

TRANSCRIPT OF JANUARY 10, 2023 PUBLIC HEARING ON PROPOSED SALE OF
MATT'S LANDING PROPERTY
FROM NJDEP TO MAURICE RIVER TOWNSHIP

PRESENT:

FOR THE NJDEP:

Lisa Barno, Assistant Director, NJDEP, New Jersey Fish and Wildlife

David Golden, Assistant Commissioner, New Jersey Fish and Wildlife

Jason Hearon, NJDEP, New Jersey Fish and Wildlife

Robert Longcor, Grant Coordinator, New Jersey Fish and Wildlife

Mary Monteschio, Regulatory Officer, NJDEP, New Jersey Fish and Wildlife

Judeth Yeany, Assistant Director, NJDEP, Office of Transactions and Public Land Administration

FOR MAURICE RIVER TOWNSHIP:

Hon. Ken Whildin, Mayor, Maurice River Township

Denise Peterson, Township Clerk

FOR THE PUBLIC:

Captain George Kumor

Gio Lubonja

+three additional members of the public

NOTE: This is a computer-generated transcript. It has been reviewed by NJDEP staff and corrected for typographical and formatting errors. Additional non-substantive changes have been made to improve the readability of the transcript (such as eliminating time stamps inserted by the computer in the middle of a speaker's remarks and filler words such as "umm").

A video recording of this hearing is available at: <https://youtu.be/h7irUygBhkk>

0:0:0.0 --> 0:0:5.850

Yeany, Judeth [DEP]

OK, so members of the public, please be aware that we've hit the record button and we are recording and transcribing this meeting. I believe I posted the transcript of the first hearing on our website already and will post this one as well once we clean it up.

I'm going to mute the Township window again because we are getting feedback. I would ask that if you need Mary or I to unmute yourself, well though it seemed like you were able to control that last time. You know, please either unmute yourself or if you're not able to, send us a message through the chat and we'll unmute you. But there's something going on in your end that's causing feedback on this end.

OK. So good evening, everyone. My name is Judeth Yeany. That's Y E A N Y. I'm the assistant director at the Department of Environmental Protections, Office of Transactions and Public Land Administration.

I'm here today with Mary Monteschio from our New Jersey Fish and Wildlife program. Mary is a regulatory officer, meaning an attorney, for Fish and Wildlife.

And normally I'd go through some housekeeping about how people can comment and keeping your mic muted, but I think we have a relatively small audience here, most of whom were present in the Township building. So, if we get joined by a big crowd, I'll go through some housekeeping then.

I'm going to discuss the procedural aspects of this hearing as to why we're here today. Mary is then going to give a little bit of a factual background about what it is we're proposing to do, and then we're going to give the Township an opportunity to talk about why they've been working with us on this transaction and what their objectives are.

We're here today to conduct this public hearing because any time DEP wants to convey more than one acre of property, we are governed by what we call our DEP conveyance statute. It's part of Title 52 of the New Jersey statutes, and some people also know it as the Ogden Rooney statute after the original sponsors of the bill.

It's a statute that's been in place since 1993, and it's designed to ensure that we thoroughly examine the public interest when we want to convey property. So when we want to convey more than one acre of property, which is the case here, we have to go through a pretty lengthy and detailed process before we go through with the conveyance.

And the first step in that process is that we are required to prepare report analyzing the transaction. That report is available on our website and Mary, we forgot to put the link in the chat if we could put that there.

0:2:51.640 --> 0:2:51.880

Monteschio, Mary [DEP]

Yep.

0:2:54.10 --> 0:3:6.610

Yeany, Judeth [DEP]

So the report is on our website. We prepare a report analyzing the transaction, describe what it is that we want to do and we're required to analyze both the economics and the environmental aspects of the transaction.

We're then required to distribute that report to certain local officials, both at the municipal and county level, to select members of the legislature and to advertise an at least 30 days in advance that we're going to conduct a public hearing on the proposed conveyance.

The public notice gets distributed in the New Jersey Register, the DEP Bulletin and several newspapers, and we also posted it on our website.

And if we give notice that we're having a public hearing and if the transaction involves over 5 acres, which, again, this transaction does, we're actually required to have two public hearings.

