Committee Meeting

of

STATE LEASING AND SPACE UTILIZATION COMMITTEE

"Presentations of leasing actions"

LOCATION: Committee Room 12

State House Annex Trenton, New Jersey **DATE:** August 8, 2007

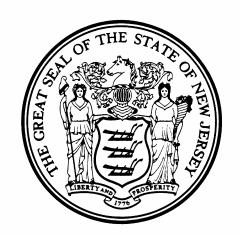
11:30 a.m.

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Joseph Cryan, Chair Senator Stephen M. Sweeney Debra Bell

ALSO PRESENT:

John A. MacCalus Committee Aide Robert Shaughnessy, Esq. Counsel



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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ASSEMBLYMAN JOSEPH CRYAN (Chair): Hi, everybody.

Good morning -- or good afternoon.

Okay, we're going to begin with a roll call.

MR. MacCALUS (Committee Aide): Yes.

Okay, this is a roll call of the State Leasing and Space Utilization Committee meeting of August 8, 2007. We're calling it to order.

One note: On July 9, 2007, State Treasurer Bradley Abelow designated Assistant State Treasurer Debra Bell to represent him on this Committee. So we have a note to the file for that.

Okay.

Chairman Cryan.

ASSEMBLYMAN CRYAN: Here.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Here.

MR. MacCALUS: Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Here.

MR. MacCALUS: Okay, we have a quorum.

Notice of the meeting of the State Leasing Committee was provided to the Secretary of State, the *Courier Post*, the *Star-Ledger*, the Trenton *Times*, and the State House Press on July 30, 2007, in accordance with the Open Public Meeting Act.

We may now begin.

ASSEMBLYMAN CRYAN: Thank you.

A couple things: First, welcome Debra.

ASSISTANT TREASURER BELL: Thank you.

ASSEMBLYMAN CRYAN: And you'll see, Debra has made quite an impact already, and we're looking forward to working with her on this Committee.

Secondly, one of the things that's been an issue for everybody is how often this Committee meets, and planning, and so on -- not that any of you have ever mentioned, but maybe somebody's whispered it along the way. And what I want to do is give you-- We've set up some dates now that you can plan for the future, so that you have them -- that were organized. Our next scheduled meeting will be October 18 -- I expect it will be in this room as well; following that it will be December 13; and tentatively February 28 of '08 -- so that you can kind of plan your schedules accordingly, and hopefully we won't have the kind of workload that we have now, but at least it will give folks some opportunity to plan.

SENATOR SWEENEY: And if we're back here.

ASSEMBLYMAN CRYAN: And if we're back here. You know, that's true enough. We'll go with the '07 for certain, '08 is certainly questionable.

That being said, I think we can begin, right?

MR. MacCALUS: We have the meeting minutes.

ASSEMBLYMAN CRYAN: Oh, yes, the meeting minutes.

MR. MacCALUS: Okay. I call for the approval of the meeting minutes of the meeting of March 12, 2007. I'll just note that Debra was not here, so if you vote "No" that's fine. There's no--

SENATOR SWEENEY: Motion.

ASSEMBLYMAN CRYAN: Second.

MR. MacCALUS: All those in favor? (ayes respond)

Okay, the meeting minutes have not passed, but that's okay.

Okay, we're ready to rock and roll.

ASSEMBLYMAN CRYAN: Okay, Steve.

S T E V E N M. S U T K I N: Thank you, Chairman, for committing to the future dates. I think that will be very helpful in our initiatives to procure leases for all the State agencies; and it will provide us a better opportunity to negotiate with the landlords with everyone knowing there's a date set certain for future meetings. That's very helpful. Thank you very much.

Just very briefly, I wanted to also let you know, following up on a previous meeting, we are continuing our efforts, that were discussed at length, on consolidating leaseholds and making better use of available space.

I wanted to mention, as a housekeeping matter regarding the proposed agenda, that we are pulling -- for consideration for this agenda, to be represented in the October meeting -- Item No. 12, which is NPL 3989; and similarly, we are pulling Item No. 32, NPL 4606.

Unless there are any questions, I'll proceed.

ASSEMBLYMAN CRYAN: No, go ahead.

MR. SUTKIN: As a second housekeeping matter, I thought -- and I discussed this with Ms. Bell -- that it might be a good idea to somehow reorganize the agenda into a more sensible framework. So I have, in terms of agency; and I have presented that to you. And with your approval, I'd like to proceed in that regard. Okay?

The first set of leases that I'd like to present relate to Law and Public Safety. As a general overview, you'll note that seven -- well, now six, because we pulled No. 12 -- seven of the items relate to State Police; one to

the Juvenile Justice Commission; and one to the Violent Crime Compensation Board. I'll proceed with Law and Public Safety.

The first lease presented for your consideration is NPL 0439, and that's for State Police. And it's a lease in Pilesgrove Township, New Jersey, and it's in response to a quit and demand that we received, and it's an agreement with the landlord to hold a slight increase in the rental rate for a period of two years.

I would expect a question about what the long-term plan is regarding State Police. With regard to this, which is in the Woodstown -- known as the Woodstown area -- the State Police has solicited a scope of work from an architect to design a sample facility -- they could speak to it -- that would have them comply with Federal certification standards. It's either in or it's just about completed, and they're about to furnish it to us. And that scope of work will be the source for either an advertisement for a new leased space or the basis for constructing a facility for State Police.

