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| 1 | MS. SUAREZ: Yes. | 1 | MS. RODRIGUEZ: Yes. |
| 2 | MR. BENNETT: Mr. DiRocco? | 2 | MR. BENNETT: And Mr. Jackson? |
| 3 | MR. DIROCCO: Yes. | 3 | MR. JACKSON: Yes. |
| 4 | MR. BENNETT: Mr. Close? Mr. Avery? | 4 | MR. BENNETT: That motion is |
| 5 | MR. AVERY: Yes. | 5 | approved. |
| 6 | MR. BENNETT: Miss Rodriguez? | 6 | MS. JONES: Next up is the matter of |
| 7 | MS. RODRIGUEZ: Yes. | 7 | 1936. This is two notice of violations. One is |
| 8 | MR. BENNETT: Mr. Jackson? | 8 | a violation of Subsection D and E. And the other |
| 9 | MR. JACKSON: Yes. | 9 | is a violation of Subsection D both with a fine |
| 10 | MR. BENNETT: That motion is | 10 | of \$100. |
| 11 | approved. | 11 | MS. SUAREZ: Are there any questions |
| 12 | MS. JONES: Next up is the matter of | 12 | on the current ethics item? Hearing no |
| 13 | 17-021. This is a notice of violation where the | 13 | questions, do we have a motion? |
| 14 | LGO is being found in violation of Subsection CF | 14 | MR. DIROCCO: So moved. |
| 15 | and 22.6A3 for a total fine of \$500. | 15 | MR. CLOSE: So moved. |
| 16 | MS. SUAREZ: Any questions on this | 16 | MR. BENNETT: Mr. Close, would you |
| 17 | one? Hearing none, do we have a motion? | 17 | like to second? |
| 18 | MR. BENNETT: So moved. | 18 | MR. CLOSE: Sure. |
| 19 | MR. AVERY: Second. | 19 | MR. BENNETT: Mr. Close. Miss |
| 20 | MR. BENNETT: Mr. Jackson and Mr. | 20 | Suarez? |
| 21 | Avery. Miss Suarez? | 21 | MS. SUAREZ: Yes. |
| 22 | MS. SUAREZ: Yes. | 22 | MR. BENNETT: Mr. DiRocco? |
| 23 | MR. BENNETT: Mr. DiRocco? | 23 | MR. DIROCCO: Yes. |
| 24 | MR. DIROCCO: Yes. | 24 | MR. BENNETT: Mr. Close? |
| 25 | MR. BENNETT: Mr. Close? Mr. Avery? | 25 | MR. CLOSE: Yes. |
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| 1 | MR. AVERY: Yes. | 1 | MR. BENNETT: Mr. Avery? |
| 2 | MR. BENNETT: Miss Rodriguez? | 2 | MR. AVERY: Yes. |
| 3 | MS. RODRIGUEZ: Yes. | 3 | MR. BENNETT: Miss Rodriguez? |
| 4 | MR. BENNETT: And Mr. Jackson? | 4 | MS. RODRIGUEZ: Yes. |
| 5 | MR. JACKSON: Yes. | 5 | MR. BENNETT: And Mr. Jackson? |
| 6 | MR. BENNETT: Motion approved. | 6 | MR. JACKSON: Yes. |
| 7 | MS. JONES: Next up is the matter of | 7 | MR. BENNETT: Motion approved. |
| 8 | 1835. This is two notice of dismissals for the | 8 | MS. JONES: Next up is the matter of |
| 9 | board investigated but did not find a violation | 9 | 2022. This is a notice of violation where the |
| 10 | of the Local Government Ethics Law. | 10 | LGO has been found in violation of Subsection C. |
| 11 | MS. SUAREZ: Any questions on that | 11 | The fine here will be $\$ 200$. |
| 12 | one? Hearing none, do I have a motion? | 12 | MS. SUAREZ: Any questions on this |
| 13 | MR. JACKSON: So moved. | 13 | one? Hearing none, do we have a motion? |
| 14 | MS. RODRIGUEZ: Second. | 14 | MR. CLOSE: So moved. |
| 15 | MR. BENNETT: Mr. Jackson and Miss | 15 | MR. BENNETT: Mr. Jackson, I heard |
| 16 | Rodriguez. Miss Suarez? | 16 | Mr. Close first. Would you like to second it |
| 17 | MS. SUAREZ: Yes. | 17 | instead? |
| 18 | MR. BENNETT: Mr. DiRocco? | 18 | MR. JACKSON: Sure. |
| 19 | MR. DIROCCO: Yes. | 19 | MR. BENNETT: Miss Suarez? |
| 20 | MR. BENNETT: Mr. Close? Mr. Avery? | 20 | MS. SUAREZ: Yes. |
| 21 | MR. AVERY: Yes. | 21 | MR. BENNETT: Mr. DiRocco? |
| 22 | MR. BENNETT: Are you in favor, Mr. | 22 | MR. DIROCCO: Yes. |
| 23 | Close? I may have lost you again. Mr. Avery? | 23 | MR. BENNETT: Mr. Close? |
| 24 | MR. AVERY: Yes. | 24 | MR. CLOSE: Yes. |
| 25 | MR. BENNETT: Miss Rodriguez? | 25 | MR. BENNETT: Mr. Avery? |


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| 1 | MR. AVERY: Yes. | 1 the 2023 FDS enforcement. The board had |
| 2 | MR. BENNETT: Miss Rodriguez? | 2 previously issued notice of violations to those |
| 3 | MS. RODRIGUEZ: Yes. | 3 local government officers who had not filed or |
| 4 | MR. BENNETT: And Mr. Jackson? | 4 submitted their FDS as of a certain date. |
| 5 | MR. JACKSON: Yes. | 5 At this time, the board is being |
| 6 | MR. BENNETT: Motion approved. | 6 asked to rescind a notice of violation for 19 |
| 7 | MS. JONES: Next up is the matter of | 7 individuals based on clerk error and waive the |
| 8 | 2029. This is also a notice of violation where | 8 fine for five other individuals based on general |
