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STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS

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IN RE: :

Local Finance Board :

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Location: Department of Community Affairs  
101 South Broad Street  
Trenton, New Jersey 08625  
Date: Wednesday, November 12, 2025  
Commencing At: 10:55 a.m.  
(Taken Remotely Via Teams.)

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1 HELD BEFORE: (ALL MEMBERS APPEARING VIA VTC)

2

3 MICHAEL ROGERS, Chairman

4 WILLIAM CLOSE

5 ALAN AVERY

6 ROBERT JACKSON

7 IDIDA RODRIGUEZ

8 DOMINICK DIROCCO

9

10

11

12 A L S O P R E S E N T:

13

14 NICK BENNETT, Executive Secretary

15 ANNA MARIE CHIWANGA

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1 MR. ROGERS: First I want to  
2 apologize to everybody. We had a lot on our  
3 ethics closed session agenda. So took some time  
4 to get through, so I appreciate your patience,  
5 but we're going to get started here. Okay.

6 So we previously opened this meeting  
7 on or about 9 a.m. this morning, so want to let  
8 everybody know that. And I think we can get  
9 moving with, do we have a motion to adopt the  
10 October 8, 2025 minutes as presented?

11 MR. CLOSE: So moved

12 MR. JACKSON: Second?

13 MR. BENNETT: I have Mr. Close and  
14 Mr. Jackson. Mr. Rogers?

15 MR. ROGERS: Yes.

16 MR. BENNETT: Mr. DiRocco? Mr.  
17 Close?

18 MR. CLOSE: Yes.

19 MR. BENNETT: Mr. Avery? Mr.  
20 Jackson?

21 MR. JACKSON: Yes.

22 MR. BENNETT: I will need one more  
23 vote.

24 MR. ROGERS: Is Miss Rodriguez on  
25 yet?

1 MR. BENNETT: I do not see her yet  
2 in the chat or Mr. DiRocco. Mr. DiRocco, we have  
3 a motion has been made to adopt and submit it.

4 MR. DIROCCO: Yes, on that.

5 MR. BENNETT: Director, we do have  
6 four votes on that right now, four votes in  
7 favor, so that motion carries.

8 MR. ROGERS: Thank you. We can move  
9 on to the ethics complaints, the first matter.  
10 Anna Marie?

11 MS. CHIWANGA: Good morning. Thank  
12 you, Director. So the first matter is 21-010.  
13 And here the board is being asked to approve a  
14 motion to issue a notice of investigation to one  
15 local government officer and investigate the  
16 claim for potential violations of Subsection C of  
17 the Local Government Ethics Law?

18 MR. ROGERS: Any questions?  
19 Concerns? Do we have a motion to issue a notice  
20 of investigation to one LGO investigating  
21 possible violations of Subsection C?

22 MS. RODRIGUEZ: So moved.

23 MR. CLOSE: Second.

24 MR. BENNETT: Mr. Rogers?

25 MR. ROGERS: Yes.

1 MR. BENNETT: Mr. DiRocco?

2 MR. DIROCCO: Yes.

3 MR. BENNETT: Mr. Close?

4 MR. CLOSE: Yes.

5 MR. BENNETT: Mr. Avery? Miss

6 Rodriguez?

7 MS. RODRIGUEZ: Yes.

8 MR. BENNETT: Mr. Jackson?

9 MR. JACKSON: Yes.

10 MR. BENNETT: Motion approved.

11 MS. CHIWANGA: The next matter is  
12 21-013. Here the board is being asked to approve  
13 a motion to issue a notice of investigation to  
14 one local government officer and investigate the  
15 claim for potential violations of Subsection C of  
16 the Local Government Ethics Law.

17 MR. ROGERS: Thank you. Any  
18 questions? Concerns? Do we have a motion to  
19 issue a notice of investigation to one LGO  
20 investigating possible violations of Subsection C

21 MR. CLOSE: So moved.

22 MS. RODRIGUEZ: Second.

23 MR. BENNETT: Mr. Close and Miss  
24 Rodriguez. Mr. Rogers?

25 MR. ROGERS: Yes.

1 MR. BENNETT: Mr. DiRocco?

2 MR. DIROCCO: Yes.

3 MR. BENNETT: Mr. Close?

4 MR. CLOSE: Yes.

5 MR. BENNETT: Mr. Avery? Mr. Avery,

6 we're currently considering a motion to

7 investigate an LGO in matter B3 for possible

8 violation -- investigate a possible violation of

9 Subsection C.

10 MR. AVERY: You need my vote?

11 MR. BENNETT: If you'd like to vote

12 on it, this would be your opportunity.

13 MR. AVERY: Yes. I apologize. My

14 whole network went out. They were doing work in

15 the area. I told Nick that the other day, that

16 that was my worst nightmare.

17 MR. ROGERS: No worries, Mr. Avery.

18 MR. BENNETT: Fortunately, you're

19 loud and clear now. Miss Rodriguez?

20 MS. RODRIGUEZ: Yes.

21 MR. BENNETT: And Mr. Jackson?

22 MR. JACKSON: Yes.

23 MR. BENNETT: Motion approved.

24 MR. ROGERS: Next matter?

25 MS. CHIWANGA: The next matter is

1 23-002. Here the board is being asked to approve  
2 a motion to issue a notice of investigation to  
3 one local government officer and investigate the  
4 claim for potential violations of Subsection C, D  
5 and G of the Local Government Ethics Law.

6 MR. ROGERS: Any questions?  
7 Concerns? Do we have a motion to issue notice of  
8 investigation to one LGO investigating possible  
9 violations of Subsection D and E?

10 MR. CLOSE: So moved.

11 MR. JACKSON: Second.

12 MR. BENNETT: I have Mr. Close. I  
13 have Mr. Jackson. Mr. Rogers?

14 MR. ROGERS: Yes.

15 MR. BENNETT: Mr. DiRocco?

16 MR. DIROCCO: Yes.

17 MR. BENNETT: Mr. Close?

18 MR. CLOSE: Yes.

19 MR. BENNETT: Mr. Avery?

20 MR. AVERY: Yes.

21 MR. BENNETT: Miss Rodriguez?

22 MS. RODRIGUEZ: Yes.

23 MR. BENNETT: And Mr. Jackson?

24 MR. JACKSON: Yes.

25 MR. BENNETT: Motion approved.



1 MS. CHIWANGA: The next matter is  
2 24-007. And here the board is being asked to  
3 approve a motion to notice of investigation to  
4 one local government officer and investigate the  
5 claim for potential violations of Subsection D  
6 and E of the Local Government Ethics Laws.

7 MR. JACKSON: So moved.

8 MR. CLOSE: Second.

9 MR. ROGERS: Mr. Bennett, one  
10 second. Is this matter B5 or is this?

11 MR. BENNETT: This is B5, yes.

12 MR. ROGERS: Got it. Thank you.

13 MR. BENNETT: I have Mr. Jackson and  
14 Mr. Close moving and seconding. Mr. Rogers?

15 MR. ROGERS: Yes.

16 MR. BENNETT: Mr. DiRocco?

17 MR. DIROCCO: Yes.

18 MR. BENNETT: Mr. Close?

19 MR. CLOSE: Yes.

20 MR. BENNETT: Mr. Avery?

21 MR. AVERY: Yes.

22 MR. BENNETT: Miss Rodriguez?

23 MS. RODRIGUEZ: Yes.

24 MR. BENNETT: And Mr. Jackson?

25 MR. JACKSON: Yes.

1 MR. BENNETT: Motion approved

2 MS. CHIWANGA: The next matter is  
3 25-017, also known as B6. And here the board is  
4 being asked to approve a motion to issue a notice  
5 of investigation to one local government officer  
6 and investigate the claim for potential  
7 violations of Subsections C, F and G of the Local  
8 Government Ethics Laws.

9 MR. ROGERS: Any questions?  
10 Concerns?

11 MR. DIROCCO: What item is this  
12 again? What's the docket number?

13 MR. BENNETT: This is B6.

14 MR. DIROCCO: Thank you.

15 MR. BENNETT: Any questions?  
16 Concerns? Do we have a motion to issue notice of  
17 investigation to one LGO investigating possible  
18 violations of Subsections C, F and G.

19 MR. CLOSE: So moved.

20 MR. JACKSON: I'll second.

21 MR. BENNETT: Mr. Close moving and  
22 Mr. Jackson seconding. Mr. Rogers?

23 MR. ROGERS: Yes.

24 MR. BENNETT: Mr. DiRocco?

25 MR. DIROCCO: Yes.

1 MR. BENNETT: Mr. Close?

2 MR. CLOSE: Yes.

3 MR. BENNETT: Mr. Avery?

4 MR. AVERY: Yes.

5 MR. BENNETT: Miss Rodriguez?

6 MS. RODRIGUEZ: Yes.

7 MR. BENNETT: And Mr. Jackson?

8 MR. JACKSON: Yes.

9 MR. BENNETT: Motion approved.

10 MS. CHIWANGA: Next are the  
11 transmittal motions. The board is first being  
12 asked to approve a motion to transmit complaint  
13 19-020 to the Office of Administrative Law as a  
14 contested case.

15 MR. ROGERS: Any questions? Do we  
16 have a motion to transmit Local Finance Board  
17 complaint C19-020 to the Office of Administrative  
18 Law as a contested case?

19 MR. AVERY: So moved.

20 MR. CLOSE: Second.

21 MR. BENNETT: I believe I heard Mr.  
22 Avery and Mr. Close. Mr. Rogers?

23 MR. ROGERS: Yes.

24 MR. BENNETT: Mr. DiRocco?

25 MR. DIROCCO: Yes.

1 MR. BENNETT: Mr. Close?

2 MR. CLOSE: Yes.

3 MR. BENNETT: Mr. Avery?

4 MR. AVERY: Yes.

5 MR. BENNETT: Miss Rodriguez?

6 MS. RODRIGUEZ: Yes.

7 MR. BENNETT: And Mr. Jackson?

8 MR. JACKSON: Yes.

9 MR. BENNETT: Motion approved.

10 MS. CHIWANGA: And lastly, the board  
11 is being asked to approve a motion to transmit  
12 C21-018 to the Office of Administrative Law as a  
13 contested case as well.

14 MR. ROGERS: Any questions,  
15 concerns? Do we have a motion to transmit the  
16 Local Finance Board complaint C21-018 to the  
17 Office of Administrative Law as a contested case?

18 MS. RODRIGUEZ: I make a motion.

19 MR. DIROCCO: I'll second it.

20 MR. BENNETT: Miss Rodriguez and Mr.  
21 DiRocco. Mr. Rogers?

22 MR. ROGERS: Yes.

23 MR. BENNETT: Mr. DiRocco?

24 MR. DIROCCO: Yes.

25 MR. BENNETT: Mr. Close?

1 MR. CLOSE: Yes.

2 MR. BENNETT: Mr. Avery?

3 MR. AVERY: Yes.

4 MR. BENNETT: Miss Rodriguez?

5 MS. RODRIGUEZ: Yes.

6 MR. BENNETT: And Mr. Jackson?

7 MR. JACKSON: Yes.

8 MR. BENNETT: Motion approved.

9 MS. CHIWANGA: Director, that  
10 concludes the ethics portion.

11 MR. ROGERS: Thank you, Miss  
12 Chiwanga. Let's move on to the applications.  
13 First up is City of Orange.

14 MR. JOHNSON: Good morning.

15 MR. ROGERS: Good morning, Mr.  
16 Johnson.

17 MR. JOHNSON: How are you?

18 MR. ROGERS: I'm well.

19 MR. JOHNSON: Everett Johnson from  
20 the Law Firm of Wilentz, Goldman and Spitzer,  
21 bond counsel to the City of Orange Township.

22 We have with us this morning, Mr.  
23 Christopher Hartwyk who is the city  
24 administrator. We have Nile Clemmons who is the  
25 CFO, and we have Dieter Lerch who is the city's

1 budget consultant. I believe that is everyone we  
2 have on the line related to this application.

3 MR. ROGERS: Okay. Great. Before  
4 we get them sworn in, I want to remind everybody,  
5 remain noted to eliminate background noise.  
6 That's the first and foremost.

7 Secondly, if you are coming in on  
8 audio, just to listen in, you can star six, use  
9 star six to mute and unmute yourself. And then  
10 lastly, when your application is up, please turn  
11 on your video, if you're planning on testifying.  
12 All right. Let's get everybody sworn in for this  
13 application.

14 (At which time those wishing to  
15 testify were sworn in.)

16 MR. ROGERS: Mr. Johnson, you're up.

17 MR. JOHNSON: Sure. The City of  
18 Orange Township seeks the approval of the Local  
19 Finance Board for the adoption of a bond  
20 ordinance pursuant to the provisions of the  
21 Municipal Qualified Bond Act, the issuance of not  
22 to exceed 20 million dollars of bonds as  
23 qualified bonds under the Municipal Qualified  
24 Bond Act and the issuance of qualified bonds  
25 through the New Jersey Infrastructure Bank

1 pursuant to N.J.S.A. 50A:11B-9(a).

2           Section 40A:2-225 of the Local Bond  
3 Law authorizes municipalities, including the city  
4 to construct, reconstruct and finance the  
5 replacement of service connections to a  
6 publically owned water system from the  
7 distribution to privately owned real property and  
8 into a privately owned structure for the purpose  
9 of replacing residential, commercial and  
10 industrial lead service lines.

11           They can be financed over a 30 year  
12 period. The city decides to be replace all or a  
13 portion of its lines, the lead service lines,  
14 within the city's public water distribution  
15 system in order to bring its public water system  
16 into compliance with the United States  
17 Environmental Protection Agency's lead and  
18 comparable, continued progress on replacing lead  
19 service lines mandated by the New Jersey  
20 Department of Environmental Protection.

21           The lead service lines connect to  
22 the city of the water distribution system.  
23 However, a portion of such lines are privately  
24 owned by various property owners.

25           As of this date, the city is

1 required to provide an annual average base of 10  
2 percent of their lead service lines that are  
3 known to them over a 10 year period.

4           This project will improve the city's  
5 drinking water quality and public health  
6 conditions. Based upon the city's desire to  
7 replace the lead service lines, they're now  
8 seeking the approval to adopt a 20 million dollar  
9 bond ordinance to finance the replacement of lead  
10 service lines.

11           And this bond ordinance will receive  
12 up to 16 million dollars which is 80 percent in  
13 principal forgiveness from the New Jersey  
14 Infrastructure Bank. The remaining balance will  
15 be financed with a 50 percent interest free loan  
16 and 50 percent market rate interest loan through  
17 the Ibank.

18           The interest portion will be set.  
19 It is part of the Ibank's AAA bond rating. This  
20 ordinance authorizes a project to be funded  
21 through the city's water utility system which is  
22 self-liquidating.

23           So therefore the ordinance is not  
24 utilized in any of the city's borrowing capacity  
25 of the Local Bond Law, but the debt authorized by



1 the ordinance will have no impact on the city's  
2 net debt limitation.

3           Additionally, no down payment is  
4 required pursuant to Section 11C of the Local  
5 Bond Law as the ordinance finances purposes,  
6 which are funded by the -- which will be funded  
7 by the Ibank and the State of New Jersey.

8           All bonds will be issued as  
9 qualified bonds pursuant to the Ibank's credit  
10 policy. The annual NQBA revenue to the city are,  
11 approximately, eight and-a-half million dollars.  
12 And the NQBA coverage ratio was about 2.57.

13           With all that being said, the city  
14 is now requesting approval to adopt the  
15 ordinance, again, pursuant to the Qualified Bond  
16 Act to issue bonds pursuant to such act and to  
17 issue bonds to the Ibank. At this point in time,  
18 I will entertain any questions the board will  
19 have of us.

20           MR. ROGERS: Thank you, Mr. Johnson.  
21 I just have, for clarity, clarity for the record.  
22 So based on the application presented to us,  
23 submitted to us, you're estimating about 10  
24 percent of the lines that would need to be  
25 replaced. And you said, I think there's about

1 nine, that's about 940 lines; is that correct?

2 Sewer lines, that need to be replaced?

3 MR. HARTWYK: That's correct,

4 Director?

5 MR. ROGERS: So that would, over a

6 10 year period, I think is the time period you

7 have, is it 10 years or is it 2031? I'm trying

8 to think.

9 MR. HARTWYK: 2031.

10 MR. ROGERS: So what's your

11 estimated time frame to complete?

12 MR. HARTWYK: We would bid the

13 contract in the first quarter of '26 and we

14 should be finished, or the projected finish date

15 is 2030.

16 MR. ROGERS: Okay. So that would

17 get you in before the federal timeline?

18 MR. HARTWYK: Yes.

19 MR. ROGERS: Okay. And we're

20 estimating, is it about 13,000 per line is the

21 cost? That's the estimated?

22 MR. HARTWYK: Yes, for a full line.

23 MR. ROGERS: I think I'll open it up

24 to the board at this time for any questions.

25 MR. JACKSON: I have some questions.

1 MR. ROGERS: Yep. Mr. Jackson.

2 MR. JACKSON: I just heard something  
3 different from what we were told previously. The  
4 number was like 900 some odd lines, and that  
5 represented 10 percent, so meaning that they're  
6 9,000 total lines. I thought there were only  
7 45,000 total lines that are going to be replaced.

