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# *Commission Meeting*

of

## STATE HOUSE COMMISSION

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**LOCATION:** Meeting via Teams

**DATE:** January 15, 2026  
10:00 a.m.

**MEMBERS OF COMMISSION PRESENT:**

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



**ALSO PRESENT:**

Robert Matos-Moran  
*Commission Secretary*

Cynthia Bussell  
*Government Rep 3*  
*N.J. Department of Treasury*

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

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

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**ASSAD AKHTER (Chair):** OK, I will now call this-- I would ask again, for no interruptions from anyone who is not recognized and not a member of the Commission.

Please, as per order, all people will be recognized and we will commence the meeting. I will call the meeting to order as Chair. The meeting is called to order. I want to recognize that the meeting is being held by phone-

**UNIDENTIFIED SPEAKER:** -- when you haven't even convened the meeting--

**MR. AKHTER:** -- and, is being recorded.

There will be three minutes for public comments on all items. I want to-- And, everybody who wishes to speak must announce their name and any affiliation they would like to be known by. They will also be able to leave public comment in the chat, as long as they identify their full name and any affiliation they would like to recognize. But, any messages left in the chat that do not have a full name will not be recorded -- will not be put into the public record. There has been change to the secretary for the meeting; Mr. Rota is no longer available. The administration has selected Robert Matos-Moran. I want to ask for a quick vote of Commission members to affirm Mr. Moran as the secretary for this meeting. I will call the roll-- I will make the motion to recognize Mr. Moran. Mr. Binder, will you second?

**MR. BINDER:** Second.

**MR. AKHTER:** OK.

I will call the roll. Mr. Binder.

**MR. BINDER:** Yes.

**MR. AKHTER:** Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. AKHTER: Senator Gopal.

UNIDENTIFIED SPEAKER: -- account.

MR. AKHTER: Do we have Senator Gopal here?

SENATOR GOPAL: Yes, I'm sorry, just having trouble--

MR. AKHTER: Sorry, Senator, are you a yes on the motion to recognize the new secretary?

UNIDENTIFIED SPEAKER: Could you clarify the affiliation of the secretary?

MR. AKHTER: The secretary is Mr. Robert--

SENATOR GOPAL: Yes, I am a yes. Every time I talk, it automatically mutes me again, so that's why I'm having a lot of trouble with the muting and unmuting.

MR. AKHTER: We apologize, Senator, thank you.

Is Senator Bucco here?

Assemblyman DiMaio?

UNIDENTIFIED SPEAKER: (indiscernible)

ASSEMBLYMAN DiMAIO: Can you hear me now?

MR. AKHTER: Yes, we can hear you, Assemblyman.

ASSEMBLYMAN DiMAIO: It keeps muting.

I'm a yes.

MR. AKHTER: Yes, thank you.

Do we have Assemblywoman Pintor Marin?

OK. We have five votes, motion carries. I will now recognize Mr. Moran to do -- read the public record.

MR. MATOS-MORAN: We are in compliance with the Open Public Meetings Act. Notice of this meeting of the State House Commission was given by way of notice on January 12, 2026, filed by the State (indiscernible) and posted on the State House Commission's website.

MR. AKHTER: Call the roll, please.

MR. MATOS-MORAN: Mr. Akhter.

MR. AKHTER: Here.

MR. MATOS-MORAN: Mr. Binder.

MR. BINDER: Here.

MR. MATOS-MORAN: Mr. Shabazz.

MR. SHABAZZ: Here.

MR. MATOS-MORAN: Senator Gopal.

SENATOR GOPAL: Here.

MR. MATOS-MORAN: Senator Bucco.

SENATOR BUCCO: Here.

MR. MATOS-MORAN: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Here.

MR. MATOS-MORAN: Assemblywoman Pintor Marin.

You have a quorum.

MR. AKHTER: OK, thank you.

MS. BUSSELL: I'm going to allow everyone that-- There's more people admitted; they might be part of that.

MR. AKHTER: OK.

We're going to get a group of people into the meeting, so just one second.



UNIDENTIFIED SPEAKER: I assume it's my district office,  
Mia.

MR. AKHTER: We--

MS. BUSSELL: Yes.

MR. AKHTER: OK.

The quorum-- OK. We have new business.

MR. MATOS-MORAN: The State House Commission has received (indiscernible) comments from members of the public regarding items on the agenda. They have been distributed to the members and will be made part of the public record. Moving on to new business. Item 1--

MR. AKHTER: Let me just-- Let me just clarify before moving on in this meeting.

(indiscernible) a lot of public interest on item Number 2. (indiscernible) item last because of the number of public comments. So, the new agenda will be item Number 1 regarding Colliers Mills, and the Colliers Mills project in Ocean County. And, the new item Number 2 will be the previous agenda item 3, and it's in Newark in Essex County. So, those two items will be considered first, and then we will consider the item regarding Liberty State Park. So, I ask everyone-- I know that there is a great deal of public attention and interest in item Number 3. I would ask them not to interrupt or to make any public comment at this time, and allow the first two items to proceed, which we do not expect, at this point, to have a great deal of public comment. Thank you.

Item Number 1.

MR. MATOS-MORAN: The project concerning Colliers Mills Wildlife Management Area, Block 76 (technical malfunction) in Plumsted

Township, Ocean County. Requesting party: The NJDEP requests approval to convey approximately 4.54 acres of undeveloped land within Colliers Mills Wildlife Management Area in Plumsted Township, Ocean County, to the New Egypt Raceway, Inc. In exchange for approximately for 21.58 acres of undeveloped land owned by the Raceway in Plumsted Township.

The Raceway operates a private auto track on property located adjacent to the Colliers Mills WMA. (technical malfunction) The proposed land exchange will resolve the encroachment in a manner that benefits the public and the WMA. The Raceway tract consisted of two wooded parcels, both of which are inholdings to the Colliers Mills WMA. Terms: If the proposed land exchange is approved by the Raceway tract will be added to the Colliers Mills WMA, and will be open to hunting. To equalize the real estate value of the exchange, the Raceway has also agreed to pay \$43,000 in cash compensation to be deposited into the Garden State Preservation Trust Fund, in accordance with N.J.S.A 13:1D-56.

I'll ask for a motion.

UNIDENTIFIED SPEAKER: So moved.

UNIDENTIFIED SPEAKER: Second.

MR. BINDER: Second, Aaron Binder.

MR. MATOS-MORAN: Do any members of the public have any questions?

Any members?

UNIDENTIFIED SPEAKER: Yes.

**B I L L W O L F E:** My name is Bill Wolfe, I have a question--

MR. AKHTER: This is only for members of the Commission on Item Number 1.

Hearing no members--

UNIDENTIFIED SPEAKER: When will it be--

MR. AKHTER: We are only recognizing members of the public for Item Number 1, regarding Colliers Mills.

Is there any member of the public who (indiscernible) one?

MR. WOLFE: Yes, yes, I would like to speak on Colliers Mills.

MR. AKHTER: Go ahead, sir, please announce yourself, your full name, and any affiliation.

MR. WOLFE: Certainly.

My name is Bill Wolfe; I'm a citizen. I object because I think there's a fundamental incompatibility between a racetrack and wildlife. The uses are incompatible; it's totally inappropriate to be giving away State Wildlife Management Area land to a racetrack. Now, how far down the--

UNIDENTIFIED SPEAKER: (indiscernible)

MR. AKHTER: Continue, sir, go ahead.

Sir?

MR. WOLFE: OK, I mean, I'm having break-up noises on my end; it's been very difficult for me to hear what's going on, because a voice keeps coming on saying, "Unknown participant exiting or entering."

Almost impossible for me to hear except for deliberation.

MS. BUSSELL: Cindy Bussell--

UNIDENTIFIED SPEAKER: Yes--

MS. BUSSELL: We sent information by email about how to change that.

(laughter)

MR. WOLFE: It's almost impossible on my end to figure out what's going on.

At any rate, the racetrack makes noises that are incompatible with wildlife--

I'm done.

**E M I L E D. D e V I T O, Ph.D.:** Hello, this is Emile DeVito, New Jersey Conservation Foundation; can you hear me?

MR. AKHTER: We can hear you.

MR. DeVITO: Yes, I would like to comment.

MS. BUSSELL: We hear this.

MR. DeVITO: The land-- The land that is proposed to be given to the New Egypt Speedway has an existing Pinelands Commission violation.

Over the years, asphalt millings have been dumped; trailers have been parked; a parcel of farmland has been ruined by commercial activity without the knowledge of the DEP. They're basically trespassing and encroachment, and it's an existing Pinelands Commission violation, and it's not right for this land to be given to the New Egypt Speedway. It's basically rewarding them for bad behavior. The problem here is that the Pinelands Commission has no enforcement power. So, once this land is given over to the New Egypt Speedway, there will be nobody to force the new owner, the New Egypt Speedway, to cure the Pinelands violation. It will just sit, just like many Pinelands violations sit unresolved, because the Pinelands Commission has never been given enforcement power. They have the authority to note violations, but then nothing -- in many cases -- nothing ever happens. So, what's happening here is that the DEP has this existing trespassing violation on their wildlife management area, because the New

Egypt Speedway never paid attention to their boundaries, and the DEP didn't pay attention to their boundaries very well either, the Division of Fish and Wildlife.

So, now there's an existing violation, and it's going to be swept under the rug because, once it becomes a private landowner, there will be no enforcement and no curing of the violation, and the ruined land will just sit. And, this is a common occurrence, and this land should not be swapped *at least* until the violation is cured. The New Egypt Speedway, who did the violation and has admitted the violation, and has been given the violation notice by the Pinelands Commission, should be fully responsible for curing it before any land transaction occurs. And, I'm not even sure once the violation is cured, if the land transaction would be in the public interest. Because, the land that they're proposing to give to the DEP is inexpensive, forested wetlands, that cannot-- Nothing can happen to it; it's in a swamp. And, it's totally protected. And, the land that they're going to get is uplands, and it's conceivable that it could then be developed some day, and that would be a windfall for their private landowner and be rewarded for terribly bad behavior, trespassing, and violation.

Thank you.

MR. AKHTER: Thank you, sir, for the public comment.

MR. WOLFE: Can anyone hear me?

MR. AKHTER: Sorry--

MR. WOLFE: There is so many interruptions with this "participants joining and not joining;" were you able to hear my comments?

MR. AKHTER: We were able to hear your comments, thank you very much; appreciate it.

I will remind everyone there's a three-minute limit on all comments, that was recorded. I apologize for the interruptions; we are doing our best to resolve that. We-- Have we admitted everyone into the room, Cindy?

Is Assemblywoman Pintor Marin now in the room?

**DARLENE MAYSER:** Hello, my name is Darlene Mayser, and I am a citizen. I also agree with the previous--

**MR. AKHTER:** Hold on, hold on-- Can everyone please hold; everyone please hold; everyone please hold and mute their comments.

Do we have Assemblywoman Pintor Marin on the call?

**UNIDENTIFIED SPEAKER:** Excuse me, say that again?

**MR. AKHTER:** I'm asking for Assemblywoman Pintor Marin, if she joined the meeting?

Assemblywoman? (no response)

OK. Ma'am, you were speaking, on the item? On Colliers Mills?

**MS. MAYSER:** Yes, my name is Darlene Mayser; I'm a citizen. I agree with the previous two callers.

I oppose this land swap for the same reasons that they do. Thank you.

**MR. AKHTER:** Thank you very much.

**ROBERT MOSS:** Can anyone hear me?

**MR. AKHTER:** Yes, we can hear you.

**MR. MOSS:** I don't know if I'm--

**MR. AKHTER:** We can hear you.

**MR. MOSS:** My name is Robert Moss, and I wish to second the previous comments on Colliers Mills.

That's all.

MR. AKHTER: Thank you, sir, appreciate it; appreciate your patience.

Are there any others who wished to be recognized to speak on Colliers Mills?

**J E F F T I T T E L:** Yes.

MR. AKHTER: Go ahead.

MR. TITTEL: Yes, Jeff Tittel, environmental activist, former head of the Sierra Club.

This is, again, another bad land swap where the DEP ends up getting land that -- from someone -- that's not developable, in exchange for land that is developable. We go through this all the time. And, what we're here doing is taking care of a racetrack to help them expand and do whatever else they want to do at the expense of the environment. This is, again, one of those issues that I've been dealing with and fighting close to 40 years now. And, once again, the taxpayers and the environment get shorted. Thank you.

MR. AKHTER: Thank you, sir; appreciate it.

Are there any other public comments on Colliers Mills?

I see a SG. Is that someone who should be recognized?

**S T E P H E N G R E E N B E R G:** Yes.

MR. AKHTER: Yes, go ahead, sir.

MR. GREENBERG: Yes.

My name is Stephen Greenberg. I agree with everything else everyone said opposing this land swap; it's clearly wrong. I know they don't care; a lot of people don't care that it's wrong. I'm just here to promise that if it does go through, that me and several others will do everything we legally

can to inflict the consequences on those who support it. (indiscernible)  
(microphone malfunction)

MS. BUSSELL: We're going to pause, and there's a few more--

MR. AKHTER: Yes, we're taking a pause--

Taking a pause to admit new people into the meeting.

OK. Thank you. Is there any other public comment on the  
Colliers Mills item, item Number 1?

UNIDENTIFIED SPEAKER: Yes.

J U D E T H Y E A N Y, Esq.: Mr. Chair, would you like the DEP to  
respond after the public comments are over?

MR. AKHTER: Yes, thank you.

Are there any other public comments?

S A L L Y J A N E G E L L E R T: Yes.

MR. AKHTER: Go ahead.

MS. GELLERT: Yes.

This is Sally Gellert from Bergen County, New Jersey.

I was unaware of this Colliers Mills swap being up here. But,  
having heard the comments of Mr. Wolfe, Mr. Tittel, and everyone else, I  
second them completely. Our DEP needs to do much better in protecting  
the environment. Thank you.

MR. AKHTER: Thank you.

Any other public comments on Colliers Mills item Number 1?

(no response)

Hearing none, I'm going to ask DEP, Ms. Yeany, to give a short  
explanation of this project from the perspective of DEP.

J E N N I F E R M E Y E R: I'm sorry, hello?



MR. AKHTER: Yes, hello.

MS. MEYER: My name is Jennifer Meyer, and I'm a citizen of New Jersey in Jersey City; I also oppose.

And, could you just explain or say to all the people on the phone that if you are on the Microsoft meeting, you have a muted microphone, and if you want to speak, you have to press -- what is it -- control -- what is the combination--

UNIDENTIFIED SPEAKER: Star, six.

MS. MEYER: Sorry?

Control, shift--

MR. AKHTER: Star, six.

MS. MEYER: Oh, star, six on the phone.

UNIDENTIFIED SPEAKER: How do you do that on a phone?

MR. AKHTER: Star, six on the phone; star, six on the phone if you are unmuted. We will recognize all people -- we will recognize all phone numbers who wish to speak on items.

Ms. Meyer, do you have any comments on Colliers--

MS. MEYER: No, I'm just against protocol.

So, if we raise our hand, does that do anything, or do we just hop in?

MR. AKHTER: If you raise your hand, I will recognize you for public comments on the appropriate moments, yes.

MS. MEYER: OK.

Thank you.

MR. AKHTER: Thank you.

MS. MEYER: That's it.

MR. AKHTER: Thank you very much.

Are there any other public comments on Colliers Mills? (no response)

OK. Ms. Yeany.

MS. YEANY: OK.

I'm going to attempt to share my screen because I have a map of what we're proposing.

**J O H N M c K E E:** But, I have access to let people in, for some reason.

I have no idea why *I* have that access, but at the end of each speaker, can we pause for a moment so I can allow the people in the room, you know the Mayor of Hoboken; our new Assemblyman in 32 is one of the people waiting in the room. Right now--

MR. AKHTER: I'm sorry, I have no idea why you have control over that.

MR. McKEE: Nor do I.

MR. AKHTER: But, Ms. Cindy Bussell here is the one controlling the meeting, so I ask you to please not exercise those controls.

And, we are doing our best to manage the meeting, and we are trying to only let people--

We are trying to admit people only in between speakers, OK?