Usually the first public hearing is held in the municipality in which the Department's property is located, which in this case is Morris River Township, Cumberland County, and we're then required to have a second hearing 2 weeks later.

In the pre-pandemic days, we would hold that hearing in the city of Trenton, where our agency is located.

Obviously, this time around we've gone remote with both hearings. One of those hearings is required to be a joint hearing with the State House Commission, which is a legislative Commission that's also required to conduct a public hearing on DEP conveyances that trigger the statute.

The State House Commission has legislative oversight over state property for all State agencies, so the hearing that we had in December was conducted jointly with a representative of the State House Commission as a precursor to the Commission being asked to approve this transaction down the line if we decide to go through with it.

And again, in this case, we're conducting both of the hearings remotely, which we believe in some respects does help the public to participate in them.

Once we finish conducting this hearing, the second public hearing, and allow time for additional public comment, we're required to wait 90 days before we can finalize any proposed conveyance of property. So the legislature did not want us to conduct the hearings and then turn around the next day and convey properties. So there's basically a 90 day cooling off period at the end of this process, after which we can ask the DEP Commissioner and the State House Commission to approve the proposed conveyance.

So allowing 2 weeks from today for additional written public comment after the hearing, we anticipate that the earliest that anybody could take formal action on this proposed conveyance to

approve it would be the middle of April. The Commission generally meets quarterly and that generally in the past has met in March and June, although it can on occasion have a special meeting. So to the extent we can, we will try to synchronize the approval of this conveyance with the State House Commission schedule and try to get this on the earliest possible agenda if we decide to go through with the conveyance after we complete this process.

So at the end of our process, if we decide to proceed, we take the decision first to our Commissioner and make our recommendation to the DEP Commissioner. If Commissioner LaTourette signs off on it, we then take the recommendation to the State House Commission.

At this point I'm going to have Mary talk about the actual proposal of what we're proposing to do, and I believe she's going to pull up a map of the area in question.

0:6:31.480 --> 0:6:35.650

Monteschio, Mary [DEP]

Yeah, actually, I'm going to pull up a couple of them, so I'm sharing my screen.

So I'm going to start with the history of the property. This is all of our Heislerville Wildlife Management Area. As you can see on that map, it's over 7600 acres. The original purchase to Heislerville Wildlife Management Area was 2200 acres that we purchased from the estate of John Cadwalader in 1956.

And you could see here this is the general location in the state where this strip of land is that we're talking about.

And the 2200 original acres encompasses this strip of land. This strip is 5.58 acres. It is known as Matts landing. When we purchased this land in 1956, the 2200 acres, this was just a teeny tiny little piece of it.

We had 10 leases that we took subject to them when we purchased the land and over the years, through storms and economic downturns, there is currently 4 holdover tenants at the property.

In addition to that, there have just been so many issues that the Department feels it cannot at this time, and has not been able to for a while, properly manage this strip of land. It was never suitable for Fish and Wildlife purposes. It has always been marinas and it's still not suitable for Fish and Wildlife purposes.

When we purchased this land in 1956, we used 75% federal funds and 25% Hunter and Angler license revenue. Because of the federal funds and because of the license revenue, in addition to going through a state disposal process, we also have to go through a federal disposal process. The federal disposal process includes a report that is on our website.

In addition to that, it only requires one public hearing. We are counting both public hearings, as comments come in, to both the federal and the state processes. So, you don't have to worry about which process you're making comment to.

As you can see from the aerial, it is a strip of land at the end of Matts Landing Rd, also known as County Road 736. Behind it to the South of this map are our dikes and our dike system that we have for waterfowl purposes. So really the strip itself and an easement over the road is all that we are selling.

In about 2018, the Township came to us said that they were interested in purchasing the property and as I said, the Department is really not in the position to properly manage it, so we agreed to sell the property. The appraisal, which is also included on the website, came in at \$180,000 and that is the price that we've agreed to sell the property to the Township at.

0:10:1.380 --> 0:10:3.650

Yeany, Judeth [DEP]

Excuse me, Mary, it's 185.

0:10:5.510 --> 0:10:6.300

Monteschio, Mary [DEP]

Ohh thank you.