We're in -- not negotiations, but discussions with all the stakeholders in the State regarding pursuing that kind of matter. We've met with personnel in the Department of Treasury regarding how to finance it, what are the opportunities for appropriations, what are the opportunities for debt service, through the Building Authority. We met as recently as last week. We've met with Law and Public Safety, State Police personnel about their interest in purchasing up to six State Police facilities that they presently are renting right now. There's no determination been done yet, but the next step is, we're going to engage an architect engineering firm to go out and do an assessment of the facilities. So before we can even enter into negotiation or a discussion, we want to know the condition of the

physical plant of the facilities. We've already had discussion with State Police and Law and Public Safety about that, and they're on board with funding that initiative to go out and do an analysis of the mechanical equipment, the roofs, and the physical plants of the facilities. So that's a general overview, and that affects a number of the short-term lease engagements that are here for presentation today.

ASSEMBLYMAN CRYAN: Are you comfortable with the twoyear-- I mean, do we have enough time in the extension of this lease to accomplish the goals of getting a longer-term plan in place?

MR. SUTKIN: Well, that would depend. If we're going to go into a lease based on a new scope of work, I feel that we can get in there within two years. If it's a process of constructing, it's not going to happen in two years. There's even an issue -- it takes a long time to even get debt through the Building Authority. There has to be a project report prepared. It has to go for approval before the board. It has to go for a joint resolution of the Legislature, and a project report has to be prepared for all those things, and design and construction.

ASSEMBLYMAN CRYAN: And it has to be built.

MR. SUTKIN: Yes.

CHARLES CONNERY: Also, with regard to that issue, we have approached one of our landlords about extending a lease on a block of his properties for a longer period of time at a more favorable rate, which will give us more flexibility in terms of the construction end of it. So we're pursuing this from several different angles to really maximize our cost savings and give us as much flexibility going forward, depending on where we go in terms of building or leasing.

ASSEMBLYMAN CRYAN: I have one more thing, and then the Senator has a couple things.

This is one of the leases that we did not have to advertise, right, based on statute? I can't find my -- I'm looking in my notes. I'm looking in my notes. I can't find it in here, flipping through. We didn't have to advertise this, right?

MR. CONNERY: I think there's an agreement that this is a special-use property.

ASSEMBLYMAN CRYAN: Okay. I just-- The Committee -- we've spoken as a Committee. We're going to implement a policy of advertising for everything. And in this day and age, we just think it's a better idea. And we'll follow through with you on that.

MR. CONNERY: And that's our philosophy, as well. The more competition, the better, and that's always been our--

ASSEMBLYMAN CRYAN: I understand, but we just have, obviously, a concern there.

Senator.

SENATOR SWEENEY: Steve, if the focus is going to be driven from -- where we look at, it's easier to lease, to-- I mean, the drive has been -- your attention, your focus is going to be on how we streamline this process to where we can start building and owning. Like, the State Police aren't going out of business. You know, this goes back to the 48-year lease we had with the DOT building in Trenton. We might have been in a -- maybe to own that a few times. And you know, what's concerning me is, right off the bat we're like, "Well, we're not going to be able to do this, so we're going to lease it." The focus of the drive is going to be, how do we

streamline the process and how do we start transforming over. Right? I mean, that's where we're headed.

MR. SUTKIN: Yes. But that also involves an individual analysis for each instance. There might be some instances where leasing might make more sense. There might be some instances where owning makes more sense.

SENATOR SWEENEY: Well, Steve, I've got to be honest with you. I don't see where leasing ever makes more sense, if it's a business I'm staying in. Like the Motor Vehicle Commission has been in business for over 100 years. You know, having the consistency of knowing that whatever town it's in, that's where Motor Vehicle is and you own the building -- well, buildings normally have life's more than 20 years and the debt service is normally paid off in 20 years. So you know, you cut your losses. Like I said, I understand leasing in certain issues, but hopefully the focus is going to be how do we get the State Police in State-owned facilities instead of lease/own facilities. Because that is a-- I'm telling you, I'm not letting go of this. And the last few meetings we had, we discussed this. And the first thing we're talking about is, well, the leasing is going to be a little bit easier to get going than it is to build/own.

Whatever the processes are with the administration, we have to come up with legislation to streamline it. Just because that's how it is doesn't mean it has to stay that way. All right? I just wanted you to know we're not going to let up on that.

ASSISTANT TREASURER BELL: And if I might just address that, we have had several meetings. I think Steve referenced that. The plan, Steve -- and I believe you can confirm this -- the plan as we move

forward is to have the strategic discussions first with the agency to understand the requirements; and then to do a full economic analysis of the options, including ownership and building. So that will be done in concert with the Building Authority and other appropriate departments. But that will be the way that we do these things moving forward.

And the two years is simply buying us some time to be able to do the full analysis and align ourselves with Law and Public Safety's long-term plans. So I think we're in full agreement with you.

SENATOR SWEENEY: But we have to set a deadline. And at the end of whether it's two years or three years, if you don't hold someone to a deadline, especially here in Trenton, it doesn't matter who the administration is, that deadline keeps floating. So if it's two years from today, Chairman, then it needs to be two years from today. And we should get progress reports and be shown how we're progressing so that we're going to -- like a construction schedule. So then we know we're going to make our goal at the end of two years. We're going to have real plans to start doing things smarter than this.

ASSEMBLYMAN CRYAN: Good point.

We'll look at a deadline date and speak before the next Committee meeting. I think it's safe to say that, come October, we'll have an input and a consensus as to what that date will be, without being too presumptuous about an election, but hopefully-- And the idea it's a cost savings.

With that, does anybody have any other questions on this lease? Anything at all? (no response)

Okay, is there a motion.