UNIDENTIFIED SPEAKER: Is there a way of postponing this meeting until there's a more reliable system to do this?

This is outrageous.

MR. AKHTER: No, there is not.

I apologize for the inconvenience of this. We are trying our best here to manage this meeting. Ms. Yeany, if you could quickly make your comments, thank you.

MS. YEANY: Sure.

I'm sharing the map of what we're proposing for those who may not be familiar with the transaction. The map depicts in blue the area that we're proposing to convey to the Raceway, and it depicts in red the area that the Raceway would convey back to the State. As the Secretary mentioned in presenting the agenda item, we're conveying just over 4 acres to the Raceway. We're proposing to convey -- and, we would get in return -- 21 acres of wooded wetlands, which are mostly inholding parcels in the Colliers Mill (*sic*) Wildlife Management Area. And, although there may be regulatory constraints on those parcels, we certainly often experience that private owners of these parcels seek to establish access across our State parks and wildlife management areas. So, we believe that we're avoiding those issues by acquiring these parcels; these are lands we would like to acquire. You can see on this aerial map that the area in blue does have some vehicles parked on it, and has been the subject of an encroachment by the Raceway. I want to ensure the Commission that entering into a land exchange is not DEP's preferred way of resolving encroachments, but in this particular instance, we felt this was the appropriate solution. The property boundaries in this area are very irregular, and one of the things we're accomplishing, if we conclude this exchange, is we're creating a straight-lined boundary between us and the Raceway. We would be acquiring this little triangle of Raceway land that currently juts into the wildlife management area. And, our position on the violations -- although we were not aware of them at the time that we first

proposed this transaction -- our position on the violations is that the Pinelands Commission's power to resolve them is no different if this exchange is concluded than it is right now. The DEP is not the perpetrator of the violations; the Raceway is. The Raceway is in communications with the Pinelands Commission about that, and there's no scenario under which DEP was going to take responsibility to resolve them. So, if the Raceway owns this property at the end of this exchange, we don't feel that Commission's power to resolve the violations is diminished. And, I believe the Commission went on record earlier in the week with the Raceway to advise them of that fact, that acquiring this property was not going to absolve them of any responsibility they have to the Commission.

So, I'm happy to answer any further questions, but we do believe that, in the end, this exchange is beneficial for the public. I also wanted to point out that we have an agreement with the Raceway that is the-- If we are not able to get the approvals for the exchange, we are still planning to acquire the parcels outlined in red. And, from our perspective, the end result of that would be that we still have the problem, outlined in blue, and it's still on State property, and we don't think that would be a good result for DEP. So, again, I'm happy to answer any further questions.

MR. AKHTER: Thank you.

Questions are only for members, to be clear, only members can ask questions for the meeting. Thank you very much, Ms. Yeany. We will now call the roll for a vote here.

I want to recognize, is Assemblywoman-- (indiscernible)

We're going to admit new folks into the meeting.

(indiscernible)

I just want to ask, is Assemblywoman Pintor Marin now in the meeting? (no response)

Or Senator Bucco?

ASSEMBLYWOMAN PINTOR MARIN: I've been trying to get on for the last 40 minutes.

MR. AKHTER: I'm sorry.

Is Assemblywoman Pintor Marin on? (no response)

OK. We'll call the roll-- We will call the roll for item Number 1.

MR. MATOS-MORAN: Mr. Akhter.

MR. AKHTER: Yes.

MR. MATOS-MORAN: Mr. Binder.

MR. BINDER: Yes.

MR. MATOS-MORAN: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. MATOS-MORAN: Senator Gopal.

MR. AKHTER: Senator Gopal.

(no response)

MR. MATOS-MORAN: Senator Bucco.

(no response)

MR. MATOS-MORAN: Assemblyman DiMaio.

MR. AKHTER: One second while we try to reach-- Hold on.

UNIDENTIFIED SPEAKER: Chairman, can you hear me?

MR. AKHTER: Yes, we can hear you.

Go ahead.

UNIDENTIFIED SPEAKER: Well, my vote is yes, but there's some issue with the Teams meeting that won't allow us, even from our district office emails.

MR. AKHTER: Yes, unfortunately, it seems to be that the capacity of the meeting that we're having some technical difficulties that we did not anticipate in allowing people in through the video channel.

So, unfortunately, I--

UNIDENTIFIED SPEAKER: You were supposed to--

UNIDENTIFIED SPEAKER: Then you should cancel the meeting.

UNIDENTIFIED SPEAKER: -- eliminate those extras, at least get us -- don't interrupt me -- so we could at least, the members could get on this meeting.

MR. AKHTER: Yes, I apologize, Assemblyman.

This is unanticipated, and I apologize. We're trying to resolve it the best can.

UNIDENTIFIED SPEAKER: You should cancel the meeting until this is fixed.

MR. AKHTER: I asked the public not to comment outside of being recognized, please.

We're trying to run a productive meeting.

SENATOR GOPAL: I'm sorry--

UNIDENTIFIED SPEAKER: It's not a productive meeting.

MR. AKHTER: Senator, anybody who is commenting outside of their time will be removed from the meeting.

So, please, respectfully.

SENATOR GOPAL: This is Vin Gopal, can you hear me?

MR. AKHTER: We can hear you, sir.

SENATOR GOPAL: OK.

I apologize, I'm here with Assemblywoman Pintor Marin; she can speak for herself, but I'm not comfortable on voting on anything. I can't hear anything; I can't-- People are coming in and out; I'm not comfortable voting on any of the agenda items.

MR. AKHTER: OK, thank you.

SENATOR GOPAL: Assemblywoman, do you share the same?

I think she got kicked out of the call.

(laughter)

UNIDENTIFIED SPEAKER: Wow.

MR. AKHTER: OK.

One second, we're going to take a short break here while I allow the-- while I come up with a solution here.

ASSEMBLYWOMAN PINTOR MARIN: Can you guys hear me?

I'm sorry, this is Assemblywoman Pintor Marin.

MR. AKHTER: We can hear you; we can hear you.

ASSEMBLYWOMAN PINTOR MARIN: Yes, we can't even speak to each other to ask appropriate questions.

I'm not sure how -- it's being conducted, because--

MR. AKHTER: Well, what I'm going to suggest--

UNIDENTIFIED SPEAKER: (indiscernible) meeting

MR. AKHTER: What I'm going to suggest we do, Assemblywoman and Senator, is that I'm going to call the members who are not on.

Mr. Binder, Mr. Shabazz seem to be on OK. I will call the elected members on a phone and conference you in, directly into this room, that way you can participate and hear everything without interruption. If that makes sense, I can do that; I can call you directly.

ASSEMBLYWOMAN PINTOR MARIN: Well, what if that--

UNIDENTIFIED SPEAKER: Private communication that goes outside the--

ASSEMBLYWOMAN PINTOR MARIN: The problem is, you can put an end to a meeting, but we still can't-- We can't hear proper testimony, or even understand what's going on because there's no-- Everyone is jumping in and out at all times.

MR. AKHTER: I'm going to take a short recess here; we're being told by the technical folks that we're working on trying to fix this.

If we could just take a short recess here, please, I will-- We will work to resolve this very quickly, and I will call the members directly with any further change here. So, please just bear with us while we change this--

UNIDENTIFIED SPEAKER: Violation of the Open Public Meetings Act.

UNIDENTIFIED SPEAKER: Not due process.

UNIDENTIFIED SPEAKER: Yes, yes.

UNIDENTIFIED SPEAKER: Trying to ram this through.

MR. AKHTER: The meeting is currently recessed.

**(RECESS BEGINS 10:43 a.m.)**



(RECESS ENDS 10:55 a.m.)

MR. AKHTER: OK.

I will-- I would please ask all members of the public to please refrain from comments; we are resuming the meeting. I want to go back to record the vote-- We will restart the roll call on that vote.

**J A S O N H O W E L L:** Excuse me, sir, I registered for public comment, and was prevented from speaking, am I able to speak now?

MR. AKHTER: On the Colliers Mills item?

MR. HOWELL: I registered, pre-registered, for public comment, but I was prevented from speaking, am I able to speak now?

MR. AKHTER: I will give you three minutes to speak on Colliers Mills, please go ahead.

MR. HOWELL: Thank you.

My name is Jason Howell; I'm with Pinelands Preservation Alliance. I'm the Public Lands Advocate. I visited the site regarding the Colliers Mills lands transfer, and I also examined historical images, and spoke with local neighbors. What happened was, the owner of the previous racetrack -- it's now closed -- went ahead and bulldozed a public farmland on Colliers Mills Wildlife Management Area, and then filled the area with asphalt and debris. This land was then fenced off -- installed a fence to prevent public access -- prevent the public from using public land, and it was used as parking for Amazon warehouse trucks, against the interest of the public, without permission, without any agreement. The landowner was then cited by the New Jersey Pinelands Commission, and instead of resolving the violation and the encroachment on public land -- the theft of public land -- they made a deal with New Jersey Fish and Wildlife to swap virtually

valueless wetlands for this highly valuable piece of public farmland. If you vote “yes” on this today, you are authorizing the theft of public land for private gain, land that we, the taxpayers, pay for through the Green Acres Bond, the Green Acres Tax. I ask you, respectfully, to uphold the public trust and vote “no” against this illegal land deal. Thank you.

MR. AKHTER: Thank you.

I will ask again, are there any other public comments on Colliers Mills only; item Number 1? (no response)

Hearing no comments, we will now take a roll call vote.

MR. MATOS-MORAN: Mr. Akhter.

MR. AKHTER: Yes.

MR. MATOS-MORAN: Mr. Binder.

MR. BINDER: Yes.

MR. MATOS-MORAN: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. MATOS-MORAN: Senator Gopal.

MR. AKHTER: Not present.

MR. MATOS-MORAN: Not present.

Senator Bucco. Not present.

Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. AKHTER: Yes.

MR. MATOS-MORAN: Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. AKHTER: Yes.

MR. MATOS-MORAN: Yes.

Five votes in favor, any abstentions, or any opposed? (no response)

Hearing none.

MR. AKHTER: The item passes, thank you.

We will now move onto item Number 2 on the agenda, which is regarding the DOT project in Newark. Please read item Number 2.

MR. MATOS-MORAN: Project: Route 21, Section 2, Parcel R105C, Block 1, Lots 30 and 46, City of Newark, Essex County. Requesting party: The NJDOT requests the annulment of two NJDOT-owned easements, and the modification of rights associated with a third NJDOT-owned existing easement, acquired as Route 21, Section 2, Parcel R105C, located in the City of Newark, Essex County. The drainage easement contains 7,580 square feet, and includes a 60-inch reinforced concrete pipe conveying stormwater runoff from Route 21 to the Passaic River. The Department is currently responsible to maintain, repair, replace, or construct this drainage facility. The property owner, 930 McCarter Urban Renewal LLC, seeks to assume DOT's rights to maintain, repair, replace, or construct this drainage facility in perpetuity. The NJDOT will maintain ownership of the drainage easements, and, in the event of non-compliance or default by the owner, the Department reserves the right to maintain, repair, replace, or construct this drainage pipe and cover all associated costs in full from the current owner regardless of any default by the previous owner.

Terms: No monetary consideration is involved, and approval is recommended. An appraisal based on a cost/benefit approach determined that the property owner, 930 McCarter Urban Renewal LLC's assumption of

the (technical interference) drainage easement rights, yields a fair and neutral arrangement. I'll ask for a motion.

MR. AKHTER: So moved, is there a second?

UNIDENTIFIED SPEAKER: Second.

MR. MATOS-MORAN: Any members of the Commission have any questions? (no response)

Hearing none, I will ask if any members of the public have any questions?

MR. AKHTER: If there's public comment *only* on the new Item Number 2 regarding the Newark DOT project, only on this item.

Is there-- Someone had their hand raised?

MS. BUSSELL: Yes, it just--

MR. AKHTER: One sec, we're trying to recognize those who'd like to speak on this item only.

MS. BUSSELL: He has the hand raised, but--

**MARK BLOOMBERG:** Yes, I'm waiting-- This is Mark Bloomberg, I'm waiting for you to acknowledge me--

MR. AKHTER: Mr. Bloomberg--

MR. BLOOMBERG: -- for the--

MR. AKHTER: Mr. Bloomberg, Mr. Bloomberg, you are recognized for three minutes if you'd like to speak on this item only.

MR. BLOOMBERG: Yes, I'm speaking on this item.

In general, I don't understand how this Commission can be meeting at the moment and making a decision on this item; you don't have a way of identifying people to speak it is unclear. I would like you to explain before you vote how each member of this Commission is able to actually --

how they're dialed in; how they're listening to this; and whether this complies with Sunshine Laws; whether this is even a valid meeting at this point. So, I think that we all deserve an explanation to understand exactly how you are able to all hear and understand our commentary on any of these items. Thank you.

MR. AKHTER: Thank you.

There are currently five members -- I believe six members -- of the Commission currently in the meeting. I am in the room here, Mr. Binder and Mr. Shabazz are listening virtually, have been in the meeting. Senator Gopal, Assemblyman DiMaio, and Assemblywoman Pintor Marin are on the speakerphone in the room here, listening indirectly the same that I can hear, hearing things that I can hear, and able to speak freely.

SENATOR BUCCO: Senator Gopal has also been on from the beginning.

MR. AKHTER: I apologize, Senator, I apologize; we've been having issues trying to recognize you.

Apologies, Senator.

SENATOR BUCCO: I voted yes, while you didn't hear me, I voted "yes" on the first item.

MR. AKHTER: Thank you, Senator.

Appreciate that, and apologies again for the technical difficulties we've been enduring. Is there any other public comment strictly on the question of the DOT project in Newark? (no response)

Hearing none, we'll move to a roll call vote.

MR. MATOS-MORAN: Mr. Akhter.

MR. AKHTER: Yes.

MR. MATOS-MORAN: Mr. Binder.

MR. BINDER: Yes.

MR. MATOS-MORAN: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. MATOS-MORAN: Senator Gopal.

SENATOR GOPAL: Yes.

MR. MATOS-MORAN: Senator Bucco.

SENATOR BUCCO: Yes.

MR. MATOS-MORAN: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

SENATOR BUCCO: Senator Bucco votes yes.

MR. AKHTER: Thank you, sir, we've got it.

MR. MATOS-MORAN: Assemblywoman Pintor Marin.

MR. AKHTER: Assemblywoman, are you there?

MR. MATOS-MORAN: OK.

Any abstentions or oppositions? (no response)

Hearing none, Mr. Chair.

MR. AKHTER: OK, we have -- what was the final count -- we have?

MR. MATOS-MORAN: Six, zero.

MR. AKHTER: Six in favor, and one abstention, the item passes.

We will move to the final item dealing with Liberty State Park at this time. If any-- We will move-- If any member of the Commission-- If any members of the Commission who are not able to, at this time, have the right to leave their vote, and announce their vote as per the rules, they can

leave their vote now or at any point during the meeting if they choose to do so.

SENATOR GOPAL: Thank you.

MR. AKHTER: Sure.

SENATOR GOPAL: Can I do that?

This is Vin Gopal.

MR. AKHTER: Senator Gopal, you are recognized.

SENATOR GOPAL: Thank you, I could not hear on the prior.

The prior votes I'm a yes; on the Liberty State vote I'm a no, and I'm leaving those votes. Thank you very much.

MR. AKHTER: Sir, Senator, to clarify -- can you just reclarify your votes, it's a little confusing there.

SENATOR GOPAL: Every vote except the one we're about to do, I'm a yes, the Liberty State one I'm a no.

MR. AKHTER: No.

So, Senator Gopal has voiced a no vote, he reported as yes on one and two, and he is leaving a vote of "no" on item Number 3 regarding Liberty State Park. Thank you, Senator.

SENATOR GOPAL: Thanks so much.

MR. AKHTER: Are there any other members of the Commission who want to recognize in clarifying or leaving their vote? (no response)

OK. We will move onto item Number 3.

MR. MATOS-MORAN: Project: Liberty State Park, Block 15801, Lots 35-39, and 41-46, Block 15904, Lots 1-3, and 23-30 -- some of the lots may be partial -- City of Jersey City, Hudson County. Requesting Party: The NJDEP requests approval to enter into--

MR. AKHTER: Please mute yourself, please.