8 MR. HARTWYK: I think it's 4500 and  
9 I have to add them up. Just a minute. It's not  
10 replaced. There are, approximately, 4900  
11 accounts and the replacement number of lines that  
12 we project is, 575, approximately, 1300.

13 MR. JACKSON: You're only replacing  
14 1300 lines?

15 MR. HARTWYK: That's what we  
16 anticipate, yes.

17 MR. JACKSON: So I'm really  
18 confused. We're going to spend 20 million  
19 dollars to replace 1300 lines?

20 MR. HARTWYK: We have to do,  
21 approximately, 3 million dollars worth of  
22 identification component. That's included in the  
23 16 million. And that includes all 4900, and I  
24 believe we anticipated, not 10 percent, but 20  
25 percent.

1                   MR. JACKSON: I'm just because I  
2 know for Trenton, the number is about \$10,000 a  
3 line. For Newark, it's 7400 dollars a line. I'm  
4 just trying to understand 20 million dollars for  
5 a 1300 lines. I just -- that's beyond anything  
6 --

7                   MR. HARTWYK: The number comes out  
8 to, as was correctly pointed out in one of the  
9 questions that was asked, the number comes out  
10 to, approximately, \$21,000.

11                   But the total construction costs for  
12 the project, which includes, as I indicated, a 3  
13 million dollar identification component because  
14 we incorporated both the identification and  
15 replacement into one project.

16                   In addition, we submitted a total  
17 overall project anticipated cost, which includes  
18 a variety of categories including, not only the  
19 replacements and the identifications, but final  
20 restoration cost for paving, removal of rock.

21                   There are 21 categories of expense  
22 that were prepared by our engineers which bring a  
23 total project cost to 16,462,550. And then on  
24 top of that, we estimated soft costs in  
25 conformity with that which is maximally permitted

1 by the Ibank which includes engineering costs,  
2 which is five percent of the total project cost,  
3 soft cost, which is three percent of the total  
4 project costs and a contingency fee of the five  
5 percent of the total project cost.

6                   That, and \$20,000 for other costs.  
7 That brings the total project cost to 20 million  
8 dollars.

9                   MR. JACKSON: Okay. Which is like  
10 15,000 a line or something like that?

11                  MR. HARTWYK: It's just about.

12                  MR. JACKSON: It just strikes me as  
13 being like out of the range of anything we've  
14 seen. I know the typical that the numbers I  
15 quoted were the high end for the other towns and  
16 they were more like in the five, seven, eight  
17 range.

18                  Again, I understand the need to get  
19 the lines replaced and so forth, but it's just  
20 strikes me and I thought you were replacing a lot  
21 more lines than you actually are. That's just an  
22 observation. I will stop there.

23                  MR. HARTWYK: I would just say,  
24 Commissioner, the estimates may be high in terms  
25 of the soft costs and some of the other project

1 costs, but I won't know that until I get contract  
2 bids.

3                   So these estimates were prepared in  
4 conjunction with our engineers who have performed  
5 a bunch of, not a bunch, but other projects of  
6 this nature in other municipalities. I'd also  
7 point out that the inspection portion of the fee  
8 was not part of Newark's program because the  
9 inspection requirements didn't come into effect  
10 until after that program was finished.

11                   So as part of the engineering cost  
12 of 1.8 million, that includes the inspection  
13 costs that were not required in other cities.

14                   MR. ROGERS: Any additional  
15 questions, Mr. Jackson?

16                   MR. JACKSON: No. No thank you.

17                   MR. ROGERS: Anyone else? Board?

18                   MR. CLOSE: Chris, I have to share  
19 Commissioner Jackson's concerns about the cost  
20 per line. I understand your comments relative  
21 to, until you get the actual numbers in, but  
22 looking forward to seeing those and where they  
23 come in relative to where the projections are  
24 because it does seem high. It seems high.

25                   MR. HARTWYK: I agree. And

1 obviously, if the numbers come in lower, we're  
2 not going to spend the money and we would cancel  
3 the authorization.

4 MR. CLOSE: Sure. I understand  
5 that, but you know, again, you understand our  
6 concerns what we're looking at. And given, the  
7 financials and what we've been looking it, not  
8 just with this application, but other  
9 applications from the city, that is of concern.

10 MR. HARTWYK: Understood.

11 MR. ROGERS: Any additional  
12 questions, concerns? There was a debt schedule  
13 that was submitted to us, and as we state to  
14 other applicants, we'll state to you, if there's  
15 any changes to that, you'll need to come back to  
16 the board, so we'll condition the motion on that.

17 But if I don't hear -- not hearing  
18 anything, I want to get it on the record that  
19 you'll need to come back to the board for if that  
20 service schedule changes.

21 MR. HARTWYK: Understood.

22 MR. ROGERS: Hearing no additional  
23 questions, concerns, do we have a motion to  
24 approve the adoption of the bond ordinance and  
25 the issuance of the bonds pursuant to the

1 Municipal Qualified Bond Act in an amount not to  
2 exceed 20 million dollars? And conditioned that  
3 if the debt service schedule changes that the  
4 applicant must come back to the board for  
5 approval. Do I have a motion?

6 MR. DIROCCO: So moved.

7 MR. ROGERS: Second?

8 MR. AVERY: Second.

9 MR. BENNETT: Mr. DiRocco and Mr.  
10 Avery. Mr. Rogers?

11 MR. ROGERS: Yes.

12 MR. BENNETT: Mr. DiRocco?

13 MR. DIROCCO: Yes.

14 MR. BENNETT: Mr. Close?

15 MR. CLOSE: Yes.

16 MR. BENNETT: Mr. Avery?

17 MR. AVERY: Yes.

18 MR. BENNETT: Miss Rodriguez?

19 MS. RODRIGUEZ: Yes.

20 MR. BENNETT: Mr. Jackson?

21 MR. JACKSON: Yes.

22 MR. BENNETT: Motion approved.

23 MR. HARTWYK: Thank you.

24 MR. ROGERS: Thank you, Mr. Johnson,  
25 thank you, Mr. Hartwyk. On to the next



1 application. City of Trenton, one of two.

2 MR. JOHNSON: I'm still on.

3 MR. ROGERS: Mr. Johnson. Good to  
4 see you.

5 MR. JOHNSON: Everett Johnson, bond  
6 counsel to the City of New Jersey from the Law  
7 Firm of Wilentz, Goldman and Spitzer. With us  
8 this morning, I see Mary Henry, treasurer to the  
9 city. I see Lynn Au, the CFO. I see Sean Semple  
10 on the line had who has Trenton Water Works.

11 I see Noemi De La Puente on the line  
12 as well who works for Trenton Water Works and  
13 Maria Richardson who is the city's business  
14 administrator. I don't know if we have anyone on  
15 the line.

16 MR. ROGERS: If there's anyone else  
17 from Trenton, please make sure your video is on  
18 so we can get you sworn in. Lauren?

19 (At which time those wishing to  
20 testify were sworn in.)

21 MR. JOHNSON: Good morning. This  
22 application will be substantially similar to the  
23 last application for the City of Orange. The  
24 City of Trenton seeks the approval of the Local  
25 Finance Board for adoption of a bond ordinance

1 pursuant to revisions of Municipal Qualified Bond  
2 Act, the issuance of not to exceed 20 million  
3 dollars of bonds qualified bonds pursuant to the  
4 act and the issuance of bonds to the New Jersey  
5 Infrastructure bank pursuant to the provisions of  
6 that act.

7           Trenton Water Works is a public  
8 water system owned and operated by the city that  
9 provides drinking water to, approximately,  
10 225,000 customers with, approximately, 63,000  
11 accounts and, approximately, 683 miles of  
12 distribution mains in the municipalities of  
13 Trenton, Hamilton, Lawrence, Ewing and Hopewell.

14           TWW, Trenton Water Works, decides to  
15 replace all lead service lines within the system  
16 to bring it into compliance with the EPA's lead  
17 comparable and to compliance with NJDEP's  
18 mandated requirement to replace lead service  
19 lines by 2031.

20           As stated before, Trenton Water  
21 Works, they require to provide an average of  
22 about 10 percent annually, replacement to their  
23 lead service lines to be in compliance completed  
24 over a 10 year period concluding in 2031.

25           You know, the Local Bond Law

1 authorizes the city to replace connections on  
2 publically owned water systems through mains onto  
3 privately owned real property and privately owned  
4 structures for the purpose of replacing  
5 residential, commercial, industrial lead service  
6 lines for a 30 year period, which will improve  
7 the city's drinking water.

8           The city previously adopted bond  
9 ordinances for phases one, two, four and five  
10 totaling 72 million dollars. It now desires to  
11 adopt a bond ordinance for 20 million dollars to  
12 finance phase six of its project.

13           This bond ordinance will also be  
14 subject to 80 percent principal forgiveness,  
15 which will equate to about 16 million dollars  
16 with the balance being financed through a 50  
17 percent interest free lane and 50 percent market  
18 loan through the Ibank.

19           The Trenton Water Works is a  
20 self-liquidating water utility. Once again, this  
21 ordinance will not use the city's borrowing  
22 capacity, will have no impact on the city's net  
23 debt limitation and no down payment is required  
24 for the bond ordinance.

25           All bonds will be issued as

1 qualified bonds. The annual NQBA revenues of the  
2 city are, approximately, 60 million dollars. And  
3 after the issuance of these bonds, and I'm  
4 looping in the application we'll be hearing after  
5 this, after the approval of say all three  
6 ordinances, the QBA ratio is projected to be  
7 about 2.49 times in 2026 and up to 4.12 times by  
8 2031.

9           With that being said, the city is  
10 requesting approval to adopt the ordinance  
11 pursuant to the Municipal Qualified Bond Act, the  
12 issuance of bonds as qualified bonds and the  
13 issuance of bonds through the provisions of the  
14 Ibank Act.

15           The one thing I will ask, maybe me  
16 to Noemi to chime in, or Sean, just to provide a  
17 statement in terms how many lead service lines  
18 are projected to be replaced in this phase.

19           MR. ROGERS: Thank you, Mr. Johnson.

20           MR. SEMPLE: Noemi? Good morning,  
21 everyone. Noemi, she is the engineer in charge  
22 of the lead program and she has all the  
23 statistics, so Noemi.

24           MS. DE LA PUENTE: Yes. Phase six  
25 is we're targeting, approximately, 2,000 lines.

1 And we have, approximately, at this time, 20,000  
2 unknown lines. Unknown means that we just don't  
3 know the material. They're almost exclusively on  
4 the customer side.

5           Trenton Water Works still does not  
6 own the customer side. Historically, Trenton  
7 Water Works did not track the customer side  
8 because it wasn't our stuff. So that contributes  
9 to the larger number of -- well, a large part of  
10 the uncertainty in this project as we move  
11 forward.

12           But we are advancing our inventory  
13 work as well. Through phase five, we got a 2  
14 million dollar grant to do some work on data,  
15 data processing and mapping through our GIS, as  
16 well as, more inventory work, similar to what you  
17 heard with East Orange.

18           It is quite an effort to go out and  
19 get into the basements of those thousands of  
20 peoples homes and identify those service lines.  
21 That's what we're doing. We happen to have  
22 gotten a technical assistance grant from the DEP  
23 to do that, so phase six is building that work.

24           MR. ROGERS: And the three previous  
25 phases, what percentage have you completed to

1 date?

2 MS. DE LA PUENTE: We are phases one  
3 and two are 100 percent complete. Phase four is  
4 100 percent complete, but we have money left  
5 over, so we have a change order in the works to  
6 bring us hopefully to the total of the bond. And  
7 we'll do extra service lines there.

8 MR. ROGERS: So phase four is  
9 complete as well?

10 MS. DE LA PUENTE: Phase four is  
11 complete in that the quantities have been met.  
12 Our bank project has not been closed.

13 MR. ROGERS: Okay. And so with the  
14 2,000 lines that you're looking to be replaced in  
15 phase six, that I guess works out to be about  
16 10,000 a line is what we're looking at?

17 MS. DE LA PUENTE: Approximately.

18 MR. ROGERS: I guess just a question  
19 that I know your audit and hasn't been submitted.  
20 Any timing on that, when that will be complete  
21 for the utility, if anyone can answer that?

22 MS. DE LA PUENTE: I'm hoping that  
23 phase six will start in September of 2026 and  
24 will be completed by September of 2028.

25 MR. ROGERS: I was asking about your

1 audit for the utility.

2 MS. DE LA PUENTE: Audit, I cannot  
3 answer.

4 MR. JOHNSON: Lynn, the CFO, or the  
5 treasurer.

6 MR. ROGERS: Yep.

7 MR. JOHNSON: Mary or Lynn, are you  
8 guys on?

9 MS. HENRY: Hi. This is Mary. We  
10 have -- we have finished the field audit, so it's  
11 just a matter of tying it up, so maybe some time  
12 in December, we'll be finished.

13 MR. ROGERS: I'll open it up to the  
14 board for any questions at this time.

15 MR. CLOSE: Mr. Johnson, any plans  
16 for the city to implement a rate increase since  
17 the last one I think was done in 2020. And if  
18 so, when would you anticipate putting in place to  
19 help address the debt issued.

20 MS. RICHARDSON: Hi. I am Maria  
21 Richardson, city business administrator. We  
22 recently completed a rate study. And information  
23 has been submitted to administration to actually  
24 put the rate increase ordinance as soon as the  
25 first meeting in December.

1           So, yes, we are considering that  
2 rate increase. It is going to be on the  
3 December's docket for city council and we are  
4 hoping that they will adopt that ordinance.

5           MR. CLOSE: So you anticipate the  
6 rate increase to go into effect in 2026?

7           MS. RICHARDSON: That is correct.

8           MR. CLOSE: Thank you.

9           MR. JACKSON: I have a couple  
10 questions. One is back in April, your collection  
11 rate was about 70 percent, which translated to  
12 leaving about 28 million dollars on the table.  
13 What's happening with the collection rate?

14           MR. SEMPLE: I can respond to that.  
15 Right now our collection rate is 67 percent. And  
16 we have outstanding bonds of, approximately, 19  
17 million dollars.

18           MR. JOHNSON: The question was  
19 whether we don't see improvements to rectify  
20 that.

21           MR. SEMPLE: (Inaudible) spear  
22 headed by the mayor, put something in place that  
23 we have a department that's doing, responsible  
24 for the collections.

25                   And they've been very, very



1 aggressive and we're supposed to implement a tax  
2 sale. I think it's December or January, I'm not  
3 sure. It's pretty soon we have a tax sale.

4 MS. RICHARDSON: December.

5 MR. SEMPLE: It's in December.

6 MR. JACKSON: Okay. And just my  
7 other question. I know this is somewhat  
8 rhetorical. Newark got all theirs done, their  
9 23,000 done, in three years. And I believe the  
10 answer to this is, the condition that you have in  
11 your service area are a lot different than Newark  
12 in terms of the density and so forth. Is that  
13 one of the reasons why it's taken longer in this  
14 circumstance?

15 MS. DE LA PUENTE: I can answer that  
16 partially. Newark had the advantage of getting a  
17 large legal settlement and having political unity  
18 on spending it on lead replacement, so I really  
19 wish that Trenton Water Works had a Port  
20 Authority and get all that money, but we don't.

21 Secondly, Newark did a large amount  
22 of work before the regulations were passed.  
23 That's July 2021 they were passed. They went  
24 into effect, I believe, in July of 2022. That's  
25 when the 10 year race to 2031 began.

1           It was a lot simpler and a lot less  
2 expensive to do it in those days. We did not  
3 have to have one inspector per crew. We could  
4 have one inspector every other crew, or in the  
5 case of Newark, one inspector every three crews.

6           So all of those costs play up as the  
7 DEP decided that it was -- that they wanted to  
8 make this a more rigorous, more well documented  
9 process. So I think all of those things worked  
10 in Newark's advantage, and that's what I believe  
11 really helped Newark get this done and I admire  
12 their progress very much.

13           MR. JACKSON: Yeah, I agree. I just  
14 think part of it too is that in Newark, you can  
15 bang out 30 houses in a very concentrated area,  
16 and you don't have that in some of your -- a  
17 large part of your service area is not --

18           MS. DE LA PUENTE: Yeah, there's  
19 that physical logistics. You can have multiple  
20 replacements where there's two service lines per  
21 excavated hole.

22           MR. JACKSON: Right. Exactly.  
23 Okay. Thank you.

24           MR. JOHNSON: Mr. Jackson, I'll  
25 chime in on that question as well. As you know,

1 Newark was able to finance their entire, for the  
2 most part, lead service line replacement through  
3 the ECIA whereby the city of Trenton, they're  
4 financing theirs through the Ibank.

5           The Ibank, principal forgiveness,  
6 the Ibank was not going to lend 20 million  
7 dollars to Trenton all in one shot, and it  
8 wouldn't be financially prudent to do so because  
9 the 80 percent principal forgiveness is only for  
10 20 million dollars.

11           So by doing so annually, they're  
12 gonna get 16 million dollars principal  
13 forgiveness on an annual basis each year. If  
14 they did 200 million dollars in only one year,  
15 they still only get 16 million dollars.

16           This way they're able to get a lot  
17 more principal forgiveness and to finance a lower  
18 cost basis over multiple years whereby Newark  
19 didn't have the principal forgiveness when they  
20 did theirs. That's another reason why it makes  
21 sense to go about it this route.