SENATOR SWEENEY: Are we going to do them--

MR. MacCALUS: Are we going to go through them all, Steve or one right after the other?

ASSEMBLYMAN CRYAN: How do you want to do it?

SENATOR SWEENEY: Do them as this group.

MR. SUTKIN: That's fine.

The next one for consideration is NPL 0941, No. 2 in your agenda, and it's also a State Police facility, in Eagleswood Township. This was advertised, however we received no responses. And what we've resolved is a three-year lease with the landlord, pursuant to the terms in (indiscernible).

ASSEMBLYMAN CRYAN: In the long-term plan with this, because there's a land cost -- before I flip to it, and I'm just looking at my notes -- right. Is this the one with four towns that are served.

MR. MacCALUS: Yes.

MR. SUTKIN: Yes.

ASSEMBLYMAN CRYAN: And right, there's four towns served here. I mean, can we look at the possibility of having the towns donate the land since they're getting-- I mean, that's fine if-- We all want them to keep their service, but it seems like if you have four communities that are being served by the State Police as local police, how would we--My question is, how would we approach that to make sure somebody at least asks them? Do you follow me?

MR. CONNERY: That's a good question. I think that would be part of the analysis that we're doing with State Police right now. But I think that's an excellent point.

ASSEMBLYMAN CRYAN: Yes. Without repeating myself, I mean, it just seems to make a lot of sense. This is the four-town one, right?

MR. SUTKIN: Yes.

ASSEMBLYMAN CRYAN: Yes. And you need 3,000 more square feet in the future. Is that right?

MR. SUTKIN: Yes.

ASSEMBLYMAN CRYAN: That just seems to make a lot of sense to me. I mean, we've been in that spot. And again, I just want to follow up -- who actually ends up with the responsibility of asking four communities to join together, who are serviced by the State Police out of this location, to say we need some land? Instead of having an acquisition cost, we'd ask you to donate the land while we build. I mean, that's more than reasonable, given the fact that we're not paying for services. Who in this room would do that or how would that get done?

MR. SUTKIN: I don't have an answer to your question. It's the first time it's been asked, so I'd have to go back and discuss it.

ASSISTANT TREASURER BELL: Yes. I think what we'll do is, we will work with Law and Public Safety, as we do the strategic plan with them, to determine how we best approach that.

SENATOR SWEENEY: And I understand the Chairman's position -- it's the same with the now-defunct SCC Corporation. Like when we're building and giving the school districts a school.

ASSEMBLYMAN CRYAN: Yes.

SENATOR SWEENEY: And we're giving them the school, and I've got to buy the land from them? I understand exactly where the Chairman is coming from.

ASSEMBLYMAN CRYAN: I agree.

SENATOR SWEENEY: If I'm going to give you this service and the building, you can at least provide something to us. I agree.

ASSEMBLYMAN CRYAN: I appreciate it. And it's a three-year lease. So you guys will -- I'm looking behind you -- we can look at this? Okay.

Any other questions on this lease, anybody? (no response) Okay, next.

MR. SUTKIN: The next lease submitted for consideration is Lease No. 6 in your binder. It is NPL 3705, and it's a State Police facility in Hope Township. And it's a two-year lock-in of the adjusted rate. This is one of the leases, the lease facilities, that the State Police has expressed an interest in purchasing. And we're doing the due diligence to make a determination whether that's worthwhile and what the economic terms would be, should we decide to pursue that.

ASSEMBLYMAN CRYAN: Okay. And in the same breath, if that doesn't work, I think it's the same. It's 125 -- reading this in the overview, where it's for one, two, three, four, five, six communities' service, 125 square miles. Same thing, if this doesn't work for purchase, right, we can ask communities for the same? Right? And we're agreed back here? Yes.

I'm sorry, thanks.

You're looking at the plan of purchase and the long-term plan-Those were my only questions.

Anybody have any other questions? (no response)

MR. SUTKIN: The next item is Lease No. 11, NPL 3841, Law and Public Safety, State Police unit, in Union Township. Similarly, a lockin of the rates for a period of two years.

ASSEMBLYMAN CRYAN: Same deal, we're looking for a long term? The same situation, the same all the way out, right?

MR. SUTKIN: Yes, sir.

ASSEMBLYMAN CRYAN: Right.

So the Perryville Station here, you're looking at a purchase?

MR. SUTKIN: Yes.

ASSEMBLYMAN CRYAN: Okay. When do you think you'll know the answer to that?

ASSISTANT TREASURER BELL: I'm not getting my microphone to work.

ASSEMBLYMAN CRYAN: Now it will. I'm off. (referring to PA microphone)

ASSISTANT TREASURER BELL: Oh, okay.

As we have a meeting scheduled with Law and Public Safety next week to go over the long-term plan, we currently have in place the due diligence to look at the facility. Those two events will position us to put together a negotiating plan. So over the course of the next two to three months, I would say we would be able to do that assessment.

MR. SUTKIN: And we met with the Building Authority last week regarding these issues in general.

MR. MacCALUS: If I could? At the last meeting, we had the League of Municipalities in, and they came -- I don't know if you recall -- they came in and they were-- Bill Dressel actually came in, and he was

saying that he would like to see the municipalities get more involved with some of the State real estate. So I think that he would be a good contact to start with, as we approach this issue.

ASSEMBLYMAN CRYAN: Good point, good point.

Okay, any other questions on No. 11? (no response)

We're rolling along today.

MR. MacCALUS: Twenty-three.

ASSEMBLYMAN CRYAN: No. 23, I think, is next?

