
Commission Meeting

of

STATE HOUSE COMMISSION

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

DATE: September 23, 2024
9:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Assad Akhter, Chair
Senator Anthony M. Bucco
Assemblyman John DiMaio
Aaron Binder
Tariq Shabazz



ALSO PRESENT:

Eric D. Brophy
Commission Secretary

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

Brittany Zulla
Acting Secretary
JRS Administrator

Joseph Palumbo, J.D.
Deputy Attorney General for the Judicial Retirement System

Meeting Recorded and Transcribed by
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Assistant Director
New Jersey Department of Environmental Protection
(NJDEP) 43

APPENDIX:

Testimony
submitted by
Robin Shaffer
President
Protect Our Coast New Jersey 1x

Testimony
Submitted by
Jean Public 6x

mej: 1-49

ASSAD AKHTER (Chair): So, I will ask that we call the meeting to order.

And, hand the meeting over to Eric Brophy.

MR. BROPHY: Thank you, Chairman.

I will take the roll.

Mr. Akhter.

MR. AKHTER: Here.

MR. BROPHY: Mr. Binder.

MR. BINDER: Here.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Here.

MR. BROPHY: Senator Smith is out.

Senator Bucco.

SENATOR BUCCO: Here.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Here.

MR. BROPHY: Assemblywoman Pintor Marin is out.

We have a quorum.

We have two comments that were received by email, written. They will be made part of the record. One is dated September 21; the second is dated September 23. So, that will be included with the official record.

Moving onto old business. Number 1: Approval of the June 13, 2024 State House Commission meeting minutes. The verbatim

record of the June 13, 2024 State House Commission meeting will serve as the official minutes.

Can I have a motion?

MR. BINDER: So moved.

MR. BROPHY: Mr. Binder.

ASSEMBLYMAN DiMAIO: Second.

MR. BROPHY: Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

Number 2. These are Department of Environmental Protection updates. There's no vote on this, this is just informational.

On June 30, 2016, the State House Commission approved New Jersey Department of Environmental Protection's request to allow the Borough of Seaside Heights to transfer approximately 1.37 acres of Borough-owned parkland, located on the Borough's public beach, to the adjacent private owner of the Casino Amusement Pier.

To compensate for the proposed disposal, the Borough proposed three forms of compensation. The first, acceptance of ownership

of the historic Dentzel-Looff Carousel, which was then owned by the Casino Pier owners, for eventual public use; two, acceptance of ownership and dedication as parkland of a vacant boardwalk parcel, which is Block 56, Lots 1, 3, 7 and 9 -- totaling .75 acres; and, three, the dedication of, as parkland, 67.171 acres of additional replacement land owned by Ocean County and located in Toms River Township, which is located at Block 409, Lot 20.02.

The construction of a building to house the carousel was not part of the DEP's approved compensation for the proposed disposal; however, the Commission's approval required the Borough to house the carousel in a sheltered location in which it can be made available as a public recreation amenity no later than June 30, 2019, either by constructing a new building on the boardwalk replacement parcel, or, if that is not feasible, then locating the carousel somewhere else on or adjacent to the public boardwalk.

At the Commission's February 13, 2020 meeting, the Borough requested and received an extension of time to June 30, 2021, to comply with the Commission's condition to house the carousel, and DEP's condition to file a formal nomination form to seek the listing of the carousel on the National Register of Historic Places. The update is, on June -- I'm sorry, on July 3, 2024, after a five-year, \$2.5 million restoration project, the carousel opened to the public in an ADA-accessible building constructed by the Borough on the boardwalk replacement parcel. The building also contains public restrooms and historic displays showcasing both Seaside Heights and Ocean City history -- I think it should be Ocean County history.

DEP has been advised by the State Historic Preservation Office that the process for listing the carousel on the National Register of Historic Places could not be completed while the carousel was dismantled

and undergoing restoration. Now that the carousel has been put back together and installed in a fixed location, DEP will remind the Borough of its obligation to file the nomination form for the National Register listing and determine how much additional time that process may take.

So, that was a very rare conclusion to some work that the State House Commission did.

Number 3 is also an update. I'm sorry, Number 3 is -- yes, Department of Treasury. This is project RPR 20-01, Hagedorn Psychiatric Hospital, Block 9, part of Lot 7. This is an update, but requires a vote.

This is in Glen Gardner Township in Hunterdon County. The requesting party, the State House Commission, at its meeting of April 8, 2024, approved an amendment to an existing lease with Evoke Wellness New Jersey LLC to allow a vote to transfer its leasehold interest to a new investor, ICON, who is entering into a ground lease for the property surrounding East Hall, and to purchase the building to improve it to open a drug-treatment center. The Department of Treasury, on behalf of ICON, is requesting that the previous approval be amended to reflect the name change from ICON to GShack Group LLC, a subsidiary of ICON. Both companies are owned by the same entity.

All terms and conditions approved at the April 8, 2024 meeting remain the same and consistent of the following: GShack is requesting that the State sell the building for the purchase price of \$570,000 based on the appraisal of its as-is condition; and change the existing building lease with Evoke to a 30-year ground lease at the same terms as the building lease. GShack will immediately satisfy all construction liens upon finalization of the agreement. As a result of the purchase price and ground

lease, the net will be an additional \$2.47 million to the State in back-owed rent. In the event GShack fails to complete the construction of East Hall, the State will retain the option to repurchase the building.

Any questions or comments? (no response)

All right, can I have a motion?

SENATOR BUCCO: So moved.

MR. BROPHY: Second?

MR. BINDER: Second.

MR. BROPHY: Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

All right, moving onto new business. Now moving to Number 4, the Department of Treasury request.

Number 4 is Project RPR 23-22, Ridgedale Avenue, Block 801, Lot 3, in the Town of Morristown in Morris County.

Department of Treasury, on behalf of the New Jersey Motor Vehicle Commission, requests approval to sell 0.68 acres of land and improvements located at 101 Ridgedale Avenue in the Town of Morristown

in Morris County that has been declared surplus by MVC to the Town of Morristown.

The property will be sold via direct sale to the town of Morristown for the appraised value of \$850,000. In the event the direct sale does not occur, Treasury will dispose of the property via internet auction at the minimum bid price of \$850,000.

Can I have a motion?

MR. BINDER: Motion.

MR. BROPHY: Second?

SENATOR BUCCO: Second.

I have a question, though.

MR. BROPHY: Yes, sir.