MR. MATOS-MORAN: Requesting party: The NJDEP requests approval to enter into a 60-year lease with SMI LL, LLC, an affiliate of Suntex Marina Investors, LLC, called Suntex, for the continued operation and the improvement of the Liberty Landing Arena at Liberty State Park, in the City of Jersey City, Hudson County. Suntex is the current marina lessee under an agreement which is set to expire in April of 2046. In proposing a new lease term, the NJDEP's primary objective are to 1. Enter into an agreement with Suntex for replacement of the severely deteriorated bulkhead at the northern end of the park, along with the Morris Canal basin. And, 2. Remove approximately 8 undeveloped acres from the leased area to allow the NJDEP to develop as part of the Liberty State Park Revitalization Program, the Marina Green, a new public outdoor recreation, athletic, and play space along the Audrey Zapp Drive within the park. The new lease will include provisions contemplating the development of a new dry boat storage facility and rehabilitation of existing in-water slips. Any such improvements will take place within the existing leasehold area, and the new lease will not include any in-water expansions or extension of boat slip or dock space east of the existing slip and dock area.

Terms: Under the current lease, the State receives guaranteed annual rental income in the amount of \$300,000, split between a base rent and a percentage rent. Under the new lease, the rent obligation will increase meaningfully, and the NJDEP will receive a minimum of \$800,000 in annual rent payments, subject to a 10% escalation every five years. In addition, the new lease will include percentage rent requirements tied to various revenue streams associated with the marina. The new lease is anticipated to result in



a minimum of \$122 million in guaranteed rent payments to the NJDEP over the life of the lease, a substantial increase over the \$300,000 annual guaranteed minimum rent under the current lease, which would equate to \$6.3 million over the remaining 21 years of the lease. The proposed new lease will allow Suntex to offset the cost of replacing the bulkhead, which is estimated to cost more than \$60 million. The NJDEP will receive the benefit of sharing the cost associated with replacing the bulkhead, and Suntex will commit to capital expenditures and funding to maintain and improve the marina. The new terms of the lease will allow Suntex to continue investing in the marina, and marina improvement projects. Under the lease, Suntex would undertake the bulkhead replacement work with the State oversight and a financial arrangement for the State to contribute its share of the project costs. Additional details about the proposed lease compensation and future marina improvements are outlined in the term sheet appended to the NJDEP's request for the approval of this lease.

I will now ask for a motion.

MR. AKHTER: Just to be clear, the motion is simply to recognize the matter, a vote will not be taken at this time.

Please, public comments will be allowed, and I just want to remind members of the public, if you would like to leave your public comment in the chat, you can do so, but you must identify yourself by your full name and any affiliation you choose to, that's your choice. But, you must leave your full name in order for it to be included in the public record, in the chat. And, we will do public comments. So, you asked for a motion, I make the motion. Second? (no response)

Mr. Binder, do you second?

MR. BINDER: Second.

MR. AKHTER: Second, thank you.

MR. MATOS-MORAN: Do any members of the Commission have any questions? (no response)

Hearing none, I will now open for public--

MR. AKHTER: OK, so for public comments -- for public -- Hold on, everybody please hold.

We will do this as best we can. I do want to ask the members, if there are any members who are not able to stay or need to leave temporarily who want to leave their vote. Assemblywoman Pintor Marin, do you want to be recognized?

ASSEMBLYWOMAN PINTOR MARIN: I'm sorry, this is just to vote on what?

MR. AKHTER: So, we have vote-- We are about to take public comments on the Liberty State Park item.

Senator Gopal has already left his vote on this item, he is -- if there are any members of the State House Commission who are not able to stay 'til the end of the meeting, or may be detained and would like to leave their vote, they can do so at this time or any point, but I'm just taking a pause here if you want to leave your vote.

ASSEMBLYWOMAN PINTOR MARIN: I just got a message that Assembly -- Senator Raj Mukherji is on the -- waiting to speak.

This is why I cannot vote on this because this is just not proper. You have a Senator who wants to speak on this agenda item and he can't get on.

MR. AKHTER: We will recognize-- We are going to recognize all public comments, Assemblywoman, so I will get him in the meeting and make sure he is able to speak on the item.

So, we are--

ASSEMBLYWOMAN PINTOR MARIN: I know, but I am not voting on this.

So, it would be a no.

MR. AKHTER: OK, thank you.

Someone-- We will proceed with public comments at this time.

And, so, the way we will recognize this is we will alternate-- Are there any-- Is Senator Mukherji in the meeting?

**SENATOR RAJ MUKHERJI:** I'm on by audio, yes, thank you, sir.

MR. AKHTER: Oh, there you are.

Go ahead, Senator.

SENATOR MUKHERJI: Thank you, Mr. Chairman.

I know I got a face for radio, but I'd like to see you guys virtually, but the link and everything else wasn't working--

MR. AKHTER: Yes, apologies.

SENATOR MUKHERJI: -- and, it's not your fault, Chairman, it's just, there's football out there less jacked up than like the technical aspects.

And, I appreciate-- I won't belay; I know there are a lot of folks who want to be heard and deserve to be heard, so, I'll get right to it, and thank you for the opportunity to speak. To the members of the Commission, you all -- and I -- are stewards, temporarily entrusted with this piece of New

Jersey that is Liberty State Park. It doesn't belong to us; it doesn't belong to the DEP; it belongs to history, to the public, and to generations that come after us, like my kids, and generations yet unborn. And, I would just say I think Liberty State Park, it's not surplus land; ought not to be a bargaining chip; ought not to be a balance sheet asset to be monetized at the 11<sup>th</sup> hour of an outgoing administration. It's one of the most symbolically and civically significant parks in America. And, it's an open common framed by Lady Liberty herself; Ellis Island is a stone's throw away. Ellis Island falls into New Jersey's waters as I often like to remind people. And, dare I say, with the way in which the current administration is trampling immigrants and American civil rights and Constitution all across America, the significance of the park and its backdrop actually takes on heightened importance at this moment in history. So, what's before you today is a proposal to approve -- on the eve of the inauguration of a new governor; without any public hearings since the deal on the table was renegotiated, until this one, and the designs redone with haste -- this 60-year lease that would permit the construction of massive industrial scale for boat storage warehouses at the park's northern entrance. Now, that's covering over 2 acres on the National Park Services says that anything over half an acre would be a conversion. The equivalent of two football fields of commercial bulk intruding upon, what I would submit, was meant to remain free, open, democratic, and green.

Now, I will say that this is not on DEP, this is not on Suntext, but the root of the problem, those of us on the Commission who are elected have ourselves to blame because the State shouldn't expect State parks to be revenue-generating or self-sustaining. I mean, we--

UNIDENTIFIED SPEAKER: Amen.

SENATOR MUKHERJI: -- should just be appropriating the money to handle the bulkhead, and this appropriation would be a rounding error in our budget for a crown jewel like Liberty State Park.

But, since that isn't on the table or in the cards today, then-- I've met with Suntex. I understand their predicament if they're going to be paying for the bulkhead and needing to raise the revenue to cover the (indiscernible). I appreciate the fact they listen to the public outcry and backing off the super yacht proposal. I also-- I think very highly of Commissioner LaTourette; I know it's hard. I do know -- I believe, anyway -- that this state's environment, and even Liberty State Park, are actually better off because he served as our DEP Commissioner these years, and has stood up to other bad ideas. He's trying to negotiate the best deal he can for the taxpayers given the cards that he's been dealt. But, respectfully, what you've got before you is not park enhancement, it's park conversion. What is proposed here exceeds the footprint, whereby the 1990 National Park Service decision contemplated a (indiscernible) half acre. It exceeds that several times over. And, as I conclude here, equally troubling without regard to the technical aspects of trying to get on today and everything else, is the process, because, hundreds of public comments -- I think over 700 -- were submitted in opposition. These folks-- These members of the public weren't meaningfully engaged, and a lease term sheet surfaces after the agreement was signed, and then was renegotiated, and I appreciate these revisions go down 30%, 40% in cubic feet in favor of what I'm looking for, what the public's looking for. And, there's something here that could be fashioned, potentially, to accomplish the goals we're all looking for. But, there were no public hearings or charettes

to consider this new design or these changes to the proposal; and the public deserve to be heard and it should be more than perfunctory.

So, if there's no demonstrated necessity for the approval today, and there are legitimate questions about bulkhead funding or marina maintenance, and as far as issues that can and could be examined transparently by the incoming administration with more fulsome public participation, why rush a decision that will bind the public for six decades a month before the park's 50th anniversary and on the eve of our nation's 250<sup>th</sup> birthday? So, I would just respectfully urge this Commission -- and I express my deep appreciation to Senator Gopal and Assemblywoman Pintor Marin for their vote -- I just urge the Commission respectfully, but firmly, if not reject, at a minimum defer this proposal and withdraw from the agenda, and allow the next administration to review it openly and lawfully and in partnership with the people who have loved and defended this park for nearly 50 years. Because, if we allow industrial privatization to take root here now, the precedent may not stop at one warehouse or just one lease, because we're getting a bulkhead out of it, given all the other things Liberty State Park has survived over the years.

Thank you for your time, honorable members of the Commission, and thank you for your service to our state.

MR. AKHTER: Thank you, Senator, appreciate that.

If Assemblyman Bhalla or Assemblywoman Brennan are available, I was told they were in the meeting; are they in the meeting? (no response)

Do we have them?

ASSEMBLYWOMAN KATIE BRENNAN: Hello, can you hear me?

MR. AKHTER: Assemblywoman, is that you?

ASSEMBLYWOMAN BRENNAN: Yes it is.

MR. AKHTER: OK, go ahead, Assemblywoman, I'll recognize you to speak on this public comment.

ASSEMBLYWOMAN BRENNAN: Thank you, and Assemblyman Bhalla had to be -- had trouble with the call. Neither of us were able to get into the Teams meeting--

MR. AKHTER: Yes.

ASSEMBLYWOMAN BRENNAN: -- and, either, and to not belabor that point, I will say, that I just echo my disappointment and that this is not a true public process, and that was something of this import, it really should be rescheduled to another time so that we can conduct an organized meeting, and that participants can meaningfully contribute.

I also want to echo Senator Mukherji's point about that the State of New Jersey spends *far*, far less on its State parks than most other states, particularly our neighbors. So, we do have ourselves to blame there. And, properly funding the bulkhead and investing in the State park would be a (indiscernible). We need to invest in our public resources and should not be relying on something like this in order to commodify and make a business venture out of the park, to pay for itself. I do want to thank the Commission and Commissioner LaTourette for taking us this far. It's-- We are so close to a great victory and the revitalization of Liberty State Park, and I can't wait to see it completed, and we should not drop it now. This will be irreversible. Sixty years is a long time, and it will be an irreparable footprint on one of the

main entrances to the park in Liberty State Park. I also-- The Federal Government has been referenced several times. This footprint is also in violation of the existing Federal recommendations, and, in a time where when we're seeing so much of the -- of our Federal rules and regulations and guidance flouted, I wouldn't want to see New Jersey add to that in terms of violating the best practices for the marina.

So, thank you for listening to us; thank you to Senator Gopal and Assemblywoman Pintor Marin for their "no" votes. I *strongly* urge you to vote "no," or, at the bare minimum, reschedule this after we have had time to have new, meaningful public engagement with clear outlines and ability to suggest changes from this roundage you see. Thank you.

MR. AKHTER: Thank you, Assemblywoman.

We will now recognize other members of the public; now I ask for everyone's patience as we go through this. We will alternate between those who are raising their hands, and those who are on the phone, recognizing those who are on the phone, and not raise their hand. So, I ask you to please not comment unless you are recognized, and to mute yourself otherwise. Cindy, can we recognize the first raised hand, Number 1?

MS. BUSSELL: Jim Legge, Jim Legge.

MR. AKHTER: Go ahead, Mr. Legge.

UNIDENTIFIED SPEAKER: (indiscernible)

MR. AKHTER: You can unmute yourself, Mr. Legge.

OK. We will go back if he's in this meeting, but we will go on to the next raised hand. Go on to the next raised hand.

MS. BUSSELL: Margaret Doman.



MR. AKHTER: Ms. Doman, you can unmute yourself. (no response)

Ms. Doman, you can unmute yourself and speak. (no response)

OK. Next, next raised hand.

MS. BUSSELL: Robert Moss.

MR. AKHTER: Mr. Moss, you can unmute yourself and speak. (no response)

Mr. Moss. (no response)

Mr. Legge, if you are back, you can unmute yourself and speak.

MR. MOSS: Can you hear me?

Can you hear me?

MR. AKHTER: Please identify yourself, please identify yourself.

MR. MOSS: Robert Moss, you just called on me, can you hear me?

MR. AKHTER: Go ahead, sir, go ahead.

We can hear you, you have three minutes.

MR. MOSS: First of all, this should not even be considered.

This agenda does not even give any details about the boat storage facility. Totally insufficient. For that reason alone, this should be struck from the agenda for today. The other reason I want to mention. The New Jersey Appellate Division has ruled on related subjects, which was the marina to begin with, and there was a question of whether that was public outdoor recreation. The Appellate Division did say it was on certain -- on a few grounds -- including that Green Acres law allows for boating as public outdoor recreations. What I want to know is, why is a warehouse for dry storage of boats, how is that boating? This is not-- This is a violation. If this is built,

it's a violation of the Green Acres laws, the Constitutional amendments, and so on. Green Acres is supposedly-- The land is supposedly protected by the Constitution, State Constitution; however, that's regularly flouted. We do have a problem in the courts, but, in this case, the dry storage facility is not boating. It's storage, and it should be put somewhere else. And, we will be looking into legal action if it's possible. I don't know if we'll be able to do that. That should do for today. Thank you.

MR. AKHTER: Thank you, sir, appreciate it.

Cindy, can we recognize the next?

MS. BUSSELL: OK.

Mark Bloomberg.

MR. AKHTER: Mr. Bloomberg.

Mr. Bloomberg.

MR. BLOOMBERG: Yes, I'm here.

MR. AKHTER: Go ahead, you have three minutes.

MR. BLOOMBERG: Thank you.

OK. So, let's get this straight. According to the summary on today's agenda, the State will collect \$122 million instead of \$6 million. And, Suntex will share the cost of the \$60 million repair to the bulkhead. That sounds incredible, and unfortunately, it's just too good to be true. If you look closely at today's agenda, it misrepresents key economic information; it fails to mention that actual rent already exceeds the guaranteed minimum of the current lease by more than 300%. Rent in 2024 was more than \$1 million. That exceeds the minimum guarantee of the proposed lease, significantly. The summary also fails to mention that the existing rental income has been growing annually by more than the 2.5% increase that's

proposed in the new lease. On top of that, it's comparing a 60-year term to a 20-year term. Sure, the proposed lease sounds so much better, but you're comparing apples and oranges, and the agenda doesn't even have the correct terms of the lease listed on it.

Also, is the Commission certain that it's the State's obligation to fix the bulkhead? Up until 2011, it was the marina operator's responsibility. In 2011, Suntex negotiated new terms on the lease, which included the State taking ownership of the bulkhead repairs, but that lease was never signed off by the State House Commission. Are you *certain* that the lease is valid? Even if it is, has the \$60 million price tag to fix the bulkhead has been independently verified, or are you taking the word of a party who has an incentive to inflate the costs? Bear in mind that just four months ago, Suntex's financial offer was for significantly less money; tens of millions of dollars less. If you look closely at the financials in today's agenda, the one-page summary of principle terms, the lease terms sheet, and the Suntex August presentation to the public, you'll see it contains conflicting information and multiple errors that I can't summarize in just three minutes. In the lame duck session alone, the State has given out half a billion dollars to private entities and municipal projects. The bulkhead repair is the State's responsibility; it would be embarrassing that you prioritize projects like Prudential Center and Hinchliffe Stadium, yet are privatizing funding for Liberty State Park. Given how much money is at stake and what I've stated, that should give you enough pause to make sure that the Commission fully understands the facts and figures before you vote today. You can't just trust the summary on the agenda; it's *wrong*. There are 20 years left on the current lease; a new one should not be approved today. Thank you.