MR. SUTKIN: Yes. The next item is Law and Public Safety, State Police facility in Camden. It's actually an Anti-Crime Program that was developed a few years ago. This was an advertised requirement, and it's a term of five years with this program.

ASSEMBLYMAN CRYAN: I'm good on this.

MR. SUTKIN: The next item is Item No. 27, NPL 4601. It's being presented -- we presented additional information. And unless there is any other questions, I'll present it for approval as well.

ASSEMBLYMAN CRYAN: I think it's safe to say we wanted to say thank you for all the additional backup on -- very-- I appreciate it. I know it's difficult when something gets sent back, but this made it immensely clear -- everything from certifications to other things comprehensibly done, so we have confidence in voting for this today based on all this backup, and I appreciate it.

Senator, I know, is the same way.

Thank you.

MR. SUTKIN: Shall I continue with the last two Law and Public Safety items?

The next item is Item No. 15, NPL 4250, Law and Public Safety, JJC facility in Elizabeth. It's an agreement to hold the rate for two years pending occupancy of a facility that's already been approved by this Committee.

ASSEMBLYMAN CRYAN: So the OMB line on there, where it says they're moving out, it's already approved?

MR. SUTKIN: It's already approved.

ASSEMBLYMAN CRYAN: And that's the next one out. It's actually -- that's one of the other leases, yes, okay.

Any questions? (no response)

MR. SUTKIN: There's actually three agencies in this facility that are holding over, pending completion of two facilities that have already been approved by this Committee. And I'll make note of that when we come across that.

ASSEMBLYMAN CRYAN: Thanks.

MR. SUTKIN: All right.

And the final Law and Public Safety item on the agenda is 4351, and that's the Violent Crimes Compensation Board in Newark. You can see in the agenda that this was an advertised proposal. It's in Newark, and this was the most competitive rate received. So in accordance with the statute, we submit it for approval.

ASSEMBLYMAN CRYAN: Yes. It's the Robert Tree Hotel, right, part of this is?

MR. MacCALUS: Yes.

MR. SUTKIN: Pardon me?

ASSEMBLYMAN CRYAN: Park Place, right?

MR. CONNERY: Yes, 50 Park Place.

ASSEMBLYMAN CRYAN: Yes, I just-- You know what? Again being abundantly cautious -- there's political functions at the Robert Tree Hotel once in a while, not that they have a thing to do with this whatsoever; but we'll just note that's it's out there, you know, just to be overtly safe, I guess.

SENATOR SWEENEY: I'm from south Jersey. (laughter)

ASSEMBLYMAN CRYAN: Yes.

I also think there's a senator's office in there--

MR. MacCALUS: Yes.

ASSEMBLYMAN CRYAN: --and I just wanted to note that, too, for the record. I don't think it makes a little bit of difference at all, but I just want to put it on there so there's no problems by voting for it.

I hate to sound really picky, but that one was advertised in the *Summit Herald* and the *Ledger*. Who comes up with the advertisements on that? Anybody know? The local paper was the *Summit Herald* for that. If you don't, off-line or call me, I just--

MR. CONNERY: I don't know offhand. I know over the years it's changed, and the person who actually does it is not here, and I couldn't get the thought process from her right now.

ASSEMBLYMAN CRYAN: It's just like a different county, you know, a small local paper. I get the *Ledger* -- is the bigger one -- but it just looked, you know--

MR. CONNERY: Yes. Well, we'll look into that and see if there's--

ASSEMBLYMAN CRYAN: Not a biggy, but just a FYI.

Anybody have any questions here? (no response)

Is there a motion?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: Okay.

Motion has been-- Let's see. Oh, we're voting on a motion to approve NPLs 0439, 0941, 3705, 3841, 4500, 4601, 4250, and 4351 -- these are all Law and Public Safety:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: Okay. These have all been approved.

ASSEMBLYMAN CRYAN: Next.

MR. SUTKIN: The next set of items on the agenda relate to the Department of Transportation's Motor Vehicle Commission. They are NPLs 3768, 4456, 4608, 4606 (*sic*).

The first item is Item No. 8, NPL 3768. It's the Motor Vehicle Commission agency office in Vineland. It's an agreement with the landlord to hold the rate for two years, while we're on month-to-month. Presently, the Motor Vehicle Commission is in discussions with the Department of Human Services in getting property on the Vineland Developmental Center which they can use to construct a Motor Vehicle Commission.

Senator Sweeney. (laughter)

SENATOR SWEENEY: Thanks.

It's nice when they read your mind.

ASSEMBLYMAN CRYAN: Okay. Anybody have any other questions on this? (no response) On 8, 9? Whatever the next -- and 21, I guess.

MR. SUTKIN: The next item on the agenda is No. 21, NPL 4456. It's a Motor Vehicle Commission agency office in East Orange. It's a short-term lease pending approval of Item No. 31, 4608, which was an advertised requirement. So 4456 and 4608 are related. We're asking for approval to extend the 4456 on a month-to-month basis pending approval and occupancy of the advertised requirement, which is 4608.

ASSEMBLYMAN CRYAN: Questions, anybody? (no response)

That's it. Those are the three items.

MR. SUTKIN: That's it.

ASSEMBLYMAN CRYAN: Anybody have any questions on Motor Vehicles? (no response)

Okay, motion?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

ASSEMBLYMAN CRYAN: There's a motion and a second.

MR. MacCALUS: Okay. On the motion to approve leases with NPL Nos. 3768, 4456, and 4608:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: And Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: They have been approved.

MR. SUTKIN: The next items on the agenda relate to the Department of Corrections, and they're all related to the parole office within that Department.