22           MR. JACKSON: Understood. Thank  
23 you.

24           MR. ROGERS: Thank you for that, Mr.  
25 Johnson. Any additional questions? Hearing

1 none, and as I stated before, it sounds  
2 repetitive. Submitted a bond debt schedule that  
3 we will hold you to, will condition the approval  
4 of this on such. If you change it, you need to  
5 come back for, come back to the board for  
6 approval.

7           Do we have a motion to approve the  
8 adoption of the bond ordinance and the issuance  
9 of qualified bonds under the Municipal Qualified  
10 Bond Act in an amount not to exceed 20 million  
11 dollars?

12           MS. RODRIGUEZ: I make a motion.

13           MR. JACKSON: I'll second it.

14           MR. BENNETT: Miss Rodriguez and Mr.  
15 Jackson. Mr. Rogers?

16           MR. ROGERS: Yes.

17           MR. BENNETT: Mr. DiRocco?

18           MR. DIROCCO: Yes.

19           MR. BENNETT: Mr. Close?

20           MR. CLOSE: Yes.

21           MR. BENNETT: Mr. Avery?

22           MR. AVERY: Yes.

23           MR. BENNETT: Miss Rodriguez?

24           MS. RODRIGUEZ: Yes.

25           MR. BENNETT: And Mr. Jackson?

1 MR. JACKSON: Yes.

2 MR. BENNETT: Motion approved.

3 MR. ROGERS: Thank you, Mr. Johnson.

4 Thank you everyone from Trenton. Appreciate it.

5 MR. JOHNSON: We're still on.

6 MR. ROGERS: Still on for another

7 one. That's right. Good to see you again.

8 Let's move on to the next application.

9 MR. JOHNSON: Everyone is already  
10 sworn in, so we can skip that process and move  
11 into the application itself. Similar to the last  
12 application, we're seeking the approval for the  
13 adoption, in this case, of two bond ordinances.

14 I want to do them together pursuant  
15 to provisions of the Municipal Qualified Bond Act  
16 with a combined issuance of not to exceed  
17 \$31,418,200 of bonds, qualified bonds under the  
18 act, and the issuance of qualified bonds to the  
19 New Jersey Infrastructure Bank.

20 The bond ordinance is authorized  
21 projects through Trenton Water Works and the  
22 sewer utility of the city respectively, which are  
23 both self-liquidating utilities of the city.

24 As a result, the bond ordinances,  
25 again, do not utilize any of the city's borrowing

1 capacity in the Local Bond Law. Debt authorized  
2 by the ordinance will have no impact on the  
3 city's net debt.

4           And the city is not required to make  
5 any down payments since the utilities are both  
6 self-liquidating and they're financing projects  
7 that were financed through the Ibank.

8           And moving onto the sewer. The  
9 water utility ordinance appropriates \$27,343,200  
10 and authorizes the issuance of bonds and notes in  
11 the same amount for projects through the water  
12 utility.

13           Specifically, the projects seek to  
14 finance a water filtration plant roof and HVAC at  
15 the plant, electrical upgrades to pumps and a  
16 purchase of utility service vehicles. And  
17 lastly, an upgrade to the filtration plants fire  
18 alarm system.

19           The sewer utility bond ordinance  
20 appropriates \$4,075,000 to authorize the issuance  
21 of bonds and notes to fund various sewer capital  
22 projects.

23           Specifically, the city, they seek to  
24 finance the acquisition of a dechlorination  
25 system, which will process the removal of

1 chlorine residuals and discharge into the  
2 Delaware River at the treatment facility and also  
3 finance the acquisition of a hydro excavator and  
4 a pick up truck for the utility.

5           All bonds will be financed as  
6 qualified bonds. And the qualified bonds will be  
7 issued through the Ibank's clean water and  
8 drinking water programs. The annual NQBA's, as I  
9 mentioned earlier, in the application is 60  
10 million dollars.

11           A combination of all three  
12 ordinances will have a ratio of about 2.49 times  
13 in 2026, and about 4.12 times in 2031. The city  
14 is hereby requesting the approval to adopt both  
15 ordinances pursuant to the provisions of the  
16 Municipal Qualified Bond Act, the issuance of  
17 bonds as qualified bonds under such act and the  
18 issuance of bonds through the Ibank  
19 Infrastructure Act program.

20           So with that being said, I will turn  
21 it over to the board for questions that you may  
22 have.

23           MR. ROGERS: Thank you, Mr. Johnson.  
24 I'll start just a general question regarding the  
25 Trenton Water Works capital projects. Mr.

1 Semple, are some of these -- I know working with  
2 DEP, are some of these projects recommended by  
3 the DEP?

4 MR. SEMPLE: Yeah, that's correct.  
5 And they are Ibank. Two of them are Ibank  
6 funded. The roof and HVAC as well as the  
7 electrical improvements.

8 MR. ROGERS: Okay. I wanted to make  
9 sure --

10 MR. SEMPLE: Yes.

11 MR. ROGERS: About certain capital  
12 projects. I wanted to get on the record that  
13 that was pursuant to the work you're doing with  
14 DEP. I don't think I have any more questions.  
15 I'll open it up to the board and public at this  
16 time.

17 Hearing none, this approval will be  
18 conditioned. The debt schedule changes need to  
19 come back to the board, just to get that on the  
20 record.

21 So we're going to -- do we have a  
22 motion to approve the adoption of the bond  
23 ordinances and issuance of the bonds under the  
24 Municipal Qualified Bond Act in an amount not to  
25 exceed \$31,418,200?



1 MR. JACKSON: I'll move it.

2 MR. DIROCCO: Second.

3 MR. BENNETT: I have Mr. Jackson and  
4 Mr. DiRocco. Mr. Rogers?

5 MR. ROGERS: Yes.

6 MR. BENNETT: Mr. DiRocco?

7 MR. DIROCCO: Yes.

8 MR. BENNETT: Mr. Close?

9 MR. CLOSE: Yes.

10 MR. BENNETT: Mr. Avery?

11 MR. AVERY: Yes.

12 MR. BENNETT: Miss Rodriguez?

13 MS. RODRIGUEZ: Yes.

14 MR. BENNETT: And Mr. Jackson?

15 MR. JACKSON: Yes.

16 MR. BENNETT: Motion approved.

17 MR. JOHNSON: Thank you everyone.

18 MS. RICHARDSON: Thank you so much  
19 for your consideration.

20 MR. ROGERS: Thank you. Moving on  
21 to Monmouth County Improvement Authority. I  
22 think Mr. DiRocco needs to recuse himself?

23 MR. DIROCCO: Yes. Could someone  
24 reach out to me when this is done?

25 MR. ROGERS: Will do. Who do we

1 have leading the charge today?

2 MR. DRAIKIWICZ: John Draikiwicz  
3 from Gibbons Law Firm.

4 MR. ROGERS: Good morning, Mr.  
5 Draikiwicz.

6 MR. DRAIKIWICZ: Good morning. We  
7 have a number of participants here today, a  
8 number of the municipalities and fire districts  
9 and authorities. I guess the first thing would  
10 be is they're able to be sworn in, that will be  
11 appreciated.

12 (At which time those wishing to  
13 testify were sworn in.)

14 MR. DRAIKIWICZ: Thank you,  
15 Director. If I may proceed?

16 MR. ROGERS: Yes, you may. Thank  
17 you.

18 MR. DRAIKIWICZ: The Monmouth County  
19 proposed to issue not to exceed \$51,063,769 of  
20 its pooled lease revenue bonds to the public  
21 through proceeds of which will be utilized to  
22 acquire, not to exceed, 51,063,769 of the  
23 authority's loan revenue bonds.

24 The proceeds of which will be  
25 utilized to finance various capital projects for

1 six municipalities, three fire districts and two  
2 local authorities. The six municipalities that  
3 are participating in the pooled bond program this  
4 year are Asbury Park, Manalapan, Middletown, Red  
5 Bank, Sea bright and Shrewsbury Borough.

6           There are three fire districts  
7 participating, the Hazlet Board of Commissioners,  
8 Howell Fire district Number 2 and Marlboro Fire  
9 District Number 3. And there are also two  
10 authorities participating, which are the  
11 Southeast Monmouth Municipal Utilities Authority  
12 and the Township of Ocean Sewerage Authority.

13           The Monmouth County bonds will be  
14 secured by general obligation bonds under the  
15 municipalities and the school districts and by  
16 revenue bonds of each of the authorities whose  
17 bonds will be secured by service contracts from  
18 their member municipalities.

19           In addition, the Monmouth County  
20 bonds will also be secured by county guarantees  
21 from the County of Monmouth, which I should note,  
22 is rated AAA by all three credit rating agencies.

23           We are seeking positive findings for  
24 the Monmouth County Improvement Authority bond  
25 issuance and the positive findings for the County

1 of Monmouth guarantees.

2                   In addition we are also seeking  
3 positive findings for the Township of Ocean  
4 Sewerage Authority project financing in an amount  
5 not to exceed 2.6 million dollars.

6                   At this time, Director, typically,  
7 we've asked for commentary from at least one of  
8 each of the participating entities, the town,  
9 fire district and authorities. If that's okay,  
10 may I use that approach?

11                   MR. ROGERS: Yes, please.

12                   MR. DRAIKIWICZ: We'll start with  
13 the municipalities. And if I may call on Colleen  
14 Lapp from the Township of Middletown to describe  
15 her project?

16                   MS. LAPP: We are seeking to issue  
17 permanent financing for some open space projects  
18 that we've done. The majority of these are  
19 property acquisitions. We're financing six  
20 ordinances.

21                   And four of them are for property  
22 acquisitions that we acquired for open space.  
23 The others are for park improvements and  
24 equipment. And it totals a little over 13  
25 million dollars.

1 MR. ROGERS: Thank you, Miss Lapp.

2 MS. LAPP: You're welcome.

3 MR. DRAIKIWICZ: Thank you. Maybe  
4 have one more municipality to participate. From  
5 Asbury Park is Joann Boos available?

6 MS. EDWARDS: Joann is on, John, but  
7 Jenn Edwards from Acacia, if you'd like to give  
8 me an overview. I don't know if Joann's camera  
9 is working. So Asbury Park is looking to finance  
10 2 million in transportation utility for their  
11 self-liquidating parking utility. It's for a 17  
12 year maturity for improvements to 1st Avenue and  
13 various other utility improvements throughout the  
14 city.

15 MR. DRAIKIWICZ: Thank you, Jenn.  
16 Appreciate it. If we can move to fire districts  
17 and if I can call on Howell Fire District Number  
18 2 to state what their purposes are.

19 MR. JESSUP: Sure. Good morning,  
20 everyone. Matt Jessup, McManimon, Scotland and  
21 Baumann. As the board may recall, Howell  
22 Township Fire District 2 came before the Local  
23 Finance Board on November 8th of 2023 and  
24 received positive findings in connection with a  
25 2.6 million dollar financing or the acquisition

1 of a fire truck.

2           At the time, we indicated we would  
3 finance that acquisition over a 10 year period.  
4 I am pleased to say, as you know with trucks,  
5 it's a little difficult. This December, in a  
6 month or so, we are expected to take delivery of  
7 the truck, so just over two years after we were  
8 before you.

9           And we are proposing to do that same  
10 10 year financing through the Improvement  
11 Authority for the obvious reasons of the three  
12 AAA credit ratings as opposed to the interest  
13 rate the fire district would get if they financed  
14 it on their own, given they're more limited  
15 obviously on a taxing base.

16           MR. DRAIKIWICZ: Thank you, Matt.  
17 And for the authorities, since we are getting  
18 positive findings from the Township of Ocean  
19 Sewerage Authority, if I can ask them to speak  
20 regarding their project. I think Tim Shea might  
21 be available as the executive director.

22           MR. ROGERS: Thank you.

23           MR. SHEA: Good morning everyone.  
24 So the Township of Ocean Sewerage Authority, two  
25 years ago, we hired a consultant to complete an

1 assessment of our waste water treatment plant  
2 here in Ocean.

3           They developed a five year capital  
4 improvement plan with prioritization. Last year  
5 we completed, through the Monmouth County  
6 Improvement Authority, financing a number of  
7 projects in the plant.

8           And for 2026, we're looking at  
9 completing about 2.6 million dollars of  
10 additional work within the plant. It includes  
11 final clarifier work, fine bar screens ahead of  
12 the plant, some fiber upgrades for communications  
13 around the site and a new generator on site, as  
14 well as, in our collection system, we're  
15 undergoing a lateral replacement program in some  
16 of the more significant I&I areas within the  
17 town.

18           MR. DRAIKIWICZ: Thank you, Tim.  
19 Appreciate that for sure. Director, we will now  
20 turn it back to you to see if you have any  
21 additional questions or any follow up you may  
22 want with this application.

23           MR. ROGERS: Thank you, Mr.  
24 Draikiwicz. I don't have any questions. May  
25 have to do one clarification on the record. Mr.

1 Bennett is going to take that.

2 But I'll open it up to the board or  
3 anyone else for questions at this time. I'm not  
4 hearing any. Just some recordkeeping we have to  
5 do, Mr. Bennett.

6 MR. BENNETT: Yes. The two points  
7 of clarification. The participant in the program  
8 is the Southeast Monmouth MUA, incorrectly  
9 identified, as the Southwest Monmouth MUA.

10 And the Township of Ocean City  
11 Sewerage Authority is also seeking, as Mr.  
12 Draikiwicz, positive findings on the project  
13 financing in addition to the county guaranty.

14 MR. ROGERS: Okay. So I'm not  
15 hearing any questions or concerns from anyone, I  
16 guess we will move, do we have a motion to render  
17 positive findings on the proposed project  
18 financing and the proposed county guaranty?

19 And that's the project financing is  
20 not to exceed 102,127,538. And the county  
21 guaranty is not to exceed \$51,063,769.

22 MR. DRAIKIWICZ: And you're going to  
23 combine that with the Ocean sewerage Authority of  
24 2.6, or will that be a separate vote?

25 MR. ROGERS: I guess we can do a



1 separate. Do we need to do a separate vote on  
2 that, Mr. Bennett, or can we just render positive  
3 findings to the motion?

4 MR. BENNETT: We can include it in  
5 the motion if you prefer. Whatever the  
6 preference of the board is.

7 MR. ROGERS: Let's just, I guess we  
8 can do all of it. It's not a problem. Motion to  
9 render positive findings on the projected project  
10 financing for the Ocean Sewerage Authority.  
11 That's in an amount of 2.2, 2,085,000. Is that  
12 correct, Mr. Draikiwicz?

13 MR. DRAIKIWICZ: 2.6 million.

14 MR. ROGERS: 2.6 million dollars.  
15 Not to exceed 2.6. And the motion to render  
16 positive findings with the county guaranty. Do  
17 we have a motion?

18 MR. AVERY: I'll make that motion.

19 MR. ROGERS: Do we have a second?

20 MR. CLOSE: Second.

21 MR. BENNETT: Mr. Avery and Mr.  
22 Close. Mr. Rogers?

23 MR. ROGERS: Yes.

24 MR. BENNETT: Mr. DiRocco is  
25 recused. Mr. Close?

1 MR. CLOSE: Yes.

2 MR. BENNETT: Mr. Avery?

3 MR. AVERY: Yes.

4 MR. BENNETT: Miss Rodriguez?

5 MS. RODRIGUEZ: Yes.

6 MR. BENNETT: Mr. Jackson?

7 MR. JACKSON: Yes.

8 MR. BENNETT: Motion approved.

9 MR. ROGERS: Thank you, everyone.

10 Appreciate your time.

11 MR. DRAIKIWICZ: Thank you, Director  
12 and the members of the board.

13 MR. ROGERS: We are moving on to the  
14 Township of Livingston application.

15 MR. KIRACOFE: Hi. I'm Nathan  
16 Kiracofe with the Township of Livingston. I'm  
17 the utility engineer here. The primary intent of  
18 this application is to place the township --

19 MR. ROGERS: Mr. Kiracofe, just one  
20 second. Do you have anyone else who will be  
21 testifying with you?

22 MR. KIRACOFE: Yes. We have Ann  
23 Cucci, the township CFO is on the line and Barry  
24 Lewis is the township manager.

25 MR. ROGERS: We need to get everyone

1 sworn in. Video needs to be on. Lauren?

2 (At which time those wishing to  
3 testify were sworn in.)

4 MR. ROGERS: Please proceed.

5 MR. KIRACOFÉ: Again, utility  
6 engineer with the Township of Livingston. We are  
7 a public private partnership for full service  
8 water storage tank asset management and  
9 maintenance of our Force Hill water tank.

10 This is to become compliant with the  
11 Water Quality Accountability Act. This  
12 maintenance program consists of restoring defects  
13 of the water tank, as well as, on going  
14 preventive maintenance to facilitate the lowest  
15 cost of ownership.

16 Annual condition assessment will be  
17 performed to monitor the tank and condition and  
18 identify potential future needs for repair. This  
19 program consists of the engineering design and  
20 asset management for the water tank only.

21 And the operation and ownership of  
22 the water tank, will still be the responsibility  
23 of the Township of Livingston. The plan is to  
24 fund this through a combination of operation and  
25 maintenance budget, as well as, existing capital

1 budget.

2                   And it's not anticipated to impact  
3 the tax as we're a separate utility. But as part  
4 of this public private, we are required to bring  
5 this before the Local Finance Board.