| 9 | the LGO has been found in violation of Subsection | 9 excuses and multiple positions. |
| 10 | C for a fine of \$200. | 10 MS. SUAREZ: Any questions on this |
| 11 | MS. SUAREZ: Any questions on this | 11 one? Hearing none, do we have a motion? |
| 12 | one? Hearing none, do we have a motion? | 12 MR. AVERY: So moved. |
| 13 | MR. AVERY: So moved. | 13 MR. CLOSE: Second. |
| 14 | MR. CLOSE: Second. | 14 Mr. BENNETT: Mr. Avery and Mr. |
| 15 | MR. BENNETT: I have Mr. Avery and | 15 Close. Miss Suarez? |
| 16 | Mr. Close. Miss Suarez? | 16 MS. SUAREZ: Yes. |
| 17 | MS. SUAREZ: Yes. | 17 MR. BENNETT: Mr. DiRocco? |
| 18 | MR. BENNETT: Mr. DiRocco? | 18 MR. DIROCCO: Yes. |
| 19 | MR. DIROCCO: Yes. | 19 MR. BENNETT: Mr. Close? |
| 20 | MR. BENNETT: Mr. Close? | 20 MR. CLOSE: Yes. |
| 21 | MR. CLOSE: Yes. | 21 Mr. BENNETT: Mr. Avery? |
| 22 | MR. BENNETT: Mr. Avery? | 22 MR. AVERY: Yes. |
| 23 | MR. AVERY: Yes. | 23 MR. BENNETT: Miss Rodriguez? |
| 24 | MR. BENNETT: Miss Rodriguez? | 24 MS. RODRIGUEZ: Yes. |
| 25 | MS. RODRIGUEZ: Yes. | 25 MR. BENNETT: And Mr. Jackson? |
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| 1 | MR. BENNETT: And Mr. Jackson? | 1 MR. JACKSON: Yes. |
| 2 | MR. JACKSON: Yes. | 2 MR. BENNETT: Motion approved. |
| 3 | MR. BENNETT: Motion approved. | 3 MS. JONES: Commissioner, that |
| 4 | MS. JONES: Next up is the matter of | 4 concludes the ethics portion. |
| 5 | 1723 and 1726. At this time, the board is being | 5 MS. SUAREZ: Thank you, Miss Jones. |
| 6 | asked to adopt the OAL initial decision with | 6 As we move on to the applications, I'm going to |
| 7 | exception of one modification. | 7 remind everybody to please make sure that they |
| 8 | MS. SUAREZ: Any questions on this | 8 remain muted to eliminate any unnecessary |
| 9 | one? Hearing none, do we have a motion? | 9 background noise. |
| 10 | MR. AVERY: So moved. | 10 If you are appearing by phone only, |
| 11 | MR. JACKSON: Second. | 11 option star 6 should both mute and unmute the |
| 12 | MR. BENNETT: Miss Suarez? | 12 phone. As each applicant appears to testify, |
| 13 | MS. SUAREZ: Yes. | 13 please turn your cameras on and speak up when |
| 14 | MR. BENNETT: Mr. DiRocco? | 14 your application is called so that your image |
| 15 | MR. DIROCCO: Yes. | 15 appears on the screen which will permit us to get |
| 16 | MR. BENNETT: Mr. Close? | 16 you sworn in prior to testifying. |
| 17 | MR. CLOSE: Yes. | 17 Before I introduce the first |
| 18 | MR. BENNETT: Mr. Avery? | 18 applicant, I just want to notice the public that |
| 19 | MR. AVERY: Yes. | 19 the May meeting date will no longer be on |
| 20 | MR. BENNETT: Miss Rodriguez? | 20 Wednesday, May 8, 2024. The new meeting date for |
| 21 | MS. RODRIGUEZ: Yes. | 21 May will be on Tuesday, May 7th. |
| 22 | MR. BENNETT: And Mr. Jackson? | And I'd also like to remind all |
| 23 | MR. JACKSON: Yes. | 23 local government officers that filing season is |
| 24 | MR. BENNETT: Motion approved. | 24 upon us. Please be guided accordingly and ensure |
| 25 | MS. JONES: Last before the board is | 25 that you submit your annual financial disclosure |


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| 1 statements on time. | 1 percent approval ratio. Recognizing that that's |
| 2 The first applicant appearing before | 2 not a tremendous amount of folks, but it's |
| 3 the board today is the Lindenwold Borough Fire | 3 actually in line with the fire district's normal |
| 4 District \#1. I see Mr. Winitsky. | 4 turnout for annual elections which this was one |
| 5 MR. WINITSKY: Good morning. How | 5 as well. |
| 6 are you. | 6 Also, recognizing the scope and size |
| 7 MS. SUAREZ: Good morning. | 7 of this project and the economic impact of it, if |
| 8 MR. WINITSKY: Jeff Winitsky with | 8 approved, the fire district conducted community |
| 9 Parker McCay. We're bond counsel to the | 9 outreach by way of posting on its social media |
| 10 Lindenwold Fire District \#1. With me, and | 10 sites, posting on its website and holding an |
| 11 sometimes it's hard to tell, but I believe | 11 informational meeting for concerned residents |
| 12 Richard Paul, who is the chair of the fire | 12 about the project and what it entailed. |
| 13 district, Sherry Tracey who is the financial | 13 The idea was to have full |
