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# *Commission Meeting*

of

## STATE HOUSE COMMISSION

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

**DATE:** March 24, 2025  
9:30 a.m.

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

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



### **ALSO PRESENT:**

Eric D. Brophy  
*Commission Secretary*

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

Brittany Zulla  
*Acting Secretary*  
*JRS Administrator*

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

Rafael Soto-Irizarry  
*Pension Benefit Specialist 2*

Joseph Salvo, Esq.  
*Deputy Attorney General for the Judicial Retirement System*

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

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## TABLE OF CONTENTS

	<u>Page</u>
Howard Long, Esq. City Attorney Gloucester City	22
Jeff Gerber Chief Operating Officer Interstate Outdoor Advertising	22
Jonathan B. Chipko Actuary Cheiron	28
mej: 1-35	

**ASSAD AKHTER (Chair):** Good morning, everybody.  
I will ask the secretary to read the public notice.

**MR. BROPHY:** Thank you.

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 March 17, 2025, filed with the Secretary of State, distributed to the State House Press Corps, and posted on the State House Commission's website.

Roll call.

Mr. Akhter.

**MR. AKHTER:** Here.

**MR. BROPHY:** Mr. Binder.

**MR. BINDER:** Here.

**MR. BROPHY:** Mr. Shabazz is on the way.

Senator Smith.

**SENATOR SMITH:** Yup.

**MR. BROPHY:** Senator Bucco.

**SENATOR BUCCO:** Here.

**MR. BROPHY:** Assemblyman DiMaio.

**ASSEMBLYMAN DiMAIO:** Here.

**MR. BROPHY:** Assemblywoman Pintor Marin.

**ASSEMBLYWOMAN PINTOR MARIN:** Here.

**MR. BROPHY:** We do have a quorum.

We had no public comments ahead of the meeting, so we'll move on to old business.

Number 1: Can we have a motion to approve the minutes from October 21, 2024, and December 9, 2024?

ASSEMBLYWOMAN PINTOR MARIN: Motion to approve the meeting minutes.

MR. BINDER: Second.

MR. BROPHY: Second?

MR. BINDER: Second.

MR. BROPHY: Mr. Binder.

Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Senator Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes October 21; abstain December 9.

MR. BROPHY: Thank you.

Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: It looks like I'm abstaining on both.

MR. BROPHY: And, Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: OK.

That motion passes; on to new business.

Number 2 is a Department of Treasury request. Number 2 on the agenda is project RPR 23-23, which is 6 Esther Avenue, Block 322, Lot 75 in Ewing Township -- that's in Mercer County.

The State Department of Treasury, on behalf of the Department of Human Services, requests approval to dispose of a single-family dwelling, consisting of 2.13 acres of land and improvements, located at 6 Esther Avenue, in Ewing Township, Mercer County, which has been declared surplus to the Department's needs.

The property will be sold via internet auction for the minimum bid amount of \$300,000, which is the appraised value.

Can we have a motion?

MR. AKHTER: So moved.

SENATOR SMITH: Second.

SENATOR BUCCO: Second.

MR. BROPHY: Mr. Akhter; Senator Smith.

Any questions, comments? (no response)

Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Senator Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: All in favor.

Number 2 (*sic*) on the agenda -- this is a Department of Environmental Protection Request. The project is Spring Meadow Golf Course, located in Allaire State Park, which is Block 958, part of Lots 3, 6, and 7; also Block 959, part of Lot 3; Block 970, part of Lots 9 and 13; in the Township of Wall in Monmouth County.

The New Jersey DEP requests approval to enter into a 10-year lease agreement, with a 10-year renewal term, with Empire Golf Management, LLC, for the operation, maintenance, and management of the Spring Meadow Golf Course property. The Spring Meadow Golf Course is a fully operational year-round 18-hole public golf course, which includes a restaurant with a bar and a refreshment/snack stand and driving range in Wall Township, Monmouth County, located within Allaire State Park.

The proposed lease premises consist of 176.66 acres on Block 958, part of Lots 3, 6, 7; Block 959, part of Lot 3; and Block 970, part of Lots 9 and 13. The DEP has determined that leasing the property to Empire Golf Management, LLC, will not interfere with reasonably anticipated plans for development of the property for recreation and conservation purposes as part of Allaire State Park, and that the best interests of the people of the State of New Jersey will be served by allowing the tenant to operate, maintain, improve, and manage the golf course property for public use.