The first item is 3512, which is Item No. 5. It's a parole board in Elizabeth; it's an extension in response to a demand letter. This facility is also going to be relocating into the Jefferson Avenue facility, that I mentioned before, that is still under construction. So this is a short-term remedy pending occupancy of that long-term facility.

The next item is 3765. It's a parole office in Paterson; it's also a hold-over situation. This was a need that was supposed to placed long-term, in a municipality; and they changed their mind -- which is not unusual in parole board situations. So we're holding over. In Paterson, it's an agreement to hold the rates. I believe it's a slight uptick in the rates pursuant to what we presented.

ASSEMBLYMAN CRYAN: But it's a one-year lease, right? And it's a short--

MR. SUTKIN: One year at an increased rate.

ASSEMBLYMAN CRYAN: So where do we go after that?

MR. SUTKIN: We have to advertise. We have an SPR in from the parole board, and we have to advertise for the long-term solution.

ASSEMBLYMAN CRYAN: Because this lease will be done the end of November, right? Didn't I read that right?

MR. CONNERY: Actually, it's an increase that was negotiated some time ago and, obviously since we haven't met, it hadn't been addressed. We have a short reprieve. We're working with this landlord, and we're also working with the agency to address it long-term. This is a short reprieve, but it was something that was worked out with the landlord actually quite some time ago.

ASSEMBLYMAN CRYAN: We have met since December of '06, when it starts, but that being -- I don't really care about that, that much. What happens after November of '07 when the lease ends?

MR. CONNERY: Well, hopefully by that time we're going to have our plan in place. My understanding is, it may actually have been advertised. Rich isn't here right now. But the-- I think he's actually in the process of the advertisement. I'm not sure that he has bids in yet. He may have a gap, I can't dispute that; but unfortunately, sometimes these things come up. In this case, this was something that occurred quite some time ago and we were not in a position to present it.

ASSEMBLYMAN CRYAN: So do we go month-to-month, or what happens?

MR. CONNERY: Well, at that point we'll either renegotiate something with the landlord-- In many cases, once they get their increase, we won't see them for years. But regardless, we'll have our plan in place by that point.

ASSEMBLYMAN CRYAN: Okay. Because they're complaining in this about no interview rooms or conference rooms, if I read this right, in the space itself. Wasn't that part of the problem with the space? I don't know -- it sounds like a parole board should--

MR. CONNERY: Well, the big problem was, we actually had another site selected. We were ready to go to another township and take care of this, when the rug was pulled out from under us.

ASSEMBLYMAN CRYAN: So you're dealing -- right -- as you said?

MR. CONNERY: So we're scrambling, and I'll admit that. But particularly with this agency, there are some unforeseen circumstances. Municipalities don't want us. We thought we had it locked down, and unfortunately now we're repositioning.

ASSEMBLYMAN CRYAN: I got it. You scrambled, okay, based on a rejection. Okay.

Questions, anybody, on this? (no response)

Okay, next.

MR. SUTKIN: The next item is No. 29. It's Lease NPL 4603, parole office in New Brunswick. We did advertise. We received one response, which resulted in this proposal which we're presenting for approval.

ASSEMBLYMAN CRYAN: Any questions? (no response) No.

Let's see, we need a motion.

SENATOR SWEENEY: Motion.

ASSEMBLYMAN CRYAN: Is there a second?

ASSISTANT TREASURER BELL: Second.

ASSEMBLYMAN CRYAN: Okay.

MR. MacCALUS: Okay. To approve the motion to approve, let's see, the Department of Corrections, NPL No. 3512, NPL 3765, and 4603 in New Brunswick:

Chairman.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: Okay, the three have been approved.

MR. SUTKIN: The next set of leases that we're submitting for your consideration and approval relate to the Department of Labor -- Nos. 14, 16, 17, 19, and 25. The first one, Lease 14, is NPL 4155 -- Department of Labor Office in Newark. And similar to the two that we spoke of earlier, this lease is intended to go into a facility that's already been approved for the long-term solution by this Committee.

ASSEMBLYMAN CRYAN: Fourteen?

MR. SUTKIN: Yes.

ASSEMBLYMAN CRYAN: It's Elizabeth, right?

MR. SUTKIN: Yes.

ASSEMBLYMAN CRYAN: Okay.

Questions, anybody? (no response)

MR. SUTKIN: The next two items on the score sheet that we're working off of -- Nos. 16 and 17, both numbered 4317, is the Department of Labor Office in Hackettstown, both the short-term, and secondarily, long-term. The long-term solution was a result of advertised solicitation. The low bidder has raised the rates on us because it's taken a while for us to get to the Committee, to be frank with you.

ASSEMBLYMAN CRYAN: Well, it actually says that in one of those.

MR. SUTKIN: Okay.

ASSEMBLYMAN CRYAN: In 17, it actually makes a comment that it couldn't get on the Committee.

I don't have any questions. Do you have any questions?

ASSISTANT TREASURER BELL: No.

MR. SUTKIN: The next item on the agenda is 4358, No. 19. It's the Department of Labor, Worker's Comp Court in Toms River. They have an additional judge that's going to occupy the facility, and it's-They're getting additional space to accommodate that judge.

Okay. No. 25, NPL 4596, it's a Department of Labor Office in Perth Amboy, advertised several times. This is a result of all of our efforts that include advertisement, canvassing, etc., CoStar report, and resulted in this proposal, which is a 10-year lease with two 5-year renewals. Unless there is any questions, I submit the lot of them for approval.

ASSEMBLYMAN CRYAN: Is there a motion?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: Okay. On the motion to approve for the Department of Labor NPL 4155, 4317 -- and 4317 again, 4358, and 4596:

Chairman.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: And these are all approved.