6                   MR. ROGERS: Okay. Thank you.

7                   MR. KIRACOFE: We're open if you  
8 have any questions.

9                   MR. ROGERS: Thank you. I guess  
10 question just generally we ask, will there be any  
11 municipal employees that would be impacted by  
12 this contract?

13                   MR. KIRACOFE: There will not be.

14                   MR. ROGERS: Okay. I think that's  
15 all I have. I'll open it up to anyone else on  
16 the board, public? Questions? I'm not hearing  
17 any. Do we have a motion to permit entry into  
18 the contract pursuant to the New Jersey Water  
19 Supply Public Private Contracting Act?

20                   MR. JACKSON: So moved.

21                   MR. AVERY: Second.

22                   MR. BENNETT: Mr. Jackson and Mr.  
23 Avery. Mr. Rogers?

24                   MR. ROGERS: Yes.

25                   MR. BENNETT: Mr. DiRocco?

1 MR. DIROCCO: Yes.

2 MR. BENNETT: Mr. Close?

3 MR. CLOSE: Yes.

4 MR. BENNETT: Mr. Avery?

5 MR. AVERY: Yes.

6 MR. BENNETT: Miss Rodriguez?

7 MS. RODRIGUEZ: Yes.

8 MR. BENNETT: And Mr. Jackson?

9 MR. JACKSON: Yes.

10 MR. BENNETT: Motion approved.

11 MR. KIRACOFE: Thank you very much.

12 MR. ROGERS: Thank you. Appreciate  
13 your time. On to the Township of West Caldwell  
14 application.

15 MR. JESSUP: Good morning, Matt  
16 Jessup here from McManimon, Scotland and Baumann.

17 MR. ROGERS: Good morning again.

18 MR. JESSUP: We should have with us,  
19 Nikole Baltycki who is the township administrator  
20 and chief financial officer and Dominic Rehbein,  
21 who is the township water foreman. Nikole?

22 MS. BALTYCKI: Good morning. We're  
23 both here. We're here together actually in the  
24 office.

25 MR. ROGERS: Let's get you sworn in.

1 Lauren?

2 (At which time those wishing to  
3 testify were sworn in.)

4 MR. ROGERS: Mr. Jessup?

5 MR. JESSUP: Thank you. So this is  
6 going to be deja vu. The application you just  
7 heard a second ago from our colleagues in  
8 Livingston.

9 This is an application from the  
10 Township of West Caldwell pursuant to N.J.S.A.  
11 50A:26-19 in connection with the execution of a  
12 master services agreement with Utility Services  
13 Company for the renovation and maintenance of  
14 townships two water storage tanks, a million  
15 gallon tank at McKinley Avenue and a half a  
16 million gallon tank at Mountain Avenue.

17 Per that contract, Utility Services  
18 is going to undertake up front renovation of the  
19 tanks, annual inspections, biannual washouts.  
20 During the washouts, they do interior cleaning  
21 and repairs to critical tank components,  
22 inspections for things that need to be fixed.

23 They'll also do exterior repairs  
24 including tank repainting over time, all in  
25 accordance with various state and water quality

1 requirements, as well as, security upgrades and  
2 emergency work. Contract is a total period of 20  
3 years. It can be terminated at the township at  
4 any time.

5           We anticipate the total payment term  
6 over the term of the contract for the two tanks  
7 at just over 1.78 million dollars. We are  
8 seeking the services of the utility services to  
9 make sure we have professional long term  
10 maintenance of our critical water infrastructure.

11           There are no municipal employees  
12 being impacted, other than Mr. Rehbein, our water  
13 foreman here, who will be the person designated  
14 by the township to monitor the terms of the  
15 contract and provide any applicable reports to  
16 the division.

17           And Director, with that, I'll stop  
18 and turn it over to you.

19           MR. ROGERS: Thank you, Mr. Jessup.  
20 You answered the questions I would ask, so thank  
21 you for that. I'll open it up to the board and  
22 public at this time with any questions.

23           MR. CLOSE: Matt, just curious, much  
24 like the last application, I noticed there was  
25 only one respondent to the request for proposals.

1 How many people, the last one I think indicated  
2 they had 14 who expressed interest, but only one  
3 responded.

4                   Was there any interest, beyond the  
5 company that it was awarded to, and is there any  
6 indication as to why in this application or this  
7 got only one response or one company interested?

8                   MR. JESSUP: So I don't know if  
9 either Nikole or Mr. Rehbein can talk about  
10 whether the interest was expressed during the  
11 process.

12                   MS. BALTYCKI: So there was no other  
13 interest expressed, no.

14                   MR. JESSUP: Unfortunately, I can't  
15 say why. It is a competitive process. There is  
16 a process we have to go through, advertisement,  
17 notice, et cetera. And I guess, unfortunately in  
18 this case, we've only got the one.

19                   MR. CLOSE: I guess the question is  
20 you just post in the paper, normal process to  
21 solicit?

22                   MS. BALTYCKI: Yes. Normal process  
23 to newspapers, township website, yes.

24                   MR. ROGERS: I'm curious how many  
25 companies do this type of work in the city. I



1 don't know how many are out there, but surprised,  
2 even if there's a few, why they wouldn't be  
3 submitting.

4 MR. CLOSE: Yeah, I find it curious  
5 that both applications, this one and the last  
6 one, there is only one respondent. And given the  
7 amount of work and the value, there would be more  
8 interest in potentially securing it with the  
9 various government entities.

10 MR. ROGERS: Anyone else? Hearing  
11 none, do we have a motion to permit entry into  
12 the public private contract under the New Jersey  
13 Water Supply Public Private Contracting Act?  
14 Motion?

15 MS. RODRIGUEZ: I make a motion.

16 MR. CLOSE: Second.

17 MR. BENNETT: I have Miss Rodriguez  
18 and Mr. Close. Mr. Rogers?

19 MR. ROGERS: Yes.

20 MR. BENNETT: Mr. DiRocco?

21 MR. DIROCCO: Yes.

22 MR. BENNETT: Mr. Close?

23 MR. CLOSE: Yes.

24 MR. BENNETT: Mr. Avery?

25 MR. AVERY: Yes.

1 MR. BENNETT: Miss Rodriguez?

2 MS. RODRIGUEZ: Yes.

3 MR. BENNETT: And Mr. Jackson?

4 MR. JACKSON: Yes.

5 MR. BENNETT: Motion approved.

6 MR. ROGERS: Thank you, Mr. Jessup.

7 MR. JESSUP: Thank very much.

8 Appreciate it.

9 MR. ROGERS: City of New Brunswick  
10 application.

11 MR. JOHNSON: Good afternoon.

12 MR. ROGERS: Good afternoon, Mr.  
13 Johnson. You're back.

14 MR. JOHNSON: How are you. I am  
15 back. I have with me, right now, I have Mitch  
16 Karon on the line who is the executive director  
17 of the New Brunswick Parking Authority. I have  
18 John Hoffman from my office who represents the  
19 Parking Authority as their redevelopment council.

20 And I believe Mr. TK Shamy, who is  
21 the general counsel to the City of New Brunswick  
22 is on the line as we speak as well. I'm not  
23 quite sure. But that will be all that will be  
24 joining us for the call.

25 MR. ROGERS: Okay. Thank you, Mr.

1 Johnson. Let's get everybody sworn in.

2 (At which time those wishing to  
3 testify were sworn in.)

4 MR. JOHNSON: Pursuant to provisions  
5 of 40:11A-4.1 of the Parking Authority's Law  
6 40A:12A-4(c) of the Local Redevelopment and  
7 Housing Law and 40A:5A-1 of the Local Authorities  
8 Fiscal Control Law, the City of New Brunswick  
9 desires to appoint the Parking Authority of the  
10 City of New Brunswick as a redevelopment to  
11 implement the new Redmond II redevelopment plan  
12 which plan was submitted with our application to  
13 carry out the projects that are set forth in the  
14 plan.

15 The plan is related to an area in  
16 need of rehabilitation in which an entire city  
17 had to designate the area of rehabilitation  
18 pursuant to 40A:12A-14(b) of the Redevelopment  
19 Law. The plan envisions the development of three  
20 separate projects. Two will be office buildings  
21 on block 144 of the city.

22 And by the way, the entire plan  
23 pretty much relates to block 144 and various lots  
24 therein and block 145 and various lots therein.  
25 So the two office buildings will be located on

1 block 144 in the city, and a third will be a  
2 parking deck to build on block 145 within the  
3 city.

4           They will have the capacity to house  
5 a thousand vehicles. Another project involve  
6 Housing Et Al. Section 40A:12A-4 of the  
7 Redevelopment Law provides that a municipality is  
8 responsible for implementing redevelopment plans  
9 and carrying out projects within the  
10 jurisdiction.

11           However, the municipality, pursuant  
12 to the law, may designate a Redevelopment agency,  
13 Parking Authority, Municipal Housing Authority,  
14 redevelopment plans and carry out redevelopment  
15 projects on behalf of the municipality.

16           But there should only be one entity  
17 for each separate project. A Parking Authority  
18 is authorized to exercise such powers pursuant to  
19 their statute. Specifically section 4.1 thereof.

20           In accordance with the Parking  
21 Authority Law, the municipality may, by  
22 ordinance, authorize the Parking Authority serve  
23 as a redevelopment entity under the Redevelopment  
24 Law and to exercise redevelopment power within an  
25 area of redevelopment or rehabilitation subject

1 to the review and approval of the Local Finance  
2 Board pursuant to the Local Authorities Fiscal  
3 Control Law.

4           The city traditionally designates  
5 the Municipal Housing Authority to serve as the  
6 redevelopment entity, redevelopment projects and  
7 carry out those projects.

8           However, the city, in this  
9 particular instance, had to decided to designate  
10 the Parking Authority to implement the plan for  
11 this specific project because the plan does not  
12 include any development of housing. There is no  
13 housing appointed to this plan.

14           The authority itself has been  
15 integral in various redevelopment projects in  
16 downtown New Brunswick for the last three decades  
17 that has been involved in many private  
18 partnerships construction projects, including the  
19 Gateway Parking Garage, the Wellness Center  
20 Garage, the New Street Parking Garage and the  
21 Morris Street Parking Garage.

22           The authority has significant  
23 experience in overseeing the construction and  
24 development of parking garages, most of which,  
25 contain office space as well. Given the parking

1 plan and the authority's experience and expertise  
2 in developing parking garages and commercial  
3 spaces, the city believe that the authority is  
4 the best choice to serve as the redevelopment  
5 entity to implement this particular plan.

6               With that being said, and this  
7 particular designation is specific to this plan.  
8 The city is not providing a large latitude to the  
9 authority to represent the city's redevelopment  
10 entity from any other project other than the  
11 particular project set forth in this plan.

12              The city decides to do so in the  
13 future, they will seek approval from the Local  
14 Finance Board for such designation and such  
15 projects. But this approval is specifically  
16 related to the implementation of this current  
17 redevelopment plan as stated earlier.

18              If the authority is designated as  
19 the redevelopment entity, the commissioners and  
20 executive director will undertake the  
21 requirements, the course requirements set forth  
22 in sections 46 and 47 of the Redevelopment Law  
23 which require every applicant seeking employment  
24 to submit their criminal history background  
25 checks also subject to the revisions of the

1 Redevelopment Law.

2           The authority does not plan to hire  
3 any additional employees. To assist to implement  
4 the plan, the executive director and the  
5 authority staff who all have significant  
6 experience and public private partnerships in  
7 overseeing these construction type projects, will  
8 oversee the development of these particular  
9 projects.

10           Hence, this will not at all impact  
11 the authority's budget by taking on this  
12 additional responsibility. The authority will  
13 also have an extra policy in place to make sure  
14 (inaudible) related to the implementation of  
15 these projects.

16           On September 3rd, the city  
17 introduced an ordinance implementing and or  
18 designating the authority to serve as the  
19 redevelopment entity.

20           So therefore, pursuant to the  
21 Parking Law, the Redevelopment Law and the Local  
22 Authority Fiscal Control Law, the city and the  
23 authority requests the Local Finance board  
24 approval to authorize the city to designate the  
25 authority as a redevelopment entity to implement

1 the new redevelopment plan.

2           With that being said, I will turn it  
3 over to the board for any further questions.

4           MR. ROGERS: Thank you, Mr. Johnson.  
5 I guess, what was the rationale of the city to  
6 designate the Parking Authority for this specific  
7 project? Given, I understand the parking  
8 component.

9           This is the first of its kind to  
10 designate the Parking Authority for a  
11 redevelopment plan, correct, in the city; is that  
12 correct, Mr. Johnson? Did I hear that?

13           MR. JOHNSON: Yes, this is the first  
14 time the authority has been redevelopment entity  
15 for this. And as I mentioned earlier, not just  
16 the parking garage component but there's housing  
17 component.

18           MR. ROGERS: No, I understand that.

19           MR. JOHNSON: There being no  
20 housing, it really didn't make sense for the  
21 housing authority to oversee office buildings in  
22 a garage.

23           MR. ROGERS: Understood. And so  
24 previously, the parking structures that were  
25 built by the Parking Authority, they have some



1 office component to them? Am I hearing that  
2 correctly?

3 MR. JOHNSON: The majority of them,  
4 yes.

5 MR. ROGERS: And so they felt they  
6 had the qualifications to handle this on behalf  
7 of the city and that's why they are choosing to  
8 designate that?

9 MR. JOHNSON: That is correct.

10 MR. ROGERS: You said there is no  
11 additional employees as a result. You're going  
12 to do this with existing staff.

13 I guess my only question is, as far  
14 as, the estimated budget cost, it looks like it's  
15 just legal counsel. It looks kind of low as far  
16 as the estimated costs. But I just didn't know  
17 how you came up with the \$7500.

18 MR. JOHNSON: That's more for the  
19 application itself. You know, there's no, you  
20 know, and obviously we're redevelopment counsel  
21 so we're overseeing the project, but that will be  
22 voted separately at the authority's budget.  
23 That's not the services related to all  
24 redevelopment service agreement to the authority.

25 MR. ROGERS: So the application.

1 Got it.

2 MR. JOHNSON: Correct.

3 MR. ROGERS: I've overseen a lot of  
4 legal invoices in my life, and I've never seen  
5 redevelopment project something so low. So that  
6 explains it.

7 And I presume the authority would  
8 pursue some type of escrow, correct? I mean,  
9 that's generally how you can get your costs  
10 covered?

11 MR. JOHNSON: That's correct.

12 MR. ROGERS: I do not have any  
13 additional questions, so I'll turn it over to the  
14 board and the public at this time.

15 MR. KRATOVIL: Hello. Charlie  
16 Kratovil. Can you hear me?

17 MR. ROGERS: Yes.

18 MR. KRATOVIL: Hi there. I'm a New  
19 Brunswick resident. If I can ask a couple  
20 questions. I think I'll start by just correcting  
21 a couple things that I heard that I don't think I  
22 heard and maybe we can clarify.

23 The Parking Authority does not have  
24 a redevelopment council. I heard Mr. Hoffman  
25 introduced in that way. Isn't it true that he's

1 the bond counsel, not the redevelopment counsel?

2 MR. HOFFMAN: I'm special counsel to  
3 the Parking Authority for all projects including  
4 this redevelopment.

5 MR. KRATOVIL: Okay. You were  
6 appointed special counsel at the reorganization  
7 meeting?

8 MR. HOFFMAN: Special counsel for  
9 any particular projects. They've now expanded  
10 that to the redevelopment because of my  
11 redevelopment experience.

12 MR. KRATOVIL: Okay. I also heard  
13 that the Parking Authority has a majority of its  
14 facilities that have an office component to it.  
15 I don't believe that's correct. I know the  
16 industry the Plum Street parking deck is  
17 connected to medical offices.

18 The Gateway parking deck has some  
19 Rutgers offices and the Parking Authority's own  
20 offices and the NVPAC deck has some county  
21 offices.

22 But Paterson Street, Lower Church  
23 Street, New Street, wellness and more, correct me  
24 I'm wrong, those decks do not have any office  
25 component connected to them. Is that true?

1                   MR. KARON: If I may speak, Mr.  
2 Kratovil, part of larger projects in which the  
3 parking supplied for the New Street garage was  
4 the family courthouse. The wellness garage is  
5 for the gym, as well as, Morris Street is for the  
6 residential, the old Rockoff Hall they used to  
7 call it. So the majority of our garages that  
8 were built were to supply parking to either  
9 attached or nearby projects.

10                  MR. KRATOVIL: Understood. It's  
11 just there's a difference between an office and a  
12 courthouse. There's a difference between an  
13 office and a gym and there's a difference between  
14 an office and housing.

15                  It was represented that a majority  
16 of the authority's garages are connected to  
17 office projects so I don't think that was  
18 accurate and I wanted to correct the record. If  
19 I may, I do want to speak against this. To the  
20 Board Chair, is there like a time limit or?

21                  MR. ROGERS: If you could --

22                  MR. KRATOVIL: I could go on for a  
23 long time.

24                  MR. ROGERS: I prefer you to keep it  
25 to three to five minutes.

1                   MR. KRATOVIL: I'll be brief. So,  
2 yeah, as stated, the New Brunswick Parking  
3 Authority has never served in this role before  
4 and they have a questionable history when it  
5 comes to redevelopment projects where they have  
6 been involved after borrowing extensively to  
7 built a couple garages with associated commercial  
8 space.