SENATOR BUCCO: I noticed that the appraisal that brought it in at \$850,000 said that it was contingent upon the property being cleaned without any environmental hazards. If there's environmental hazards located out at the site as part of the due diligence process moving forward through the closing, will that provide an opportunity for the town to negotiate -- re-negotiate -- the price?

MR. BROPHY: I think we have somebody from DEP here -- or, Treasury, sorry.

ROBERT J. TIGHUE: Hi, I'm Robert Tighue with the Department of Treasury.

That's a good question. So, any appraisal-- The appraisers are not experts in environmental conditions, so, they're always going to put a caveat in there that it's assumed clean and correct. If it's discovered that there are some environmental issues, the State will always try to correct them

first if they're within a reasonable cost estimate. If not, we will renegotiate with the town saying, "Listen, do you want to take it on, take these costs on, and take it yourself?" We understand that we're not binding them to take that sale if there's environmental issues.

SENATOR BUCCO: OK. I just know that this is an important piece for the town--

MR. TIGHUE: Correct--

SENATOR BUCCO: --and, if there is contamination, I want to make sure that there's enough money--

MR. TIGHUE: Right--

SENATOR BUCCO: --to clean the property up so that this thing doesn't just continue to languish out there.

MR. TIGHUE: Right. Yes, it's not unusual that this happens after we negotiate the price, that sometimes things will come up.

And, the specific department that runs the facility, we'll either have funding for that, or they'll be able to get funding for that. If not, then we have to renew the issue.

SENATOR BUCCO: OK, very good.

Thank you.

MR. TIGHUE: No problem.

MR. BROPHY: Any other -- excuse me -- any other questions from the Committee? (no response)

Any public members have any questions on this one? (no response)

Seeing none, I'll take the roll.

Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

Number 5, Project RPR 23-26 is 139-141 Alexander Street, Block 4059, Lot 26, City of Newark in Essex County.

The Department of Treasury, on behalf of the Department of Law and Public Safety, requests approval to dispose of a residential property located at 139-141 Alexander Street in the City of Newark in Essex County that was acquired through forfeiture. The property was never used by the Department of Law and Public Safety. The property will be sold via internet auction at a minimum bid of \$150,000, which is the appraised value.

Can we have a motion?

MR. AKHTER: So moved.

MR. BROPHY: Second?

MR. SHABAZZ: Second.

SENATOR BUCCO: I have another--

MR. BROPHY: Any questions -- sir.

SENATOR BUCCO: Yes, just one quick question.

I am all in favor of getting this done, but my question is, what takes so long once we get this property forfeited for us to put them on the roll? If we don't need these properties, and this property seemed to be surrounded by two very nice residential properties, and this one was kind of left in disrepair for a long period of time, is there a process that we go through?

I'm just trying to educate myself here as to why some of these properties -- like particularly this one-- If I was the neighbor of this property, I would have been screaming at some point.

MR. BROPHY: Mr. Tighue.

MR. TIGHUE: Once again, Robert Tighue; Treasury.

I don't want to speak for Law and Public Safety or State Police, who-- They forfeited this property, and, from what I understand, they were trying to do some negotiations with -- I don't know the city, or -- again, I don't want to speak for them.

But, I know that there was some confusion as to the status of where this was, and once that was cleared up, it came to Treasury. I know from my-- On my side, once it came in our department, I did try to contact the City, which was not *too* long ago. This has been a lot longer than when we got it.

But, I was trying to contact the City to try to see if they had any programs where they took over abandoned properties and that really didn't go anywhere, that conversation, after several attempts. So, we decided, let's just go through the auction process and let's do it through this proper channel. So, prior to that, I'm not sure.

SENATOR BUCCO: I would just suggest that if we have these properties out there we should maybe create a master list and start turning them over.

MR. TIGHUE: We don't get many of them, all right, so it happens through State Police forfeiture, and honestly I have no idea how much -- how that works.

But, once they come to us, we try to do our best to get them out.

SENATOR BUCCO: OK.

MR. AKHTER: It was some-- I'd asked this question of your staff and brought it up to Law and Public Safety. And, I think there was some confusion, originally, with the property because there was a belief that it was owned by the City of Newark as a result of an Essex County Sheriff's sale. So, this-- It seems this property had some extra additional confusion related to it.

MR. BROPHY: Any other questions, comments? Any public comments?

MR. TIGHUE: Thank you.

MR. BROPHY: Thank you, Mr. Tighue.

Seeing none, I'll take a roll.

MR. BROPHY: Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

Number 6, project RPR 24-04, 383 East Main Street, Block 49, part of Lot 3, in Tuckerton Borough in Ocean County.

The Department of Treasury, on behalf of the Department of Law and Public Safety, requests approval of a lease -- to lease a portion of property on the grounds of the Tuckerton State Police Station, which is at Block 49, part of Lot 3, to Interstate Outdoor Advertising, L.P., for use of an existing billboard.

The lease will be for a term of 20 years with an annual rent of \$2,500. In lieu of rent for the first four years and two months, Interstate Outdoor Advertising will install a second billboard on the property, which will be used exclusively for the New Jersey State Police recruitment. The installation of the second billboard will total approximately \$10,449. Annual rent for year five will be at \$2,083, and will increase to \$2,500 annually years six through 20. The lessee will be responsible for all taxes and utilities supplied to the leased premises.

That's Number 6. Can we have a motion?

SENATOR BUCCO: Moved.

MR. BROPHY: Second?

MR. SHABAZZ: Second.

MR. BROPHY: Any questions, comments? (no response)

Any public comments? (no response)

Seeing none, I'll take the roll.

Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

Number 7, project RPR 25-18, 5 Jean Street, Block 901, Lot 2, in the town of Morristown in Morris County.

Department of Treasury, on behalf of the Department of Education, requests approval to dispose of, via direct sale, 10 acres of land and improvements located at 5 Jean Street, Block 901, Lot 2, in the town of Morristown in Morris County, and formerly known as the Morris Regional Day School to the Morris County Educational Services Commission.

This property was declared surplus to the Department's needs. Legislation for this direct sale was approved on September 12, 2024 -- public law 2024, chapter 70. The property will be sold for a negotiated price of \$1.

Can we have a motion?

SENATOR BUCCO: So moved.

MR. BROPHY: Second?

MR. BINDER: Second.

MR. BROPHY: Any questions, comments? (no response)

Any public comments on this one? (no response)

Seeing none, Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

Number 8 -- sorry, Number 8. These are Department of Transportation requests.