MR. AKHTER: Thank you.

Cindy, who's our--

MS. BUSSELL: Jim Legge, I'm told--

MR. AKHTER: Is Jim Legge available? (no response)

Is Jim Legge now available to speak? (no response)

Mr. Legge? (no response)

OK. We'll move on to the next person.

MS. BUSSELL: OK.

MR. AKHTER: Have we recognized any phone numbers?

MS. BUSSELL: I don't-- I'm going by the name.

The next one is Isaac Smith.

MR. AKHTER: Is Mr. Isaac Smith available to speak?

**I S A A C S M I T H:** Yes, can you hear me?

MR. AKHTER: Go ahead, you've got three minutes, you've got three minutes.

I ask everyone to please mute themselves, including those who have already spoken.

MR. SMITH: Hello, Commissioners, my name is Isaac Smith, and I'm the Policy Advisor for the -- as of today -- Mayor of Jersey City, James Solomon.

I'm here to provide the following testimony on his behalf, as today he is being inaugurated and is unable to attend. So, the following is from his testimony as the Mayor, so--

Good morning, members of the State House Commission, please excuse my absence. Today is Inauguration Day in Jersey City, so I was unable to join this meeting. However, what you have before you is a matter of great

importance to the residents of Jersey City, so I wanted to make sure you received my testimony. So, I respectfully ask that this Commission not finally vote on, or table this item that you have before you, this 60-year lease extension for the marina in Liberty State Park.

As you can see, this lease extension is quite controversial and there-- Can you hear me?

MR. AKHTER: We can hear you, go ahead. Please mute yourself, you are not speaking; go ahead, sir.

MR. SMITH: It's opposed by many in Jersey City, who have repeatedly reformed the DEP of this fact.

Many more Jersey City voices would be here on this call today if--

UNIDENTIFIED SPEAKER: OK, I'm troubleshooting the sound--

MR. AKHTER: Please, please mute yourself, Mr. Legge, we'll recognize you next; please mute yourself.

Go ahead, sir, sorry.

MR. SMITH: I have previously expressed to you and the DEP my concerns with the plan and the process related to this lease, and those concerns remain.

This is not a simple lease extension. This effectively makes the marina a permanent facility by permitting this seven -- the construction of this seven-story building in the park. While the appropriateness of the amount the lessee is paying and the amount the lessee is paying is questioned by many, as you are aware, I'm sure, Jersey City and New Jersey residents have fought for decades to protect Liberty State Park from privatization, a

fight that I have been proud to have been part of during my time as city councilman, and which I will remain a part of as Mayor of Jersey City. So, the discussion-- Any discussion of privatization of any part of the park should be handled with care and follow the most transparent of processes. When the DEP held the meeting on this subject, the vast majority of speakers, including me, spoke in opposition to the extension or raised significant concerns. According to the submitted summary sheet to this Commission, DEP received over 650 public comments on the lease, but fewer than 10 were made in favor of the lease. Meaning that 98% of the comments submitted were not in favor of this lease extension. In light of this context, we all need to remain mindful of the policymaking process and ensure it is a transparent process. We have residents and representatives of Jersey City, including those here, who have many unanswered questions on the deal itself and the process that brought us here; questions that should be answered before you make this final decision. Thus, we hold it's not the appropriate time, days before the conclusion of this gubernatorial administration, to approve this new lease that will significantly outlive the incoming administration. I therefore ask, and the residents of Jersey City here and back home are asking, that this matter is voted "no" on today, or be deferred for the new Sherrill administration to review and evaluate, especially as others have put that this current lease has years before it expires. I thank the Commissioners for your-

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UNIDENTIFIED SPEAKER: Thank you.

MR. SMITH: -- consideration and your service to the State of New Jersey.

MR. AKHTER: Thank you very much, appreciate it.

Mr. Legge, are you now available? (no response)

Mr. Legge? (no response)

Mr. Legge, you can unmute yourself and speak. (no response)

OK, can we move to the next person on the list, Cindy?

MS. BUSSELL: We'll do a phone number.

MR. AKHTER: What's the last four digits?

MS. BUSSELL: Seven-five-three-two.

MR. AKHTER: Would the number seven-five-three-two, ending in seven-five-three-two; the number ending in seven-five-three-two, you can speak.

MS. GELLERT: Hi, can you hear me?

MR. AKHTER: We can hear you, please identify yourself.

MS. GELLERT: OK, sure.

This is Sally Jane Gellert from Woodcliff Lake. Liberty State Park is a treasure; it should be treated as one. There was a good, public-inclusive process for the revitalization program, and the Commissioner clearly stated his opposition to privatization. He's now done a complete about-face and is asking for approval of a lease, and that includes commercialization of five times the amount of what is considered best practices for privatization on parkland published with Green Acres' funding. It includes a giant warehouse for (indiscernible) storage of 500 boats. That's not for public boating, that's for private people with money; a giveaway to the marina and wealthy boat owners, spoiling the view at the entrance, and interfering with the sacred Grove of Remembrance. I've written an article with more extensive comments, published yesterday in the *Jersey City Times*, which I will forward, and was intending to focus on the financial issues here, but the speaker -- I

didn't catch the name -- before the Mayor's policy person spoke, did an excellent job, I'll just add those to my comments. And, there's no reason to rush this today, even before the issues with this meeting, which has been so difficult, interrupting so many speakers, with 20 years still on the current lease. With such a last-minute proposal, with 90% of the public comments opposed, this is a bad process to push forth. A bad proposal, one that's in contrast to the previous well-run public process. Please, defer this deal so that we do not sell off our treasured oasis for, really, not much of anything. I came up with the 21<sup>st</sup> year of the contracts, the new one being \$3 million more than the old one, well, that's not enough for Liberty State Park. It's just not-- Just don't do this. Thank you.

MR. AKHTER: Thank you, thank you very much.

Cindy, who do we have next?

You--

MS. BUSSELL: Margaret Doman.

MR. AKHTER: Ms. Doman, is Margaret Doman available?

Please unmute yourself or hang up if you're done speaking.

Ms. Doman, are you available? (no response)

Next speaker.

MS. BUSSELL: Robert Moss.

MR. AKHTER: I believe he already spoke.

UNIDENTIFIED SPEAKER: No, you did him already.

MR. AKHTER: He spoke; he spoke. I understand, thank you.

MS. BUSSELL: Mark Bloomberg-- Mary Beth Temple.

MR. AKHTER: Mary Beth Temple; is Mary Beth Temple available?



**KATY TEMPLE:** Hi, yes, this is actually Katy Temple in Congressman Rob Menendez' office. I had to use an alternative account to log on; I would just like to read the Congressman's statement for the record.

**MR. AKHTER:** Thank you.

**MS. TEMPLE:** He writes that, among the many honors of representing Jersey City and the surrounding communities in Congress is having Liberty State Park all within my district. Liberty State Park is a gem, and a treasured oasis in our urban landscape for so many, including my family. For years, I have worked alongside Sam Pesin and other advocates who have taken on the great responsibility of protecting and preserving Liberty State Park. That is why I am deeply troubled and opposed to the plan before the State House Commission that would construct a warehouse for luxury yachts at the gateway to Liberty State Park. Our park belongs to the people, not to luxury marina companies seeking to commercialize our recreational spaces. I stand with Friends of Liberty State Park, and all of the advocates fighting to preserve the park that we all love, and, on behalf of our constituents in opposing this unnecessary and harmful plan, thank you.

**MR. AKHTER:** Thank you very much for that statement.

Next.

**MS. BUSSELL:** I was going to take a phone call, last digits three-nine-nine-two.

**MR. AKHTER:** OK, is there a phone, last four digits three-nine-nine-two on the phone; three-nine-nine-two? (no response)

Again, three-nine-nine-two?

**MS. MAYSER:** Yes.

**MR. AKHTER:** Yes?

MS. MAYSER: Yes, can you hear me?

MR. AKHTER: Go ahead, please announce yourself, you have three minutes.

MS. MAYSER: My name is Darlene Mayser, and I am a citizen of New Jersey, and I'd like to say the last meeting I attended, the DEP Commissioner said that our State parks are underfunded by \$1.2 billion, and that he wishes all the citizens of New Jersey were as passionate about this park as all the parks in our funding.

Given that statement, we're five days away from having a new governor of the State of New Jersey; we need to wait so that we can get the proper funding for this. I also feel like this meeting was a disgrace, and it should be either voted no, or postponed, deferred, as other people are saying. The State-- We should not be held hostage to a Texas corporation because we're not funding this, and this has been pointed out by our leaders, this is a rounding error. So, this rounding error, the State should pay for this. We shouldn't be giving this corporation our land to pay for something we should be taking care of with our funding. To allow the privatization of our parks, it's just a betrayal to the environment, wildlife, and the community. I am totally opposed to this. I do not care about Suntex's bottom line. I care about the park, I care about the killdeer that live over there and the herons; I do not care about a Texas corporation. And, please honor our wishes and vote "no," or defer this meeting so further investigation can take place. Thank you.

MR. AKHTER: Thank you very much.

Who's next?

MS. BUSSELL: Did you want to give another chance to Jim Legge, he's--

MR. AKHTER: Mr. Legge, I'll call again.

UNIDENTIFIED SPEAKER: Oh, come on.

MR. AKHTER: OK, next.

MS. BUSSELL: OK.

Richard Cordner.

MR. AKHTER: Mr. Richard Cordner, Mr. Cordner, you can unmute yourself and speak.

**RICHARD CORDNER:** Hi, can you hear me?

MR. AKHTER: We can hear you sir, go ahead and identify yourself, you have three minutes.

MR. CORDNER: Yes, hi, my name is Rick Cordner.

I am here to oppose the proposed 60-year lease for the marina warehouse. I have been visiting Liberty State Park for more than 30 years; it has always been my haven. Every time I cross the Morris Canal on Jersey Avenue to enter, my spirits soar as I saw the beautiful green open space before me, our green oasis. Now, I understand this entry to Liberty State Park will be forever blighted with the construct of this mammoth 70-foot high marina warehouse. It would be hard to fathom something more antithetical than what this park stands for. Our free and green oasis, soon to be home for a multi-story parking lot for millionaires' yachts. Why is this being done? The DEP claims that the marina bulkhead needs to be repaired, and it costs \$60 million. Suntex, the current operator, marina operator, has offered to pay 50% with \$30 million, in exchange for an extraordinary 60-year lease, including permission to build this warehouse. The DEP, in order to raise

money, is effectively selling off land to benefit a private company. It's privatization disguised as a 60-year lease. So, if Trenton fails to provide funds for capital improvement, individual parks can sell off land, or lease long term to make up the shortfall. Do we really want to go down that road? Shame on Trenton. The New Jersey State budget for the Fiscal Year 2025 was \$56.7 billion. The State maintained the surplus at \$6.1 billion. The marina's share of the bulkhead restoration for \$30 million represents a miniscule 0.0529% of the State budget. As everyone has suggested, this is a rounding amount. This should give us some perspective. DEP is selling off this land for a pittance. Please reject this lease; it's an obscene giveaway. Thank you for giving me this opportunity to speak.

MR. AKHTER: Thank you, sir, appreciate it.

J I M L E G G E: Rick Cordner is speaking you see--

MR. AKHTER: Thank you--

MR. LEGGE: You're calling-- I lowered my hand, because--

MR. AKHTER: Mr. Legge, Mr. Legge, Mr. Legge, Mr. Legge, Mr. Legge--

MR. LEGGE: -- it's (indiscernible) "Mr. Legge, we're giving you another chance," but I can't hear a (expletive deleted) thing.

MR. AKHTER: *Mr. Legge*, can you hear us?

MS. BUSSELL: He just muted himself.

MR. AKHTER: OK, next.

MS. BUSSELL: We'll pick a phone call, last digits, four-zero-six-six.

MR. AKHTER: Is there a four-zero-six-six on the phone, four-zero-six-six? (no response)

Is there four-zero-six-six? No?

MS. BUSSELL: OK, Sam Pesin.

MR. AKHTER: Mr. Pesin?

Are you available? (no response)

Mr. Pesin?

MS. BUSSELL: He's got himself muted.

MR. AKHTER: Mr. Pesin, you have to unmute yourself to speak.

**S A M P E S I N:** OK.

MR. AKHTER: Mr. Pesin?

MR. PESIN: Yes, ready?

MR. AKHTER: Go ahead.

You have three minutes.

MR. PESIN: I'm President of Friends of Liberty State Park, the son of Morris Pesin, the park's father.

Please reject this lease allowing for this major privatization expansion of a massive boat storage warehouse, which would severely harm the park's character, openness, and spiritual purpose. This 500-boat warehouse is on 2.3 acres, and it's 70 feet high, *70 feet high*. The second building at 55 feet high, along the park's northern entrance, across from the 9/11 Grove of Remembrance. The park is a sacred urban oasis, an American landmark behind Lady Liberty and Ellis Island. The commercial building, 2.5 acres, boasting at 70 feet high, equals two football fields. LaTourette ignores the existing National Park Service decision, due to its Federal funding, limiting the warehouse to only a half an acre. Please vote no. If Mikie Sherrill is governor in five days, she should review and revise the lease.

Today is Martin Luther King's birthday. He said, "The time is always right to do what's right." There's no good reason to approve it today. LaTourette also ignores the broad public consensus of 49 and half years of many tens of thousands opposing privatization no matter what money was promised. And, LaTourette said, "Sometimes you have to do unpopular things," but nothing unpopular should be forced into this park behind the statue.

An attorney wrote to the Commission that (indiscernible) should show no legal State obligation to replace the bulkhead, so your approval would be premature and improper. The attorney also explained that DEP lease process was defective because it didn't comply with the Green Acres Act requiring the evaluation and appraisal of the land. Without it, you lack the facts and legal authority to decide whether the 60-year lease protects the public interest and is a good deal or a bad deal, without that evaluation. Whether there's a lease or not, the DEP's planned ballfields on the existing lease lawn are already funded and already moving forward, according to yesterday's DEP press leaks. Liberty State Park represents the spirit and magnificence of America in a way no other place does. Your approval would be the worst decision in Liberty State Park's 49-and-a-half-year history. Some say -- Commissioners -- some say that the fix is in your vote today. So, please, act, vote on your consciences; prove them wrong. Show that the fix is not in, and reject this lease with its humongous, gargantuan warehouse in this park, turning 50 in June. Liberty Park is a New Jersey and American treasure. Thank you.

MR. AKHTER: Thank you, sir.

Next.

MS. BUSSELL: We're going to try phone number four-zero-six-six again, and just--

MR. AKHTER: Four-- Yes.

MS. BUSSELL: Just a reminder, star, six.

MR. AKHTER: Star, six.

Four-zero-six-six. You have to press star, six to unmute yourself. So, phone number four-oh-six-six, press star, six to unmute yourself.

ELVI GUZMAN: Hello, good morning.

MR. AKHTER: Good morning, please identify yourself; you have three minutes.

MR. GUZMAN: Sure.

My name is Elvi Guzman, and I'm a resident of Hoboken, and I am an active visitor to Liberty State Park, and I also host events at Liberty State Park. I consider Liberty State Park to be one of the most important and treasured public spaces in New Jersey. It was created for people, for families, for kids, for runners, for seniors, and everyday residents. Not for industrial use of private commercial development. The proposal to build a warehouse for boats inside Liberty State Park is completely inconsistent with the purpose of a State park. A boat storage warehouse is an industrial facility, not a public amenity. It brings trucks, traffic, fencing, restricted access, and long-term privatization of land that should remain open and accessible to the public. Once public parkland is handed over for private industrial use, it is almost never returned to the people. Liberty State Park should be protected and improved with more green space, recreation, environmental, restoration, and free public access, not carved up for commercial storage. I strongly oppose any plan that puts private warehouses, boat storage, or industrial

facility inside Liberty State Park. This land belongs to the people of New Jersey, and should remain a place for nature, restoration, and community, not for profit. Please reject this proposal and keep Liberty State Park public, open, and protected for future generations. Thank you.

MR. AKHTER: Thank you.