9                   The authority was left holding the  
10 bag after, not one, but two supermarket operators  
11 failed and closed. In each case, owing more than  
12 a million dollars in back rent and fees to  
13 authority that, to my knowledge, has never been  
14 recovered.

15                  A number of other New Brunswick  
16 Parking Authority tenants, commercial tenants  
17 have also left without paying their full rent  
18 and, you know, I know the authority had counted  
19 on that rent in part to pay back those bonds.

20                  The authority did have to delay its  
21 annual PILOT payment to the city in 2020. It  
22 also demonstrated that it has a working  
23 relationship with the county that is shaky, at  
24 best, given their history with that supermarket  
25 space.

1           The county had agreed to rent it and  
2 paid rent for three months, and then said, we're  
3 actually dissatisfied. There's junk left here  
4 and we didn't get the keys and they stopped  
5 paying rent.

6           The authority, even though it was in  
7 the lease, that the fit up cost must be paid by  
8 the county, the authority spent more than a half  
9 million dollars doing demolition work to try to  
10 get the space ready and then the county pulled  
11 out and ultimately never rented the space.

12           It's sitting there vacant, prime  
13 real estate right across from our train station  
14 that is not bringing any revenue or serving any  
15 function for the community.

16           And the proposed project, that they  
17 want you to give them permission to be in charge  
18 of, is ostensibly a county office building built  
19 by a private developer.

20           This developer represented that the  
21 county is going to rent either the full building  
22 or much of the building and they were already in  
23 a redevelopment process that was being overseen  
24 by the Housing Authority when the city council  
25 decided to change that.

1 I'm concerned because our Housing  
2 Authority has finally begun to hold developers  
3 accountable to their redevelopment agreements.

4 And again, this agency has no  
5 experience with it, with all due respect to Mr.  
6 Karon. He is an interim executive director. We  
7 don't know how much longer he'll be with the  
8 agency, and he's also a part-time executive  
9 director.

10 So the agency has an uncertain  
11 future. And as I said in the past, they struggle  
12 to make commercial real estate ventures  
13 successful. There is a lot of open questions as  
14 to how much this is going to cost the Parking  
15 Authority to build the deck.

16 And also, you know, what kind of  
17 timeline this is going to be done on. Without an  
18 experienced redevelopment agency supervising it,  
19 I fear that it could end up in not the best place  
20 for the residents and the taxpayers.

21 I'm also not thrilled about the idea  
22 of another thousand space parking garage. We're  
23 the parking deck capital in New Jersey as it is,  
24 and I think these debts are tying us to car  
25 culture and also predominantly serving out of

1 towners and not the residents.

2           So I have serious concerns about the  
3 Parking Authority being in charge of this. I'm  
4 also concerned about their compliance with laws  
5 like the Open Public Records Act.

6           I have requests from August that I'm  
7 still waiting on, and I know that they have not  
8 properly gotten their parking enforcement  
9 officers eligibility certified by the police  
10 chief.

11           So every ticket they're giving out  
12 is challengeable and they're also part of the  
13 biggest insurance boondoggle in the Joint  
14 Insurance Fund history, the Middlesex County  
15 Municipal Joint Insurance Fund.

16           And as one of the final five members  
17 of that entity, they may be on the hook for  
18 millions of dollars that is basically unaccounted  
19 for due to mismanagement, bad actuarial work and  
20 poor auditing.

21           And so given all those factors, I  
22 would hesitate and I would ask this board to ask  
23 themselves, has a Parking Authority in New Jersey  
24 ever successfully overseen a redevelopment  
25 project.



1                   And if this is going to be the first  
2 in the state, I would caution you to think twice  
3 before you grant the approval.

4                   And thank you for hearing out. I'm  
5 happy to take any questions if I didn't explain  
6 anything clearly.

7                   MR. ROGERS: Thank you, Mr.  
8 Kratovil. I'm going to give the opportunity for  
9 the New Brunswick applicant if they want to  
10 address anything about those comments, we will  
11 move on from there. Would anybody like to  
12 address?

13                  MR. JOHNSON: I would like to say a  
14 few things and then I'll defer to Mr. Hoffman or  
15 Mr. Karon to chime in if they so choose to do so.  
16 One, the statute allows for Parking Authorities  
17 to serve as redevelopment entities.

18                  It's legally allowed to do so and  
19 the city has the preemptive right to authorize  
20 the Parking Authority to do so and they intend do  
21 so. They've adopted legislation to do so.

22                  So obviously, the city has the  
23 confidence in the authority. And I would assume  
24 that these comments are addressed to city council  
25 as well. I don't know for sure if that's the

1 case, but my point is that the law allows it and  
2 the city supports it.

3           To the extent that the Housing  
4 Authority has the general consent reinforcing the  
5 redevelopment agreements. I know Mr. Hoffman, I  
6 believe you are the redevelopment counsel for the  
7 Housing Authority for New Brunswick? Is that  
8 accurate.

9           MR. HOFFMAN: I have been, yes, for  
10 over 35 years.

11           MR. JOHNSON: Correct. So the  
12 expertise that you would link to the Housing  
13 Authority over these past 35 years that brought  
14 them to the place they are now, you're also  
15 living that same expertise of the current Parking  
16 Authority.

17           And so to the extent that the  
18 Housing Authority has been successful  
19 implementing these agreements, I suspect you're  
20 going to make sure that the Parking Authority  
21 will be just as successful in doing so for these  
22 projects.

23           MR. HOFFMAN: That's correct.

24           MR. JOHNSON: I don't have anything  
25 else to add. Other than that, unless Mr. Karon

1 or Mr. Hoffman want to say anything, please feel  
2 free to do so. Thank you.

3 MR. ROGERS: Thank you for your  
4 comments, Mr. Kratovil, and thank you for the  
5 response. I'm not hearing any questions from the  
6 board. Anyone else?

7 I guess I'll put it out, do we have  
8 a motion to permit the authorization of the  
9 city's Parking Authority to serve as the  
10 redevelopment entity for the new Redman 2  
11 redevelopment plan?

12 MS. RODRIGUEZ: So moved.

13 MR. ROGERS: Do we have a second?

14 MR. DIROCCO: I'll second it.

15 MR. BENNETT: Miss Rodriguez and Mr.  
16 DiRocco. Mr. Rogers?

17 MR. ROGERS: Yes.

18 MR. BENNETT: Mr. DiRocco?

19 MR. DIROCCO: Yes.

20 MR. BENNETT: Mr. Close?

21 MR. CLOSE: Yes.

22 MR. BENNETT: Mr. Avery?

23 MR. AVERY: Yes.

24 MR. BENNETT: Miss Rodriguez?

25 MS. RODRIGUEZ: Yes.

1 MR. BENNETT: And Mr. Jackson?

2 MR. JACKSON: Yes.

3 MR. BENNETT: Motion approved.

4 MR. ROGERS: Thank you, Mr. Johnson.  
5 Thank you everyone.

6 MR. JOHNSON: Thank you.

7 MR. ROGERS: We are moving on to the  
8 Township of Deptford application.

9 MR. WINITSKY: Good afternoon,  
10 Director. Jeff Winitzky from Parker McCay.  
11 We're bond counsel to the township. On the line  
12 with me today are a couple of folks from the  
13 township, as well as, the financial advisor and  
14 counsel to the redeveloper.

15 I believe Kim Kwasizur, if I  
16 pronounced that incorrectly. Al Marmero who is  
17 the township attorney, Sherry Tracey, who is  
18 financial advisor and Don Nogowski, who is  
19 special counsel to the redeveloper. I'll let  
20 those folks, other than Al and I, get sworn in.

21 MR. ROGERS: Good afternoon, Mr.  
22 Winitzky. And I guess let's get everybody up on  
23 video so Lauren can swear you in.

24 (At which time those wishing to  
25 testify were sworn in.)

1 MR. ROGERS: The floor is yours.

2 MR. WINITSKY: So we're here on  
3 behalf of the Township of Deptford seeking  
4 approval pursuant N.J.S.A. 40A:12A-67(g) for the  
5 issuance of non recourse Redevelopment Area Bonds  
6 in an amount not to exceed \$150,000.

7 We are also here seeking approval  
8 pursuant to N.J.S.A. 40A:12A-29(a)(3) to issue  
9 and sell those bonds via private sale in lieu of  
10 a public offering due. And we'll get to this in  
11 a moment, to the municipal credit for the bonds  
12 and the complexity of the collateral security  
13 that's provided.

14 Just by way of background, we were  
15 here, I think, two months ago on behalf of the  
16 Borough of Bellmawr for the very same project and  
17 for the very same purpose. I would characterize  
18 this application as a companion application to  
19 what we discussed for Bellmawr.

20 I'll go through it again, but I  
21 wanted to remind everybody that we've been here  
22 before and this is sort of completing that  
23 process, this time on behalf of Deptford  
24 Township.

25 Sort of just a brief background of

1 what we're doing and why we're here. Bellmawr,  
2 Deptford and the redeveloper have, for well over  
3 a decade sought to redevelop certain parcels of  
4 the real property that exists in both Bellmawr  
5 Borough and Deptford Township that were for many,  
6 many, many years, a vacant and dormant former  
7 landfill site.

8           It's been very much a blight and  
9 under utilized section of both the township and  
10 the borough for a very long time. It's been a  
11 protracted process, but it's ultimately yielded  
12 in what we think is a very exciting new project  
13 for both the township and for Bellmawr.

14           Specifically, what the plan is, is  
15 to redevelop those parcels to include over a  
16 million square feet of total logistics and  
17 warehouse space comprised of three separate  
18 buildings and then to develop unassociated  
19 infrastructure, parking, lighting, et cetera.

20           And then also part of this project,  
21 which is very unique is the development of a 40  
22 acre walking park that sort of wraps around where  
23 this is, that abuts Big Timber Creek which is a  
24 very lovely estuary that leads out into the  
25 Delaware River.

1           For those who don't know, Bellmawr  
2 and Deptford are located right off the river very  
3 close to Philadelphia. So it's a really lovely  
4 area that is unfortunately been cut off, so this  
5 is a big part of why Deptford and Bellmawr is  
6 excited to participate in, in addition to, what  
7 I'll get into a minute, which is the financial  
8 component.

9           As I mentioned, the project consists  
10 of three distinct buildings. Two of which are  
11 located, either completely or in part in Deptford  
12 Township. The other is completely in Bellmawr  
13 and in part in Bellmawr.

14           Specifically, for the three phases,  
15 phases two and three. Phase two is about 345,000  
16 square feet of warehouse space. And phase three,  
17 which is about 249,000 square feet of warehouse  
18 space are located in Deptford. And then phase  
19 three is just a tiny little sliver.

20           If you look at a map, it literally  
21 cuts the corner. So really what we're talking  
22 about is phase 2 which is entirely in Deptford  
23 and a little portion in phase three.

24           In support of those projects, both  
25 Bellmawr previously and Deptford now have

1 determined to issue Redevelopment Area Bonds to  
2 finance a portion of the cost of the completion  
3 of an environmental cap. This was a landfill.

4           We're going to cap that and build  
5 the warehouses on top of that, essentially to  
6 create a permanent barrier designed to limit  
7 environmental exposure, control gas and water  
8 movement and support land use.

9           It's part and parcel of a larger  
10 project. And the bonds will finance a portion of  
11 those costs. As I mentioned at the outset, the  
12 bonds are completely nonrecourse to the township.

13           And instead will be payable solely  
14 from a portion of what's called an annual service  
15 charge which is sort of using normal PILOT,  
16 payment in lieu of taxes for the improvements  
17 that constitute the project that are located in  
18 Deptford Township.

19           The annual service charge has been  
20 negotiated by the township and the developer to  
21 provide a fixed revenue stream in lieu of  
22 regularly applicable taxes. That is permitted by  
23 the Long Term Tax Exemption Law and the  
24 Redevelopment Area Bond Law.

25           The annual service charge is based



1 on an escalating dollar price per square foot,  
2 based on the total square footage of the  
3 buildings that are in Deptford.

4           It starts at a dollar 40 a square  
5 foot upon completion of construction, and  
6 escalates over a term of over 30 years to, I  
7 believe at the end of the PILOT it's around two  
8 and a quarter per square foot.

9           As I mentioned before, the bonds are  
10 very small in size. They're only \$150,000 in  
11 aggregate, so a minor portion of that total  
12 annual service charge is going to be utilized  
13 specifically to pay debt service on the bonds.

14           The remainder is remitted to the  
15 Township of Deptford. And then a small portion  
16 of that goes to Gloucester County in accordance  
17 with the Long Term Tax Exemption Law. Debt  
18 service on the bonds is de minimus. It's about  
19 \$5,000 a year over the term of the PILOT's. It  
20 matches the PILOT's in 30 years.

21           The annual service charge payable is  
22 of course significantly more. For phase three,  
23 it's around 17 and-a-half million dollars net  
24 over the 30 year term.

25           For phase three, it's about \$690,000

1 net. Again, that's that small corner that is in  
2 Deptford which is why it's significantly smaller,  
3 but it's still a good amount of money.

4           If you understand the geography of  
5 where this site is, the Deptford parcels for this  
6 are really an island. It's actually separated by  
7 the rest of the township by Big Timber Creek.

8           So the township and Bellmawr have  
9 entered into, or in the process entering into a  
10 shared services agreement where fire, safety,  
11 security, police, will all be handled by  
12 Bellmawr.

13           It just makes sense for Deptford to  
14 try to get all the way around is very difficult.  
15 So Bellmawr has agreed to provide those services.  
16 It's really, not to overstate, but it's kind of a  
17 windfall for Deptford.

18           It's been an under utilized parcel  
19 for a very long time. And now there's going to  
20 be a brand new development for which they reap a  
21 PILOT for a term of 30 years with a minor portion  
22 separated for debt service.

23           So we've got everybody on the line  
24 today, including redevelopers, counsels, if you  
25 have questions about the project or the bonds in

1 particular.

2 MR. ROGERS: Thank you. I guess the  
3 only question I have -- well, it's two part.

4 One, the estimated cost for that top of cap that  
5 you referenced and how a you got to this 150,000.

6 I may have asked this question in  
7 the other application, but just for the record  
8 for this application, how you got to 150,000  
9 dollar ask to finance this through a RAB.

10 MR. WINITSKY: Yeah, I mean -- go  
11 ahead, Don. Please. Go ahead, Don.

12 MR. NOGOWSKI: Good afternoon. This  
13 is Don Nogowski. I'm the redeveloper counsel.  
14 I'd be happy to take a stab at answering the  
15 question.

16 MR. ROGERS: Sure.

17 MR. NOGOWSKI: The redevelopment  
18 project itself had budgeted about 60 million  
19 dollars. It's substantially complete, other than  
20 as Mr. Winitsky said, the top of cap.

21 The top of cap, in the case of this  
22 project, includes both the slabs of the million  
23 square foot buildings, the pavings of parking  
24 lots and roadways, residential fill on top of  
25 other areas.

1           There is a roadway which is being  
2 built which will eventually be dedicated to  
3 Camden County which is actually a part of that is  
4 part of cap as well. And then the park itself  
5 along the water, includes both environmental  
6 infrastructure and a part of the cap itself.

7           So the funds from the Redevelopment  
8 Area Bonds would be utilized to pay a very small  
9 part of that. It's probably about five to 8  
10 million dollars in total. Again, including all  
11 the slabs and pavings and roadway which, of  
12 course, has substantial cost.

13           The proceeds of the bond in  
14 particular would be focused on the cap on the  
15 park area along the waterfront. And it was a  
16 decision made by Bellmawr and Deptford fairly  
17 early in the process which we concurred in that  
18 these are going to be nonrecourse bonds and  
19 fairly nominal in value, so we excepted the  
20 recommendation of both Bellmawr and Deptford to  
21 size it that way.

22           MR. ROGERS: So there wasn't any  
23 real methodology used to get to that 150,000.  
24 That was the same amount that was in the Bellmawr  
25 application, correct?

1                   Mr. NOGOWSKI: Yes. It was selected  
2 as-- I mean, obviously, it's a nice sum of money,  
3 but it's in the scope of the project, it's a  
4 nominal amount. And that was desire of the towns  
5 to minimize the use of Redevelopment Area Bonds  
6 to the extent possible.

7                   MR. ROGERS: Okay.

8                   MR. NOGOWSKI: Earlier in the  
9 process, there were other financing schedules  
10 which included much more substantial  
11 Redevelopment Area Bonds in different scopes.  
12 But at the end of the day, this is what both  
13 towns elected to do.

14                  MR. ROGERS: Okay. Thank you.

15                  MR. NOGOWSKI: You're welcome.

16                  MR. ROGERS: I will open it up to  
17 the board and anyone else for questions at this  
18 time.

19                  MR. AVERY: Director, I have a  
20 question regarding the landfill closure permit.  
21 What entity is going to be responsible for  
22 getting the permit and providing post closure  
23 responsibilities?

24                  MR. NOGOWSKI: Sure. We have a  
25 landfill closure permit in the name of the

1 private party -- the site is roughly two thirds  
2 owned by private entity, Bellmawr Waterfront  
3 Development, LLC, and one third owned by the  
4 Borough of Bellmawr.