Project: Route 35 Extension, sections 12, 13, and 14, Parcel VR44B, Block 238.01, adjacent to Lot 3.03, in the Township of Woodbridge in Middlesex County. The NJDOT requests approval to convey excess vacant land located in the Township of Woodbridge, County of Middlesex, acquired as Route 35 extension, sections 12, 13, and 14, now known as Parcel VR44B, containing a total of 14,040 square feet or .32 acres, to the only adjacent property owner, Woodbridge Dialysis Center, LLC, doing business as Garden State Kidney Center, whose parent company is American Renal Associates, LLC.

NJDOT has determined that the listed parcels are no longer required for use by the Department, and title has been vested in the State for more than 10 years. The County and Township have expressed no interest in acquiring the parcels for public use. The property will be disposed via direct sale to Woodbridge Dialysis Center, LLC, doing business as Garden State Kidney Center, for the appraised value of \$285,000. The intended use is for a private -- is for private development purposes, and can only be used as an assemblage to the requestor's property.

Can we have a motion?

MR. BINDER: Motion.

MR. BROPHY: Mr. Binder.

Second?

MR. SHABAZZ: Second.

MR. BROPHY: Mr. Shabazz.

Any questions, comments? (no response)

Any public comments? (no response)

Seeing none, Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

Number 9. Project: Route Interstate 280, Parcels VX358, VX360, VX377, 103-109 Sussex Avenue, Block 2853, Lot 1.02 in the City of Newark in Essex County.

NJDOT requests approval for the release of an existing DOT excess land-use restriction that was previously placed on parcels VX358, VX360, VX377 in the City of Newark in Essex County. The property is an irregular-shaped lot with 147 feet frontage along Sussex Avenue, and 282 feet along Nesbitt Street, containing a total of 1.455 acres. The property was conveyed to the City of Newark by DOT, and held on behalf of Newark for public use by the New Hope Community Development Corporation for a charter school. Subsequently, a portion of the original conveyance was identified for redevelopment to multi-family use with affordable housing, provided in the form of 16 homes on site.

Deductions totaling \$2,884,707, which were deducted from the appraisal value, were made to reflect, one, a payment from DOT of \$782,338 that was placed into Newark's Affordable Housing Trust Fund. Payment has been identified by DOT's DAG as a feature specific to Newark, charged to any property conducting residential development. The appraisal did not take into account this additional cost for development in Newark, which reduces the value of the land by the cost of the required fee to undertake the development.

Two, a deduction of \$1,305,012, DOT placed in escrow for environmental remediation. Three, \$304,000 deduction for 16 affordable units, appraised value \$19,000 per unit. Number 4, \$228,231 in approved costs, costs to increase highest and best use in order to maximize return and

provide affordable housing. And, five, a deduction of \$265,125 for the 2,450-square-foot community center, which is run by the Hope Baptist Church, and which remains within the definition of public use and reduces the site's building potential. The conversion to multi-family use will result in a substantial increase in value of land to the total of \$3,534,000, which is the appraised value.

The total amount to be paid to the State for release of the restriction to permit redevelopment of the property is \$650,293. Along with this payment, the DOT was paid \$215,000 by the City of Newark. When land was originally purchased by Newark, these funds were not refunded or deducted. Parcels VX358, VX360, and VX377, will have the existing public-use restrictions removed. The community center run by Hope Baptist Church will be given a separate deed restriction as part of the transaction to ensure that it remains public use serving the community.

Can we have a motion?

MR. BINDER: Motion.

MR. BROPHY: Mr. Binder.

SENATOR BUCCO: Second.

MR. BROPHY: Senator Bucco.

Any questions, comments? (no response)

I know there's one -- any public comments? (no response)

We have one noted on here without testimony.

All right, Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

Number 10 -- we're now moving to Number 10,
Department of Environmental--

MR. AKHTER: I'm going to ask for a-- I'm going to ask
for a short recess of just five minutes, just to consider a couple questions with
legal counsel, and then we will come back. Is that OK?

Can I ask for a motion for recess?

SENATOR BUCCO: So moved.

MR. BINDER: Second.

MR. BROPHY: All in favor.

ALL: Aye.

MR. AKHTER: Thank you, we'll be back in five minutes.

(RECESS BEGINS 9:42 a.m.)

(RECESS ENDS 9:47 a.m.)

MR. AKHTER: All right, we're going to-- I'm going to ask
the meeting to come back into order. If somebody could let the folks outside
know.

We'll ask the meeting to come back into order.

Mr. Brophy.

MR. BROPHY: Motion to come back into session.

MR. SHABAZZ: Moved.

MR. BROPHY: Mr. Shabazz--

SENATOR BUCCO: Second.

MR. BROPHY: Senator Bucco second.

All in favor.

ALL: Aye.

MR. BROPHY: Back on the record.

This is Number 10, Department of Environmental Protection request.

I am going to read through it. I think we're going to just take this--

MR. AKHTER: For discussion only.

MR. BROPHY: Just for discussion. And, we'll take public comment on it.

This is the-- The project is the Atlantic City Public Beach, Peter Pallitto Field, and Bader Field, multiple blocks and lots, City of Atlantic City in Atlantic County.

The DEP, on behalf of the City of Atlantic City, requests approval to allow the acquisition of four 10-foot-wide underground electric utility easements across the Atlantic City Public Beach and Boardwalk, and two 10-foot-wide underground electric utility easements across both Bader Field, in-water boathouse property, and the Peter Pallitto Field by Atlantic Shores Offshore Wind Project I, LLC, as part of the Atlantic Shores Offshore Wind Project.

Atlantic Shores is proposing to develop a 1,510-megawatt offshore wind-generation project within the BOEM lease area OCS-A 0499, and to connect to the electric grid via a series of underground electric utility cables. The crossing of the city's parks will require the establishment of permanent non-exclusive utility easements for the proposed electric transmission cables. The 10-foot-wide permanent non-exclusive easements total approximately 2,100 linear feet through the beach; 590 linear feet through Pete Pallitto Field; and 460 linear feet through Bader Field, and, in total, will encompass approximately 1.803 acres of Green Acres encumbered parkland.

The project is proposed to assist with meeting the thresholds established by Executive Order 8 in 2018, which set a goal of 3,500 megawatts of renewable energy by 2030; Executive Order 92, 2019, which increased the goal to 7,500 megawatts by 2035; and Executive Order 307 in 2022, which further increased the goal to 11,000 megawatts by 2040 -- of which all are in furtherance of the State's Offshore Wind Economic Development Act, public law 2010, chapter 57.