The proposed tenant was selected through issuance of a Request for Proposal in May 2024. The May 2024 RFP specified the winning

bidder would be required to complete specific capital improvements to the leased premises during the initial 10-year term in order to be eligible for a renewal term. The DEP established the minimum bid for the May 2024 RFP through an appraisal.

If the lease is not approved, the DEP will have to evaluate whether the issuance of another RFP for the golf course operation is appropriate. However, since the current operation agreement has expired, and the previous operator is in the process of vacating the premises, issuing another RFP, which would most likely result in at least a temporary closure of the golf course to the public.

The proposed compensation for the lease is an annual rent for the first year of the lease in the amount of \$360,000 and zero cents, with 3% annual increases for each subsequent year of the lease. Over the proposed 20-year term of the lease agreement, the DEP will receive \$9,673,334.82 through a combination of cash rental payments and/or the equivalent documented cost of the required improvements.

Can we have a motion?

SENATOR BUCCO: So moved.

MR. BROPHY: Senator Bucco.

Second?

SENATOR SMITH: Second.

MR. BROPHY: Senator Smith.

Any questions, comments? (no response)

OK, Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Senator Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: All in favor.

Number 4 on the agenda is the Delaware and Raritan Canal State Park -- Block 5201.10, Lots 1 and 5.02, Township of Lawrence in Mercer County.

The DEP requests approval to enter into a 20-year lease with JCP&L for the purpose of installing, removing, maintaining, repairing, and operating an existing 230-kV aerial electrical transmission line and tower located on 2.0885 acres within the Delaware and Raritan Canal State Park in Lawrence Township in Mercer County. The aerial line provides electrical transmission between substations that service the area. The lease will replace and supersede a 50-year lease agreement that was executed in 1959 for a portion of Block 5201.10, Lot 1; and a 1959 permit for a portion of Block 5201.10, Lot 5.02. The DEP has determined that the continued operation of the leased premises by JCP&L will not have a negative impact on the public use or enjoyment of the Delaware and Raritan Canal State Park.

The proposed annual rent for the first year of the proposed lease is \$1,800 and zero cents with a 3% annual escalation for each

subsequent year of the lease. The rental rate was established by an appraisal dated February 21, 2023, which valued the proposed lease at 32 cents per square foot. Over the 20-year term of the lease agreement, the DEP will receive \$48,366.67.

Can we have a motion?

MR. AKHTER: So moved.

MR. BROPHY: Mr. Akhter.

Second.

ASSEMBLYMAN DiMAIO: (indiscernible)

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

Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Senator Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. BROPHY: Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

ASSEMBLYMAN DiMAIO: Chairman, I need to move on to another meeting.

MR. AKHTER: Thanks; I appreciate it.

Are you-- Are you leaving your votes?

ASSEMBLYMAN DiMAIO: I did.

MR. AKHTER: OK, thank you.

MR. BROPHY: Thank you.

Number 5 on the agenda is Delaware and Raritan Canal State Park, Block 5, Lot 4, in the Borough of Stockton in Hunterdon County.

The DEP requests approval to vacate one of two sewer line easements that traverse property owned by Michael Odenwald -- located on Block 5, Lot 4 in the Borough of Stockton, Hunterdon County. The easements in question were granted by the DEP by Carl -- *to* the DEP by Carl and Elaine Cathers -- those were Mr. Odenwald's predecessors in title -- as part of the DEP's acquisition of a nearby property located at Block 5, Lot 17 -- from the Cathers in 2009. The second easement was granted to the NJ DEP by the Cathers in 2011 and crosses a different part of Lot 4. Mr. Odenwald asserts that the sewer line was constructed in the 2009 easement and has requested that the DEP vacate the 2011 easement.

At present, due to conflicting and/or incomplete information in DEP files and the Borough of Stockton, the DEP -- which did not install the sewer line -- has not reached a definitive conclusion about whether the sewer line was installed in the 2009 easement or the 2011 easement. However, the DEP concurs that it does not need two sewer line easements to serve Lot 17 and is willing to vacate the unused one so it does not unduly delay Mr. Odenwald's future development plans for Lot 4. Vacating either the 2009 easement or the 2011 easement will not adversely affect the sewer service for Block 5, Lot 17 or operation or public use of the state park.

Because the DEP never intended to acquire two sewer easements to serve Block 5, Lot 17, and the value of the sewer line easement was taken into account as part of DEP's acquisition of Block 5, Lot 17, no additional compensation is proposed.