And since then, we've been working on the process to dispose of this land.

Judeth. Anything else from you? Before we turn it over to the Township?

0:10:21.250 --> 0:10:51.250

Yeany, Judeth [DEP]

I just want to put I just want to put on the record before we let the Township comment. Mary covered the bases as far as the proposed conveyances 5.58 acres in fee, the easement over Matts Landing Road would be 1.07 acres, and that's an easement, not a fee conveyance. Proposed purchase price is \$185,000 and the lots involved in this proposed conveyance are Block 316, Lots, 44.01, 44.02, 44.03, 44.04 and Block 294 Lot 1. That information again is in the report on our website, but I wanted to put it on the record of the hearing. So, unless you have anything else you would like to add, Mary, we'll let the Township make a statement about why they were interested in purchasing the property and what their objectives are, and then we'll open this up for public comment.

0:11:23.670 --> 0:11:25.290

Monteschio, Mary [DEP]

I have nothing else to add.

0:11:25.910 --> 0:11:29.880

Yeany, Judeth [DEP]

OK, so Township, if you could try unmuting on your end.

0:11:32.560 --> 0:11:33.270

Maurice River

Can you hear me now?

0:11:32.820 --> 0:11:33.410

Yeany, Judeth [DEP]

You're good.

0:11:33.940 --> 0:11:34.340

Monteschio, Mary [DEP]

Yes.

0:11:34.320 --> 0:11:35.30

Yeany, Judeth [DEP]

Yes, we can.

0:11:35.840 --> 0:12:3.330

Maurice River

OK, great. Good evening, everyone and thank you for coming out for the 2nd Ogden Rooney hearing in reference to the parcel of land in Maurice River Township, commonly known as Matts Landing. As Mary indicated, this is an approximately 5-acre parcel of land that is owned by the State with private dwellings on the State land. This has never been a good relationship for the State or the dwelling owners or building owners, for various reasons back and forth, but the Township's goal in the end is to attain the property and to get it back into the hands of private individuals, let them keep it in a maritime related industrial type area via recreational marinas is what they currently were used for, so could be some aquaculture or some other things like that. But maritime related because it is on the on the edge of the river. So obviously we would want that.

The Township has deemed this area a parcel of land that needs to be redeveloped, which is very common in our Bayshore communities all along the Bayshore and other municipalities, along with ours.

So that's about sums it up, what we're looking for, and Mary and Judeth have covered the rest, I believe so I'm OK with opening up for public comment.

0:12:56.520 --> 0:13:0.210

Yeany, Judeth [DEP]

Mayor, just for the transcript, can you identify yourself and spell your last name?

0:13:0.760 --> 0:13:10.390

Monteschio, Mary [DEP]

Sure. Mary Monteschio, M O N T E S C H I O Regulatory Officer with New Jersey Fish and Wildlife.

0:13:10.820 --> 0:13:12.970

Yeany, Judeth [DEP]

Actually that's great, but I was asking the Mayor.

0:13:13.270 --> 0:13:16.80

Monteschio, Mary [DEP]

No, I'm sorry, Mary or Mayor sounds the same.

0:13:15.220 --> 0:13:18.390

Yeany, Judeth [DEP]

We identified you. He didn't identify himself.

0:13:19.980 --> 0:13:25.810

Maurice River

OK, so I'm Mayor, Ken Whildin. Ken, last name is Whildin. W H I L D I N.

0:13:26.530 --> 0:13:30.880

Yeany, Judeth [DEP]

And Mayor, are you joined by anybody else representing the Township there on the dais?

0:13:32.230 --> 0:13:35.400

Maurice River

My municipal clerk Denise, is with me, Denise Peterson.

0:13:36.50 --> 0:14:3.150

Yeany, Judeth [DEP]

Thank you. So, I would ask members of the public if they wish to comment to again identify themselves, spell their last name for us, please. And if you have an affiliation with a nonprofit or another group, please let us know if you're so inclined. So, Mayor and Clerk, I, since you have people there in person, if you want to decide how to call on people to comment, that would be fine.

0:14:3.570 --> 0:14:5.100

Maurice River

OK, I can do that.