MR. SUTKIN: Okay. We have a variety of matters, including Item No. 3, which is Lease 2903, which is for the Governor's Office in Washington D.C., which is a six-year lease, and it provides New Jersey with a presence in the nation's capital.

SENATOR SWEENEY: It's kind of mandatory. (laughter)

MR. SUTKIN: Do you want to lump all the miscellanea together, or do you want to--

ASSEMBLYMAN CRYAN: No. I think we want to do these solo, right, because we have an issue.

SENATOR SWEENEY: There's a lot of them, too.

ASSEMBLYMAN CRYAN: We want to do these.

Is there a motion?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: On the motion to approve the NPL 2903 for the Governor's Office in Washington D. C.:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: This has been approved.

MR. SUTKIN: Thank you.

The next item on the agenda is No. 4, NPL 3791. It's for the Department of Treasury's Division of Revenue, and this is for a facility right here in Trenton that was month-to-month and we had a quit and demand. The response was this two-year, holdover agreement.

ASSEMBLYMAN CRYAN: And then what's the purchase -- is the purchase option feasible on this? Isn't there a purchase option on this?

MR. CONNERY: There is a purchase option with this. And this is actually related to a couple other leasing items that are not before you today, but there's two other Revenue buildings in the Trenton area, and it's a part of the master plan. We're looking at this and these two other sites and figuring out what sort of consolidation ultimately makes sense. And whether that would involve construction or leasing is another thing that's going to have to be the subject of an analysis. This particular lease-purchase, I'm reluctant to say whether it would make sense at this point, because it's going to depend on how the whole picture plays out when all of these different units are looked at together. But we wanted to reserve the option.

ASSEMBLYMAN CRYAN: So right now we're looking at developing the long-term plan, essentially?

MR. CONNERY: Exactly. And as I said, this impacts not just this particular unit, but two other units that are in existing leases that will be coming due in future years.

ASSEMBLYMAN CRYAN: If you guys want -- if we wanted to build something, it would have to go in front of the Capital Commission wouldn't it -- Capital Budgeting Commission?

MR. SUTKIN: If it was appropriated capital; I'm not sure it has to go that route if it's debt.

ASSEMBLYMAN CRYAN: Okay, all right.

MR. SUTKIN: You may recall that the entire Revenue requirement was supposed to go into what was called the *Tech Plex*, now out in Hamilton, and that was sort of changed while the steel was en route to the site. And then we advertised for long-term consolidation plan for Revenue and then brought it to this Committee a little while after, and then that was rejected.

ASSEMBLYMAN CRYAN: Without beating a dead horse, this one's month-to-month, right, for two years? What's this lease, month-to-month?

MR. CONNERY: Yes. They're going to hold the rate for a two-year period, which gives us flexibility to leave the building, work it into the other--

ASSEMBLYMAN CRYAN: If you end up consolidating and not using this site.

MR. CONNERY: Exactly.

Could I make a comment quickly about the parole office you mentioned? It just came to me, the light went up. We did add a one-year renewal to that parole office, so that gives us really more than sufficient time to handle this. And I missed that when I was looking at the package, but I knew you were concerned about it, so I wanted to clarify that.

ASSEMBLYMAN CRYAN: Thank you.

Any other questions on this lease?

Okay. I want to make one comment. The owner is from my hometown, or right near where I live. I don't know the person. And being extra safe--

SENATOR SWEENEY: You don't know everybody in your town? (laughter)

ASSEMBLYMAN CRYAN: Don't know everybody in my town.

SENATOR SWEENEY: How did you get elected? (laughter)

ASSEMBLYMAN CRYAN: I'm a terrible legislator, but-- I want to put it down.

All right. Or any of the four owners -- there's actually four owners listed, so there's four people I don't know, Steve.

SENATOR SWEENEY: Four votes.

ASSEMBLYMAN CRYAN: Four votes -- got to go get them.

That being said, is there a motion on this?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: Okay. To vote on the measure on the motion to approve NPL 3332 for the Division of Revenue in Trenton:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: And Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: The lease has been approved.

ASSEMBLYMAN CRYAN: Thank you.

MR. SUTKIN: The next item -- you may recall -- relates to one agreement that we have with the County of Salem, a nonprofit governmental entity called Stand Up for Salem, and we have a partnership with them to occupy a facility that they're building for us. And they're a little behind schedule, and so we're required to continue our occupancy. That's No. 9, NPL 3791.

ASSEMBLYMAN CRYAN: Anybody have any questions on this? (no response)

Motion?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: On the motion to approve NPL 3791 in Salem, New Jersey:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: It's been approved.

MR. SUTKIN: The next item is No. 10, NPL 3835. It's for the Department of Treasury, Division of Taxation, in Des Plains, Illinois. And it's for field audits that are conducted in the Midwest related to taxpayers who are maintaining their accounting records out of state --

primarily corporations that are corporated in the state, but were doing business in the state where the records are in the Midwest.

ASSEMBLYMAN CRYAN: Any questions? (No response) No?

Steve wants to know why you didn't build a facility out in Iowa there. (laughter)

SENATOR SWEENEY: Or Bentonville, Arkansas. (laughter)

ASSEMBLYMAN CRYAN: Is there a motion?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

SENATOR SWEENEY: That was a hard one, yes. (laughter)

MR. MacCALUS: On the motion to approve NPL 3835 in Des Plains, Illinois:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: And Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: It's been approved.