5           BWD was formed as an innocent party  
6 and partnership with Bellmawr to remediate the  
7 whole site. So the current landfill closure  
8 permit is in the name of Bellmawr Waterfront  
9 development.

10           We work very closely with our DEP  
11 case manager. This is a PDA site, so we have a  
12 dedicated case manager. And at his direction, we  
13 are submitting now, as we are approaching the  
14 start of the project, a modification to the  
15 permit which will show that Bellmawr  
16 Redevelopment Agency will be entitled to the  
17 entire site after that closing and also that the  
18 details of the cap.

19           So we have a landfill closure  
20 permit, but we are now providing further detail  
21 on exactly where the buildings and roadways and  
22 all that is going. The entity that will be  
23 financially responsible would be the developer,  
24 Big Timber Junction, LLC.

25           And you know, there is an existing

1 post closure budget which has been shared and  
2 approved by DEP. And again, neither Bellmawr,  
3 nor Deptford, nor the Redevelopment Agency will  
4 be our financial responsibility. All expenses  
5 are passed through to the redeveloper.

6 MR. AVERY: Okay. Thank you.

7 MR. NOGOWSKI: You're welcome.

8 MR. ROGERS: Anyone else? I presume  
9 in the township, your finance office will be  
10 handling collection and all this, monitoring the  
11 PILOT agreements.

12 If there's anybody from the township  
13 who could reassure the board that they have the  
14 capacity to handle things like this?

15 MS. KWASIZUR: Yeah. I'm Kim. I'm  
16 the CFO of Deptford Township. I will be the  
17 person responsible for overseeing the receipt of  
18 the redevelopment PILOT payments and to ensure  
19 that they're actually being paid.

20 MR. ROGERS: Okay. Great. Thank  
21 you.

22 MS. KWASIZUR: Of course.

23 MR. ROGERS: I guess if there are no  
24 more questions, do we have a motion to approve  
25 the nonrecourse Redevelopment Area Bonds in an

1 amount not to exceed 150,000 secured by a pledge  
2 of the annual service charge and to permit the  
3 private sale of these bonds?

4 MR. DIROCCO: I'll make that motion.

5 MS. RODRIGUEZ: I'll second.

6 MR. BENNETT: Mr. DiRocco and Miss  
7 Rodriguez. Mr. Rogers?

8 MR. ROGERS: Yes.

9 MR. BENNETT: Mr. DiRocco?

10 MR. DIROCCO: Yes.

11 MR. BENNETT: Mr. Close?

12 MR. CLOSE: Yes.

13 MR. BENNETT: Mr. Avery?

14 MR. AVERY: Yes.

15 MR. BENNETT: Miss Rodriguez?

16 MS. RODRIGUEZ: Yes.

17 MR. BENNETT: And Mr. Jackson?

18 MR. JACKSON: Yes.

19 MR. BENNETT: Motion approved.

20 MR. WINITSKY: Thank you very much.

21 MR. BENNETT: Director, making note  
22 for the next applicant. Miss Rodriguez and Mr.  
23 DiRocco are recusing on this matter due to  
24 conflicts. With four members, we do have a  
25 quorum to continue.



1                   MR. ROGERS:   Excellent.   Eatontown  
2 Borough.

3                   MR. JESSUP:   Good afternoon,  
4 Director.   Matt Jessup from McManimon here.

5                   MR. ROGERS:   Mr. Jessup, good to see  
6 you again.

7                   MR. JESSUP:   Good morning to good  
8 afternoon.   We have with us, Mayor Anthony  
9 Talerico.   We have the borough's general counsel,  
10 Andy Bayer from Pashman Stein.   And we have Mike  
11 Hanley from NW Financial, who is the borough's  
12 municipal advisor.   The mayor and Mike will need  
13 to be sworn in.

14                  MR. ROGERS:   Okay.   Let's get your  
15 video on and Lauren will get you sworn in.   Thank  
16 you.

17                   (At which time those wishing to  
18 testify were sworn in.)

19                  MR. ROGERS:   Mr. Jessup, the floor  
20 is yours.

21                  MR. JESSUP:   Thank you.   So we have  
22 an exciting application this afternoon.   This is  
23 a 55 million dollar Redevelopment Area Bond  
24 application in connection with the developments  
25 of the Netflix film studio in Eatontown and Ocean

1 Port.

2 I know just about everyone at the  
3 state and in the state is familiar with the  
4 Netflix project. It's a 1.1 billion dollar  
5 studio being built on the former Fort Monmouth.  
6 It will be the flagship for Netflix on the east  
7 cost.

8 The project received nearly 400  
9 million dollars from the state in Aspire credits.  
10 It's over a million square feet across nearly 300  
11 acres at the former Military base and all of that  
12 is great and exciting.

13 But I think for us, the really  
14 intriguing part is the way the borough will  
15 benefit from this transformative and generational  
16 project. Eatontown and Netflix have agreed to  
17 the terms of a 30 year PILOT.

18 The PILOT is critical for a couple  
19 of reasons. First, the parties spent a year plus  
20 trying to work on what the assessed valuation of  
21 this very unique one of one project would be.

22 And perhaps not surprisingly, after  
23 that year plus of work, the parties couldn't  
24 really get within 100 percent of each other.  
25 That's how complicated this is.

1           So that level of uncertainty that  
2 comes about over how to tax the project, what tax  
3 revenues look like for the borough and how those  
4 taxes may be annually appealed by Netflix isn't  
5 acceptable to the borough.

6           The borough can't and shouldn't bear  
7 that level of financial risk and vulnerability.  
8 So the PILOT eliminates that risk and  
9 vulnerability.

10           The result is a 187 million dollars  
11 in PILOT payments made by Netflix including over  
12 100 million dollars in pledged annual service  
13 charges to pay debt service on the bonds. 84  
14 million dollars in unpledged annual service  
15 charge payments, plus another 29 million dollars  
16 in land tax payments shared across all of the  
17 taxing districts.

18           The borough, the Board of Ed, the  
19 county, library, et cetera. And those of course  
20 are significant revenue sources for the borough  
21 and its constituent taxing districts.

22           The other reason the PILOT is  
23 important is this pledged annual service charge  
24 will go towards paying, approximately, 53 million  
25 dollars in non recourse Redevelopment Area Bonds.

1           Three main reasons that we want to  
2 issue these RABs. First, we have significant  
3 capital needs in our downtown and throughout the  
4 borough that we won't make pursuant to our  
5 Downtown Village Redevelopment Plan that the  
6 borough adopted in 2024 in an effort to  
7 redevelop, rehabilitate, reinvigorate, the  
8 downtown portion of the borough.

9           This includes municipal parking  
10 lots, street scape and sidewalk improvements,  
11 improvements to municipal buildings including the  
12 municipal building, the historical museum, the  
13 community center, borough hall, the firehouse and  
14 a host of others.

15           The Netflix project itself will of  
16 course impact the borough. And the borough  
17 improvements will benefit Netflix. We don't add  
18 over 6,000 construction jobs and nearly 2400  
19 permanent jobs to this area without there being  
20 an impact on public infrastructure, public  
21 services.

22           And so the redevelopment of the  
23 downtown and the borough via these RAB bonds are  
24 really important.

25           Second, we want today's taxpayers to

1 see the benefit of the downtown redevelopment  
2 projects and these other capital improvements.  
3 Netflix will take two to three years to build.

4           And then if they were otherwise just  
5 paying the PILOT, it would be even longer before  
6 the PILOT's could accumulate into an amount that  
7 could pay for a substantial amount of these type  
8 of improvements.

9           So by securitizing a portion of the  
10 PILOT now, we bring immediate benefit to today's  
11 residents who of course will feel the impact of  
12 the new studio project. And then third, most  
13 importantly, we want to create certainty in the  
14 benefit we bargained for from Netflix.

15           No one really knows what the future  
16 looks like for Netflix or the film and  
17 entertainment industry. In less time than our 30  
18 year PILOT, Netflix went from mail and DVD's to  
19 being one of the largest studios in the world.

20           And I don't know that anyone would  
21 have said that 20 years ago. So we don't know  
22 how long Netflix will continue to be in the  
23 business or be located at the fort, so issuing  
24 bonds today ensures that we lock in certainty and  
25 the benefits to the borough, notwithstanding

1 whatever Netflix future is which, obviously, we  
2 hope is long and lasting.

3           As I mentioned earlier, the bonds we  
4 are issuing are non recourse to the borough, so  
5 there is no financial risk to the borough or its  
6 taxpayers.

7           Incidentally, this is not the first  
8 PILOT in the borough. The borough is set up to  
9 charge and collect and administer the PILOT. The  
10 bonds will be purchased by Netflix or an  
11 affiliate.

12           Their interest is at five percent  
13 and they'll be issued in one or more series as  
14 the borough determines its needs relative to the  
15 redevelopment and capital projects it is  
16 undertaking.

17           So it may be that we do them in  
18 multiple series over time. The net result of all  
19 of this to the borough is 47 plus million dollars  
20 in substantial public improvements through the  
21 RAB bonds.

22           Nearly 50 million dollars in  
23 unpledged PILOT'S for the borough and its future  
24 use. Nearly 29 million dollars in land tax  
25 revenues to the borough, the county and the Board

1 of Ed, the county and all of its other taxing  
2 districts.

3           As in a side, as part of the Aspire  
4 tax credit program, 5 million dollars in  
5 community benefits to the borough and over a  
6 billion dollars of private investment by Netflix  
7 into this redevelopment area, including about 700  
8 million dollars on the Eatontown side of the  
9 campus.

10           So I know that was a lot. With all  
11 that said, and before we do turn it back to the  
12 board, I want to see whether the mayor and or  
13 Andy and or Mike want to provide any additional  
14 comments for the board.

15           MR. BAYER: I think you covered it.

16           MR. TALERICO: You did cover it and  
17 I think the uncertainty is something I'd like to  
18 speak to. We had that with the Monmouth Mall.

19           With the decline of retail, we found  
20 ourself battling tax appeals that we were hoping  
21 would cure itself out in an upswing, and then  
22 we'd have five years of tax appeals that got us  
23 in a very difficult situation that we wound up  
24 creating new zoning to get us out of.

25           While I'm sure the new mall will

1 look beautiful and it would be something the town  
2 could be proud of in years to come, it was a very  
3 scary financial time to be in. And it's the old  
4 diversified from diversify from finance 101.

5           A big piece of property like this  
6 scares the town. Again, so that's something that  
7 we're shooting for to minimize that risk. I  
8 wanted to reaffirm that.

9           MR. ROGERS: Thank you, Mayor.

10           MR. BAYER: I have nothing. That  
11 can you. I think it's all been stated.

12           MR. ROGERS: Thank you, Mr. Jessup,  
13 for laying that out. I know we had sort of a  
14 premeeting conversation about it. And one of, I  
15 guess we needed to better understand was that  
16 nexus for this RAB.

17           And typically seeing RABs agreed  
18 upon within an existing project didn't understand  
19 that sort of nexus there to the redevelopment  
20 downtown area and how that sort of serves as the  
21 entry point into that property.

22           And I think it was creative to get  
23 the significant funds up front through this,  
24 through a non recourse RAB. So I think it's  
25 great negotiation on your part, Mayor and the



1 borough. So I really don't have anymore  
2 questions set up.

3 I know you have an existing RAB you  
4 did a few years ago with Monmouth Mall, so I  
5 assume you have the staff that will handle this  
6 and finance, so I don't have anymore questions at  
7 this time.

8 I'll open it up to the board and  
9 public for any. I'm not hearing any. It's an  
10 exciting project. It will be a tremendous for  
11 the borough. I'm not hearing any.

12 Do we have a motion to approve the  
13 issuance of non recourse Redevelopment Area Bonds  
14 in an amount not to exceed 55 million dollars  
15 secured by a pledge of the annual service charge  
16 and to permit private sale of these bonds?

17 MR. AVERY: So moved.

18 MR. CLOSE: Second.

19 MR. BENNETT: I believe I heard Mr.  
20 Avery and Mr. Close as movers and seconders. Mr.  
21 Rogers?

22 MR. ROGERS: Yes.

23 MR. BENNETT: Mr. DiRocco is  
24 recused. Mr. Close?

25 MR. CLOSE: Yes, excellent

1 presentation, Matt, and excellent application.

2 MR. BENNETT: Mr. Avery?

3 MR. AVERY: Yes. And good luck.

4 MR. BENNETT: Miss Rodriguez is  
5 recused. And Mr. Jackson?

6 MR. JACKSON: Yes.

7 MR. BENNETT: With the four votes,  
8 the motion is approved.

9 MR. ROGERS: Best of luck to you,  
10 Mayor.

11 MR. TALERICO: Thank you very much.  
12 Appreciate the consideration. Thank you.

13 MR. JESSUP: Thank you all.  
14 Appreciate it.

15 MR. ROGERS: I have to recuse myself  
16 on the next several appeals, so I will be exiting  
17 the meeting. And Miss Rodriguez is handling  
18 this, correct?

19 MR. BENNETT: Yeah. I am reaching  
20 out to her now to return to the meeting. Miss  
21 Rodriguez and Mr. DiRocco is returning as well.

22 As the Director mentioned, he is  
23 recusing on the following items. The board will  
24 take this on a case by case basis, but largely  
25 the director of the director of the Division of

1 Local Government services find elected officials  
2 from the municipalities of Beverly, Hillside,  
3 Jackson, Newark, Paterson, Prospect Park and West  
4 Orange on September 19th for failure to timely  
5 introduce the budget.

6           The individuals for each fine  
7 different amounts reflecting \$25 per day for the  
8 late introduction. The first applicant up is the  
9 City of Beverly.

10           The individuals fined there were  
11 Robert Bancroft, Robert Lowden, Junior, Riccardo  
12 Dale, Kelsey Sniveli and Bernadine Williams. A  
13 timely appeal was filed by city administrator  
14 Rich Wolbert on September 29, 2025.

15           The date of introduction was July  
16 22nd 2025 and the fines assessed were \$550. Miss  
17 Rodriguez, I believe you are chairing this  
18 portion of the meeting.

19           MS. RODRIGUEZ: Yes, I am. So I  
20 just wanted to give the folks from Beverly the  
21 opportunity to express, or rather, you know, to  
22 hear any testimony that they may have and to  
23 hear, you know, basically during this time.

24           MR. BENNETT: Do we have any  
25 representatives?

1 MS. RODRIGUEZ: And give you the  
2 opportunity to clarify any information that you  
3 previously provided to the board.

4 MR. BENNETT: Do we have  
5 representatives of the City of Beverly?

6 MR. WOLBERT: Mr. Bennett, this is  
7 Rich Wolbert. I'm the only person from Beverly  
8 here today.

9 MR. BENNETT: Can we pause a moment  
10 and have you sworn in?

11 MR. WOLBERT: Absolutely.

12 (At which time those wishing to  
13 testify were sworn in.)

14 MR. BENNETT: Mr. Wolbert, if you'd  
15 like to clarify any remarks in addition to what  
16 has previously been provided to the board.

17 MR. WOLBERT: So as the board is  
18 aware, this year unfortunately was like the  
19 perfect storm for us. We had a lot of issues. I  
20 had issues with my wife's medical, so I was out  
21 of the office quite a bit this year during her  
22 cancer treatments.

23 So we had a part-time tax collector.  
24 Well, we had a part-time treasurer and CMFO at  
25 the time. Our governing body made a change a few

1 years back. We operated under a special charter.  
2 We're a small town. We're a half square mile.  
3 We have less than 2500 residents.

4               So in 2003, the governing body chose  
5 to bring on a city administrator to administer  
6 things during the day so they didn't have direct  
7 oversight of the day to day operations.

8               I came on as a city administrator in  
9 2013, and I operated with the former CFO  
10 treasurer at the time to correct a lot of the  
11 issues that were current in Beverly. Fast  
12 forward to this year.

13              Again, I was out quite a bit of the  
14 time due to my wife's illness. And  
15 unfortunately, our treasurer and CMFO at the time  
16 also had a change in her position outside of our  
17 agency and she just didn't have the time to  
18 devote to our agency.

19              As a result, we had some delays.  
20 When I came back in April, my clerk at the time,  
21 who is also my deputy administrator announced  
22 that she would also be leaving to go pursue  
23 something in the private sector, so she left and  
24 we were a ship without a rotor and an engine.

25              We just didn't have personnel. So

1 we were able to hire an acting municipal clerk,  
2 which we did, June 9th, brought her in. We  
3 started looking at how we could improve our  
4 efficiencies and we made a decision to make a  
5 change with our CMFO and treasurer at the time.

6           We had originally informed the  
7 treasurer that we were not going to continue and  
8 that we were going to ask that she either resign  
9 or that we would terminate. We have come to that  
10 decision. She has resigned. We're accepting her  
11 resignation tonight at the council meeting.

12           We have hired our treasurer  
13 full-time and we are replacing the CFO by the end  
14 of this month. So this problem will not reoccur.  
15 And again, my governing body is typically not  
16 involved with day to day operations, and nor, the  
17 meats and potatoes of the budget, development.

18           It's basically presented to them and  
19 they vote on the budget. It's not saying they  
20 don't understand the budget or don't know the  
21 budget. It's just they don't have that hands on  
22 experience with the budget development.

23           So again, this year was just a  
24 horrific year, but we have moved passed that and  
25 we've put the right personnel in place. And

1 again, there will not be a repeat in the future,  
2 so just asking the board to not fine the  
3 governing body.