Can we have a motion?

MR. AKHTER: So moved.

MR. BROPHY: Mr. Akhter.

Second.

ASSEMBLYWOMAN PINTOR MARIN: Second.

MR. BROPHY: Assemblywoman.

Any questions, comments? (no response)

Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio left an affirmative.

Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: All in favor.

Moving onto Number 6: Monmouth Beach Life Saving Station, Block 11, Lots 1 and 1.01 in the Borough of Monmouth Beach in Monmouth County.

The DEP requests approval to renew a May 18, 2000 lease agreement with the Borough of Monmouth Beach for a 20-year term and to amend the lease to add Block 11, Lot 1.01, which equals .06 acres. The initial 24-year term of the lease agreement, for a 1.5-acre leased premises, was previously approved by the State House Commission on December 13, 1999. However, at the time, the Department only owned Block 11, Lot 1 -- which is 1.09 acres. The Department did not acquire Block 11, Lot 1.01 until 2002, which was after the initial lease agreement was executed, therefore it was not included in the lease agreement. The lease agreement allows the tenant to request a 20-year renewal term, but the renewal term was not part of the 1999 State House Commission approval.

Under the 2000 lease agreement, the Borough of Monmouth Beach is authorized to operate, interpret, maintain, improve, repair, restore, and preserve the historic former Monmouth Beach Life Saving Station. The lease amendment will add approximately eight parking spaces to the leased premises. The proposed lease renewal and amendment will serve the public's benefit by continuing to allow the tenant to offer cultural, educational, community activities, and free parking for public beach access.

The proposed compensation for the lease renewal is a one-time payment of \$20.

Can we have a motion?

MR. AKHTER: So moved.

MR. BROPHY: Mr. Akhter.

Second.

MR. SHABAZZ: Second.

MR. BROPHY: Mr. Shabazz.

Any 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: Senator Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Assemblyman DiMaio is yes.

Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: All in favor.

Number 7: Merrill Park, Block 426, Lot 1.01, in the Township of Woodbridge in Middlesex County.

The DEP, on behalf of the County of Middlesex, requests approval to allow the diversion of a 0.088-acre portion of Merrill Park in connection with the Stafford Road Sanitary Sewer Relocation Project being undertaken by the Township of Woodbridge. The diversion will consist of the conveyance of a 20-foot-wide subsurface utility easement to the Township for the relocation, operation, and maintenance of a new 24-inch

diameter sanitary sewer pipe. The new subsurface sewer easement will encompass two areas -- one which is 0.005 acres for Diversion Area 1; and 0.083 acres, Diversion Area 2, for a total of 0.088 acres. As part of the transaction, a 0.94-acre portion of the existing sewer line will be vacated.

The Township currently owns and operates a 10-inch diameter gravity sanitary sewer line that passes through Merrill Park and ends at a Rahway Valley Sewerage Authority trunk sewer line held by the Township. The Township has now determined it is necessary to increase the diameter of the sewer lines to 24 inches and adjust the slope of the sewer line within Merrill Park to eliminate certain backflows and backups upstream. Since portions of the existing sewer line are in or very near a tributary to the South Branch of the Rahway River, and also pass under a park roadway bridge and a park pedestrian bridge, relocation of the line within the park is preferable to upgrading the line in place.

To compensate for the proposed minor diversion, the County proposes to remit \$25,000 to the DEP Green Acres program for deposit into the Garden State Preservation Trust Fund. The proposed diversion will not affect any trees, therefore, no tree compensation is due.

Can we have a motion?

SENATOR SMITH: Move it.

ASSEMBLYWOMAN PINTOR MARIN: Second.

MR. BROPHY: Smith; Pintor Marin.

Any questions, comments? (no response)

Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio is a yes.

Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: All in favor.

Eight: Duke Island Park, Block 102, Lots 10 and part of 39, in the Township of Bridgewater in Somerset County; Block 48, Lot -- part of Lot 10, Township of Hillsborough in Somerset County.

The DEP, on behalf of the County of Somerset, requests approval to allow the diversion of a 0.42-acre portion of Duke Island Park in connection with the Headgates Dam Removal Project at Raritan River Mile 29.9, located in the townships of Bridgewater and Hillsborough in Somerset County. The proposed diversion will consist of the conveyance of a 30-foot-wide subsurface utility easement to the Township of Bridgewater for the relocation, operation, and maintenance of a replacement sewer for an existing 54-diameter sanitary sewer pipe.