MR. SUTKIN: The next item is No. 13. It's for multiple departments and agencies, including Community Affairs, Labor, Public Defender in Elizabeth. It's a five-year extension of the existing lease, as a result of a cost-savings offer and acceptance following negotiation with the State.

ASSEMBLYMAN CRYAN: We have a long-term plan here, don't we? Or this is just a renewal and that's it?

MR. SUTKIN: It just a five year, with a five-year renewal option.

MR. CONNERY: Five-year renewal.

ASSEMBLYMAN CRYAN: Does anybody have any questions? (no response) No.

I'm sorry, I don't. I just also want to be extra safe on the record because it's in my district. I don't know the owners of this and they've never donated to me in any way, so -- in this day and age.

And with that, I'll take a motion.

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: On the motion to approve NPL 4038 in Elizabeth, New Jersey:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: And Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: It's been approved.

MR. SUTKIN: The next item is No. 20, NPL 4361. It's with the Judicial Branch's Office of Attorney Ethics. That's located in Ewing, and it's a five-year extension, similar to the previous, which is the result of a cost-savings offer negotiation and acceptance submitted for approval.

ASSEMBLYMAN CRYAN: So that's why we don't have to advertise, because it's a cost savings?

MR. SUTKIN: That's right.

ASSEMBLYMAN CRYAN: Okay. And then as we just earlier were looking-- See, here's my issue with this. In a nutshell, I think in-One of the owners has a middle name that's fairly unique, that's similar to a donor name of somebody-- I don't know whether it is or isn't; I don't know the person, and I certainly don't feel uncomfortable given the Attorney General's view of the lease without voting for it, but you want to be extra safe. Not advertising it, it's something else to the other equation. So we want to really look at advertising everything, even though we understand the logic that you're getting cost savings here by renewing. Do you follow me, from our position?

MR. CONNERY: Noted.

ASSEMBLYMAN CRYAN: And again, I'm only looking at a middle name that's similar. I have no idea, doubt it -- I have no idea whether it's the same family or not, and don't want to cast that. But certainly, since it's been reviewed by the Attorney General's Office, I feel very comfortable voting for it. All right? And it meets the guidelines. But that's why we want to begin that process of advertising things. I think, hopefully, you can understand why. All right?

Anybody have any other questions? (no response)

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: On a motion to approve NPL 4361 -- it's actually an amendment to Bear Tavern Road Complex in Ewing, New Jersey:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: And Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: It's been approved.

MR. SUTKIN: The next item is also similar to the Department of Health's Office of Public Guardian in Ewing. It's No. 22, NPL 4471. It's a five-year extension for the Office of the Public Guardian and the Health-Care Quality Assessment Unit of the Department of Health and Senior Services.

ASSEMBLYMAN CRYAN: Anybody have any questions on this? (no response)

Motion?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: On the motion to approve NPL 4471, in Ewing, New Jersey:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: And Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: It's been approved.

MR. SUTKIN: The next item on the agenda is No. 24, NPL 4540, Department of Community Affairs, Division of Housing, which is located in Plainfield. It's an amendment to the existing 10-year lease to provide space -- additional space for the Department of Community Affairs' additional employees.

ASSEMBLYMAN CRYAN: Anybody have any questions on this?

ASSISTANT TREASURER BELL: No.

ASSEMBLYMAN CRYAN: No?

I have a couple of things for the record. One is, is that -- so we're clear. I am employed by the Union County Sheriff's Office. I serve as an Under Sheriff. My office provides security for this building. I don't think there's any gain in it. We'll get a little more work out of this. But we've been providing security for this building since it started -- I want to put that on the record. So if there's no concerns--

The other is, is that I believe the landlord on this is the Union County Improvement Authority, which chair lady also serves as a county chair lady, where I am an elected official. I've had no conservation whatsoever with anyone about this lease, other than reading it and (indiscernible) up my own. So I want that clear for the record as well, so that there's no problems in savings and such. All right?

With that, is there a motion?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: On the motion to approve NPL 4540 in Plainfield, New Jersey:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: It's been approved.

MR. SUTKIN: The next item on the agenda is also the DCA, the Division of Housing. This lease is to be located in Somerville, and it's with the Governor's initiative on affordable housing. And it's a two-year lease for the emergency relocation for the DCA staff.

ASSEMBLYMAN CRYAN: I don't have any questions. Anybody have any questions? (no response)

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: Okay. On the motion to approve NPL 4606, in Somerville, New Jersey:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: And Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: It's been approved.

MR. SUTKIN: We'll drop back to Item No. 26. It's NPL 4600. It's for the Judicial branch Information Technology Office. It's a 10-year lease for the relocation for Judiciary's Information Technology Office. It was an advertised requirement resulting in this lease proposal.

ASSEMBLYMAN CRYAN: It's in the same spot or close to No. 20?

MR. SUTKIN: I believe it is.

ASSEMBLYMAN CRYAN: Were their rates a lot different? I know they're different agencies, but I thought--

MR. SUTKIN: I think it's the same agency.

MR. CONNERY: That's Judiciary.

MR. SUTKIN: They're both Judiciary -- one is Attorney Ethics, that was 20, and this is 26.

MR. MacCALUS: Information Technology.

ASSEMBLYMAN CRYAN: Okay. It doesn't say. Why are they different?

MR. CONNERY: Same location?

ASSEMBLYMAN CRYAN: Yes. They're going in the same spot, why are the rates different?

MR. CONNERY: Well, the 20, as I recall, is a renegotiation, which--

ASSISTANT TREASURER BELL: Chuck, one appears to have parking, one appears to have some fit-out allowance that may have entered into the difference in the rates.