4                   Again, it's my responsibility as a  
5 city administrator to make sure that's developed  
6 and put together in a timely basis and that's due  
7 to extenuating circumstances. Just wasn't able  
8 to fulfill that, this previous year. Any  
9 questions from the board?

10                   MS. RODRIGUEZ: Hearing no  
11 questions, can I get a motion to close the  
12 comment period and to have this considered at a  
13 future meeting?

14                   MR. JACKSON: So moved.

15                   MR. AVERY: Second.

16                   MR. BENNETT: I have Mr. Jackson  
17 moving, Mr. Avery seconding. Mr. Rogers is  
18 recused. Mr. DiRocco?

19                   MR. DIROCCO: Yes.

20                   MR. BENNETT: Mr. Close?

21                   MR. CLOSE: Yes.

22                   MR. BENNETT: Mr. Avery?

23                   MR. AVERY: Yes.

24                   MR. BENNETT: Miss Rodriguez?

25                   MS. RODRIGUEZ: Yes.

1 MR. BENNETT: And Mr. Jackson?

2 MR. JACKSON: Yes.

3 MR. BENNETT: Thank you for your  
4 testimony, Mr. Wolbert. The board will consider  
5 this. The next meeting is December 10th 2025.

6 MR. WOLBERT: Thank you, everyone.

7 MR. BENNETT: The next municipality  
8 up is Hillside. Hillside received the --  
9 Hillside introduced this budget on July 23rd  
10 2025.

11 Fines in an amount of \$575 were  
12 assessed against the following officials, Dahlia  
13 Vertreese, Craig Epps, Robert Rios, Lisa Panino,  
14 Andrea Hyatt, Angela Garretson, Daryl Joiner and  
15 David Feuerstein.

16 The board received responses from  
17 Councilman Feuerstein on behalf of himself. Miss  
18 Garretson, Miss Hyatt, Mr. Epps and Miss  
19 Vertreese and a separately received response from  
20 Councilman Joiner and Councilman Rios.

21 MS. RODRIGUEZ: Okay. So at this  
22 time, is there anyone from Hillside present?

23 MR. RIOS: Yes, ma'am. Councilman  
24 Robert Rios.

25 MS. RODRIGUEZ: We'd like to get you



1 sworn in and give you the opportunity to clarify  
2 any information that you previously provided to  
3 the board and respond to the director's September  
4 19th letter.

5 MR. RIOS: Okay.

6 (At which time those wishing to  
7 testify were sworn in.)

8 MS. RODRIGUEZ: You may give your  
9 testimony, now, Councilman Rios?

10 MR. RIOS: Thank you, Board, for  
11 hearing me out today. I am speaking on behalf of  
12 myself, as I cannot speak for my other council  
13 members.

14 This year's budget, there was a  
15 matter of the administration getting us the  
16 budget at the 11th hour. But even in doing so,  
17 in our special meetings that we held, I informed  
18 my council colleagues that it is -- since our  
19 former government and how we should proceed is  
20 once the administration gives us the budget, all  
21 be it, it was in a late fashion, that our job  
22 here is to introduce this budget and then get to  
23 work.

24 There was some hesitancy on the  
25 amount of citation from the budget and what was

1 proposed by the administration. But all be it,  
2 in our first special meeting, I informed our  
3 council body, as my role as the finance chair  
4 last year, that we need to, you know, adhere to  
5 the timelines that were set by the DCA that the  
6 letter was given to us and to introduce the  
7 budget so we can go to work and start working on  
8 this budget, so all be it, I voted twice.

9           I provided in my appeal the special  
10 -- the minutes to our special meeting. In both  
11 instances, I voted for the introduction of this  
12 budget. And in both instances, I pleaded to my  
13 council colleagues to make sure that we  
14 introduced the budget so we can get to work,  
15 which did not happen.

16           And a month and-a-half later we end  
17 up introducing the same exact budget that was  
18 proposed a month and-a-half ago. So my stating  
19 my case. I was a strong advocate of getting this  
20 introduced and following the guidelines my  
21 council colleagues did not follow.

22           So I'm pretty much on this call  
23 today to not be lumped into their decision to not  
24 adhere to our guidelines and the time frames that  
25 were set, which now put us behind the eight ball

1 in getting our township a budget that the  
2 residents can finally get their tax bills, so  
3 that is my position.

4 That is the timeline of the events  
5 of how I voted. Any questions, I'll be happy to  
6 answer them as well.

7 MS. RODRIGUEZ: Are there any  
8 questions from the board? Hearing none, thank  
9 you very much, Councilman Rios. Can I get a  
10 motion to --

11 MR. BENNETT: Miss Rodriguez, I  
12 believe we may have another representative of the  
13 township available who may want to provide  
14 testimony. I apologize for interrupting.

15 MS. RODRIGUEZ: No, not a problem.

16 MR. FEUERSTEIN: Do I need to be  
17 sworn in?

18 MR. BENNETT: Yes, you need to be  
19 sworn in.

20 (At which time those wishing to  
21 testify were sworn in.)

22 MR. FEUERSTEIN: Just to add a  
23 little more context to the previous testimony and  
24 my position as the first time being a finance  
25 chair here in Hillside. We know that the

1 requirement to introduce the budget was on  
2 February 28th, the first meeting soon thereafter.

3           Knowing of this deadline and how  
4 late the budget was introduced last year, we  
5 wanted to get ahead of this. The finance  
6 committee, as well as, the full council made it a  
7 specific mention every single meeting between  
8 March up through June, when it was first brought  
9 to our attention, of what the increase was to  
10 have the budget ready so that we could be  
11 prepared to work on it as soon as possible.

12           This was all on the record and the  
13 meetings in March and April and May, as well as,  
14 the first meeting in June. We weren't presented  
15 with the budget until the last June meeting which  
16 wasn't just a small increase, it was almost a 14  
17 percent increase to the township, which was  
18 unheard of in over a decade.

19           This, combined with last year,  
20 brings the total tax burden to the residents of  
21 over 20 percent, which again, this is to me  
22 unconscionable. We had rejected the introduction  
23 and went back to the CFO and mayor and said to  
24 them, you need to get us a better number.

25           This is not sustainable or possible.

1 We had asked them to revisit their numbers, look  
2 at where there could be savings because we knew  
3 there were some and to come back with a more  
4 reasonable number. They came back by the July  
5 meeting with the same number.

6               Nothing had changed and we ended up  
7 allowing it to be introduced June 23rd so we can  
8 get to work in it. In going through it, and  
9 trying to get information, this has been an  
10 ongoing issue unfortunately with the  
11 administration of the council trying to get  
12 information.

13              There are parts of this budget that  
14 the majority of the council could not be voted on  
15 in good conscious. Whether there were things,  
16 salaries that were increased that should not have  
17 been, whether we have issues in town of some of  
18 the basic needs not getting done, there was a  
19 real issue from the council and from the finance  
20 department on how to make some of these cuts.

21              And even to this day, there is a  
22 resolution that would directly contradict our  
23 ability to vote for this budget because it  
24 doesn't jive with how the resolution reads.

25              There's a salary cap on a position

1 that the proposed budget exceeds. And even  
2 though this has gone to the DCA and came back  
3 with some of the changes, there is a resolution  
4 out there, which I have a copy of, that does not  
5 allow certain salary to exceed it, which is  
6 currently being exceeded.

7               So I don't know how we could  
8 possibly vote for this budget and condone this  
9 kind of behavior that's happened. The late  
10 introduction wasn't just done by accident.

11               Unfortunately, we had requested this  
12 four months and to penalize the council for the  
13 fact this was done so late seems punitive, when  
14 we really had no recourse how to get it any  
15 earlier.

16               And again, I am at a loss and we  
17 were supposed to be adopting this tonight. I  
18 don't how we vote for this in good conscious when  
19 there's a resolution that directly contradicts  
20 what the budget looks like.

21               So this is a problem, and I'm not  
22 sure how to navigate this right now. I think  
23 that I would like the input of the DCA maybe on a  
24 more ongoing basis. And I'm a little bit at a  
25 loss here as to how to make this work.

1           And for the residents to get an  
2 increase such as this will put people out of  
3 their homes. And to have done it so late, it's  
4 terrifying to people, and they still haven't  
5 gotten it. And I don't know how we vote for it.

6           So unless the Finance board decides  
7 to just go ahead with it and enforce it, I don't  
8 know if we will, like I mentioned in some of my  
9 first comments, how the council will be able to  
10 vote for this and basically support this when it  
11 goes against our resolution, so that's where I  
12 stand on the appeal.

13           Again, to penalize the council body  
14 for this type of behavior and lack of information  
15 and where this has taken us, seems a little bit  
16 punitive. And I'm hoping that going forward, and  
17 certainly by next year, there will be much more  
18 enforcement taken to make sure the budget is  
19 introduced in a timely fashion. Thank you.

20           MS. RODRIGUEZ: Thank, you  
21 Councilman. So you're unsure of how the vote is  
22 going to go for the adoption?

23           MR. FEUERSTEIN: I don't know --  
24 this is almost a legal question. There is a  
25 resolution that doesn't allow what the budget is

1 proposing. So I don't know how that gets  
2 resolved.

3                   In addition, there are council  
4 members that feel that they have not been --  
5 they've asked for information that has not been  
6 provided and can't, in good conscious, vote for  
7 this and face the 20,000 some odd residents that  
8 are going to say, how could you agree with this  
9 when we, you know, when we haven't gotten all the  
10 information.

11                   So there is definitely a dynamic  
12 which is going to be complicated tonight for this  
13 meeting.

14                   MS. RODRIGUEZ: Are there any  
15 questions from the members of the board?

16                   MR. JACKSON: Yes, just one  
17 question. First of all, Councilman, thank you so  
18 much for coming in and expressing your views. I  
19 do have a question. Where did you stand on  
20 Councilman Rios' resolution to go ahead and  
21 introduce anyway?

22                   MR. FEUERSTEIN: The go ahead and  
23 introduce with such an astronomical number, just  
24 to give you the example specifically, the  
25 economic development, which has been a major



1 point of contention as we have not seen  
2 significant revenue in town.

3           That salary was increased and there  
4 is a salary cap by resolution of 106,000 so we  
5 know that couldn't happen. We went back to the  
6 administration and said you have to make some  
7 cuts. We knew where some of these cuts were.

8           I worked very closely with the  
9 auditor to make sure what we could and couldn't  
10 do. Some council members weighed in. We were  
11 told that every increase was only due to  
12 healthcare costs and social security and things  
13 we have no control over, but that's really not  
14 correct.

15           And to introduce it just because  
16 they sent us such a heavy increase seemed almost  
17 offensive to wait until almost seven months in  
18 and say, okay, now, it's your problem to fix.

19           We had sent it back and we were  
20 really hoping in those next few weeks or three  
21 weeks, that they would come back with something  
22 more reasonable, but it didn't happen.

23           MR. JACKSON: Understood. I guess  
24 the question becomes you could have introduced  
25 the budget, and part of the process of course is

1 to amend it. That's not the final budget.  
2 That's just a working document. So it didn't  
3 obligate you, and quite frankly, again, I  
4 understand. I fully appreciate what's going on,  
5 but it's also, part of that, if you want to call  
6 it the blame game would have been this is what  
7 the administration gave us. We're not supporting  
8 it, this is what they gave us. We're introducing  
9 it subject to our review. That could have been  
10 an approach to take without saying that you agree  
11 with any aspect of the budget. It's just this is  
12 a budget we were given and we're going to review  
13 it. Anyway, I understand your concern and  
14 appreciate what you are wrestling with. I just  
15 wanted to just chat with you a little bit about  
16 that. But thank you both for coming in.

17 MS. RODRIGUEZ: Anyone else?  
18 Hearing none, can I please get a motion to close  
19 the comment period and for us to consider it at a  
20 future public meeting?

21 MR. JACKSON: So moved.

22 MR. CLOSE: Second.

23 MR. BENNETT: Mr. Jackson and Mr.  
24 Close. Mr. Rogers is recused. Mr. DiRocco?

25 MR. DIROCCO: Yes.

1 MR. BENNETT: Mr. Close?

2 MR. CLOSE: Yes.

3 MR. BENNETT: Mr. Avery?

4 MR. AVERY: Yes.

5 MR. BENNETT: Miss Rodriguez?

6 MS. RODRIGUEZ: Yes.

7 MR. BENNETT: And Mr. Jackson?

8 MR. JACKSON: Yes.

9 MR. BENNETT: As noted before, the  
10 board's next meeting is December 10th. The next  
11 municipality is the Township of Jackson. The  
12 Township of Jackson introduced its budget on July  
13 22nd 2025.

14 The governing body members were  
15 fined \$550. And those officials are Michael  
16 Reina, Jennifer Kuhn, Mordechai Burnstein, Nino  
17 Borrelli, Giuseppe Palmeri and Kenneth Bressi.  
18 Before going forward, I do believe, Mr. Avery,  
19 will you be abstaining on this matter?

20 MR. AVERY: Yes because of my  
21 previous and current working relationship with  
22 several of the officials that are named in the  
23 director's order.

24 MR. BENNETT: I can text you when,  
25 if and when, any testimony is over to return to

1 the meeting.

2 MR. AVERY: Okay.

3 MR. BENNETT: Thank you. Do we have  
4 any officials present from the Township of  
5 Jackson? I do not hear or see anyone from that,  
6 so I suppose we might be bringing Mr. Avery back  
7 pretty soon. Madam Chair, there are no officials  
8 present.

9 MS. RODRIGUEZ: Let's bring Mr.  
10 Avery back and listen to the next town or city.

11 MR. BENNETT: We do have to take the  
12 motion.

13 MS. RODRIGUEZ: I apologize. Can I  
14 please get a motion to close this comment period  
15 and for the board to consider this at a future  
16 public meeting?

17 MR. CLOSE: So moved.

18 MR. DIROCCO: Second.

19 MR. BENNETT: I heard Mr. DiRocco  
20 first. Mr. Close, Mr. DiRocco. Mr. Avery is  
21 recused. Director Rogers is recused. Mr.  
22 DiRocco?

23 MR. DIROCCO: Yes.

24 MR. BENNETT: Mr. Close?

25 MR. CLOSE: Yes.

1 MR. BENNETT: Miss Rodriguez?

2 MS. RODRIGUEZ: Yes.

3 MR. BENNETT: And Mr. Jackson?

4 MR. JACKSON: Yes.

5 MR. BENNETT: Motion is approved. I  
6 will reach out to Mr. Avery. In advance of Mr.  
7 Avery's return, noting that the next applicant is  
8 the City of Newark. The next three applicants,  
9 the City of Newark, the City of Paterson and the  
10 Borough of Prospect Park. Miss Rodriguez, you  
11 are abstaining on those three matters, correct?

12 MS. RODRIGUEZ: Yes.

13 MR. BENNETT: Similar to the  
14 situation with Jackson, if you want to exit the  
15 meeting, I can text you when these three conclude  
16 for West Orange.

17 MS. RODRIGUEZ: Okay. Let's do that  
18 now and I'll wait for your text.

19 MR. BENNETT: Thank you. Mr. Avery  
20 has returned and he will be assuming the chair  
21 position for the City of Newark.

22 The City of Newark introduced its  
23 budget on August 28, 2025. Officials were fined  
24 on September 19th 2025, officials were informed  
25 of a 1,475 dollar fine and those officials are

1 Mayor Baraka, council members Crump,  
2 Scott-Rountree, Quintana Gonzalez Silva, Ellie  
3 Ramos and counsel.

4           Are there any representatives from  
5 the City of Newark here to provide clarification  
6 on their testimony, on the previously received of  
7 the order. Mr. Avery, I hear and see no members  
8 of the City of Newark.

9           MR. AVERY: If there are no people  
10 named in the director's order present, I'll  
11 entertain a motion to close the comment period  
12 for board consideration at a future public  
13 meeting. Is there a motion?

14           MR. JACKSON: So moved.

15           MR. DIROCCO: I'll second it.

16           MR. BENNETT: Mr. Jackson and Mr.  
17 DiRocco. Mr. Rogers is recused. Mr. DiRocco?

18           MR. DIROCCO: Yes.

19           MR. BENNETT: Mr. Close?

20           MR. CLOSE: Yes.

21           MR. BENNETT: Mr. Avery?

22           MR. AVERY: Yes.

23           MR. BENNETT: And Mr. Jackson?

24           MR. JACKSON: Yes.

25           MR. BENNETT: Motion approved. The

1 officials from the next municipality, which is  
2 the City of Paterson introduced their budget on  
3 September 9, 2025.

4 A personal fine was assessed in the  
5 amount of \$1,775 to council members Jackson,  
6 Mendez, Kalik and Velez. The board received a  
7 letter from Council Member Velez timely appealing  
8 the director's order.

9 Is Council Member Velez present?  
10 Council Member, you are on mute. If you'd like  
11 to be sworn in, you may provide any clarifying  
12 testimony.

13 MR. VELEZ: Thank you. I just  
14 unmuted myself. Thank you. Yeah, I can swear  
15 in.

16 (At which time those wishing to  
17 testify were sworn in.)

18 MR. AVERY: I was going to say the  
19 same thing. Councilman, you're free to clarify  
20 your previous submittals.

21 MR. VELEZ: Thank you. Good  
22 afternoon, members of this board and thank you  
23 for the opportunity to address you this  
24 afternoon.