Next.

MS. BUSSELL: Anne Poole.

MR. AKHTER: Ms. Poole?

Ms. Poole, you have-- Please unmute yourself. (no response)

Is Anne Poole there?

**A N N E P O O L E:** Yes, I am; I am.

MR. AKHTER: Go ahead, you have three minutes, go ahead.

MS. POOLE: Anne Poole, President of the Board of the New Jersey Environmental Lobby.

NJEL respectfully requests that the proposed lease for the boat warehouse at Liberty State Park be rejected. Aside from the fact that this is not part of the published revitalization plan, the footprint and height of the proposed structure is out of character with the natural surroundings of LSP, and out of scale with other structures. Its location on prime property will close that area, which belongs to the state's taxpayers, to the public. NJEL is a 55-year-old, nonpartisan membership organization, based in Trenton and focused on advocacy for the natural resources of New Jersey. Our Board of Directors considers LSP an iconic natural resource that should be preserved for its value to the State, but there are some things even larger than a single park at stake. Almost since its establishment, LSP has been the target of privatization and commercialization schemes. This is the latest, proposed



just days before a new gubernatorial administration. This tag-on to an existing lease would place a commitment on succeeding administrations for decades. If this lease is approved, it will become a model for long-term privatization at other parks, and for treatments that some had advocated for years, that State parks become revenue centers. The supposed financial gain of the lease payment, ostensibly to provide funds for bulkhead improvements is minuscule, as compared to the State budget. State parks and forests in New Jersey are the property of the taxpayers. They should be accessible to all taxpayers and visitors, not reserved as amenities for a privileged few. Thank you for listening.

MR. AKHTER: Thank you very much.

MS. BUSSELL: Wendy Setzer.

MR. AKHTER: Ms. Setzer, are you available, Wendy Setzer?

**W E N D Y S E T Z E R:** Yes, yes, here I am.

MR. AKHTER: Go ahead, you have three minutes.

MS. SETZER: OK, I've been a resident of New Jersey for -- since 1989.

I had my kids riding down Liberty State Park with the Twin Towers behind me. This is sacred land. You can't have a giant warehouse when you enter the entrance of the park. I have a question: Why didn't the Army Corps of Engineers revitalization plan not include the bulkhead? Why don't they redo their plan so the money does include the bulkhead? I don't understand that. The State itself supports -- should support a park, and that clearly doesn't make an income. That is definitely the definition of a park. That drive shouldn't be greeted by a tremendous commercial building, and

to add insult to injury, which would even have a boat salesroom, and it can sell yachts in that salesroom. That's (indiscernible)

MR. AKHTER: Please mute yourself.

MS. SETZER: OK.

MR. AKHTER: Go ahead.

Go ahead, Ms. Setzer.

MS. SETZER: OK, I'm done.

(laughs)

MR. AKHTER: Thank you.

MS. SETZER: OK, defer this decision 'til the new people take over.

MR. AKHTER: Thank you, ma'am, appreciate it.

Next on the line.

MS. BUSSELL: Eric Walker.

MR. AKHTER: Mr. Walker?

**ERIC WALKER:** Hi, yes, I'm Eric Walker; I'm a lifelong resident of New Jersey. I've lived in Jersey City for the past 14 years.

The park is a place that I treasure; it's a place that I've spent many important moments in my life. I personally know plenty of other people who feel that same thing. And, I can focus on the eyesore of a building and how that provides nothing to residents. But, the fact here is that we're mortgaging the future of the park by privatizing any portion of it. Or, we didn't privatize different sections of the park as the years go by and we need to raise funding. I just think it's crazy; it's completely in opposition for what the park stands for. I think when the park was -- the principle that the park was founded on, a 60-year lease? I mean, I don't know any rational person

who could think that that is a smart decision for future to come, our children, our children's children; it's going to impact many, many generations. And, I don't feel that residents should be held accountable for the State's lack of being prepared in dealing with these issues. We're facing what the State has lacked to do, that is not the residents' problem. The park should remain free and public for all. So, again, I think (microphone malfunction) I'm vehemently opposed to this, and I think it should be deferred until the new administration can look at it, and yes.

MR. AKHTER: Thank you, sir, appreciate it.

Next.

MS. BUSSELL: Mr. Kushner, Bob Kushner.

MR. AKHTER: Mr. Robb Kushner, is Mr. Robb Kushner here?

**R O B B K U S H N E R:** Just a moment.

MR. AKHTER: Sir?

MR. KUSHNER: Can you hear me?

MR. AKHTER: We can hear you.

MR. KUSHNER: OK, I'm sorry, I was having trouble unmuting myself.

MR. AKHTER: No, it's OK.

It's quite all right.

MR. KUSHNER: Appreciate it.

My name is Robb Kushner. I'm a Jersey City resident, and a member of the Friends of Liberty State Park. I'm speaking to oppose the new 60-year Liberty State Park marina lease. My wife and I have been New Jersey residents since 1983, and Jersey City residents for the past 15 years. Including our kids and grandkids living in downtown Jersey City, there are

nine of us who all appreciate Liberty State Park tremendously. Liberty State Park is truly a magical place. If you haven't been there, I strongly urge you to go, and if you have been there, it's always great to go again. A massive warehouse that would be permitted under this lease would deal off the northern, peaceful entrance to the park and across from the 9/11 Grove of Remembrance. People come to Liberty State Park to get away from buildings. The warehouse clearly violates the powerful meaning of the free people's park behind Lady Liberty, and it's a giveaway to a multi-billion-dollar corporation. The DEP's proposed lease would cast aside and dishonor 49 years of overwhelming and broad majority public consensus for non-privatized open space and open views in this sacred urban oasis and nationally significant park. Neither Central Park nor any other great park in the world would allow a huge commercial building like this. This monstrous commercial building will be a constant disgusting visual assault on park users, from our city, state, nation, and world along Audrey Zapp Drive and the Canal walkway. As we approach the 50<sup>th</sup> anniversary of Liberty State Park and the 250<sup>th</sup> anniversary of the Declaration of Independence later this year, I urge you strongly to support the protection of Liberty State Park in this kind of massive industrial construction and building. The people of New Jersey and future generations will benefit from your taking this action. So, please vote "no" on the proposal. Thank you very much.

MR. AKHTER: Thank you, sir.

Next.

MS. BUSSELL: Jeff Tittel, (indiscernible).

MR. AKHTER: Mr. Tittel, you are recognized for three minutes.

MR. TITTEL: Sure, thank you.

Jeff Tittel, longtime advocate, former Director of the Sierra Club. This is a dirty deal that has been done behind closed doors, without public input. You're trying to rush it through at the end. This is one of the most shameful things in my 50-plus years of being an environmental activist. We're supposed to be standing behind the Statue of Liberty, not stabbing her in the back. This proposal, the industrialization and privatization of our most important State park and a national treasure, it's the gateway to the United States. The Statue of Liberty doesn't say, "Give us your tired, your poor, and your million dollar yacht." It's about people, and it's about recreation. It's not for a seven-story warehouse. This project is the biggest disaster to hit Liberty State Park or Jersey City since the Black Tom explosion. And, the public should explode against this dirty deal, or Sundreck, because this deal is dreck. It's terrible for the people of New Jersey; it's terrible for the people of this country; and, on top of it, you're violating all kinds of rules. Didn't do a proper financial analysis; you didn't do an alternative analysis; you're letting them get a sweetheart deal. For instance, you never had a separate State House Commission hearing. You decided to have it in part of the September 5 Ogden Rooney meeting, and instead, there was no one from the State House Commission who was there, not one of the legislators, or the other members. So, this whole thing is a sham, because you're supposed to have that hearing, or not piggy-back on another hearing. On top of it, you didn't do an alternative analysis. There's other lands available in Jersey City they could buy. But, of course they don't want to buy it, because in Jersey City, lands in an industrial property goes for \$13 million apiece, an acre. This would cost them more money and they could be paying \$4 million in taxes.

So, this is not about building a bulkhead, this is about a sweetheart deal that's going to take public land off the books for people to use for generations. And, this is *wrong*, this is everything that the State should be against. This has been done behind closed doors, no different than repealing OPRA and everything else that we've been doing. This is all about basically taking care of special interest against the public interest. This Liberty State Park is our Yellowstone; this is our Yosemite; this is our place for the people, not for million-dollar yachts and billionaires. Stop this stupid thing and vote it down.

MR. AKHTER: Thank you, sir, appreciate your comment.

MS. BUSSELL: Stephanie--

Stephanie--

MR. AKHTER: Mr. Legge, I will try one more time, if you're available?

MR. LEGGE: Yes, can you hear me?

MR. AKHTER: I can hear you, sir, go ahead, you have three minutes.

MR. LEGGE: OK, the law that creates the Department of Environmental Protection has two mandates: To protect green space, and to promote history.

Commercialization is not part of any mandate, and, so, on its face, this decision is totally illegal. Secondly, the 1990 National Park Service Board Record of Decisions limits boat storage warehouse to no more than half an acre, and this proposal violates that provision. So, on two counts, this decision, this project is totally illegal. Lastly, most important, it sets a precedent for any developer from now on into eternity to cite this as a legal

precedent and propose-- Any developer could cite this as a precedent and create more commercialization on top of this park. So, this project is a total abortion and should be cancelled immediately. As far as my participation, I've been a volunteer of Liberty State Park for 25 years; I've planted trees which are now 25-, 30-feet high, and I've had a long involvement with this park and green space. And, this is a precious oasis in the middle of megalopolis, in the middle of a county; Hudson County is one of the most polluted counties in the United States. We need more green space, not less. So, please postpone this sweetheart deal, this totally corrupt, deceitful, sweetheart deal so that the next governor can at least take a look at it, and you won't have shame on yourselves by trying to rush through this abortion as this current administration is going out of office. Thank you very much.

MR. AKHTER: Thank you, sir.

Next.

MS. BUSSELL: Stephanie Startz.

MR. AKHTER: Ms. Startz, Stephanie Startz?

**S T E P H A N I E S T A R T Z:** Hi.

MR. AKHTER: All right, you're recognized for three minutes.

MS. STARTZ: My name is Stephanie Startz; I'm a Jersey City resident.

I question the wisdom of a 60-year lease on land that flood maps project will begin to flood as early as 2030. An environmental review would've pointed that out, but sadly, that was not performed. This proposed dry storage site will very soon be wet storage. And, Suntex will force majeure their way out of this contract, and most likely leave the State of New Jersey with the full cost of repairing the bulkhead, along with the giant eyesore at

the entrance of Liberty State Park. I'm wholesale opposed to offering public land to private entities to profit off of. That said, I seriously reviewed the State's proposal, and have come away with the belief that the New Jersey Department of Environmental Protection is getting taken for a ride by Suntex Marinas. Suntex Marinas is a private company, and the largest stand-alone marina owner and operator in the United States. They have an annual revenue in the range of \$250-500 million. Suntex considered an initial public offering in 2022 that would have valued at more than \$3 billion. They received a significant investment from private equity, recently announcing a partnership with Centerbridge Partners to acquire over \$1.25 billion in new marinas. Private equity has a simple investment thesis: Boaters are willing to pay more. Customers at Suntex marinas have complained of significant and repeat price increases of 8% annually, dwarfing the State's proposed 2.5% annual rent increase. Let's assume that every single one of the 520 slips in Liberty Landing is rented out to a 40-foot boat; that's roughly \$1,000 a month, resulting in \$6.2 million in annual slip revenue. Assume half of those boats are powerboats, the others sailboats, you can assume \$3 million in fuel revenue in just the summer alone. Using an industry benchmark of a 38% operating profit, we can considerably project annual profits at least \$4 million, but assume much higher. Using a conservative cap rate of 8%, or 5x multiplier, those of which are industry benchmarks, Liberty Landing can be assumed a value between \$4 million and \$16 million. John Simpson, an industry expert of marina appraisals, has stated that adding dry rack storage adds another \$858,000 to the value of the entire marina. Now, if we're going to sell off every inch of square -- every inch of land in New Jersey, let's at least get our fair share. Now-- Before I'm already opposed to this, but if we're



going to get taken for a ride by private equity, by every corporation under the sun, let's at least make sure New Jersey taxpayers get a break for a minute. We are clearly not getting adequate compensation from this agreement--

MR. AKHTER: Ms. Startz--

MS. STARTZ: I think this lease likely exposes New Jersey to a lot of risks, and a lot of financial responsibility, and will ultimately become--

MR. AKHTER: Ms. Startz.

MS. STARTZ: -- responsible for the entire lot of land and the cost of the bulkhead.

MR. AKHTER: Ms. Startz, thank you, you've reached the three-minute limit, appreciate your comment.

Who's next?

MS. BUSSELL: Mr. Sand--

MR. AKHTER: I'm sorry?

MS. BUSSELL: Mr. Sandkamp.

Mr. Sandkamp, are you available?

**ANTHONY SANDKAMP:** I am; can you hear me?

MR. AKHTER: Go ahead, sir, you have three minutes.

MR. SANDKAMP: OK.

I'm Tony Sandkamp; I'm a longtime downtown resident and small business owner. Commissioners, for 50 years, advocates have fought for and reclaimed an industrial wasteland, for one of the most iconic parks in the State of New Jersey. A vital green space shared by 4 million visitors per year. You're asked to approve a 60-year lease that, at its heart, builds a double height warehouse the size of two Home Depots stacked on top of each other. And, what for? To house yacht storage for millionaires who don't

want their boats to get rained on. We take iconic views away forever and store boats there inside. I say, let Suntex store boats in a location, like they own behind Costco, or a Lowes warehouse, where the buildings will fit in naturally and the residents of Jersey City will keep their views that so many have worked half a century to save. This proposal, with a 60-year lease-like ownership, encumbers part of the park until every person attending this meeting today is dead. Like selling a State park, the State Legislature should *approve* the lease. A study should be done to take into account environmental, cultural, and historical impact going forward. In the very near future, this location will need to be fortified against sea level rise, with possible levies constructed to protect downtown Jersey City. In creating this lease, and encumbering the property with the structure, will create legal obstacles to the protection that will be needed -- need to be afforded to our city. Constructing a building of this size on green space should also consider zoning changes and confer with City agencies. The neighboring property owners will need to be compensated for the loss of property value caused by the warehouse butting their property as perspective structures and condos will lose value relative to their current location of butting a green park. I ask that this Commission vote to table this application until the new administration is in office. And, no hardship applies here, as the bulkheads have been in the condition they are now for many years. Thank you for your time, and please remember that parks are part of a legacy that we share with future generations, and they're not intended as income to balance a budget. Thank you.

MR. AKHTER: Thank you, sir.

Who's next?

MS. BUSSELL: Jennifer Meyer.

MR. AKHTER: Ms. Meyer?

UNIDENTIFIED SPEAKER: I don't know, but I'm bailing out.

MS. MEYER: Hi.

MR. AKHTER: Ms. Meyer? Are you Ms. Meyer?

MS. MEYER: Can you hear me?

MR. AKHTER: Yes, we can you hear you. You're recognized for three minutes.

MS. MEYER: Thank you.

So, I have two points to make. One is that I don't understand-- First of all, the cost to the boat owners, I just did some calculations, and we're basically looking at the-- Like, there's going to be an increase of between \$6,720 for a 20-foot boat to be like six months slip and six months stored. And, then, it goes up every 10 feet, \$10,000; \$13,000; \$16,000; \$20,000. So, these are-- I'm sorry, that's the increase; those are the increases in what people would be looking at. So, I think that the boat community doesn't realize that this is not being built for this boat community, this is being built for a billionaire's boat community. And, I will submit the table with the before-and-after estimated marina prices, and the estimated marina prices are also based on what Suintex charges down in Florida, so that's one point I wanted to make. And, the other point I wanted to make is that we treat-- The important thing is the fixing of the bulkhead, and we act like it can only be done if we do this expansion project. But, without the expansion project, NJDEP estimates the 3,500-foot bulkhead will be \$60 million, probably will be higher. And, if you phase it, you could break it into three phases. You could do the first 10%, and that would be 66 -- sorry -- you could basically phase it over three years, three to four years, and you would end up paying

the same amount. So, I don't understand how we can't (indiscernible) phase it and pay for it a little bit at a time. So, then you're not really looking at the whole \$60 million in one shot. You're looking at it over a period of four years in a phased approach. Because, the only people who benefit from this are the marina -- bulkhead has to be repaired. So, I-- Again, why-- This is a public park; we should -- the State should -- be paying for the bulkhead repairs; approach it more intelligently; forget about the expansion; and do a phased approach where you can spread out the costs. So, that's it. Thank you very much.