To compensate for the proposed diversion, including the associated tree removal, the County will receive a maximum of \$552,652 in monetary compensation for a future acquisition of at least 0.42 acres of forested land for recreation/conservation purposes located within the County.

This compensation figure is based on a \$6,500 value for the easement itself -- which is the minimum required by the Green Acres rules -- and \$546,142 for anticipated tree replacement costs calculated under the formula in the Green Acres rules.

The County will place these funds in a dedicated account to be used for future open space acquisition of at least 0.42 acres of comparable wooded replacement land within six months of obtaining State House Commission approval. In the event the County cannot complete the land acquisition within the six-month period, it will be required to remit the cash compensation to Green Acres for deposit into the Garden State Preservation Trust Fund.

As part of the pre-construction design of the project, the County is committed to determining whether the anticipated tree removal can be reduced, which would reduce the tree replacement payment and total compensation payment.

Can we have a motion?

MR. AKHTER: So moved.

SENATOR SMITH: So moved.

MR. BROPHY: Senator Smith.

Second.

MR. AKHTER: Second.

MR. BROPHY: Mr. Akhter.

Any questions, comments? (no response)

Mr. Akhter.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio is a yes.

Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: All in favor.

Number 9: Lafayette Street Park, Block 1061, Lots 44 and 47, in the City of Cape May in Cape May County.

The DEP, on behalf of the City of Cape May, requests approval to allow the City to remove Green Acres restrictions from a 0.137 acre of parkland in order to allow the City to construct a new police station facility at the intersection of St. John Street and Lafayette Street in the City of Cape May in Cape May County. The City's police department currently occupies a portion of the historic City Hall building and a substation in West Cape May, and is in desperate need for expansion, modernization and parking. Based on the analysis, the Department concurs that other non-parkland alternatives are not feasible, reasonable, and/or available as alternate locations.

As compensation for the proposed diversion, the City proposes to dedicate six tax parcels and various vacated rights of way, totaling 6.607 acres, in fee for recreation and conservation purposes. The proposed

replacement land is environmentally sensitive and located adjacent -- located adjacent to land owned by DEP, and is managed by the Division of Fish and Wildlife.

Can we have a motion on that?

MR. BINDER: Motion.

ASSEMBLYWOMAN PINTOR MARIN: Motion--  
Second.

MR. BROPHY: Mr. Binder; second, Assemblywoman.

Any 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 Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio is a yes.

Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: All in favor.

Number 10: Riverside -- I'm not even going to try to say that word -- Patriot Park; Block 123, Lot 1 in the City of Millville in Cumberland County.

The DEP, on behalf of the City of Millville, requests approval to allow the diversion of a total of 0.0418 acres of Green Acres encumbered parkland at Riverside Park, in connection with the Department of Transportation's relocation of an existing bridge-mounted sanitary sewer line on the Route 49 Bridge over the Maurice River. The bridge was originally constructed in 1971 and current transportation standards do not allow the line to remain on the bridge. The City of Millville will maintain ownership of the diverted parcel.

To compensate for the diversion of the underground utility easement and temporary work area, the DOT proposes to pay \$27,685.29 to the City of Millville to be used for parkland improvements within the City.

Can I have a motion?

SENATOR BUCCO: So moved.

ASSEMBLYWOMAN PINTOR MARIN: Second.

MR. BROPHY: Bucco; Assemblywoman.

Any questions, comments? (no response)

Seeing none -- Mr. Akther.

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder.

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio is a yes.  
Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: All in favor.

Number 11. Project is the Brendan T. Byrne State Forest, Block 928, part of Lot 1, in Pemberton Township in Burlington County.

The DEP requests approval to enter into a 24-year lease agreement with the United States of America, acting by and through the Secretary of Agriculture, for the continued use of the U.S. Department of Agriculture's Forest Service of a portion of the Silas Little Experimental Forest, an area within the Brendon T. Byrne State Forest that is used for experiments in forest management, wildlife suppression and climate change -- *wildfire* suppression and climate change. We don't want wildlife suppressed.