| 14 advisor and I'm not sure if Tammy DeLucca, who's | 14 transparency for a project like this when |
| 15 the vice chair, is on. She may be with Richard. | 15 everyone knew it coming before the vote. That |
| 16 And if you're there, please announce yourself and | 16 said, those who turned out were in line with the |
| 17 everyone needs to get sworn in. | 17 average amount of people who vote for the fire |
| 18 MR. PAUL: Richard Paul is here. | 18 district in any given year. |
| 19 Tammy is not. | 19 Before undertaking this project, |
| 20 MR. WINITSKY: Thanks, Rich | 20 given its size and scope, the fire district did a |
| 21 (At which time those wishing to | 21 very carefully considered structural operational |
| 22 testify were sworn in.) | 22 and needs assessment of the condition of its |
| 23 MR. WINITSKY: Thank you. As I | 23 existing facilities, all of which it does not |
| 24 said, we're here representing Lindenwold Fire | 24 own, but it in fact leases from others and |
| 25 District \#1 who is seeking positive findings | 25 engaged an architectural firm, Robin Connelly |
| 15 | 17 |
| 1 pursuant to N.J.S.A. 40A:5A-6 for the issuance by | 1 Architects, to do a full needs assessment of its |
| 2 the fire district of its general obligation bonds | 2 existing facilities and sort of what it might |
| 3 in an amount not to exceed \$10,560,000. | 3 need going forward. |
| 4 The proceeds of which are going to | 4 A copy of that needs assessment |
| 5 be used to under take a capital project | 5 report was actually included in the application. |
| 6 consisting of the development and construction of | 6 To the extent the board didn't have a chance to |
| 7 a new fire station for the fire district, indeed | 7 look at it, it's in there. It's very |
| 8 its own, fire station. I'll get to that in a | 8 comprehensive. The take away of that was the |
| 9 minute. | 9 time, energy, expense of trying to retrofit, |
| 10 By way of background about the | 10 renovate and redo the existing facilities, again, |
| 11 district, it serves the entirety of the Borough | 11 none of which the district owns. |
| 12 of Lindenwold and Camden County and covers, | 12 It was really, not a good idea, in |
| 13 approximately, four square miles. Lindenwold is | 13 terms of, moving forward and instead it made a |
| 14 a pretty densely populated town despite its small | 14 lot more sense for the fire district to go ahead |
| 15 size. | 15 and build its own facilities to serve its needs, |
| 16 The borough has a population of, | 16 not just now, but for the future. |
| 17 approximately, 17,400 with, approximately, 11,800 | 17 So the project itself consists, as I |
| 18 registered voters. At the district's annual | 18 mentioned, of the construction of a new fire |
| 19 election which was held this February, the voters | 19 station, fire facility which will include five |
| 20 approved the proposal authorizing the completion | 20 apparatus bays, communications and dispatch hub, |
| 21 of the project itself and the issuance of the | 21 turn out gear, equipment storage, some charging |
| 22 bonds to finance the cost thereof in an amount | 22 stations, kitchen facilities, meeting and office |
| 23 not to exceed \$10,650,000. | 23 space, et cetera. |
| 24 The proposal passed by a vote of 331 | 24 So it's a state of the art facility |
| 25 in favor versus 201 opposed which is about a 62 | 25 which is really going to serve the needs of the |

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| district in a meaningful way rather than sort of piece meal, which is what it's been doing for years and years and years. Total construction costs are around $\$ 10,565,000$. <br> Bond issuance size is, as I <br> mentioned before, not to exceed $\$ 10,650,000$ which <br> will include all construction costs, soft costs, <br> legal, engineering and then cost of issuance for <br> the bonds. The bonds, we expect, to be amortized over a period of 30 years with a conforming <br> maturity schedule which essentially will level out the old debt service throughout. <br> Obviously, given the size of the <br> financing, tax impact, I will be blunt, is <br> significant. It's about 10 cents per a hundred <br> dollars of assessed value. Average assessed in <br> Lindenwold is around $\$ 111,000$, so do the math. <br> It's a pretty big impact. <br> Again, that's