MR. CONNERY: That's certainly a factor. The other factor is it's a part of this competitive bidding process.

Actually maybe -- is Paul around?

MR. MacCALUS: To raise flooring or something.

ASSEMBLYMAN CRYAN: I don't know.

MR. CONNERY: Just one second.

ASSEMBLYMAN CRYAN: Yes.

ASSISTANT TREASURER BELL: It's a different property, but is it the same owner?

ASSEMBLYMAN CRYAN: I think it's Bear Tavern Road, isn't it, on both?

ASSISTANT TREASURER BELL: One's 820 and one's 840.

ASSEMBLYMAN CRYAN: Oh, okay, maybe I'm wrong.

ASSISTANT TREASURER BELL: I think that's the way I read it -- 820 and 840, same neighborhood.

ASSEMBLYMAN CRYAN: Are they different?

ASSISTANT TREASURER BELL: Paul and Chuck, are they two different addresses -- 820 and 840?

PAUL CAMPANELLA: Excuse me, Paul Campanella from Lease Negotiations, Treasury.

They are the same complex, different building. The 4361 amendment was an existing lease that was amended for cost savings. So the new 10-year deal has a new lease agreement and new specification schedule B, a scope of work requirements. Let me just see -- okay. And where's the other one at?

MR. CONNERY: Again, the point I was trying to make earlier is, sometimes in these renegotiations we gain a real advantage over the landlord. And for that reason, sometimes we can negotiate better rates, because it doesn't require the kind of work that they'll need to do for a new lease. As Paul pointed out, our specifications have changed as a year has gone by. The OSHA requirements--

MR. CAMPANELLA: Plus you have just about 300,000 included as part of the amortization part of the deal, and it is a level rate for 10 years. There's no step-ups. So that's a solid rate for 10 years.

ASSEMBLYMAN CRYAN: Thank you.

MR. CAMPANELLA: You're welcome.

ASSEMBLYMAN CRYAN: So I also want to put on the same thing -- the middle name is the same name as a popular-- I have no idea whether the same family, no idea. I don't think it impacts this lease or any problem -- that I want to put that on the record, as well. Being safe, being extra safe in the interest of disclosure.

Any other questions on this? (no response)

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: To approve NPL 4600 for the Judiciary, at Bear Tavern Road in Ewing, New Jersey:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: And Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: And it's been approved.

MR. SUTKIN: Lease No. 28, NPL 4602, is for the Department of Military and Veterans Affairs, their office in Hackensack. It was an advertised requirement resulting in this lease proposal which is presented for approval.

ASSEMBLYMAN CRYAN: Anybody have any questions on this? (no response)

Motion?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: On the motion to approve NPL 4602 for the Department of Military and Veterans Affairs, in Hackensack:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: And Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: It's been approved.

MR. SUTKIN: No. 33 in the package, NPL 4610. It's for the Department of Human Services Vocational Outreach Program, which is to be housed in Browns Mills, New Jersey. It was an advertised requirement resulting in this lease space proposal.

ASSEMBLYMAN CRYAN: Do you have any questions on this, anybody? No. (no response)

Is there a motion?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

MR. MacCALUS: Okay. On the motion to approve NPL 4610 for the Department of Human Services, in Browns Mills:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: And Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: It's been approved.

MR. SUTKIN: No. 34 in the binder, NPL 4611 is a lease that we're presenting for the Department and Children and Families for their office in Edison, in accordance with the proposal as outlined in the binder, which we submit for approval.

ASSEMBLYMAN CRYAN: Okay.

I think both the Senator and I want to note the disclosure is significant, and the landlord here has donated to numerous political campaigns. I just want to put that on the record, given the fact that there's a comfort level from the Attorney General's Office.

Is that correct, Counsel, if I could ask you to comment on that? MR. SHAUGHNESSY (Committee Counsel): That's correct.

The Acting Director of the Division of Purchasing and Property, in consultation with our Office, has determined that there's a

public urgency in this matter, and we believe that it satisfies the requirements of the statute.

ASSEMBLYMAN CRYAN: So we have a comfort level as elected officials, voting for this without an ethical violation?

MR. SHAUGHNESSY: Yes, according to the statute.

ASSEMBLYMAN CRYAN: Okay.

With that being said, is there any other questions on this lease?

SENATOR SWEENEY: Just so I can be on the record, along with Chairman Cryan, based on the Attorney General's review is the reason why I feel comfortable in supporting it.

I'll make a motion.

ASSISTANT TREASURER BELL: Second.

ASSEMBLYMAN CRYAN: Second.

MR. MacCALUS: On the approval of NPL 4611, for the Department of Children and Families, in Edison, New Jersey:

Chairman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. MacCALUS: Senator Sweeney.

SENATOR SWEENEY: Yes.

MR. MacCALUS: Assistant Treasurer Bell.

ASSISTANT TREASURER BELL: Yes.

MR. MacCALUS: It's been approved.

ASSEMBLYMAN CRYAN: Okay.

How about that, huh?

SENATOR SWEENEY: That wasn't bad.

ASSEMBLYMAN CRYAN: How about that, huh?

All right. Do we have any other business?

I just want to note our next meeting is October 18 -- scheduled and done.

We have any other business here?

SENATOR SWEENEY: We didn't have enough? (laughter)

ASSEMBLYMAN CRYAN: Can I have a motion to adjourn?

SENATOR SWEENEY: Motion.

ASSISTANT TREASURER BELL: Second.

ASSEMBLYMAN CRYAN: We're done.

MR. MacCALUS: All approved, say aye. (ayes respond)

(MEETING CONCLUDED)