(laughter)

MR. BROPHY: Under a 1934 agreement between the Board of Conservation and Development -- which is currently the DEP -- and the predecessor of the USDA's Forest Service, a portion of Lebanon State Forest was set aside to be used by the USDA's Forest Service to conduct various types of forest-related research. As part of this initiative, the USDA's Forest Service constructed various buildings to serve as laboratory space and support facilities for its research. These buildings occupy approximately 5 acres of the 24-acre proposed leased premises. Since 1934, the USDA's Forest Service has occupied the proposed leased premises under successive agreements with the State of New Jersey. The DEP wishes to continue this mutually beneficial operation.

The most recent lease between the State of New Jersey and the USDA for experimental forest was executed in 1993 and expired in 2013. Since then, the USDA's Forest Service has continued to occupy the proposed premises and operate the Experimental Forest as a holdover tenant. The 1993 lease required an annual payment of \$1 per year.

At this time, the DEP seeks approval to enter into a new lease with the USDA's Forest Service for the 24-acre area occupied by the Experimental Forest facilities, infrastructure, and core operations.

Given the technical and financial support that the operation of the Experimental Forest provides to the various programs in the state, and the fact that the buildings, infrastructure, and related improvements on the proposed leased premises were constructed by and are owned and maintained by the USDA, a nominal one-time rental payment of \$24 is proposed.

Can we have a motion?

MR. AKHTER: So moved.

MR. BROPHY: Mr. Akhter.

Second.

MR. SHABAZZ: Second.

MR. BROPHY: Mr. Shabazz.

Any 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 Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio is a yes.

Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: All in favor.

Number 12 -- approval of outdoor advertising waiver  
Number 77183, Route I-76, Milepost 2.44, on Block 212.01, Lot 2, in  
Gloucester City in Camden County.

The DOT requests a waiver from outdoor advertising regulations to allow the issuance of a multi-message static outdoor advertising permit to Maxwell Interstate, LLC, for an off-premise sign. The sign would be installed along Interstate Route 76 in Gloucester City, in Camden County, on the eastern side of the roadway at Milepost 2.44 and visible to northbound and southbound traffic. The application -- this application meets the threshold requirement that a waiver can only be granted for signs on public property. The sign is on property owned by Passaic Properties, LLC, in an area over which the City has obtained a permanent easement for the proposed location of the sign. As such, the sign will be located on property over which the City is exercising control such that the property can be deemed public property.

The application submitted by Maxwell proposes the erection of a two-sided sign. One side, a multi-message visible to southbound

traffic; and the second, static visible to northbound traffic, with each side having a face of 20 feet in height and 50 feet in width, which is 1,000 square feet per side. In total, the sign will have 2,000 square feet of advertising space. The sign visible to southbound traffic will be electronic.

A waiver is required because the location of the sign did not meet DOT regulatory requirement N.J.A.C. 16:41C-8.1(d) (2)(i), which provides: “If an interchange lacks a pavement widening, a sign shall not be located in that direction within 1,000 feet of the point of gore.” In this instance, the sign is located 600 feet from a point of gore within an interchange in the southbound direction of the roadway. There is no interchange issue on the northbound direction.

The Department intends to grant the waiver, subject to the approval of the State House Commission, and has determined that because this sign has demonstrated A) public benefit; B) need for the sign; C) public safety; and D) compliance with the Federal rules and 1971 Federal State Agreements -- which is at 23 C.F.R. 750, the Highway Beautification Act, and 23 U.S.C. 131, control of outdoor advertising regulations -- a waiver is appropriate. The sign will be installed, function, and be maintained at no cost to the public. In addition, the sign will be subject to the following conditions:

Number 1, a post-construction traffic safety analysis shall be completed. Number 2, conformance with all other pertinent outdoor advertising regulations is required. Three, emergency notices shall conform to established protocols. And, 4, the waiver is void if it is determined that any sign violated the 1971 Federal Agreement.

Can we have a motion?

SENATOR SMITH: Can I ask a question?

MR. BROPHY: Sure.

SENATOR SMITH: Is-- Are there any representatives of Gloucester City present?

**H O W A R D L O N G, Esq.:** Yes, sir.

UNIDENTIFIED SPEAKER: Yes.

MR. LONG: Senator, Howard Long; City Attorney.

I am here with our Administrator, Brian Morrell--

MR. AKHTER: You can come take a seat, here. Please.

**J E F F G E R B E R:** And, Jeff Gerber, Chief Operating Officer for Interstate Outdoor Advertising.

SENATOR SMITH: So, I don't -- my question -- how did the City obtain the permanent easement?