Atlantic Shores is currently working with the City of Atlantic City to identify appropriate compensation for the proposed diversion. The City has tentatively agreed to encumber approximately 46.35 acres of City-owned property for recreational conservation purposes. Appraisals are in the process of being prepared for the proposed compensation parcels to determine if they meet the requirements outlined in NJ A.C. 7:36.10. If the DEP determines that the appraised market value of the replacement land is lower than estimated, Atlantic Shores agrees to work collaboratively with

DEP and the City to address a difference pursuant to NJ A.C. 7:36-26.10(d)7.

Any land proposed as compensation will need to be deemed acceptable by DEP to satisfy the compensation requirement of Green Acres rules at NJ S.A. 7:36-26.10. Public beach and parks have the proposed diversion area, and-- Yes, above the proposed diversion area will remain accessible to the public, and the City will not be allowed to place permanent structures on or within the permanent easement areas without first having obtained Atlantic Shore's approval in writing -- which approval shall not be unreasonably withheld.

Any questions or comments from the Commission members? (no response)

So, we have a series of public parties who are requesting to testify. So, I am going to go in the order-- How much time do you want to give each?

MR. AKHTER: I'll allow three minutes per comment if that makes sense with the numbers we have. Three minutes per comment.

MR. BROPHY: All right, the first one-- We ask when you come up, just give your name, and, if you're from an organization, what organization.

Jeanette Bergeron. I'm just going in the order that they're signed up, so.

J E A N E T T E B E R G E R O N: Hello. I am Jeanette Bergeron; I am a former resident of Absecon, and a current resident of Hamilton Township. I am here as a citizen.

And, I wanted to say that the Atlantic Shores project will provide clean energy to one-fifth of New Jersey households -- more than one half million homes in New Jersey. Clean energy means cleaner air for our children in poor communities; lower energy costs; good-paying union jobs; and lower respiratory disease rates.

Offshore wind is regulated to promote and monitor the marine and avian life that are so important to local coastal economies. Each project is responsible for mitigating risks to fisheries, marine mammals, and protected bird species. Research from current wind farms in the western U.S. has identified effective ways to protect California condors from striking blades, for example. And, the same can be done for red knots and other migratory birds. Bigger threats to birds are habitat loss, window strikes, and free-roaming cats. All of these threats need equal attention to address the recent sharp decline in the avian populations.

Even with all the benefits of clean energy, the fossil fuel industry lobbies legislatures and misinforms the public to kill offshore wind projects so big oil and gas keep profiting while we pay for the pollution they create with our money and health.

New Jersey needs to develop offshore wind projects in addition to solar, battery, and geothermal energy to respond to the extreme weather disasters that have damaged and will continue to hurt New Jersey residents.

And, I also just wanted to say that as a former user of Atlantic City beaches, and Brigantine beaches, that the compensation given in land for the use of the public space to construct the transmission is many

times more than what is actually used. So, the public will benefit in that way also from additional public space.

Thank you for your time.

MR. BROPHY: Thank you.

Next, I have Tony Hagen.

T O N Y H A G E N: Hi, Tony Hagen; I live in Florence Township and I'm with the New Jersey Chapter of the Sierra Club.

And, as a preface to my remarks, I'll just point out that these pictures are very appropriate, because they show the effects of fossil fuel pouring into the atmosphere. And, this tugboat over here with black diesel smoke-- These are very common sights along the Delaware River and other parts of New Jersey, especially Elizabeth.

So, this cable plan is really a good deal for Atlantic City and the State of New Jersey. The City planners have approved it, and now it's your turn.

This is what everybody gets out of it: Atlantic City gets park upgrades and no visible or significant impairments to its amenities or infrastructure, and *no* threat to local health. The cables will be buried nice and deep. The State gets a huge supply of renewable energy at a time when we are teetering on the edge of climate collapse. Please watch the news carefully if you haven't noticed that. I can't think of anything more essential right now than replacing fossil fuel use with clean, renewable energy, and I hope you agree.

And, speaking of wind energy, the arguments against Atlantic Shores are overblown, self-serving, and myopic. We cannot continue to allow

ourselves to be led by people who have been blinded by oil-and-gas greed and a massive campaign of propaganda.

Please give the State of New Jersey Atlantic Shores. We need this cable connection for the sake of a sustainable future. Please take the long view, not the short-sighted one.

I appreciate your attention. Thank you very much.

MR. BROPHY: Thank you.

Next we have Taylor McFarland.

TAYLOR MCFARLAND: Good morning, everybody.

Thank you for the opportunity to speak. My name is Taylor McFarland, and I am the Conservation Program Manager with the Sierra Club New Jersey Chapter.

The Sierra Club is the oldest and largest environmental nonprofits in the nation, we have about 120,000 members and supporters in New Jersey, and over 3.8 million members and supporters nationwide. We support responsible offshore wind development, and we believe this Green Acres diversion is an example of such development.

Atlantic Shore's application includes taking four permanent underground easements, each containing a cable on 1.35 acres of beach/boardwalk between South Texas and Iowa Avenue, then two permanent easements for two utility cables for both Bader and Pollitto Field. The timelines for these temporary easements will be 12 months; however, the impact in construction of these underground cables should be minimal. HDD drilling for the conduits will occur 90 feet below the beach and 40 feet below the boardwalk and the road. I want to stress that the public will be able to use these three sites after 12 months of construction.

Green Acres rules require compensation for major diversions through replacement land, since the total acreage of permanent easements needed across the diverted parcels is 1.8 acres -- a minimum of 3.6 acres of replacement land is required. Atlantic Shores has offered 12 times the acreage of replacement land that Green Acres requires. This 46.35 acres of replacement land along West Ave. is an environmentally sensitive area that must be protected and conserved.

We recognize that open space in Green Acres land is necessary for the public and a direct benefit for the town. After reviewing the diversion application, we believe Atlantic Shores has met all the criteria to be approved. The diversion will benefit the environment and the community, and we urge this Committee to pass it.

Thank you.

MR. BROPHY: Next on the list is Adrian Ghainda.

ADRIAN GHAINDA: Thank you for this opportunity to speak on behalf of this project.

And, just as a quick aside, you're, like, the first person to pronounce my last name right, so thank you for that.

(laughter)

MR. GHAINDA: But, yes, my name is Adrian Ghainda. I am the Senior Campaigns Manager with the New Jersey League of Conservation Voters.