why the fire district <br> conducted community outreach at the beginning of <br> the process so that this was fully transparent <br> and that everybody understood what this might <br> mean to the extent it was approved. <br> The fire district will, obviously, <br> con duct a public or private sale depending on | 2021 was for the apparatus and we've been working on this building project for about four years. <br> We weren't expecting to get approval <br> by the voters the very first time around and it <br> shocked all of us, that we did get the vote passed and we want to move forward and get this project because like Jeff said, we're trying to consolidate everything into one building and operations, administrative and we're getting -reallocating our lease money that we pay these other companies to lease our apparatus in storage. <br> MS. SUAREZ: So in that vein <br> actually, I guess what is the plan for the <br> apparatus and vehicles during the construction <br> period? Are you going to maintain that lease or what is the goal? <br> MR. PAUL: We did sign a lease for <br> this year and we do have room in the other buildings to put the apparatus and our equipment and all that. And the officers are working on storage for local storage. <br> MS. SUAREZ: Is there a cost that you're already anticipating? Is it like an existing cost for, I guess, storing the |
| market conditions, best available interest rate, et cetera. And the fire district's financial advisor, Sherry Tracey, is on will help lead that process and will make an independent decision as we get closer to financing, which we expect to do as soon as we can, assuming we get approval today. <br> We've got the chair of the board. <br> We've got myself and the financial advisor, to <br> the extent there are any questions about the application, the project or the bonds. <br> MS. SUAREZ: Thank you. Anything <br> else, anybody on the application side, would like <br> to add before I ask a few questions? I take my <br> silence as acceptance on applications. So one of the questions that I have, I know that the unrestricted fund balance in 2022, per the audit, was a little over $\$ 980,000$. Just wanted to understand why there's no anticipated down payment here. <br> MR. WINITSKY: Rich, you want to speak to that? <br> MR. PAUL: The down payment for the building, we didn't have the money put away for that. The money for the down payment we had in | apparatus? And if so, what do you think that is annually for the next couple of years? <br> MR. PAUL: That's already built into <br> the lease, the lease money that we give the two <br> companies. I believe the lease money this year <br> was $\$ 140,000$ between lease money and maintenance <br> and repairs. <br> MS. SUAREZ: That will go away as <br> soon as the building is completed <br> MR. PAUL: Yes, that's correct, or <br> be reallocated towards the payment of the bond. <br> MS. SUAREZ: I don't have any other <br> questions at this time. So I will open it up to <br> see if any board members or if anyone from the <br> public has any additional questions they'd like <br> to ask. <br> Hearing no additional questions, do <br> we have a motion to issue positive findings in an amount not to exceed $\$ 10,650,000$. <br> MR. DELUCCA: Yes, I have a <br> question. <br> MS. SUAREZ: Sure. <br> MR. DELUCCA: Obviously, I'm on <br> audio. My name is Frank DeLucca. I'm a board member in Lindenwold Fire District, past mayor |

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| for the Borough of Lindenwold for 16 years. And <br> I find some of the information that was given, okay, was not open and clear to the public and to the taxpayers of the Borough of Lindenwold. <br> Again, I apologize, I'm not real <br> computer literate, okay, and the -- I just became of this meeting this morning, okay, and that's another example of how this was not transparent to the public. <br> You know, I made that aware to the other board members and there is some other support in that area, that the transparency did not take place, okay. The website is antiquated and you can look at that yourself, okay. <br> The information that was stated on the website was not correct, okay. And again, I apologize, I don't know what the appeal process is to address any of this, okay. Myself personally, I've been