre freshwater marsh. It concedes that it does not need it, but it has been HMDC's attempt to gain control of this marsh since the late 1980s, when it attempted to broker a deal between Hudson Meadows and PanAm as part of a mitigation plan, because apparently wetlands were filled in at the Teterboro Airport without the necessary approvals.

Negotiations broke down because Hudson Meadows would receive virtually no benefit whatsoever from these valuable mitigation rights. Later, we were informed by the attorney for PanAm that the HMDC had attempted to break our lease rights on the property and gain control of this land. We were also informed by him that if the HMDC wants a particular project, they will make it happen, and if they do not want it, they will use all of their power and authority to prevent it. SAMP is an example in point. They have used their zoning authority to prevent our property from having value, and their Solid Waste Management Authority to cite this property for garbage, so that when it is condemned, it will have virtually no value and they can acquire it for practically nothing.

This is a conflict of interest and an abuse of authority. On the other hand, they have orchestrated a cooperative arrangement between EPA, DEP, and the Army Corps to permit violations of existing environmental law, all kinds of taxes, assessments, and improvements to be paid for by existing and future businesses in order to benefit a few preferred developers and create massive unwanted projects that would have never been allowed under existing law.

I just have a closing, but--



SENATOR SCOTT: Well, all right. I appreciate your expediting your testimony. Do you have a statement that you can leave with the Committee?

MS. MAGLIO: I sure do.

SENATOR SCOTT: All right. If you will leave that, we will have copies sent to all the Committee members.

MS. MAGLIO: I will provide you with all the documentation.

SENATOR SCOTT: Thank you.

If I may, I would like to call-- There are several contractors and union groups. You are all opposed to it, and I was wondering if we could all get together at one time and have one statement issued, in the interest of time. I am running out of time.

We have Charles Wowkanech, Kevin Monaco, Erica Ferry, New Jersey Alliance for Action, and Jim Kirk, New Jersey State AFL-CIO. There are two people from the AFL-CIO. I can see where you are all opposed to the legislation, so if you have any written statements, of course, we will be glad to take them. But if someone could have a nice, clear, concise statement as to why, I think we can go from there.

**J A M E S K I R K:** Mr. Chairman, I'll start, in deference to the young lady. I represent the AFL-CIO.

We oppose SCR-27 on the basis that it is trying to curtail development in an area that really needs the jobs and the State needs the revenues.

The creation of 34,000 jobs -- some permanent, some construction, and some indirect -- is necessary, since the predictable level of revenues for the State of New Jersey is down, and New Jersey maintains the second highest unemployment rate in the country at this time, at 7.3 percent.

Basically, that is our opposition. We look for the jobs. They are protecting the environment and they are creating additional revenues for the State of New Jersey.

I have statements here that you can give to the members of the Committee. Now I will defer to some others.

SENATOR SCOTT: Thank you.

**ERICA D. FERRY:** Mr. Chairman, my name is Erica Ferry. I am Vice President of the New Jersey Alliance for Action, Inc. We are a business, labor, academic, governmental, and professional organization.

We support the SAMP, because we feel it will give our economy a big shot in the arm and will provide work for people who need it. It will also protect our natural resources and environment.

I have a written statement with my testimony from the August 29 SAMP hearing, which I will hand out.

Thank you.

SENATOR SCOTT: I appreciate that. Thank you very much.

**KEVIN MONACO:** Mr. Chairman, I am Kevin Monaco with the Utility and Transportation Contractors' Association.

We also support the SAMP, not only for the economic benefits, but also for the environmental benefits. The development is only 1700 acres of the 20,000-acre Meadowlands area. It also provides for the conservation and preservation of 4200 additional acres, and benefits, with \$900 million, environmental remediation.

We feel the Plan is good for the economy. It is good for the environment. Our membership fully supports the Plan.

SENATOR SCOTT: Thank you.

Yes, sir?

**CRAIG WASK:** Senator Sacco, I am Craig Wask, from the Bergen County Construction Labor Trades Council.

SENATOR SCOTT: I am not Senator Sacco.

MR. WASK: I'm sorry.

I am just here to make something clear. Believe it or not, we have a tremendous amount of-- We represent over 20,000 members and their families in the

area. A lot of our members live in the towns that are affected, and I understand some of their concerns.

People think that we are not concerned with the environment, we are not concerned with overdevelopment. We are concerned with both of those things. But the primary thing we are concerned with is earning an honest day's living.

We get a lot of lip service from political entities, both sides of the aisle, about creating jobs in the State. We are not interested in McDonald's. We are looking for real opportunities to make money to feed our families.

This is a well-thought-out Plan. We do not need another entity to put a roadblock in the way of development. We need that.

That is all I have to say.

SENATOR SCOTT: Thank you very much.

**JOSEPH A. McNAMARA:** Senator, my name is Joe McNamara. You may be calling me next. I am Director of the New Jersey Laborers'-Employers' Cooperation and Education Trust. We are a management/labor organization representing the construction industry, contractors and laborers who are involved in construction and environmental remediation.

We also support the SAMP. We believe the development of the Hackensack Meadowlands has been very well coordinated. The SAMP does allow for and provide the ability to continue that development from an economic and environmental standpoint. It has the input of the environmental agencies, and we think the network is there to ensure that the development is done in the most efficient and productive way.