And, as a staff member of the New Jersey LCV, we are also the -- one of the leading partners of the New Jersey Wind Works Coalition, a coalition that comprises of 20-plus statewide groups that represent the labor movement; that represent faith-based organizations and other

environmentally conscious groups. And, what we've discovered with this project is that Atlantic City could be on the forefront of ensuring that New Jersey is one of the leading states in the country in regards of pursuing renewable energy.

And, as it coincides with the governor's plans to make sure that we pursue 100% clean energy by 2035, we believe that the Green Acres diversion is a more than adequate -- I don't want to say substitution -- but it's a good standard to show that we can pursue clean energy while ensuring that we still have adequate open space; adequate green space; ensuring that when these projects are completed, that it doesn't impede upon any of the beach tourism or any of the boardwalk tourism. I believe that this is a project that can ensure that the economic standards of Atlantic City are maintained, as well as ensuring that we have clean air for future generations.

For me, I'm from Jersey City, so, I've seen firsthand how clean air quality is being taken for granted. And, I just want to make sure that this opportunity is represented adequately, and is done so in a responsible way, so that clean-energy standards are maintained all across the State of New Jersey.

Thank you for this opportunity, and I yield my time.

MR. BROPHY: Thank you.

Next on the list we have Andrea Kahn.

A N D R E A K A H N: Good morning.

I am Andrea Kahn. I am here as a citizen, and I am here because I believe that if you're not part of the solution, you're part of the problem.

I applaud the State's goals to meet the challenges of climate change, and to encourage the production of sustainable energy. I am supporting wind power, among other forms of sustainable energy, and I think it's critical for our state's economy. I think it's critical for our national security, and I think that it's just an important step forward to avert, avoid, the worst damages of climate change.

So, I encourage you to support -- to approve this motion, and to -- and, I encourage the State to act to encourage the growth of wind power in our state.

Thank you.

MR. BROPHY: Thank you.

And, I have two -- the rest, I have a couple on here.

Terence Kelly doesn't want to testify; Benjamin Cotts also doesn't want to testify.

Mr. Harmon was here for Number 9, I believe. He doesn't want to testify.

Christine Roy, is that--

MS. ROY: Yes, I don't want to.

MR. BROPHY: OK, great; thank you.

Jennifer Daniels, same?

MS. DANIELS: No, no I don't.

MR. BROPHY: You don't -- OK.

So, that's everyone I have on the list. Did we miss anyone?

All right, Anthony Shafer is on here, but we already moved past that one. But, feel free to testify.

Doug O'Malley -- do you want to testify, Doug?

DOUG O'MALLEY: Thank you so much, Chairman; thank you so much members of the Committee.

My name is Doug O'Malley; I represent Environment New Jersey. We represent more than 80,000 citizen members and activists across the state.

It's been a while since I've had a chance to testify in front of the State House Commission. We've obviously heard a number of -- a number of individuals already testify, including representatives from the New Jersey Sierra Club and the League of Conservation Voters. We support that testimony.

I wanted to just talk directly about -- a little bit about what's on the agenda, more broadly, and historically what's on the agenda for the State House Commission. Looking at, directly, at the impact on lands -- in this case particularly, Green Acres lands -- and the compensation that's provided.

As you can see in the application, and as previously referenced, the amount of disturbance and the compensation is 12 times. So, we're looking at 12 times compensation provided by Atlantic Shores to Atlantic City. And, the other critical thing here is that this disturbance is -- I don't want to call it minimal, because obviously it is work that is not going to be finished in a few weeks -- but, it is not permanent on the surface. So, when you're looking at the restoration of the ability of the boardwalk, beach, Bader Field, and other -- the other properties -- you're looking at a temporary disturbance, and you're looking at permanent acreage that's being compensated by Atlantic Shores. So, in terms of the State House

Commission, kind of just the pure basics of, is the land being compensated?
It is.

In the application, there's also a reference to the importance of the Offshore Wind Economic Development Act -- OWEDA, passed in 2010 -- in addition to the three executive orders over the course of the last six years -- Executive Order 8, Executive Order 92, and Executive Order 307. And, all of those executive orders are obviously advocating for aggressive goals in offshore wind. And, this is where-- This is a little outside of the purview of the State House Commission, but this is not just any property that we're talking about; this is Atlantic City. This is a barrier island; this is a city that was at the epicenter of Hurricane Sandy; this is a city that is projected, just like most of the Jersey Shore, to see sea-level rise up to 2 feet by the mid-century, and up to 6 feet by the end of the century.

It is also a community that's suffering sunny-day flooding right now. So, this -- these diversions aren't just for a billboard, as other members -- other agenda items are. This is to ensure that clean, renewable energy is getting to the electric grid to ensure that reducing the impact of carbon emissions and, ultimately, to be looking at the sanctity and long-term security of Atlantic City.

So, for all of these reasons, we strongly encourage the State House Commission to approve this diversion.

Thank you.

MR. BROPHY: Thank you.

And, the last one has not indicated they want to testify.
Oluwatosin Kolawole.

You want to testify?

OLUWATOSIN KOLAWOLE: Good morning, Mr. Chairman.

Distinguished members of the Committee, my name is Oluwatosin Kolawole. I am a resident of Piscataway, New Jersey, and I represent GreenFaith.

GreenFaith is an international multi-faith climate and environmental justice network. We're people of faith, and we are committed to sustainability of the planet.

Today I come before you as a person of faith deeply concerned and committed to the principles of justice, stewardship, and careful creation. These values compel me to speak in favor of ensuring access to transmission infrastructures that support a clean and renewable wind energy future for our communities and for the nation.

In my faith tradition, we are called to be stewards of the earth. This means taking care of the planet -- not just for ourselves, but for future generations. Scripture reminds us that (indiscernible) and everything (indiscernible) when trusted with the responsibility to protect it and use its resources wisely. But, our current reliance on dirty energy sources -- fossil fuels -- that pollutes the air and the water and the soil is damaging the planet.

We have been called to care for and (indiscernible) wind energy is a sustainable and environmentally-friendly source of power that helps reduce pollution and greenhouse-gas emissions, contributing to the preservation of a planet for future generations.

Additionally, this project would aid in removing 2.88 million tons of net greenhouse-gas emissions annually -- which is equivalent to 14% of the State's annual greenhouse-gas emissions. It's an ethical way of rebuilding and restoring the solutions of many generations. And, with all the

benefits of clean energy, big polluters are going out to kill offshore wind projects so that it can continue to profit from what -- (indiscernible) profits are why we get the pollution.