MR. AKHTER: Thank you, Ms. Meyer.

Who's next?

MS. BUSSELL: Eleanor Gruber.

MR. AKHTER: Ms. Gruber, Eleanor Gruber.

Ms. Gruber, Eleanor Gruber? (no response)

OK, we'll move on to the next speaker.

UNIDENTIFIED SPEAKER: I lost my spot, and I wanted to take this opportunity.

MR. AKHTER: Who is this; go ahead, identify yourself, sir.

**D E A C O N R A F A E L T O R R E S:** My name is Deacon Rafael Torres, I'm a Deacon in the community just south of the park, but I represent the Friends of Liberty State Park as the Vice President.

MR. AKHTER: Go ahead, you have three minutes.

DEACON TORRES: Thank you.

First, I'd like to highlight a letter by Thomas Paciorkowski, who's an attorney affiliated with the Friends of Liberty State Park, and this letter addresses serious and unresolved defects in the proposal to the 60-year

Liberty Landing. This attorney has identified that the entire financial structure of the proposal lease relies on that 2010 agreement that may be legally invalid because it never received the required approval by you, the State House Commission. The 2010 documents, the sole basis of shifting a \$60 million bulkhead obligation onto the State, an obligation that did not exist in the original 1996 lease, and it was never intended to be carried by taxpayers. If this lease is approved today, it would expose New Jersey to unnecessary financial risk and undermine the transparency of oversight that the Commission was created to uphold.

Secondly, I'd like to highlight the 707 emails that were obtained through Friends of Liberty State Park, OPRA request sent to (indiscernible) of the DEP. All but five emails were against the marina, so that's 702 who were -- excuse me -- 702 against-- So, just let me highlight a few of them. On page 9 from Maplewood, this person mentioned that such a structure could very well damage Liberty State Park's essential character. There was an attorney on Page 20, Rosen stated, "I can't attest to the need for free and open green space in one of America's most densely populated communities. (indiscernible) out of the people of New Jersey." Emily Johnson on Page 21 states, "Please do not allow loopholes for the rich (indiscernible) beautiful and available to all." The U.S. Coast Guard certified captain (indiscernible) on Page 27 that stated, "I use the options along Morris Canal and ensure the unfettered (indiscernible) use of Liberty State Park. The warehouse would damage the Liberty State Park character, history, (indiscernible) purpose, and sacredness." (indiscernible) for New Jersey on Page 44, "Please stop the privatization of our beloved park." From Anita McCrae (phonetic spelling) about her late mother Jean McCrae (phonetic spelling) on Page 49 states,

“My mom fought tirelessly with the Pesins to protect this wonderful open space. Or, Mark Shemmer (phonetic spelling) from Tenafly, New Jersey, on Page 78 concludes, “That boat storage would benefit a tiny fraction of the users of Liberty State Park while negatively--

MR. AKHTER: Reverend Torres, Reverend Torres.

DEACON TORRES: -- percent of the park users.

And, many more can be sent to you if you don't have the record already.

MR. AKHTER: Thank you.

DEACON TORRES: Please consider the 702 people who are against this ugly--

MR. AKHTER: Thank you.

DEACON TORRES: -- lease that affects everyone in New Jersey.

MR. AKHTER: Thank you.

Thank you, Reverend Torres, you've reached your three-minute limit. We thank you. Who's next on the list?

MS. BUSSELL: Doug O'Malley.

MR. AKHTER: Is Doug O'Malley-- Mr. O'Malley, are you available? (no response)

Mr. O'Malley, are you available?

**D O U G O ' M A L L E Y:** Yes, can you hear me?

MR. AKHTER: Yes, we can hear you. You have three minutes.

MR. O'MALLEY: All right, my name is Doug O'Malley; I serve as the Director from Environment New Jersey. We represent more than 80,000 members and activists across this great state. And, I wanted to start off my testimony by saying that the lame duck legislative session ended on

Monday, where it's possible to pass bills in the dead of night. But, today, lame duck is alive and well, because the privatization of Liberty State Park is on the agenda, five days before governor-elect Sherrill takes office. And, we've heard unprecedented public outrage against this plan. And, not just from residents of Jersey City and former residents of Jersey City, but the combination of the statements from Senator Gopal as well as Assemblywoman Pintor Marin against this plan, as well as the statements, very articulate, Senator Mukherji, Assemblywoman Brennan; the support from staff from Congressman Menendez and Mayor Solomon; as well as the opposition from Assemblyman Bhalla. This is obviously -- and what you've heard again and again -- is that this is a precedent, and this won't just stop at one lease. We've also heard that there needs to be a public hearing. This is essentially a rubber-stamp process trying to push this through right at the end of this administration. And, to be clear, this is a permanent scar that would end up on the doorstep of Liberty State Park; on the doorstep of the 9/11 Memorial; on the doorstep of the vistas of Lady Liberty. And, this is a 70-foot-high building for more than 2 acres. This is essentially privatization coming into the park, which has been the legacy of Liberty State Park, of fighting against this privatization. And, even worse is that there's nothing in the document from the National Park Service's direct decision from close to 40 years ago from 1990, and reaffirmed 2008, that a dry-rack storage facility warehouse could *only* be half an acre. So, the Park Service ruled in '90 and affirmed in '08 that it would be a conversion of Federal funds for public outdoor recreation if a boat storage facility exceeds half an acre. This is clearly that.

This is also a-- There's been an argument on there needs -- that this needs to happen for the revitalization of Liberty State Park to happen. There's no connection between the act of recreation and this sweetheart deal that Suntex is pushing for. It also needs to be clear that the DEP's lease process is defective, and the bulkhead replacement isn't an obligation for the DEP, according to past leases. This is referenced -- this massive boat warehouse -- is referenced as an enclosure by the DEP. This is not an enclosure; it's a massive privatization of public land. And, I think it's critical to know that -- that the lease does not need to be acted upon right now. This is, really, kind of a moment and test for the State House Commission--

MR. AKHTER: Mr. O'Malley.

Mr. O'Malley, you're--

MR. O'MALLEY: I'll wrap up my testimony.

MR. AKHTER: Yes, go ahead.

MR. O'MALLEY: I'll wrap up my testimony by saying this is a moment of test for the State House Commission.

We urge the State House Commission to reject this proposal, thank you.

MR. AKHTER: Thank you very much.

Who's next?

MS. BUSSELL: Emile DeVito.

MR. AKHTER: Emile DeVito, is there an Emile DeVito on the meeting?

UNIDENTIFIED SPEAKER: He's gone, I think.

MR. AKHTER: Emile DeVito?

DR. DeVITO: Yes, yes, can you hear me?



MR. AKHTER: Yes, we can hear you, go ahead, three minutes.

DR. DeVITO: Yes, you can hear me?

MR. AKHTER: Yes, we can hear you, go ahead.

DR. DeVITO: Yes, Emile DeVito, yes, Emile DeVito, Director of Stewardship and Science, New Jersey Conservation Foundation for 36 years.

This is the most egregious attempt to divert parkland that I have ever seen. I agree with Jeff Tittel that it's the worst in the history of New Jersey. Everyone has made incredible statements: Mr. O'Malley; the Senators; the Assemblywomen; the Mayor; everyone. And, absolutely everyone is against this proposal. I just want to highlight, and of course, without -- who could not commend Sam Pesin for his incredible work on this issue and all the Friends of Liberty State Park? New Jersey Conservation Foundation fought the Port Authority 65 years ago, and we will fight Suntex, and we will join with the Friends of Liberty State Park if your Commission votes yes on this today, and we will never let it rest. There's been no appraisal. The one thing that people haven't talked about is the fact that this is a 60-year lease and you have no idea of what the value of a marina would be 20 years out, never mind 40 years out, never mind 60 years out. This is such a sweetheart deal; it could be that a marina in Jersey City and in New York Harbor in 60 years from now is worth ungodly amounts of money and the State is absolutely getting completely ripped off, because there's no way to do a fair appraisal of what kind of sweetheart deal and windfall we are giving to Suntex. There was a wonderful testimony by Stephanie Startz. It sounds like the new governor should put together a team of appraisers, planners, real estate experts, marina experts, bulkhead experts, and actually

figure out what would be in the best interest of the people of New Jersey here. And, I am certain that the decision would be that the people of New Jersey could repair the bulkhead for open space purposes, and the marina could go with its existing lease, and then when it expires in approximately 20 years, if there's a need for a marina, it could be renegotiated, and maybe we would have some idea of what the value of a marina would be, for billionaires, at that time. And, in that new world where sea level rise will be changing everything -- which was an excellent point made about how to protect Jersey City in the future. And, having this 60-year lease would be a detriment to being able to achieve those goals. So, everything about all of the testimony today clearly points that this should be tabled or rejected outright, and let the new administration take it up and put together a proper team in order to evaluate what should happen. The fact that no appraisals have been done is a clear violation of land--

MR. AKHTER: Mr. DeVito.

DR. DeVITO: -- protocols.

Thank you very much, please table or reject this motion.

MR. AKHTER: Thank you, sir, appreciate it.

Next speaker.

MS. BUSSELL: Zachary Curtis.

MR. AKHTER: Mr. Curtis, Zachary Curtis.

**ZACHARY CURTIS:** Hi, I'm here; can you hear me?

MR. AKHTER: We can hear you, go ahead, you have three minutes.

Go ahead, we can hear you.

MR. CURTIS: All right, thank you.

Hi, my name is Zachary Curtis; I'm a lifelong resident of Jersey City. I want to be clear that I oppose this proposal as it's currently structured. Liberty State Park is a place I care deeply about. Like many residents, I use it; I value it; and I see it as one of the few truly open public spaces our region has. That's exactly why this proposal concerns me. A 60-year lease for a large, private boat storage warehouse on public parkland is too long, too intensive, and it sets a troubling precedent for the future of the park. While I understand the need for infrastructure investment, addressing those needs should not be framed as a binary choice between this proposal, or no solution at all. Treating this as an either/or decision limits our ability to imagine better alternatives, and to solve the underlying problem without permanently commercializing public trust land. As proposed, benefits are limited and reversible, while the impact on public space and public trust is lasting. For those reasons, I urge the Commission to reject the lease in its current form. And, that's pretty much all I have to say about it. Thank you.

MR. AKHTER: Thank you, Mr. Curtis.

Thank you, Mr. Curtis, appreciate it.

MS. BUSSELL: Colin Egan.

MR. AKHTER: What's that?

MS. BUSSELL: Colin Egan.

MR. AKHTER: Colin Egan.

**COLIN EGAN:** Yes, can you hear me?

MR. AKHTER: Colin Egan are you here?

We can hear you, go ahead. You have three minutes.

MR. EGAN: Thank you, my name is Colin Egan; I'm a resident of Jersey City, and I've been enjoying Liberty Park since it opened up 50 years

ago. Speakers before me this afternoon have already done an extraordinary job laying out extremely serious technical, legal, and financial problems with the marina lease as proposed. There's no need for me to repeat them; they're more than enough to justify voting this down or at least tabling it. Other speakers have spoken with eloquence, and yet clear logic in pointing out that when you build two enormous industrial warehouse buildings at the entrance to a state park, particularly Liberty Park (*sic*), you have done unrecoverable damage to its character. I would add my voice to that. And, in closing, what I want to point out, in very simple stock terms that I think any resident of the state would grasp: New Jersey has an extraordinary public space in Liberty State Park. The creation of that park was one of the greatest things this state ever did; it is the most visited state park in our system; it is beloved and enjoyed not just by New Jersey residents, but by people from across the country. It needs a bulkhead repair. It's estimated to cost \$60 million; the State says it doesn't have \$30 million out of a \$60 billion budget. So, its solution is to give a 60-year lease to a private corporation, that will bring that corporation an enormous value, and leave the character of the park forever changed. A very bad deal, a bad idea, and certainly not something that should be done just before a new governor takes office. Please reject this. Thank you.

MR. AKHTER: Thank you, sir.

Next speaker.

MS. BUSSELL: We're going to take a phone call.

MR. AKHTER: OK.

MS. BUSSELL: The last-- Nine-five-two-zero.

MR. AKHTER: The phone nine-five-two-zero, is the phone number nine-five-two-zero?

UNIDENTIFIED SPEAKER: Yes, so (indiscernible)

MR. AKHTER: Please identify yourself, you have three minutes.

UNIDENTIFIED SPEAKER: OK, my name is (indiscernible) Madison, and I am a resident of Jersey City of 50 years. I've lived within the park (indiscernible) with the-- I live within walking distance of Liberty State Park, which I visit frequently. And, I am *very* strongly opposed to the building of that warehouse, that boat storage place, because it will completely change the character of the park, and it will also block views that we value in that park, that is views of the Manhattan skyline and of various parts of the Hudson River. And, I have listened to Sam Pesin, Darlene Mayser, and Robert Menendez, all of whom I have met while attending meetings of the Friends of Liberty State Park, which I'm a member of. So, I'm just-- I'm not going to repeat all the good things that those people said, but I just want to add my voice to strong opposition to this lease, and the construction of that huge warehouse on the parklands, which we-- The lands are owned by the taxpayers who paid for it, and we don't want to see it given away to Suntex. That's basically-- That's all I have to say.

MR. AKHTER: Thank you very much, sir, appreciate it.

Next speaker.

MS. BUSSELL: Stephen Lipski.

MR. AKHTER: Mr. Lipski, Stephen Lipski.

**S T E P H E N L I P S K I:** Here.

MR. AKHTER: Go ahead, sir, you have three minutes.

MR. LIPSKI: OK, I'm Stephen Lipski, a lifelong resident of Jersey City, and I hope this doesn't take from my time is; I signed on to the Teams at a quarter to 10, and I just thought by signing on you would be put in a queue to speak, and then I didn't realize about this hand, it's taken a lot of my time, but anyways it's well worth it.

MR. AKHTER: I apologize.

MR. LIPSKI: No problem, and I appreciate your kind consideration.

So, I'm going to read, so, this way I don't try to minimize my (indiscernible), at least try to work within the three minutes. The proposed Liberty Landing Marina lease for -- as stated by the DEP -- is continued operation and improvement. That's a misnomer in the document itself, because this has not been a continually maintained and that's why we're here today, and it would allow a massive 70-foot-tall dry boat storage warehouse that threatens Liberty State Park's public character, openness, and natural beauty. It violates Federal guidelines and turns parkland into a private, commercial zone for luxury yachts. This proposed lease is a taxpayer-funded giveaway to a reckless tenant at best, or at worst, to a conniving capitalist that betrays public trust for private profit. As documented on the DEP's website, about 650 people commented on this proposed lease, with only 10 people speaking in favor. And, I've been on this meeting since its inception, and everyone has spoken against it. And, just from the website, 99% of the people are against this atrocity, so we're asking that-- And, that's my purpose today: Just vote no. Let's not belabor this nonsense, or if we are going to, at least vote to allow us to continue the conversation so we can come up with a better plan.

I have eight reasons for my opposition: It's a threat to the park's character and open space; this is a park with historic open space and natural feel, and by transforming it from a public sanctuary into a commercialized industrial marketplace would be an atrocity. It's a violation of public trust. The government is violating its duty to hold public land in trust for all people by allowing a private commercial development in a sacred public space. By the way, I was a first responder at World Trade Center and part of the World Trade Health Program, and I think it's an atrocity that the warehouse would be put so close to the 9/11 Grove. This also -- deal -- prioritizes private profit, Suntex over public access, turning public land into a private storage facility for expansive boats. It rewards the negligent tenant by giving it an additional 40 years on a lease, that already had 40 years to demonstrate what it could do for the park, State, and the public, and it has failed miserably. The proposed 70-foot-tall, 3-acre warehouse is a monstrous, sacrilegious, disrespectful, irreversible blight -- again, as I mentioned -- given its proximity to the 9/11 Grove of Remembrance. It's a--

MR. AKHTER: Mr. Lipski, I'm sorry, you've reached your three-minute limit if you want to conclude your remarks.