MR. GERBER: It was a dedication from the-- We originally had owned the property; had actually sold it to a third party, and they -- they were taking possession of that lease and operating it and then granted the City back an easement, because we had been negotiating the terms of this billboard situation, which generates revenue -- a significant amount of revenue -- for the City. Which, if you're familiar with the City, it desperately needs. Desperately.

SENATOR SMITH: How much money, if I can ask, for the City?

MR. LONG: It's 20% of all--

MR. GERBER: Senator, there's four signs that are part of this overall program. Two are getting waivers. We were here on December 9 for one; this is the second one.

The City receives 20% of the gross advertising revenue from all four signs that will generate somewhere between \$200,000-400,000 a year to the City.

SENATOR SMITH: Good numbers, good deal.

MR. LONG: Significant and well-needed, Senator. It's--

SENATOR SMITH: So, as I understand, the DOT waiver rules with regard to the signs, it's got to be a public entity making the request for the waiver.

MR. GERBER: Well, it has to--

SENATOR SMITH: (indiscernible)

MR. GERBER: Yes, it has to come through Gloucester City. They had to sign the application and make the request. It has to be on public property -- which it is. It meets all of those criteria.

SENATOR SMITH: OK. And, is DOT present? (no response)

All right, so, here's -- (indiscernible) I'm not objecting. God forbid, all of our towns need more money.

But, it seems as though -- especially in light of some of the past actions of the Commission -- the billboard companies are making a concerted effort to find municipally-owned properties along a significant roadway, so they put up a billboard. And, I don't necessarily have a problem with that, either. But, my question is the original law -- which set this thousand-foot standard for being away from any interchange -- what was the reason for it? And, why is it -- do you know the answer?

MR. GERBER: Yes, I -- back -- I used to be a Deputy Attorney General of New Jersey, and I was at the Department of

Transportation when this particular regulation was promulgated. It was, frankly-- It was never meant to address this particular situation. It was meant to address a situation where you have, on an interstate highway, you have an on-ramp -- I'm sorry, an off-ramp, and it had been a very long distance -- like, a mile -- and then an on-ramp back on, that you had to be a thousand feet away from that. Because they thought it was too long of a space to not allow having a sign. It was never meant to be this situation, where all you have is just this off-ramp off of the Walt Whitman Bridge. And, it was kind of a grey area for the Department, even though-- And, all the people who are there now weren't there when I was there, when the regulation was promulgated. It was never meant to control this situation under the--

SENATOR SMITH: Was it a safety issue?

MR. GERBER: It's not even-- No, it's not a safety issue. And, this-- In fact, this meets all the Federal regulatory requirements of the Highway Beautification Act, which has spacing from ramps and so forth. It was meant to actually create an additional outdoor advertising opportunity for the industry 30 years ago, 25 years ago. It was never meant to apply to this.

But, the DOT felt there are new people there who weren't there when I was, or they felt this was a grey area, and that's why they wanted to have a State House Commission waiver from this regulation. It was not a safety issue.

SENATOR SMITH: Thank you; I appreciate the info--

MR. GERBER: I, also -- just one other thing. There's a typo on the block and lot that's on this notice.

The Block 212.01, Lot 2 -- that was the exact same lot and block of the waiver that was granted in December. The actual lot and block is Block 212, Lot 1. Everything else is correct -- the waiver number application for the permit; the description. It's just-- I just believe it's a typo because -- from what happened on December 9.

MR. BROPHY: I appreciate that; thank you.

We'll make that note.

MR. GERBER: Thank you.

MR. AKHTER: Do we need to amend it, or--

MR. BROPHY: No, I think -- it's verbally amended, yes.

MR. AKHTER: OK.

MR. BROPHY: Appreciate it; thank you.

MR. GERBER: Thank you.

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

I think we have the motion by Senator Smith.

Second?

ASSEMBLYWOMAN PINTOR MARIN: 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 Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman DiMaio is a yes.

Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MR. BROPHY: All in favor.

MR. LONG: Thank you.

MR. GERBER: Thank you very much.

MR. LONG: Much appreciated; thank you, Senator.

MR. BROPHY: OK, we are now moving on to Number 13, which is the Division of Pensions and Benefits request.

I will substitute out.

Can we have a motion to switch over to JRS?

MR. AKHTER: So moved.

MR. BINDER: Second.

SENATOR BUCCO: Second.

MR. BROPHY: Senator and Mr. Binder.