We are called to love our neighbors. Energy access is not just about the economy and the environmental policy. It's a moral issue. Today, far too many communities -- especially low-income communities and communities of color -- are disproportionately impacted by pollutions from outdated energy infrastructure. They live near coal plants, industrial facilities, and transmission lines that pump toxins into the air and the water, contributing to higher rates of asthma, heart diseases, and other health problems.

By expanding access to clean energy transmission, we reduce the harmful effect of fossil fuel dependence and deliver cleaner, healthier energy to our neighbors in need.

MR. AKHTER: That's three minutes, if you could please conclude.

If you want to just finish your sentence.

MR. KOLAWOLE: OK, yes.

Lastly, we have a sacred responsibility to our future generations, as it fills the evergreen trade of climate change, driven in large part by dependence on fossil fuel. We cannot wait any longer to act. Our children and their grandchildren deserve to live on a livable planet with clean air, clean water, and sustainable climate.

In closing, I urge this Commission to prioritize access to clean-energy transmission. As a matter of justice, stewardship, and care for our neighbors and the future generations, our faith causes us to act and we

must respond with bold steps that enable this clean, sustainable, and (indiscernible) future for all.

Thank you for your time and for consideration.

MR. BROPHY: Thank you.

That's all of the -- everyone who signed up to speak publicly on it.

So, you have to take-- Is there any other comments?

MR. AKHTER: Do you have public comments, sir?

UNIDENTIFIED SPEAKER: Yes, can I talk?

MR. AKHTER: Yes can--

MR. BROPHY: You can--

MR. AKHTER: Yes, if you'd like.

Just introduce yourself, please.

ANDY GOODPASTER: My name is Andy Goodpaster.

There's problems with the argument that carbon footprint, United Nations' intergovernmental panel on climate change has said that there is no impact on the carbon footprint when New Jersey does the Atlantic Shores north and south. No effect on the carbon footprint.

Bureau of Ocean -- BOEM -- has said that, overall, minor--
- OK, overall minor beneficial impact on the greenhouse-gas emissions compared to generation of the same amount of energy by existing grids.

It's three times the price of solar, geothermal, methane -- which are all green energies. Three times the price. The North Atlantic right whale in 2035 will have no females that can reproduce. That's without this structure that's right in the way of the North Atlantic right whales -- 2035, no females that can reproduce.

It's only going to create 88 jobs -- the Atlantic Shores south, one and two, they say that only 5% of the actual jobs in the long run are union. Five percent -- 5-10 % -- those are the numbers that are coming up.

You know, the tourism -- it's going to be-- They had an expert, and he was kind of denying that there are studies showing childhood leukemia from power lines, but in 2022 there was a meta-analysis, 20 studies, it was determining that (indiscernible) was increasing childhood leukemia. And, those were studies that were done about power lines. So, somehow they got the power lines up, and then everybody got higher leukemia.

It's-- There's just better stuff. At one-third of the price, there are-- They're holding hearings now about electricity bills already going up. Solar, geothermal is one-third the price. That's the EIA, which is a government organization. The levelized cost of offshore wind compared to solar, geothermal, methane, it's three times the price.

MR. AKHTER: That's three minutes, sir, if you could conclude.

MR. GOODPASTER: OK.

Thank you.

MR. AKHTER: Thank you, sir.

MR. GOODPASTER: Don't rush me.

MR. BROPHY: Thank you.

UNIDENTIFIED SPEAKER: (indiscernible)

MR. AKHTER: If you'd like to--

UNIDENTIFIED SPEAKER: (indiscernible)

MR. AKHTER: If you'd like to testify, please come down.

UNIDENTIFIED SPEAKER: Oh, can we do it now?

MR. BROPHY: Yes, please.

UNIDENTIFIED SPEAKER: All right.

I'm a permanent resident in Atlantic City--

MR. AKHTER: Take a seat, please.

UNIDENTIFIED SPEAKER: OK--

MR. AKHTER: Take a seat, please, just introduce--

MR. BROPHY: Please introduce yourself.

UNIDENTIFIED SPEAKER: I'm very angry, so-- And, I had to drive all the way from Atlantic City to come to this insanity that I don't agree with, OK--

MR. BROPHY: Can you put your name on the record, please?

UNIDENTIFIED SPEAKER: Yes -- would I have to speak in anything?

MR. AKHTER: You can -- the microphone that's on right there.

UNIDENTIFIED SPEAKER: This one here?

MR. AKHTER: Yes, right there.

You have three minutes.

LOUISE ROSANIO: OK, Louise Rosanio. Permanent resident of Atlantic City, New Jersey.

And, this affects me personally, mentally, physically. I do not agree with it, because it is going to be right where my condominium is, ripping up the street, ripping up the beach. It's going to destroy the whole city. And, I am definitely not for this. It's not safe, nothing clean about it.

I know, I've been trying for years to educate people, to see what it's going to do, and he was right, this man that spoke -- it's going to affect children, you know, human beings -- anybody. It's going to affect them with the EMF with the cables running underneath the playground in Atlantic City.

And, no one was notified. As far as a lot of Spanish-speaking, Asian, Indian -- who would let them know, interpret anything? A lot of them don't know what's going on.

And, no-- I don't even know what else to say, but I'm not for-- I've been living down here all my life. I've worked in the casinos for 41 years, and I'm retired now, and I wanted to enjoy my condo. And, now it's going to be destroyed; it's going to destroy our beaches. The whole city is going to be ripped up, the tourism is going to-- Nobody is going to come to Atlantic City. And, I worked at Bally's Sammy's Beach Bar -- not there for 41 years - - and I was a cocktail waitress. I worked like a dog serving drinks to make money to live in a nice place at the shore, and I don't want it destroyed.

And, my grandparents bought a house after World War II in Margate, and we had a summer beach house there that-- Because I grew up in Philadelphia, and I moved down to Atlantic City for a better life when the casinos opened to have a place to stay at the shore, and I just don't want it destroyed.

I don't know what else I can say. I'm not for it; it's horrible; and it personally affects me; and I think it's a disgrace.

MR. BROPHY: All right, thank you.

MR. AKHTER: Any other members of the public wish to be heard--

MS. ROSANIO: Thank you; I'm so disgusted with the whole
(indiscernible)

EILEEN BARKER: Hi.

MR. AKTHER: Hi.

MS. BARKER: I'm Eileen Barker; I live in Atlantic City,
and I am here because -- for a few reasons.