MR. LIPSKI: (indiscernible) is it's a violation of Federal and State guidelines; it's a *quid pro quo* sleazy optic for a bad deal; it's swaths of parkland, and I have environmental concerns.

Thanks for your time, and vote "no," please.

MR. AKHTER: Thank you, sir, we appreciate you sticking on this long.

Next speaker.

MS. BUSSELL: Maureen Crowley.

MR. AKHTER: Ms. Crowley, Maureen Crowley.

MAUREEN CROWLEY: Yes, I'm here, and I'm also with my husband, who may say a few words after me; he was unable to get on on his own computer.

MR. AKHTER: Go ahead, three minutes.

MS. CROWLEY: I'm not going to repeat all the wonderful comments made, but I ask you to pay special attention to those made by conservation organizations.

My husband and I have been residents of Hudson County for 50 years. I was born in the state; I've lived in other cities also with big environmental problems caused by the way we allowed industry in past decades to exploit the environment. It's extremely disappointing to me, personally, to know that our Department of Environmental Protection is pushing this lease, because I look at our institutions as needing to protect the public interest, and this does not protect the public interest. I'm not going to repeat all the great comments made by others previously, but I do want to say I'm especially concerned about precedent; the precedent that you're setting for Liberty State Park -- if you vote for this lease -- is *wrong*. But you're also setting a very bad precedent for all the other State parks in New Jersey, and more than that, you're adding to the-- You're setting a precedent for the way we treat our national parks. Right now, our national parks are being attacked by our Federal, our national administration. And, I feel that if you approve this lease, you're going to be sending a New Jersey message that's really, somewhat equivalent to our insane president's "Drill, baby, drill." You're basically saying to commercial interests, "We're willing to sell our



public land to you.” If you’ll allow me, I don’t think I’ve used my three minutes, I’d like my husband just to add his protest against this lease.

**P E T E R D E L M A N:** I’ll be very brief.

Peter Delman, shoutout to all those before who made such thoughtful, amazing comments. I would just say that we are giving up so much with this deal and getting so little in return. Thank you.

MR. AKHTER: Thank you both, appreciate the comments.

Next.

MS. BUSSELL: We’re going to take a phone call, last digits are nine-five-two-one.

MR. AKHTER: Is there a nine-five-two-one on the phone, nine-five-two-one; star, six to unmute yourself.

Nine-five-two-one? Star, six to unmute yourself.

Hello?

**C O O P E R C O N W A Y** (phonetic spelling): Oh, come on.

MR. AKHTER: We can hear you, hello.

MS. CONWAY: Hello, you can hear me?

MR. AKHTER: We can hear you.

MS. CONWAY: Hello?

MR. AKHTER: Yes, go ahead, ma’am, you have three minutes, go ahead, identify yourself please.

MS. CONWAY: Hello.

MR. AKHTER: Go ahead.

MS. CONWAY: Yes.

My name is Cooper Conway; I am a retired resident of Jersey City. We bought our unit in 1984, but live there now. I grew up in

Manhattan, 76 years old, and believe me, grew up believing that New Jersey was a joke. You would drive through New Jersey and you would see all of these refineries, smelled bad, everything else. Are we going backward, in doing this? Are we going backward in taking a beautiful park, which makes this city more pleasant and more human to live in, by selling it to people who have gobs of money, so that the wealthy, who don't even necessarily live here, can store their boats in a very ugly building right in our backyard? I want to thank our new Mayor Solomon and Congressman Menendez for stepping up on this. I think it's very short sighted if you do it. I would urge you to vote "no," but you will do what you will do, and I hope that you vote "no." I also want to say that the instructions given on how to negotiate this new system of remote meeting were awful. And, I wish you all well. I'm angry; but I'm not unaware of how hard you all work. So, thank you for your work, but, please, please, please, vote "no" and save the reputation of the entire state. Thank you.

MR. AKHTER: Thank you, ma'am.

Next.

MS. BUSSELL: Gabby Feliu.

MR. AKHTER: Sorry?

**G A B B Y F E L I U:** Yes, yes.

MR. AKHTER: Go ahead, you have three minutes, go ahead.

MR. FELIU: Yes, yes.

My name is Gabby Feliu. I am a Jersey City resident for over 15 years, and currently serve on the Board of the Harsimus Cove Neighborhood Association. To reiterate my previous comment, I'm deeply concerned that the joining, log-in issues with today's meeting, and the unacceptable audio

and technical issues prevented many of the public from joining and/or sharing comments. I would ask that you consider this meeting to be rescheduled, so a more inclusive meeting can be held. Having said that, this lease would severely harm Liberty State Park's character, history, openness, purpose, and legacy. Liberty State Park's open vistas, history, and beauty, and its urban open space make this park sacred ground and should never be compromised now or ever. It's the people's park, not a storage facility warehouse for the rich. And, it should stay that way. This lease makes no fiscal sense; it makes no commercial sense; it makes no aesthetic sense; it makes no environmental sense; it makes no ethical sense; and it is in direct opposition to the overwhelming wishes of the public. You took an oath to serve. On behalf of all Jersey City residents, who are rightly opposed to this reckless assault on our precious open space, I strongly urge you to vote your conscience, and vote "no" on this inappropriate, and, dare I say, illegal lease. Thank you.

MR. AKHTER: Thank you, sir.

Next speaker.

MS. BUSSELL: Mia Scanga.

MR. AKHTER: Is there a Mia Scanga? (no response)

Is this Mia?

MS. BUSSELL: Mia Scanga?

**M I A S C A N G A:** Hello--

MR. AKHTER: Mia Scanga?

MS. SCANGA: Can you hear me?

MR. AKHTER: Yes, we can hear you; we can hear you.

Go ahead, three minutes.

MS. SCANGA: Sure.

My name is Mia Scanga; I'm a 42-year resident here in Jersey City. The growth in residential building has been astronomical here in Jersey City and Hoboken. I've read that the current visitors going to Liberty State Park is 4 million. Well, it's going to be a lot more than that going forward. We need all the parkland that we have. I don't want to repeat all the other great comments. This is-- Taxpayers here pay a lot of money to State and property taxes, and this is an amenity of the State, and it should be maintained as is; it's not for further commercialization. So, please vote "no" on this, and put this to bed. Thank you very much.

MR. AKHTER: Thank you.

Next speaker.

MS. BUSSELL: Richard Deagle.

MR. AKHTER: Mr. Deagle, Richard Deagle?

**RICHARD DEAGLE:** Hello.

MR. AKHTER: Yes, go ahead, sir, three minutes.

MR. DEAGLE: My knowledge of the boatyard is that, essentially, it's a junkyard for marine debris.

I've heard a lot of people speak on this meeting today much more eloquently than I can about the economic, aesthetic, cultural, whatever effects that this giant carbuncle will have on Liberty State Park. My suggestion is that they try to contract with the golf course on the other side of the park and build there. But, I would be willing to cede the rest of my time to anyone who wants to speak for this thing--

MR. AKHTER: (indiscernible)

MR. DEAGLE: No one has spoken for it, there have been over 130 people on this meeting, and I don't know how many on the call, and no one is for it.

Thank you.

MR. AKHTER: Thank you, sir, appreciate it.

MR. DEAGLE: Cede my rest of my time who can speak for it I want to hear--

MR. AKHTER: Sir, you can't cede your time but I appreciate it.

Next speaker.

MS. BUSSELL: Michael O'Connor.

MR. AKHTER: Michael O'Connor, is there a Michael O'Connor.

**MICHAEL O'CONNOR:** Yes, I'm here.

All right.

MR. AKHTER: You're good.

MR. O'CONNOR: There you go.

Michael O'Connor, I'm a 64-year-old lifelong Bayonne resident, (address deleted) Bayonne, New Jersey. I first visited Liberty State Park July 1, 1976, to see Operation Sail. I was present there in high school, on events hosted by Sam Pesin and Audrey Zapp, the original creation of this park. I want to associate myself with the comments from Katie Brennan; Mayor Solomon, who's being sworn in today; certainly Sam Pesin; and, I think I mentioned Sam, I meant Morris Pesin, the dad. I'm associated and member of the Friends of Liberty State Park; I'm an attorney admitted to practice in the State of New Jersey for 37, 38 years. I want to associate myself and ratify and reinforce the comments in the letter of the Attorney Paciorkowski, from

the Friends of Liberty State Park filed with you all. Absolutely the legal process for this is defective; I think it's apparent. This-- And, I want to say something directly to the Governor, on his way out the door. There's never been a lamer duck than to allow this betrayal. Shame on Governor Murphy for this betrayal of the public trust on his way out the door, luxury yacht owners. It's a disgrace. Let the new Governor and the new Legislature deal with this. Everybody knows they're not going to approve this and not going to allow this. Finally, I really want to say that DEP is aware of other ways to fund this wall repair, including the funds that the DEP actually manages for the New Jersey Infrastructure Trust, the Clean Water Loan Program, which also has grants. There's ways to do this where it would cost the State a couple of million dollars a year, if they wanted to, to fund the long-term improvements that, apparently, are necessary for this bulkhead. So, really, I'm appalled by this; I am truly appalled that the State of New Jersey and that Governor Murphy would allow this back-door, old-time political operative move to really destroy an element to this park. It's just shameful. Thank you.

MR. AKHTER: Thank you, sir.

MS. BUSSELL: Marc Simon.

MR. AKHTER: Marc Simon, Mr. Simon.

**M A R C S I M O N:** Yes, thank you for the opportunity to voice my strong opposition to this project.

I am a long-term resident of Jersey City; I'm an artist, an architect. Fifty years ago, I worked in the offices of Robert Geddes, who actually designed the park. And, in that I am in my 70s now, I can probably assume that I'm one of the last surviving people who worked on designing

the park. And, I think it's fair to say that nobody associated with that aspect of the project would ever condone this; it's absolutely wrong. Simply stated, this is the wrong location for a massive building that will overwhelm the processional entry to the park. It does not reflect clean up of the existing elements of the marina, but rather represents the enormous expansion in exactly the wrong way. It's the wrong use, the giant indoor storage facility, in the wrong location at the processional entry to the park. It would be easy for Suntex to improve its slips, improve the Hudson River Walk experience, and reorganize all the existing elements without the enormous indoor facility. This is exactly what they did in their Las Olas facility in Fort Lauderdale, and the Miami Beach Marina. There is absolutely no indoor storage facility at either of these Suntex locations, which would mar the landscape there, and there's even less reason to mar the landscape here. The facility that Suntex mentions in their presentation is the Haulover Marine Center north of Miami. It's a dry storage marina as opposed to a picturesque wet slip marina, such as exists in Liberty State Park. And, just as Mr. Sandkamp stated previously, it could be placed anywhere else. Mr. Bloomberg had an excellent debunking of the economics, and I'd like to say also that a 60-year lease can't amount to ownership. There is absolutely no way, shape, or form in which this project makes any sense, and I hope sincerely that you reject it. Thank you.

MR. AKHTER: Thank you, sir.

Next comment.

MS. BUSSELL: Stephen Greenberg.

MR. AKHTER: Mr. Greenberg, Stephen Greenberg.

Stephen Greenberg?

MR. GREENBERG: Yes, I'm here, can you hear me?

MR. AKHTER: Go ahead.

MR. GREENBERG: Can you hear me?

MR. AKHTER: We can hear you, you have three minutes.

MR. GREENBERG: All right.

Everyone's explained why this is bad, but I think it's pretty much falling on deaf ears.

MR. AKHTER: Go ahead.

MR. GREENBERG: The people pushing (indiscernible) direct access to the people making the vote.

So, I'm going--

MR. AKHTER: Mr. Greenberg?

Mr. Greenberg?

MR. GREENBERG: -- this is thievery, this is terrorism, this is crime.

You might be able to escape the consequences for now, but laws will change. People will remember this, and I can promise you this: If you vote "yes" on this, you will be hearing from angry members of the public in all aspects of your life. This will not go away; this is not something you can run from. You have the opportunity to do the right thing, please do it.

MR. AKHTER: Thank you, sir.

Next comment.

MS. BUSSELL: Edward Perkins.

MR. AKHTER: Mr. Perkins, is there an Edward Perkins? (no response)

Is there a Mr. Edward Perkins?



**EDWARD PERKINS:** There is, good afternoon.

MR. AKHTER: Go ahead, go ahead, sir, you have three minutes.

MR. PERKINS: Thank you.

Good afternoon and Happy New Year, greetings to you all. As a Jersey City resident, I am against this. I just would like to be heard for a moment. Governor Murphy, it is important that you just take a moment and listen to all of us who are testifying, who are here from the community, and not only that you take a moment to listen, but that you really, in the end, move to represent us. Thank you very much Mr. Sam for your decades of advocacy for our community. Liberty State Park is a historic park. It is right here at the mouth of the Hudson River, right here at Jersey City. Everyone has said this: The Statue of Liberty is here. It is-- This is a model for the world, you understand? And, it should remain historic; it should remain a historic site; it should remain preserved. We should not do or continue to support what our mayor for 12 years has been doing, Mayor Steven Fulop, selling out our lands and properties to the highest bidders, and really, with no real benefit to the wider community. OK, so, I would like to see Mikie Sherrill take a look at this, table this, and really -- it's really on her to keep all of our historic sites across the state protected, OK, and to preserve them, and we are against making this sort of like a luxury condo unit for the rich and for the wealthy, OK? The State-- Voters across the state in June denied our former mayor the opportunity to represent us across the state because his vision wasn't good enough, and his work of what he's done in Jersey City -- his report card -- was proof in the pudding. Even more than half of us denied him that opportunity to represent us. So, in closing, vote against this, allow Liberty State Park to remain a historic and preserved site with as much green

lands that we have that are protected, OK. And, thank you very much for your time.

MR. AKHTER: Thank you.

Next.

MS. BUSSELL: Paula Mayo-ho-sand. And, I apologize if I'm saying that wrong.

MR. AKHTER: Is Paula on?

**P A U L A M A H A Y O S N A N D:** Hi, yes.

MR. AHKTER: Go ahead, go ahead.

MS. MAHAYOSNAND: Good afternoon.

I'm just going to pull up my notes, thank you. Good afternoon, my name is Paula Mahayosnand, President of the Jersey City Park Coalition. We've been organized for the last 20 years. Our members, which we are made up of 30 members of park and community groups, oppose the new 60-year LSP marina. As a previous committee member of the New Jersey Liberty State Park Revitalization Task Force, the marina's discussion should have been included as part of the public input. I understand that the Task Force itself dissolved in August; however, it took over 30 years to put the Liberty State Park Revitalization Master Plan together. My concern is that it's taking less than seven months and without appropriate public engagement to come to a decision. We are requesting that you table this discussion. We would also like to add that the footprint and the height of the warehouse is unacceptable and destructs the Liberty State Park entry and corridors into the park. It does not align with the master plan. As what I'd like to do is I'd like to quote the Liberty State Park phase development strategy; this is (indiscernible) that the Committee and Task Force works with the

consultants and -- Army Engineers, distributed August 2025. The project included 11 projects, with five of them as early activation projects. That included the interior; the marina green; Audrey Zapp Drive; the terminal; and athletics hub. I'd like to quote, "The marina green we considered as part of these engagement process, flexible lawn areas, picnic grove, restrooms, play features, circular station, and pathways. The Audrey Zapp Drive Gateway, which is a priority project, included gateway welcome signage, and, across from that, consideration of building a future community center. I'd like to quote on page 16, "The Audrey Zapp Drive Gateway priority project as part of the early activation phase of the implementation plans, that Audrey Zapp Drive Gateway will realize improvements to invite and direct park visitors. This Gateway will create a more welcoming and inviting entrance to the northern area of the park, improving accessibility and connectivity for all. The warehouse itself contradicts the release of the August '25 phase development strategy. What we are requesting is that we continue the community engagement and that-- Community engagement so that we can submit change controls or you see impact analysis against the original strategy develop for the revitalization of the park. I'd like to also add that I'm a--

MR. AKHTER: Ms. Mahayosnand, Ms. Mahayosnand, I'm sorry, your three minutes have expired but I'll let you conclude--

MS. MAHAYOSNAND: Thank you for your time.