So we do support the SAMP.

SENATOR SCOTT: That is why I was curious.

MR. McNAMARA: Yes, I understand. I was supporting the SAMP--

SENATOR SCOTT: That is why I was curious. That's okay.

MR. McNAMARA: But I am with the other group. Okay, Senator?

SENATOR SCOTT: Okay. That's very good.

MR. McNAMARA: I have a more detailed statement.

SENATOR SCOTT: All right. Please leave that, Joe. Thank you very much.

If I may, I now call Mr. Ian McPherson, Quality of Life Coalition, and Mr. Andrew Willner, Baykeeper NY/NJ Harbor, a program of the American Littoral Society.

I see, Mr. Willner, that you are in favor of the legislation. I am not sure where Mr. McPherson is. I think he's for it.

**I A N M c P H E R S O N:** I am for the legislation, yes.

I will keep it very quick. I am very happy here to have this forum. I have testified at many, many hearings sponsored by the HMDC. This is the first time where I feel that my comments will be listened to, appreciated, and heard, which goes directly to the core concept in my opposition to the current way in which the HMDC operates, which is in total destruction of the democratic process.

I, as a citizen of my town, I believe, have a right, along with the other citizens of our town, to decide if we want to put our heads in the sand because we want to live in a small town. We do not need the vision of the Hackensack Meadowlands Development Commission to cram down our throats and instruct us in the best ways to conduct our town.

If we choose to go broke, that, I understand, is my democratic right. We do not need somebody from the outside telling us how to run our town.

I am all for the folks from labor. I am for them having jobs, but they do not need to be in the Meadowlands, as has already been stated. There are other opportunities in Newark, etc. I am fully for the building in Newark, etc., places that are crying out for it. We do not need to fill in pristine wetlands. I once believed that the only good wetland

was a filled wetland. I have learned, we all have learned, that that is not necessarily the case.

Unfortunately, it is tantamount to-- In the age of the PC revolution, the HMDC is still counting on its fingers and toes.

SENATOR SCOTT: I am going to have to ask you to conclude. I'm sorry, but we just don't have the time.

MR. McPHERSON: Okay.

I support, finally, the injunction of the democratic process that your bill will be listed.

Thank you.

SENATOR SCOTT: Thank you very much.

Yes, sir?

**A N D R E W W I L L N E R:** My name is Andrew Willner. I run the Baykeeper program for the American Littoral Society.

I have written testimony, which I will submit. I am also submitting, on behalf of 14 other environmental organizations in the State, the comments we presented at the SAMP public hearings.

We believe there are workable solutions to regional planning, and a SAMP may be one of them. Unfortunately, this SAMP does not do the job in terms of regional planning. There was not enough, and there will not be enough citizen participation.

We believe there should be additional citizen participation through a series of town meetings. We think the Plan should also include a pollution prevention and sedimentation prevention plan to help to preserve the Port and thousands of jobs.

What we do not want to see is the return to the days before HMDC when each town in the district fought over development and chased ratables.

We have learned significant lessons from the SAMP process. Most importantly, when citizens become informed, they become articulate advocates for their

homes and their neighborhoods, their communities, their children, and our shared natural open space resources.

It appears in Senate Bill No. 318 that it is the Senator's intention to include cross-acceptance as it has been used in the State Development and Redevelopment Plan in the SAMP planning process. However, unlike cross-acceptance, Senate Concurrent Resolution No. 27 appears to give any town veto power over the Plan, no matter how good the Plan is.

It should be clear to all that a regional plan is necessary. I want to make it clear that the environmental organizations in this State favor regional planning for the Meadowlands District and believe a SAMP is the best method to meet these areas' needs. In fact, SAMP is not possible under the law unless there is a regional planning authority.

The Legislature must be mindful in debating this bill and its accompanying resolution not to create a situation in which regional planning can never come to pass. This country has successfully depended on majority rule decision making for 200 years. We believe it is dangerous, at this point, to offer minority veto power.

Real regional planning where citizens determine their future and a regional planning agency that uses professional expertise to articulate citizens' needs are possible. Creative legislation and resolutions which institutionalize this relatively simple process are needed. The citizens of the Hackensack Meadowlands region have been subjected to some of the worst environmental conditions in the nation. We have an opportunity to begin to correct that situation.

Thank you very much.

SENATOR SCOTT: Thank you very much.

There are no other speakers.

I will entertain a motion to move the bill.

SENATOR SACCO: I make the motion.

SENATOR SCOTT: Senator Sacco.

SENATOR McNAMARA: Second.

SENATOR SCOTT: Seconded by Senator McNamara.

MR. CANTOR (Committee Aide): On the motion to release Senate  
Concurrent Resolution No. 27:

Senator Sacco?

SENATOR SACCO: Yes.

MR. CANTOR: Senator Rice has left an affirmative vote.

Senator McNamara?

SENATOR McNAMARA: Abstain.

MR. CANTOR: Senator Ciesla has left an affirmative vote.

Senator Scott?

SENATOR SCOTT: Yes.

The legislation has passed the Committee and will now go for further  
action.

Thank you very much.

This Committee meeting is over.

**(MEETING CONCLUDED)**