One at a time--do we have a volunteer to go first?

0:14:11.550 --> 0:14:12.460

Yeany, Judeth [DEP]

Are you recording?

0:14:11.270 --> 0:14:13.810

Maurice River

OK, I have a volunteer. Perfect.

0:14:14.330 --> 0:14:19.750

Yeany, Judeth [DEP]

OK. Are you recording on your end? You had people come up to the table last time. Yeah, I see.

0:14:20.520 --> 0:14:23.70

Maurice River

Yeah, we are not recording on this end.

0:14:23.530 --> 0:14:26.500

Yeany, Judeth [DEP]

That's fine, I just didn't know if you need. If those mics were live or not.

0:14:26.890 --> 0:14:28.290

Maurice River

They're live.

OK.

0:14:29.140 --> 0:14:38.210

Yeany, Judeth [DEP]

I see, OK, we stopped sharing so that the window with the video was bigger and we could see the commenters. So OK, we're ready. Go ahead.

0:14:39.550 --> 0:14:48.180

Maurice River

I'm Captain George Kumor, G E O R G E, last name is K U M O R as it sounds, and the reason I'm making comments is I made comments at the first public hearing, but there's a few things that come to my mind. I am a lifelong resident of the village of Heislerville. I'm also village elder in which I've been involved in the Township my whole life and I'm a constant and I want to let the public understand why this took so long is because we had changes in administration over the years with younger people in local politics and with different people in this state. So every time we have to keep repeating ourselves, we're finally at this stage of what we could do, something that's good and in that process there's a lot of frustration for the leaseholders and the people that own some of the properties and they stopped wanting to invest. And the other thing I forgot to speak about last time was that I'm actually a forensic green species locator and one of my obligations is to test the area that the fish and different sediments in that area. And I'm actually embarrassed of the condition of the properties. But like I said, that's because of circumstances.

We need private investment so they could fix the properties up and if they own it, they'll fix them up because you own it as part of your family asset. And as far as it being public owned land as it is now by the State, it's still going to be public use land because they're enhancing the opportunity for everybody to use that land, it's just with private investment I'm you know, very firm in my conviction that they remain marinas for people to tie their boats and stuff as we just don't need another residential house, you know, along the riverfront. There's plenty of them we could buy if somebody wants one.

The reason I said I'm embarrassed is because the area is of global significance and importance with people from coming all over the world with the bird migration and we had one bird called the little stint and there was over like 400 cars an hour that were coming into Heislerville to look search for this bird he made this wrong turn. And I would like to see the area fixed up and I think the way to do that, I think everybody's on a proper course is through getting private ownership and then the Township could do their duty to make sure everybody's property is correct, what they do in the rest of the Township. So that's where I'm at with that. OK. But if I may end with that. OK. Thank you.

0:17:35.610 --> 0:17:37.320

Yeany, Judeth [DEP]

Thank you. That's all very useful.

0:17:39.590 --> 0:17:40.950

Maurice River [Mayor Ken Whildin]

Anyone else for public comment?

No one?

I don't see anyone else at this time. Oh, one more.

0:17:57.400 --> 0:18:4.690

Yeany, Judeth [DEP]

Once the people who are in person at the municipal building are finished commenting, we will call on the person on the phone.

0:18:5.270 --> 0:18:5.720

Maurice River [Mayor Ken Whildin]

OK.

Sir, Sir. Could you state your name?

Public Commenter—Gio Lubonja

My name is Genti, Lubonja is last name. They call me Gio.

Maurice River [Mayor Ken Whildin]

Can you can you spell that, please? For the record.

Public Commenter—Gio Lubonja

G E N T I is the first name, and G O G I O is the middle name and last name is Lubonja L U B O N J A.

OK, I started coming this year about 2 1/2 years ago, three years ago and we love it so much. Is there? I've been all over the world. I will tell the truth, but that area has been very highlight of my wife and mine, too of course. So we truly want to invest in that area.

And I have investing. I'm ready to invest. Just you got to give me the green light.

And it's beautiful area. That's what I will tell you from a point of view as an outsider.

It's very different than the rest of the world that I have seen. You have all kind of birds, all kind of animals around.