I am here to fight the agreement -- the contract that was approved by the Council in Atlantic City on Wednesday. The first thing I want to say is that there were councilmen of the Council -- it was voted OK 5-4. And, the person who was the councilman for Ward 5 -- which is where the cables were going to go through, are planned to go through -- that councilman was removed because he was illegally elected. So, Mayor Smalls put in another, a replacement, who knew absolutely nothing about the issue and he was not -- obviously not elected by his constituency, so that when they had the vote, he voted -- he was the one vote that made it not a tie.

So, that's my first issue that the-- And, this is for the DEP to have permission to make a contract with Atlantic Shores. So, Atlantic Shores -- the DEP -- we've had many, many hearings. I-- I mean, I'm sure that you all know all of the terrible things that will happen from the wind turbine company, about building these in the ocean and how it's going to affect the Atlantic -- the whole area, the Atlantic County.

So, the thing I wanted to emphasize though is besides-- Those were just the information in the environmental impact statement are just predictions based on scientists. But, what happened in Nantucket in July shows that these wind turbines cannot be trusted. There was an incident where one turbine, just one blade of one turbine, broke off in Massachusetts,

and it made it so that the beaches had to be closed for the whole summer in Nantucket, and now they're finding pieces of the plastic, which is the most poisonous plastic that exists. That is being found in the fishing -- in the fish. And, then there were pieces of the blades that have been found as far as Martha's Vineyard, and it's just an example of one turbine. This is in a new project, the same kind of project that they're planning to build by Atlantic Shores that they could break, and who is responsible?

The Atlantic Shores is actually owned -- I don't know if you guys understand -- but Atlantic Shores is owned by--

MR. AKHTER: That's three minutes, if you just want to conclude your remarks.

MS. BARKER: Oh, OK.

Half by Shell, and half by the French government electrical company.

So, I just wanted to say that they have no responsibility for when things break, and they have no interest in destroying our fishing -- the fishing industry.

And, I would ask you please to not enter into this contract to allow Atlantic Shores to go through Atlantic City and breaking up the streets, which is going to threaten the housing -- compromise the housing -- and-- Thank you.

MR. AKHTER: Thank you.

MS. ROSANIO: I agree with everything she says.

UNIDENTIFIED SPEAKER: (indiscernible)

MR. AKHTER: Any other public comment?

MR. BROPHY: Thank you--

MS. ROSANIO: No, no one knew about it--

MR. AKHTER: Ma'am, please. Only at the microphone.

If there's no other public comment, I will ask for a motion to table the vote. We don't have a full compliment of members here, and the members who weren't able to make today's meeting would like to vote on the record here.

So, I will ask for a motion to--

SENATOR BUCCO: So moved.

MR. BROPHY: Senator Bucco.

Second?

ASSEMBLYMAN DiMAIO: Second.

MR. BROPHY: Assemblyman DiMaio.

Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor to table.

Thank you.

Number 11 on the agenda. The project is Big Timber Creek Park, Block 78, Lot 2, in the Borough of Bellmawr -- M-A-W-R -- in Camden County.

MR. AKHTER: Sorry, all conversation can be taken outside the room, please.

MR. BROPHY: The requesting party is the New Jersey Department of Environmental Protection, on behalf of the Borough of Bellmawr.

Request approval to allow the Borough to remove Green Acres restrictions from Block 78, Lot 2, in the Borough of Bellmawr in Camden County, containing approximately 17,862 acres of parkland to the Bellmawr Redevelopment Agency, in connection with the Bellmawr Waterfront Redevelopment Project. The proposed disposal of parkland will facilitate remediation of a former landfill site; replace a failing stormwater-management system; restore and expand parkland in the area; and promote economic revitalization.

As compensation for the proposed disposal of the 17.862 acres, the Borough proposes to dedicate three parcels totaling 127.346 acres in fee for recreation and conservation. The proposed compensation parcels include Block 79.01, Lot 9.02 in the Borough of Bellmawr in Camden County, which is 21 acres; Block 102, Lot 1.02 in the Township of Deptford in Gloucester County, 1.8 acres; and Block 328, Lot 5, in the Township of West Deptford in Gloucester County, which is 104.546 acres. The Bellmawr and Deptford compensation parcels totaling 22.8 acres will be added to the remaining Big Timber Creek Park parcel to expand the park to 34.7 waterfront acres. The West Deptford compensation parcel was a parcel that was identified by the

department for conservation, since it is adjacent to the Delaware River, holds a mixture of deciduous forested scrub shrub -- you guys are killing me with this--

(laughter)

MR. BROPHY: --and coastal tidal wetlands, and is mapped as habitat for both State- and Federally-listed threatened and endangered species.

Can we have a motion?

MR. BINDER: Motion.

MR. BROPHY: Mr. Binder.

Second?

MR. SHABAZZ: Second.

MR. BROPHY: Mr. Shabazz.

Any questions, comments? (no response)

Any public questions, comments? (no response)

Seeing none, Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

Number 12, project: Bowtie Pool Property/Cypress Park II, Block 649.01, part of Lot 1, in the Township of Woodbridge in Middlesex County.

The DEP, on behalf of the Township of Woodbridge, requests approval to allow the Township to remove Green Acres restrictions from a 1.001-acre portion of the 6-acre Green Acres encumbered Bowtie Pool/Cypress Park II property, and convey it to the Consolidated Rail Corporation for the construction of a track and two switches. The construction project will provide direct access between the Port Reading secondary line and the Garden State secondary line, eliminating the need for extended train idle times in residential areas. The only property on which this track can be built is on proposed disposal area.

To compensate for the proposed disposal, the Township has acquired 4.862 acres of replacement land in fee simple that will be permanently restricted for recreation and conservation purposes and add it to the Township's recreation open space inventory. Additionally, to offset the loss of recreational amenities at the Bowtie Pool Property, the Township has undertaken significant recreational improvements at Bowtie Pool and its Cypress Recreation complex, including upgraded soccer fields, two new roller hockey rinks, new playground equipment, sanitary playmat, walking paths, pickleball courts, volleyball courts, and restrooms.

Can we have a motion on Number 12?

MR. AKHTER: So moved.

MR. BROPHY: Mr. Akhter.

Second?

SENATOR BUCCO: Second.

MR. BROPHY: Senator Bucco.

Any questions, comments? (no response)

Any public questions, comments? (no response)

Seeing none, Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

Number 13, Hopatcong State Park, Block 11101 -- is that right?

Lot 1, in the Township of Roxbury in Morris County.