MR. AKHTER: -- I'll give you a quick-- Thank you.

MS. MAHAYOSNAND: OK.

I just wanted to add that I'm part of the Open Space Trust Fund for Jersey City representing Ward B, and also part of the -- Jersey City Mayor Solomon's Transition Task Force for City Assets, Sustainability, and Safe

Streets. So, the engagement with the community is quite important for us.  
Thank you for your time.

MR. AKHTER: Thank you for your service and for joining us.

Is there--

MS. BUSSELL: Margaret Doman.

MR. AKHTER: Is Ms. Doman-- Are they able to speak now;  
able to speak now? (no response)

MS. BUSSELL: She's still muted.

MR. AKHTER: Ms. Doman? (no response)

OK.

MS. BUSSELL: OK.

Bill Wolfe.

MR. AKHTER: Is Mr. Wolfe, Bill Wolfe, available? (no  
response)

Mr. Bill Wolfe available?

MS. BUSSELL: Katy Lyness.

MR. AKHTER: Katy--

MR. WOLFE: Woah hey, hey wait a minute!

MS. BUSSELL: OK.

MR. AKHTER: Go ahead, go ahead.

MR. WOLFE: Can you hear me?

MR. AKHTER: We can hear you, we can hear you, go ahead.

MR. WOLFE: I've had severe technical difficulties, which--

MR. AKHTER: Sorry.

MR. WOLFE: -- I strenuously object to, I think they violate the  
Open Public Meetings Act in the matter that they've been implemented;

you've had legislators saying they couldn't feel comfortable in voting on the matter because they couldn't hear testimony, and the public has obviously been adversely impacted and not able to meaningfully comment.

So, that's my preface to my comment. Number 1, I joined DEP in 1985, 41 years ago, and I've seen some really bad DEP decisions over that timeframe, and this one's really in the top five. This is horrific; it's an abomination; and you should know that. Second, I won't repeat all the good testimony that's already been given, but there's some things that have not been put on the record. In the '90s there were a series of State audits of the DEP's leases and concessions program. They found major flaws; none of the leases collected what was called fair market value. The Legislature passed a law mandating that DEP, all leases reflect fair market value. There's no evidence, no record that DEP conducted such an independent analysis to derive fair market value of the lease, or any of the economics and the engineering of the bulkhead repair. So, that needs to be-- That's a significant decision to see in the whole process. Second, and people have brought this up, DEP couldn't permit this project because it violates numerous regulatory standards and policies and CAFRA, waterfront development, stormwater, and flood hazard mitigation; we've heard that already. So, it's remarkable to me that DEP is approving the lease for a structure that they literally could not permit, and there's also a visual on architectural things. It was great testimony previously.

The Commissioner said, "Not on my watch," that was his phrase, "Not on my watch. No commercialization, no privatization, recreational use only, not on my watch." A boat warehouse is not a water-dependent activity and it's not a recreational use. You've got significant problems there. If I--

The DEP issues press releases with the Attorney General talking about the hundreds of millions of dollars they're recovering in natural resource damage lawsuits. Clearly, there's revenue there that could be provided for the \$30 million share, State share, allegedly this bulkhead improvement. Finally, did DEP ever-- The DEP's entire rationale for this project is that they don't have the money to pay for the bulkhead repair. Did they ever go to the Legislature and make a legislative request for an appropriation of money? Is there anything on the record that would show that they tried other means to get financing for this project? Because, it's corruption; what's going on here is corruption. And, finally, right now we're in a historical moment in our country where the President of the United States is attacking immigrants; he's attacking fundamental pillars of democracy; and he's promoting privatization of public lands in the west, including national parklands. And, for a democratic administration to be doing the same damn thing is exactly why we have a MAGA movement and a growing fascist orientation to our government. And, you guys create the conditions, politically, for that stuff to happen when you do this kind of corruption. And, I'm done.

MR. AKHTER: Thank you, sir, appreciate it.

Next speaker.

MS. BUSSELL: Katy Lyness.

MR. AKHTER: Ms. Lyness, Katy Lyness?

**KATY LYNESS:** Can you hear me?

MR. AKHTER: We can hear you, three minutes.

MS. LYNESS: OK, OK.

My name is Katy Lyness; I'm a 26-year-old -- 26-year resident of Jersey City, and I enjoy Liberty State Park on a regular basis. I enter the park

running or biking or walking, as so many others do from that north entrance. It's a spectacular walk, with Manhattan slowly emerging, then growing larger as soon as you get closer. But beyond the sheer enjoyment of that experience, the north entrance of that park has a very meaningful to me. I remember 9/11, standing on that Jersey Avenue pedestrian bridge with so many others who were looking toward Liberty State Park and an empty sky over Manhattan; the towers were gone. We were blocked from entering because it was meant to be a triage area, which never ended up being because of the tragedy. People would come because the park was as close as they could get to the towers. They were fruitlessly trying to call people on their cell phones, looking at this empty sky and calling; and, it was just heartbreaking. That piece of the world is not just a beautiful park entrance, it's -- as other people have said in this meeting -- it's a sacred site. I just can't believe that you would try to take that away. Please don't destroy it. Thank you.

MR. AKHTER: Thank you.

MS. BUSSELL: Sarah Atik.

MR. AKHTER: Sarah Atik.

**S A R A H A T I K:** Yes, thank you for giving me the time to speak.

My name is Sarah Atik; I am a Jersey City resident. I am against this item on Liberty State Park. I frequent Liberty State Park on a regular basis; it's a vital refuge from daily city life. Commercial development takes away from the oasis that so many people, like me, rely on for our physical and emotional well-being. This development will only serve the few while abandoning the many. I think it's absurd that this vote is being rushed through this lame duck period, by people who are temporarily entrusted to serve the public's best interests, who are clearly working against those

interests they were elected to serve. Maybe those who are here rushing this egregious hearing need to go out to Liberty State Park and touch some grass, while it's still there. This deal will only set precedent for decades to come, and once state land is gone, there's no getting it back. This deal is a welfare check for millionaires and billionaires, written by the working-class people of New Jersey. Rushing this hearing through at this time feels like a blatant betrayal of the public trust. I urge all of you to vote "no" on this proposal. The park belongs to the people, not the wealthy and well connected. Thank you.

MR. AKHTER: Thank you.

Cindy, do we have any remaining public speakers, from the public?

MS. BUSSELL: We're-- That's all the public.

MR. AKHTER: We have-- We have recognized all speakers.

MS. BUSSELL: We just -- I'm sorry -- had one pop up.

MR. AKHTER: OK.

**THOMAS PACIORKOWSKI, Esq.:** Yes, this is Tom Paciorkowski; I'm on the phone.

MR. AKHTER: Go ahead, sir, go ahead sir. You're recognized for three minutes.

MR. PACIORKOWSKI: OK.

Good morning, Chair, and members of the Commission. My name is Thomas Paciorkowski. I'll make three brief points explaining why the proposed 60-year lease of Liberty Landing Marina should not be approved today. First, the proposed lease assumes that the State is already obligated to construct the marina bulkhead. An obligation of DEP now



estimates it will exceed \$60 million. That assumption derives solely from a December 2010 lease agreement. And, I want to emphasize here, if you look at the 1996 lease agreement, it says that the marina operator is responsible for 100% of the infrastructure, including the pylons, the bulkhead, everything. In the '96 agreement, the State pays nothing. It wasn't until 2010, in which case, it's paragraph 49, Suntex put in a paragraph that says that the State will assume and build a new marina bulkhead. But, that marina bulkhead provision never received any additional approval. It never received any appropriations. I don't believe it was valid. The State House Commission approval was not a technicality; it is the mechanism by which the State authorizes major property transactions and long-term financial exposure. Without it, the legal status of the 2010 obligation is at a minimum unresolved, and, at worst, the State doesn't have to build a bulkhead and doesn't have to pay for one. Second, the proposed lease lacks professional evaluation required by law. DEP has confirmed in writing that no Green Acres appraisal or valuation exists to this 60-year lease. Under NJSIA13:1D-56, without a valuation, you can't even move forward. Without a valuation, the Commission cannot determine whether the public is receiving fair market value, a requirement under Public Law 2008, Chapter 31. Particularly where the State may be assuming an extraordinary capital obligation. Third, the Commission's own 2010 records show that all marina improvements -- and, that includes the Liberty Restaurant and Maritime Park, plus all of the marina infrastructure -- reverts back to the State, free and clear in 2046. If you do not approve this 60-year lease, the State gets everything, all of the capital improvements; they own everything in 2046, 20 years from now. The

DEP currently receives only 4% of commercial sublease revenues. A new 60-year lease would extend private control for another--

MR. AKHTER: Sir.

MR. PACIORKOWSKI: -- 40 years--

Yes?

MR. AKHTER: Your three minutes has expired, can you please conclude your remarks.

MR. PACIORKOWSKI: Could I get an extra 30 if I'm the last speaker?

MR. AKHTER: I'd like everyone--

UNIDENTIFIED SPEAKER: Hello--

I didn't get a chance to speak.

Hello, I didn't get a chance to speak and I've been holding on for three hours.

MR. AKHTER: OK, OK.

UNIDENTIFIED SPEAKER: My name--

MR. AKHTER: Hold on, hold on, hold on, I'm going to finish with the last speaker. I'm going to give him 10 seconds to finish.

Then we'll take the next speaker.

UNIDENTIFIED SPEAKER: OK.

MR. AKHTER: Go ahead.

MR. PACIORKOWSKI: A new 60-year lease would extend private control for another 40 years and cause the State to forgo the bulk of the revenue that would normally accompany ownership, without any valuation of that lost public (indiscernible). Thank you.

MR. AKHTER: Thank you, sir.

Next speaker.

UNIDENTIFIED SPEAKER: Hello, my name's--

MR. AKHTER: Hi--

Go ahead, three minutes.

**DOUGLAS J. FLEISCHER:** -- Douglas J. Fleischer; I'm a Union City--

UNIDENTIFIED SPEAKER: How come you--

MR. AKHTER: Go ahead.

MR. FLEISCHER: Hello, my name is Douglas J. Fleischer; I'm a Union City resident. I am a member of Friends of Liberty State Park, and I just have basically two comments.

One, I think that the prior speakers have been articulate, very specific, about why this is not a good financial deal for the people of the State of New Jersey. Why the project would ruin the area of the park and interfere with the view of the park, one of the reasons why people enjoy it. And, as a boat owner, I keep my boat in the marina on the other side of the Morris Canal, at Liberty Harbor Marina because I can't afford Liberty Landing Marina, which is the Suntex facility. And, I just want to point out to Commission members that most boats are not stored indoors over the winter; that there's plenty -- most boats are stored outdoors on racks. If you go up and down the Jersey Shore at marinas, you can see that boats are kept outdoors on racks, and they're very often shrink-wrapped to protect them from the elements. There's no need for this warehouse, either for Liberty Landing Marina to service their current or future customers. They have plenty of land there where boats can be stored outdoors without creating an

eyesight, and they can still bill for the storage of the boats. Thank you very much.

MR. AKHTER: Thank you.

Is there any further-- Cindy, is there anyone up to speak?

**B R I A N W E E K S:** Yes.

MR. AKHTER: Go ahead, sir.

MR. WEEKS: Can you hear me? This is Brian Weeks.

MR. AKHTER: Mr. Weeks, we can hear you. Were you previously recognized?

MR. WEEKS: No, I have not, and I repeatedly tapped--

MR. AKHTER: All right, all right--

MR. WEEKS: -- to raise my hand and nothing happened.

MR. AKHTER: Apologies, sir, go ahead, you have three minutes.

MR. WEEKS: I'll keep it-- I'll get right to the point.

I-- First of all, I object to this process and the content of the proposal. I ask that the State House Commission, at the minimum, postpone consideration of this agenda item, or preferably just vote "no." It's inappropriate, and it seems like a bum's rush at the tail end of the outgoing administration. And, I believe that the public should have the opportunity to weigh in, and I believe the new governor should have the opportunity to weigh in. The (technical interference) the years were essentially privatizing that section of the park. Practically no one on this call today will be alive in 60 years. You're building a massive building; you have no obligation to do so. You have no obligation to give up the public lands. What are these public lands? This is not an asset you can just trade away; this is public trust property. It's the water's edge; it's filled water's edge, and you are the trustees

for public assets and public rights. And, this is not just another fungible asset that you can trade away. By your logic, you may as well give away bigger portions of the park to fund other infrastructure projects. How is this different? It's a public park, and it is public trust property on the waterfront. It's a gem for New Jersey. We have enough warehouses and ugliness. I actually grew up in Jersey City, right up the hill from what is now Liberty State Park. Like another gentleman, I was there on July 4, 1976, for the bicentennial, and here we are 250 years into our history, and now it looks like some kind of a bum's rush is occurring, rather than a democratic process. I remember when it was an industrial wasteland. Finally through massive effort for years, some portion of it has been wrested back for public use and enjoyment, and we don't need more ugliness. So, I don't see anything for the public in this deal at all. This lease is essentially permanently giving away and privatizing a portion of the park. I don't believe you have the authority to do that. You shouldn't do that, but I don't think you have the authority to do that, and to just give away public right when you have the role of a trustee of strict fiduciary of obligation to the public. So, I would just like to finish up and say again, I strongly request that the State House Commission just vote "no," but at a minimum, if you're unable to do that, then postpone this until the new administration can come in and take credit for this deal of basically giving away a public asset for pennies, which is contrary to your obligations to the public. Thank you very much for the opportunity to speak, and I hope you do the right thing.

MR. AKHTER: Thank you.

Next-- Are there any speakers left? (no response)

Cindy, do we have any speakers left?

MS. BUSSELL: (indiscernible)

UNIDENTIFIED SPEAKER: I think Greg Remot (phonetic spelling) wants to speak, according to Sam Pesin.

MS. BUSSELL: I see that too, but, and I told him to announce himself, I don't see him on the list, I'm sorry.

MR. AKHTER: OK.

All right. I have no further public comments; we are now closing public comments. I ask everyone to remain muted and respectful of the process here--

UNIDENTIFIED SPEAKER: Point of order, can I--

MR. AKHTER: No, there is no point of order; there is no point of order from the public. I ask the public to please-- The public commentary is over. Anyone speaking out of order will be removed from the meeting.

We've had over two and half hours of public comments: the public is not part of the meeting in terms of point orders or comments outside of public comments. I appreciate your understanding, and the rules of the meeting, and I will ask for the roll call to be called.

MR. MATOS-MORAN: Mr. Shabazz.

MR. AKHTER: (indiscernible)

Votes yes, thank you.

MR. MATOS-MORAN: Mr. Gopal left a vote in the no. Senator Bucco.

MR. AKHTER: Senator Bucco.

MS. BUSSELL: I can see he's still on.

MR. AKHTER: Senator Bucco.

MS. BUSSELL: (indiscernible)

MR. AKHTER: Senator Bucco.

SENATOR BUCCO: Yes.

MR. MATOS-MORAN: Mr. Bucco votes yes.

MR. AKHTER: Yes, thank you, Senator.

MR. MATOS-MORAN: Mr. DiMaio, Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. MATOS-MORAN: Assemblyman DiMaio votes yes.

Assemblywoman Pintor Marin left a vote in the negative.

MR. AKHTER: What is the vote count?

MR. MATOS-MORAN: Vote is four "yesses" and two "noes."

MR. AKHTER: Sir, can you please clarify--

MR. MATOS-MORAN: Five yesses, two noes.

MR. AKHTER: Two noes, the motion passes.

I now move to adjourn the meeting, is there a second?

UNIDENTIFIED SPEAKER: Hours of comments, hours.

MR. AKHTER: Is there a second?

UNIDENTIFIED SPEAKER: (Indiscernible)

MR. AKHTER: Second; meeting is adjourned. Thank you very

much.

**(MEETING CONCLUDED)**