

BRTF

New Jersey Brownfields Redevelopment Task Force

Policy & Legislative Committee

Minutes of Meeting Held Tuesday, May 27, 2003
Department of Community Affairs
101 South Broad Street
Trenton, New Jersey
Office of Smart Growth Library- 7th Floor

Call to Order

Leah Healey, Chairman, called the first meeting of the Policy and Legislative Committee of the New Jersey Brownfields Redevelopment Task Force to order at 2:05pm

Open Public Meetings Act

At the request of Chairman Healey, Deputy Attorney General Phyllis Bross announced that notice of this meeting has been given in accordance with the Open Public Meetings Act.

Roll Call

The roll was called and the attendance was noted for the record.

Members Present:

Sally Dudley, ANJEC
Leah Healey, Chairperson/Public Member
Frances Hoffman, Office of Smart Growth/DCA
Richard Gimello, NJ Department of Transportation
Dennis Toft, Public Member
Colleen Kokas, NJ Department of Environmental Protection, Site Remediation Program

Members Absent:

William Mullen, Public Member

Others Present: (Attachment A)

I. Welcoming Remarks

Chairman Healey welcomed everyone to the meeting. She invited representatives to introduce themselves. She also noted that there would be a switch in the agenda items starting with Item "B", Brownfields Reimbursement Fund.

II. Committee Business

The Committee reviewed legislation relating to brownfields redevelopment. The following bills were discussed

LEGISLATION

A. BROWNFIELD SITE REIMBURSEMENT FUND

The Committee gathered various public and private sector representatives at its May 27, 2003 meeting to discuss the status of the remediation cost reimbursement program that has been in effect since 1998. The Committee discussed the limitation in the type of taxes that qualify for reimbursement noting that the program does not assist manufacturing and warehouse uses. The Committee intends to further consider whether the eligible taxes should be expanded and how to address the issue of taxes, which are not generated on a continuous basis.

B. NEW JERSEY BILL S2459, SPONSOR: SENATOR JOHN ADLER

The Committee reviewed legislation (S2459), which proposes to amend the Hazardous Discharge Site Remediation Program to expand the eligibility and use of the funds.

The Committee recommended that S2459 warranted action by the full Task Force before the June 17, 2003 meeting of the NJ Brownfields Redevelopment Task Force meeting because the Bill was scheduled for critical committee hearings in early June. As a result, the Committee requested a special meeting of the full Task Force. It was decided to conduct this meeting via telephone conference call. This would provide an opportunity for the full Task Force to take a position on the bill.

C. USEPA "ALL APPROPRIATE INQUIRY" RULE

The Task Force requested that the Committee review the USEPA proposed regulation on all appropriate inquiry (aka "due diligence"), which sets the standard for performing investigations of property. This regulation is important not only for its potential effect on the New Jersey due diligence but also its potential effect on federal funding for New Jersey. Ken Kloo of the Department of Environmental Protection provided an initial report and will be monitoring the issue for the Committee. The Committee intends to develop a position on the regulation and make a recommendation to the NJ Brownfields Redevelopment Task Force.

III. Recommendations to the NJ Brownfields Redevelopment Task Force

The Policy and Legislation Committee members agreed to support the legislation discussed as it relates to brownfields redevelopment. It was agreed that a resolution be prepared for the NJ Brownfields Redevelopment Task Force for adoption generally in favor of the NJ Bill S2459 revising laws concerning financial assistance for contaminated sites remediation, and that two entities (NJRA/Counties) become eligible for financial assistance and grants.

IV. Committee Comments

Committee members offered no additional comments at this time.

V. Public Comments

No public comments were offered at this time.

VI. Adjournment

With no other business identified, the meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Frances E. Hoffman

Prepared by: Sheila Bogda
6/12/03