The DEP requests approval to amend a 1971 easement it granted to Morris County to add an additional .0012 acres -- 53 square feet -- to the easement area. Under the 1971 easement, Morris County was granted a permanent right of way over, under, upon, and across 2,870 square feet of land owned by DEP, together with slope rights, for roadway widening as part of the reconstruction of Lakeside Boulevard and Mount Arlington Boulevard in the Township of Roxbury in the County of Morris.

The County now needs additional easement area for the installation of a low-maintenance compressive barrier crash cushion as part of its Landing Road Bridge-replacement project. The proposed easement

amendment will serve the public's benefit by improving public safety. The proposed compensation for the easement amendment is a one-time payment of \$1,000.

Number 13, can we have a motion?

MR. AKHTER: So moved.

MR. BROPHY: Mr. Akhter.

Second?

SENATOR BUCCO: I have just a question, a comment.

MR. BROPHY: Yes, Senator Bucco.

SENATOR BUCCO: I serve, in my private capacity, as an attorney, as Corporation Counsel for the Township of Roxbury. I don't have any financial interest in this transaction, transacted-- The property is in Roxbury, it's going to the County.

If I can't vote on this, that'll be an issue, right?

MR. BROPHY: Yes.

SENATOR BUCCO: I mean--

MR. AKHTER: So, I-- I mean, I don't know if legal counsel has any advice here, or thoughts.

As a Chair, I certainly recognize Senator Bucco in his elected capacity here and think it's valid for him to vote given his lack of interest in the property.

MR. BROPHY: I think it's his -- you're the lawyer here -- but it's his call if he abstains or not.

MS. LOATMAN-CLARK: I mean, to the extent that -- I mean, do you view it as a -- if you view it as a conflict, then you should--

SENATOR BUCCO: I don't, actually--

MS. LOATMAN-CLARK: OK--

SENATOR BUCCO: --but, you know, I just want to make it clear that--

MS. LOATMAN-CLARK: So, it's on the record--

MR. AKHTER: It's on the record--

MS. LOATMAN-CLARK: I mean, it's topically covered in the record.

SENATOR BUCCO: OK. OK.

MR. BROPHY: I just need a second.

MR. BINDER: Second.

MR. BROPHY: Mr. Binder.

Any questions, comments?

Yes.

J U D E T H Y E A N Y, ESQ.: Judeth Yeany from the DEP.

I just wanted to point out that the other party is the County, not the Township.

SENATOR BUCCO: Right, not the Township, right.

MS. YEANY: So, we would not be conveying anything to the Township.

MR. BROPHY: OK. Helpful; thank you.

MS. YEANY: Thank you.

MR. BROPHY: OK, any other public comment? (no response)

Seeing none, Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

Number 14, project is the Keansburg Waterfront, Block 184, Lots 1, 3.02, 3.03 in the Borough of Keansburg in Monmouth County.

The DEP requests approval to vacate the State's interest in several shore-protection easements within Block 184, Lots 1, 3.02, and 3.03 totaling 0.305 acres, which is 13,302 square feet, in the Borough of Keansburg in Monmouth County, originally acquired in the 1960s as part of the Raritan Bay Sandy Hook Hurricane and Shore Protection Project.

As part of the project, the municipalities in the project area acquired easements from the bayfront property owners, located within the project area, then authorized the State and the Army Corps of Engineers to construct the project. At the time, the easements extended to the water's edge and gave the easement holder the right to maintain the original shore-protection project and erect future shore-protection structures. Most of the project area was used for beachfill, but also included a levee tied to a floodgate facility.

The original shore-protection project was intended to be operated by the Hazlet-Keansburg-Middletown Joint Flood Control Commission; however, the Commission encountered financial problems in

the 1980s. The DEP assumed responsibility for the project, including maintenance of the levees and floodgate.

Due to significant accretion along the Raritan Bay Beachfront in the last 50 years, the bayfront shoreline has shifted as much as 500 feet from where it was when the project was first constructed. As a result, the original easement areas are now entirely on upland. The DEP has now been approached by Pizzo at Keansburg, LLC, the owner of Block 184, Lot 1, and the Borough of Keansburg in its capacity as owner of Block 184, Lots 3.02 and 3.03, requesting the State vacate its interest under the easements. The DEP concurs that the easements on these lots no longer serve their intended purposes and are not needed for future shore-protection purposes and that vacating them is justified.

Since the DEP has determined that the original easements -- only as they relate to the portions of Block 184, Lots 1, 3.02, and 3.03 -- no longer serve their intended purposes, no compensation is proposed.

Can we have a motion?

MR. AKHTER: So moved.

MR. BINDER: Second.

MR. BROPHY: Mr. Akhter and Mr. Binder on second.

Any questions, comments? (no response)

Any public comments? (no response)

Seeing none, Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: All in favor.

OK, we're now going to move to the Division -- Number 15, which is the Division of Pension and Benefits.

Can we have a motion to sit as the Judicial Retirement System Board of Trustees?

MR. AKHTER: So moved.

SENATOR BUCCO: So moved.

MR. BROPHY: Mr. Akhter and Senator Bucco on the second.

All in favor?

ALL: Aye.

MR. AKHTER: I'll ask Brittany to take over the parts of the agenda.

MS. ZULLA: Thank you.

OK, Number 1 on the agenda is the approval of the minutes of the meeting held on June 13, 2024.

Can I have a motion?

MR. AKHTER: So moved.

ASSEMBLYMAN DiMAIO: So moved.

MS. ZULLA: Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MS. ZULLA: All in favor.

Number 2 is the confirmation of death claims, retirements, and survivor benefits.

Can I have a motion?

MR. AKHTER: So moved.

MR. SHABAZZ: Second.

MS. ZULLA: Is that Mr. Shabazz?

MR. AKHTER: Shabazz.

MS. ZULLA: Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MS. ZULLA: All in favor.

And, last on the agenda is to receive financial statements for February 2024 through June 2024.

Can I have a motion?

MR. AKHTER: So moved.

MS. ZULLA: Mr. Akhter.

ASSEMBLYMAN DiMAIO: Second.

MS. ZULLA: Assemblyman DiMaio.

Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MS. ZULLA: All in favor, thank you.

OK, so, can we--

MR. AKHTER: I'll motion to move out of JRS and back into the State House Commission.

SENATOR BUCCO: Second.

MS. ZULLA: Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. AKHTER: And, I will motion to adjourn the meeting.

SENATOR BUCCO: Second.

MR. BROPHY: All in favor?

ALL: Aye.

MR. BROPHY: Thank you.

MR. AKHTER: Thank you, all.

(MEETING CONCLUDED)