25 As everybody know, my name is Louie

1 Velez. I'm the only full-time councilman serving  
2 the City of Paterson. I earn \$47,000 a year for  
3 my council salary while dedicating every single  
4 day to residents that I represent.

5           The penalty imposed on me for not  
6 voting affirmatively on the city into this budget  
7 for me, and probably for others, is unfair. They  
8 are personal hardship and disservice to the  
9 taxpayers who trust me and stand up for their  
10 interest.

11           Let me be clear. I did not vote  
12 against the budget only to introduce the budget  
13 out of politics. I did it because the process  
14 was broken and the numbers did not add up.

15           The mayor repeatedly refused to come  
16 before the city council to defend his own budget  
17 or answer question from the elected  
18 representatives of Paterson and residents.

19           My colleagues and I made notable  
20 formal requests for him to appear, yet, to choose  
21 not to engage, ignoring the council duty to  
22 review and question how taxpayer money was being  
23 spent.

24           Literature requires transparency and  
25 accountability, not avoiding scrutiny. The



1 administration plays such a questionable role in  
2 preparation of this budget that serious concern  
3 arose about a currency and integrity.

4           After reports surfaced of 4.3  
5 million dollars in over spending, the  
6 administration could not clearly explain where  
7 that money went. Only after public pressure did  
8 the mayor chief financial officer dismiss as an  
9 error.

10           Nonetheless, taxpayers deserve more  
11 than excuses. They deserve answers and  
12 accountability for every dollar spent in their  
13 name. This (inaudible) serious doubts about  
14 physical oversight and make it clear why  
15 independent voice on the council are essential.

16           They also changed the budget  
17 introduction timeline claiming it was to ensure  
18 the budget will pass on time. Yet, here we are  
19 in November and there's no adopted budget.

20           And I just found out today in the  
21 late hour that they was going to introduce it  
22 today as an amendment, an amendment to the agenda  
23 tonight.

24           I had sent multiple letters to the  
25 mayor urging him to work with the council to

1 amend the budget and protect Asbury from steep  
2 increases. The mayor proposed a 5.6 to those  
3 budget tax height.

4 Later he came back with a 3.5  
5 increase. Both of which will further burden  
6 working class family already struggling with  
7 inflation and raising costs.

8 My intent has always been find  
9 solution, to reduce waste, demand clarity and  
10 ensure every dollar spent not benefit Paterson  
11 residents and not political interest. Instead of  
12 collaboration, I was met with silence and  
13 resistance.

14 The penalty imposed by this board  
15 punished me for standing up for my constituents,  
16 not for misconduct or doing my job  
17 responsibility.

18 It also failed to consider the  
19 context, that the mayor and administration placed  
20 the council in an impossible situation by  
21 withholding information, delaying timeline and  
22 refusing accountability.

23 This financial penalty send the  
24 wrong message that those who question the  
25 administration action or advocates for taxpayers

1 should be silenced or penalized. If council  
2 members are penalized for independent judgment,  
3 local checks and balance cease to exist.

4 I urge this board to reconsider the  
5 penalties and take into account the full picture  
6 of what lead to my decision. I did not act out  
7 of (inaudible).

8 I acted out of duty and protect my  
9 community from higher taxes, questionable  
10 spending and poor transparency. As the only  
11 full-time council member, I was firsthand -- I  
12 experienced the firsthand struggle of Paterson  
13 families.

14 And I will never support a budget  
15 that defends their burden. I was asked to  
16 recognize that my vote was not negligent. It was  
17 integrity in action.

18 At the end of the day, I stood up  
19 for the taxpayer of Paterson when the  
20 administration wouldn't. I urge this board to do  
21 the same, to protect those who serve with  
22 integrity and not punish them for what is right.

23 And last, but not least, I always  
24 communicate with the mayor personally. Also sent  
25 messages and letters, communication to come to

1 the council and explain why he's submitting the  
2 introduced budget late.

3                   We make it easy for him to change  
4 from fiscal year calendar -- from fiscal to  
5 calendar year to make it easy for him to  
6 introduce it to us, the budget and making sure it  
7 works for the residents of Paterson.

8                   He has failed to do that  
9 communication with us, and I think that the  
10 proposed introduction was the reflection of the  
11 budget moving forward. So I was not feeling  
12 comfortable.

13                   I did what the taxpayer asked me to  
14 do, to look into no more tax increase, especially  
15 when I'm not receiving the proper service from  
16 the city. Thank you for listening to me, and I'm  
17 here to answer any questions.

18                   MR. AVERY: Thank you, Councilman.  
19 Does any board of the have a question for the  
20 councilman?

21                   MR. JACKSON: Just a comment.  
22 First, Councilman, I appreciate your comments.  
23 Your passion for the city is palpable and your  
24 comments, I appreciate that.

25                   I just want to correct one thing.

1 You said that you were -- that our fines were  
2 based on punishing your view on the budget. It  
3 has nothing to do with punishing your view on the  
4 budget.

5                   It's just the fact that it was late.  
6 I mean, I have no comment, no perspective on how  
7 the issues in the budget or what should be in or  
8 not in, but it was just a timing from the  
9 director's point of view. It was a timing issue.

10                   So it's not at all any type of  
11 statement or reflection on how the board feels  
12 about the interaction between the mayor and the  
13 council on issues.

14                   I just wanted to put that -- I  
15 certainly don't want -- I know that's not the  
16 case, but I don't want you to think that.

17                   MR. VELEZ: Can I answer that,  
18 Board, if it's possible?

19                   MR. AVERY: Certainly. Go ahead.

20                   MR. VELEZ: Thank you. That's why  
21 when we have individual, and I will repeat it  
22 again. I communicate with the mayor a few times  
23 regarding this introduced budget.

24                   When you use the word, and I use the  
25 word punish, that was the word that the mayor was

1 telling me. You're going to get punished.  
2 You're going to get sanctioned. So those words  
3 probably linger still in my head when I was  
4 waiting for this moment.

5 I apologize for the word punishment  
6 is not the one to be used and I'm not that  
7 probably lyric in some words that I can use,  
8 right, but the reality is that, as I say, I'm the  
9 only full-time council.

10 I've tried to do what the people  
11 want to see why I got elected for. I see the  
12 struggle monthly. I see people losing houses. I  
13 can see people cannot even live in affordable  
14 housing or pay rent in the City of Paterson.

15 I always ask the mayor, and this  
16 time in the past, let's work together.  
17 Communication is the key. Explaining, sitting  
18 down. Sending people a message.

19 And once again, we made it easy for  
20 him like he pitch in 2018 to change it from  
21 fiscal year to calendar year that they were going  
22 to introduce the budget on time, I believe in the  
23 month of March, and that never happened. That  
24 never happened since we changed the calendar.

25 And at the end of the hour, he's

1 rushing this with a 5.6 tax -- into this budget  
2 with 5.6 tax increase and, you know, and he don't  
3 come to the council to justify it, at least to  
4 say, listen, this is an introduction and we're  
5 going to work hard to lower it, and still haven't  
6 done it.

7                   Once again, I receive a notice that  
8 he's going to ask the council to vote and amend  
9 it to the agenda tonight, to add it to the  
10 agenda. And we have moved the full meeting that  
11 we had monthly, now, we only have two month.

12                   One workshop and one regular, so  
13 that will, for a city like us, with a lot of  
14 items on the table, make it difficult, but, you  
15 know I'm here to work, you know.

16                   I'm here to make sure that the  
17 residents receive the best service and voice that  
18 they elected me for the past three terms and I  
19 will continue working.

20                   But this is creating a financial  
21 burden to me, as I say, and I think that I should  
22 not get sanctioned for something that the mayor  
23 responsibility was to introduce it early, to come  
24 to the council and explain it and making sure  
25 that he works with the council to make the

1 necessary cut without touching salary and  
2 responsibility contractual or any other item,  
3 but in other expenses, he could be able to say  
4 responsible, not inflated budget that the  
5 taxpayers of Paterson cannot hold anymore.

6 MR. AVERY: Thank you, Councilman.  
7 Any other board member have a question for the  
8 councilman?

9 MR. JACKSON: I apologize, Chairman.  
10 But it's for, I guess, Nick. Is the mayor being  
11 fined in this case?

12 MR. BENNETT: In the city of  
13 Paterson, only Councilman Jackson, Mendez, Kalik  
14 and Velez have been fined.

15 MR. JACKSON: Maybe it's part of our  
16 coming back to this. I would like to know why,  
17 in the Newark application, Mayor Baraka is  
18 included, and in the Paterson application Mayor  
19 Sayegh is not included.

20 MR. BENNETT: Certainly.

21 MR. VELEZ: And board Member, can I  
22 make a comment regarding that same question?

23 MR. AVERY: If it's brief.

24 MR. VELEZ: That was my first  
25 initial question when I received the letter. The



1 person responsible to introduce it on time is not  
2 getting fined.

3                   And he's probably going to come back  
4 and say it's our fault, but I just want to say,  
5 it should start from the head. If they  
6 responsible, trust me, I'm going to be  
7 responsible.

8                   MR. AVERY: Okay. Thank you very  
9 much. Any other questions for the councilman?  
10 Councilman, I appreciate your appearance and your  
11 passion for your position and the people of  
12 Paterson. Can I get a motion to close the  
13 comment period for board consideration at a  
14 future public meeting?

15                   MR. CLOSE: So moved.

16                   MR. DIROCCO: Second.

17                   MR. BENNETT: I have Mr. Close and  
18 Mr. DiRocco. Mr. Rogers recusing. Mr. DiRocco?

19                   MR. DIROCCO: Yes.

20                   MR. BENNETT: Mr. Close?

21                   MR. CLOSE: Yes.

22                   MR. BENNETT: Mr. Avery?

23                   MR. AVERY: Yes.

24                   MR. BENNETT: And Mr. Jackson?

25                   MR. JACKSON: Yes.

1 MR. BENNETT: Just noting that Miss  
2 Rodriguez is abstaining here on the matter.  
3 Motion is approved.

4 MR. AVERY: Thank you.

5 MR. BENNETT: The next municipality  
6 that has appealed director's determination are  
7 individuals from the Borough of Prospect Park.  
8 Those officials are Mohamed  
9 Khairullah, Anasha Felicia Ortiz, Robert Artis,  
10 Niaz Nadim, Mohammad Hussain and Elizabeth  
11 Rodriguez. The municipal budget in the Borough  
12 of Prospect Park was introduced on August 4,  
13 2025.

14 Officials were fined \$875  
15 representing \$25 per day for the late  
16 introduction, and the notice of fine was provided  
17 on September 19th. The board received an appeal  
18 from the mayor timely filed on September 29th.

19 MR. AVERY: Any member of the  
20 Prospect Park that wishes to make a comment, you  
21 have to be sworn in. Identify yourself so you  
22 can be sworn in. Anybody? Nick, do you see any  
23 names up there?

24 MR. BENNETT: I don't see any names  
25 associated with this appeal. I have not heard

1 anybody or seen anybody raise their hand.

2 MR. AVERY: If there is no one  
3 present to comment, I will entertain a motion to  
4 close the comment period at a future public  
5 meeting. Is there such a motion?

6 MR. CLOSE: So moved.

7 MR. DIROCCO: Second.

8 MR. BENNETT: I believe that was Mr.  
9 DiRocco seconding.

10 MR. DIROCCO: Yes.

11 MR. BENNETT: I have Mr. Close and  
12 Mr. DiRocco. Mr. Rogers recusing. Mr. DiRocco?

13 MR. DIROCCO: Yes.

14 MR. BENNETT: Mr. Close?

15 MR. CLOSE: Yes.

16 MR. BENNETT: Mr. Avery?

17 MR. AVERY: Yes.

18 MR. BENNETT: Miss Rodriguez is  
19 abstaining. And Mr. Jackson?

20 MR. JACKSON: Yes.

21 MR. BENNETT: Motion is approved,  
22 and I'm going to text Miss Rodriguez to bring her  
23 back into the meeting. As we introduce the next  
24 municipality is the Township of West Orange.

25 Individuals fined in the township

1 are Susan McCartney, Michelle Casalino, Joe  
2 Krakoviak, Joyce Rudin and Susan Scarpa. The  
3 municipal budget of was introduced on July 22nd  
4 2005.

5                   The personal fines were \$550 and  
6 individuals were notified of that on September  
7 19th. The board received an appeal from the  
8 municipal CFO, John Ditinyak, and I do apologize  
9 if I mispronounced that. As we await, I do see  
10 the CFO present in the meeting. We can get you  
11 sworn in.

12                   MR. AVERY: Why don't we get  
13 everybody sworn in and then she can take over  
14 when she gets back to the meeting.

15                   MR. AVERY: Thank you, Mr. Avery.

16                   (At which time those wishing to  
17 testify were sworn in.)

18                   MR. BENNETT: Miss Rodriguez, the  
19 CFO for the Township of West Orange has been  
20 sworn in. So you can resume chair duties.

21                   MS. RODRIGUEZ: Thanks, Nick. So  
22 this is to give you an opportunity to clarify the  
23 information that was previously provided to the  
24 board in response to the director's letter that  
25 you received on September 19th.

1 MR. DITINYAK: Thank you, Chair.  
2 And thank you board for allowing me to speak.  
3 Just a bit of background. The Township of West  
4 Orange, we had a significant change in the  
5 administration, new BA.

6 Obviously, I'm the new CFO. We had  
7 to change over our financing accounting systems  
8 in August of 2024 and that's been frankly a  
9 disaster. We are switching to Edmonds Gov Tech  
10 for the summertime, so our financial reporting  
11 has been very difficult.

12 And then we had got two new council  
13 members in 2025 and their scrutiny of the budget  
14 through 16 budget hearings, at a minimum of four  
15 hours hearing, along with empowering the citizens  
16 Budget Advisory Board that had their own separate  
17 meetings really just delayed this budget process  
18 to an embarrassing length.

19 And I do apologize to the Local  
20 Finance board and to the Division of Local  
21 Government Services for this significant delay.  
22 All I can say is that we are committed to  
23 following all of the due dates.

24 We are going to provide the  
25 governing body with an executive budget on or

1 before January 15th and we are committed to  
2 having as many budget hearings as they need to as  
3 long as we can introduce by the statutory date.

4           Again, I just I really apologize and  
5 all I ask the board, if they do decide to move  
6 forward and levy the fines, that if it's within  
7 the component, that you levy them against me.

8           I'm the CFO and I failed to motivate  
9 the governing body and the administration to get  
10 these things done on time and I take full  
11 responsibility.

12           MS. RODRIGUEZ: Thank you. Is it  
13 anticipated that this budget is going to be  
14 adopted tonight?

15           MR. DITINYAK: Correct, yes.

16           MS. RODRIGUEZ: Okay. Thank you.  
17 Are there any questions from any of the board  
18 members? Hearing none, can I please get a motion  
19 to close this comment period and for the board to  
20 consider this at a future public meeting?

21           MR. CLOSE: So moved.

22           MR. AVERY: Second.

23           MR. BENNETT: Mr. Close and Mr.  
24 Avery. Mr. Rogers is recused. Mr. DiRocco?

25           MR. DIROCCO: Yes.

1 MR. BENNETT: Mr. Close?

2 MR. CLOSE: Yes.

3 MR. BENNETT: Mr. Avery?

4 MR. AVERY: Yes.

5 MR. BENNETT: Miss Rodriguez?

6 MS. RODRIGUEZ: Yes.

7 MR. BENNETT: And Mr. Jackson?

8 MR. JACKSON: Yes.

9 MR. BENNETT: The motion is  
10 approved. And that is the final appeal of the  
11 director's decision. I'll bring the director  
12 back into the meeting to close out the board  
13 meeting.

14 MR. ROGERS: Mr. Bennett?

15 MR. BENNETT: Director, yes.

16 MR. ROGERS: I'm back.

17 MR. BENNETT: We have concluded the  
18 appeals of the director's decision and there are  
19 no remaining items on the agenda.

20 MR. ROGERS: I guess there is only  
21 one thing left to do. Do we have a motion to  
22 adjourn?

23 MR. CLOSE: So moved.

24 MS. RODRIGUEZ: Second.

25 MR. BENNETT: Mr. Close and Miss

1 Rodriguez. Mr. Rogers?

2 MR. ROGERS: Yes.

3 MR. BENNETT: Mr. DiRocco?

4 MR. DIROCCO: Yes.

5 MR. BENNETT: Mr. Close?

6 MR. CLOSE: Yes.

7 MR. BENNETT: Mr. Avery?

8 MR. AVERY: Yes.

9 MR. BENNETT: Miss Rodriguez?

10 MS. RODRIGUEZ: Yes.

11 MR. BENNETT: And Mr. Jackson?

12 MR. JACKSON: Yes.

13 MR. BENNETT: Motion approved. We  
14 are adjourned.

15 (Deposition Concluded at 1:43 p.m.)

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## C E R T I F I C A T E

I, LAUREN ETIER, a Certified Court Reporter, License No. XI 02211, and Notary Public of the State of New Jersey, that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor council of any of the parties to this action, and that I am neither a relative nor employee of such attorney or council, and that I am not financially interested in the action.

*Lauren M. Etier*



Notary Public of the State of New Jersey

My Commission Expires June 30, 2026

Dated: November 20, 2025

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