All in favor?

ALL: Yes.

MR. BROPHY: Yes.

MS. ZULLA: Number 1 on the agenda is the approval of the minutes of the meeting held on December 9, 2024.

Can I have a motion?

MR. AKHTER: So moved.

MS. ZULLA: Mr. Akhter.

MR. SHABAZZ: Second.

MS. ZULLA: Thank you.

Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Smith.

SENATOR SMITH: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Abstain.

MS. ZULLA: Assemblyman DiMaio said yes.

And, Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MS. ZULLA: Thank you.

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

Can I have a motion?

MR. AKHTER: So moved.

ASSEMBLYWOMAN PINTOR MARIN: Second.

MS. ZULLA: Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Smith.

SENATOR SMITH: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio said yes.

And, Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MS. ZULLA: Thank you.

OK, and then Number 3, we have a presentation of the Judicial Retirement System Actuarial Evaluation Report and results for July 1, 2024.

MR. AKHTER: Is five minutes good for presentations?

**JONATHAN B. CHIPKO:** Five minutes is good; we can do that.

So, before I say anything, I'll just remind everyone briefly about what the actuaries do.

We are not investing the assets in any way. We are estimating the liabilities for the pension fund. So, how much the fund needs to have in order to pay the promised benefits.

So, on slide two, we'll start by briefly discussing the funded status of the system. The funded status compares the assets to the liabilities. On the top line, we're showing the actuarial liabilities for the pension system. This is the amount of money -- the target amount of money -- that the pension system needs today in order to pay all the promised benefits. On the left hand side, we're showing the July 1, 2024 results, and comparing them on the right to the '23 results.

The actuarial liability increased during the year to \$910 million, compared to \$892 million. That type of increase is very typical for a pension plan, as members earn an additional year of benefits.

When we compare those liabilities to the assets, we start with the actuarial value of assets. The actuarial value of assets smoothes in market value gains and losses to avoid unneeded volatility. So, in this case, the actuarial value of assets was \$322 million, which leads an unfunded liability of \$588 million as of July 1, 2024.

We arrived at the funded ratio by dividing the assets by the liabilities. And, in this case, it's about 35%. So, that's an improvement from the prior year, which was 33%. Below that, we show this on a market value basis -- on that basis, the funded ratio was slightly worse -- about 34.5%. But, it was still an improvement from the prior year.

On the next slide, we'll give a quick overview of the highlights for the system. The market value asset return was 10.6%. That was compared to a 7% assumed return. On an actuarial value of asset basis, the return was 6.1%. That will, of course, differ from the market value because of the smoothing. That 6.1% is less than the 7% assumed, so there was a loss of \$2 million -- \$2 million -- on a demographic basis, meaning how the data for the members changed compared to expectations. There was a liability gain of about \$5 million, meaning that liabilities were about \$5 million less than anticipated by the assumptions.

The fiscal year end 2025 State Appropriations are 100% of the statutory contributions, and they're included in the assets as of July 1, 2024.

On slide 4, the unfunded liability on an AVA basis, as we mentioned before, decreased from \$597 million to \$588 million. So, the system made progress in paying down its unfunded liability. And, the funded ratio increased from 33.1% to 35.4%. This funded ratio is used to calculate the statutory contribution. There's two parts to the contribution -- paying for the additional benefits that members earn during the year, and also a payment to cover the unfunded liability, so that eventually the assets will increase to be at the same level as liabilities.

So, that statutory contribution increased by 1.4% from \$70 million in Fiscal Year end 2025, to \$71 million for Fiscal Year end 2026. And, this contribution includes an amortization period of 25 years, meaning that the unfunded liability is anticipated to be eliminated over 25 years. That period will drop to 24 years, with the July 1, 2025 valuation. And, our valuation report anticipates that that full statutory contribution will be made for Fiscal Year end 2026.

So, that's the highlights. We're happy to answer questions. We have a few more slides, if there's any more detail that you would like to hear, but I think that covers all the most important points.

MR. AKHTER: Four minutes; well done.

Are there any questions from the members?

SENATOR SMITH: So, compared to other states, how do we stand?

MR. CHIPKO: This funded ratio is poor. Thirty-three percent -- thirty-five percent, as of July 1, 2024. That's low.

There are a wide range for public sector pension systems, but this is definitely at the low end of the range.

SENATOR SMITH: So, what should we do?