Beautiful river.

And it's a great area to invest. So, I'm just waiting for you guys to tell me yes and I'm ready to invest.

Thank you.

0:19:42.0 --> 0:19:42.720

Yeany, Judeth [DEP]

You're welcome. Thanks very much.

0:19:43.550 --> 0:19:43.870

Maurice River [Mayor Ken Whildin]

Anyone else in the audience for public comment?

OK, I see no raise of hands, Judeth. So, I think we can move on to the phone.

0:19:57.840 --> 0:20:3.690

Yeany, Judeth [DEP]

And I'm sorry I didn't write down your name, but if the person on the phone wants to comment, you can do that now.

If you are commenting, we can't hear you. I'm trying to figure out how to unmute you, but you might have to try that on your end.

And if you're not able to unmute yourself, if you want to disconnect and call back in, that might solve the problem.

0:21:16.840 --> 0:21:18.170

Maurice River [Mayor Ken Whildin]

I guess they're stuck with the chat.

0:21:26.610 --> 0:21:32.140

Yeany, Judeth [DEP]

OK, I'm not sure if the person on the phone wants to comment or is it able to comment.

I think we generally try to leave the hearing open at least half an hour to allow for people who might arrive late, so I have 6:24 right now. I think we're going to leave the record open till at least 6:30 before we close the record.

0:21:53.400 --> 0:21:54.180

Maurice River [Mayor Ken Whildin]

Yeah, there's nothing.

0:21:53.740 --> 0:22:0.290

Yeany, Judeth [DEP]

And again, if the person on the phone wants to comment, I suggest disconnecting and calling back in because you appear to be muted.

0:22:2.780 --> 0:22:10.730

Maurice River [Mayor Ken Whildin]

Judeth if I could, if there is someone on the line and wants to comment and they can't, please put it on the chat so we know that you're trying.

0:22:12.310 --> 0:22:16.140

Yeany, Judeth [DEP]

Yeah. It's just if they're somewhere on their phone, I don't know if they can or not.

0:22:16.330 --> 0:22:16.720

Maurice River [Mayor Ken Whildin]

Right.

0:22:18.310 --> 0:22:21.50

Yeany, Judeth [DEP]

If they called in, they might not have access to the chat.

0:22:21.350 --> 0:22:21.610

Maurice River [Mayor Ken Whildin]

Right.

0:22:23.500 --> 0:22:35.730

Yeany, Judeth [DEP]

Umm, so I will also say that anybody in attendance or the person on the phone if there's something you want to bring to our attention, we're accepting written public comments for two weeks after the hearing.

I don't know what e-mail we put in the report, but we put Mary's e-mail, OK so.

0:22:55.20 --> 0:22:55.320

Monteschio, Mary [DEP]

Sure.

0:22:50.500 --> 0:22:55.790

Yeany, Judeth [DEP]

Mary, I'm just seeing if you can drop your e-mail in the chat just so people don't have to write it down this second.

You can retrieve Mary's e-mail from the chat if you'd like, but also, it's in the report. It's on the web page that advertised the hearing.

And again, for the next two weeks, if there's something you want to send to us to supplement your comments you can do that before we close the record.

And really, as I said, because of this 90-day period that we're required to wait before we can take final action on this proposal, we're not doing anything formally until the middle of April at the earliest and you can still contact us if you have any comments.

But will be closing the record of this particular hearing in a few minutes.

And then as I said, I am assuming we go through with this and honestly, we haven't had any opposition, so I would expect that we would, we will first go to our Commissioner and then take that recommendation to the Statehouse Commission.

OK, we're getting close to 6:30. I'm just going to make a couple of remarks and then we'll stop the recording. And if by chance, someone joins us in the next two minutes, we'll restart it. But I just want to thank the Mayor and the municipal clerk for joining us for both hearings and for hosting the members of the public there and the municipal building. That was very helpful for us.

And you know we appreciate all the effort you put into working with us on this so far, so.

We will continue to be your point of contact leading up to you know, the final approval of the transaction. So, we will be in touch very shortly once we wrap up the hearing process.

So, with that, I'm going to stop recording.

[end of transcript]