MR. CHIPKO: Continue to make contributions. That is the most important -- that is the way to cover that shortfall.

SENATOR SMITH: Should they be bigger contributions?

MR. CHIPKO: Contributions could be bigger. You would potentially close that gap quicker. But, I do think that the current contribution -- the current plan -- is reasonable. And, there is progress being made over the last year, and we anticipate that -- if the contributions continue to be made, we anticipate there will be continued progress in getting up to that 100% funded level.

SENATOR SMITH: What percent of our fund is in equities, as opposed to fixed-income instruments?

MR. CHIPKO: I don't have that information in front of me. We're not responsible for any of the investments of the system. But, we receive the dollar amount of the assets each year.

SENATOR SMITH: You know what would be an interesting question for maybe you to get back to us on? The states that are in better financial shape -- what are they doing different with their investments, as opposed to what we're doing? It might be helpful.

MR. CHIPKO: We can ask the Division about that.

SENATOR SMITH: (indiscernible)

MR. AKHTER: OK, if there are no other questions, thank you for the presentation.

MS. ZULLA: Can I have a motion to accept the report as presented?

MR. AKHTER: So moved.

ASSEMBLYWOMAN PINTOR MARIN: Second.

MS. ZULLA: Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Smith.

SENATOR SMITH: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio, yes.

And, Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MS. ZULLA: Thank you.

Thank you.

MR. AKHTER: Thank you.

MS. ZULLA: OK, JRS portion is done.

We just need a motion now to--

SENATOR SMITH: Maybe it's under State House Commission-- Do I have a bad memory? I thought, two meetings ago, we said we were going to bring in the Seaside Heights people to talk about the merry-go-round. Was there ever an effort to--

MR. AKHTER: I thought we had asked for a report, right -- we asked for an update on the merry-go-round?

MS. BUSSELL: That did happen; we did have an update.

I actually -- I do have a letter from them (indiscernible),  
that I can--

SENATOR SMITH: Would you share it with me, please?

MS. BUSSELL: Yes; yes.

MR. AKHTER: Yes, Senator, my recollection was that we  
asked for an update, not for a specific person to come in. But, we could, if  
you'd like to--

SENATOR SMITH: It wouldn't be the worst thing.

I have a summer place down in that area--

MR. AKHTER: OK--

SENATOR SMITH: --and, I walk the boardwalk--

MR. AKHTER: OK--

SENATOR SMITH: --and, every time I walk by it, it's  
closed.

MR. AKHTER: OK.

SENATOR SMITH: So, I'm wondering, were the original  
goals that the State imposed on them being met, namely public interaction?

MR. AKHTER: OK. We'll make a note for it; we can  
invite someone to make a presentation.

MS. BUSSELL: Well, I (indiscernible), I can send the  
(indiscernible) I thought that it had been copied to you that they did send  
an update, which I can send to all the members.

SENATOR SMITH: Please.

MS. BUSSELL: OK.

SENATOR SMITH: But, it still might be a good idea to  
get them here, just to--

MS. BUSSELL: OK--

SENATOR SMITH: --(indiscernible)

MR. AKHTER: We'll invite them for the next meeting.

SENATOR SMITH: Thank you.

I know he's probably in the other meeting.

(laughter)

MS. ZULLA: I just need a motion to return to sit as--

SENATOR SMITH: So moved--

MS. ZULLA: --the State House Commission.

MR. SHABAZZ: Second.

MS. ZULLA: Thank you.

Mr. Akhter.

MR. AKHTER: Yes.

MS. ZULLA: Mr. Binder.

MR. BINDER: Yes.

MS. ZULLA: Mr. Shabazz.

MR. SHABAZZ: Yes.

MS. ZULLA: Senator Smith.

SENATOR SMITH: Yes.

MS. ZULLA: Senator Bucco.

SENATOR BUCCO: Yes.

MS. ZULLA: Assemblyman DiMaio, yes.

Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

MS. ZULLA: Thank you.

MR. BROPHY: All right, any other questions, comments,  
notes that the Commission members want to make? (no response)

If not, I will ask for a motion to adjourn.

MR. AKHTER: So moved.

MR. BROPHY: Mr. Akhter.

Second.

MR. SHABAZZ: Second.

MR. BROPHY: Mr. Shabazz.

All in favor?

ALL: Aye.

MR. BROPHY: All right, that's everyone.

Thank you.

**(MEETING CONCLUDED)**