restricted by the chairman to talk to the solicitor. <br> It is my understanding the Borough <br> of Lindenwold has already been capped at the amount of bonding. The school board just took a recent amount of bonding to build a new middle school, okay. | meeting and didn't have the paperwork in front of me. I don't know how to log on to this website. <br> Anyhow, this is not correct, this <br> whole thing, okay, and I have documentation that <br> I can show, okay. The 62 percent, I believe, <br> Jeff had stated approval, okay, is because the taxpayers in the Borough of Lindenwold was not aware of a 10 million dollar bond approval because the election was held in February, okay. <br> And the only people that were even <br> notified of the election, okay, would have been the people that use mail in ballots, okay. <br> Obviously, they voted, okay, but the general <br> population of the Borough of Lindenwold were not aware of that, okay. I do have figures. <br> I don't have them in front of me, <br> but the people that personally came out on <br> February 17th voted against this. The bond referendum went down, okay, and this was a idiosyncrasy of fire districts, okay. <br> I believe the fire district had <br> money in their funds, okay, to contact the local or the County Board of Elections to mail out information, but they denied to do that, okay, probably just because they wanted to hide it, |
| And so I guess my question is, is I <br> don't know how the fire district, which is part <br> of the Borough of Lindenwold, can exceed what the <br> bonding ability or allowable amount of funds can exceed that. <br> I've requested that from the prior <br> solicitor, who, when I was elected quit, okay, <br> for some unknown reason. I don't know why. And <br> I've requested that information again, okay, to <br> show me the law that says that the fire district <br> can exceed the total bondable amount for the <br> Borough of Lindenwold. <br> And I've been told that the new <br> counsel cannot give me that information. It has <br> to go through the chairman. And I've requested <br> that, approximately, a month and-a-half ago. To <br> this date, I have not seen that, and told that I <br> would be personally billed by the solicitor, you <br> know, to see this information, okay. <br> And I needed permission from the chairman to even talk to the solicitor. Again, this is another example of the -- of my issue of open and transparency, okay. The other piece of that, and I apologize, again, I'm doing this from memory because I was not prepared for this | okay. <br> Again, the information that they did <br> put out, okay, was very confusing. There was two <br> questions. One was the normal bond or the normal <br> budget and the second was the bond referendum. <br> So there were two separate questions, but the <br> statement that the fire commission put out were not correct, okay. <br> They intertwined both of those <br> questions, okay. Therefore, it was very, very <br> confusing and I can forward that information to <br> you, you know, in the next couple of days, or <br> whoever I have to contact or if I need to make a <br> trip to Trenton. <br> I've done that on numerous occasions <br> before as mayor. The actual financial impact <br> given to the public was done by the architect, <br> okay. And I think, what's the new expression, he <br> was out of his lane, okay. I've heard a lot of <br> proposals and I never heard an architect give the <br> financial impact, okay. <br> And at the end of his presentation, <br> he showed a Wawa cup of coffee and stated, well, <br> that's only what it's going to cost the <br> taxpayers, is a cup of coffee a month or a week |

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| or whatever which is totally untrue. <br> Our town, meaning, the Borough of <br> Lindenwold, has approximately 5,000 apartments, <br> which as you all know, is assessed in a different level, okay, in a different process. They're <br> assessed on an income producing method, so the average assessment which I believe Jeff stated. <br> I don't recall Jeff's last name, is improper, okay. <br> Because our town is 50 percent <br> single family dwellings and 50 percent multi <br> dwellings, okay. So when you look at -- if you <br> look at the average house, they're probably a lot <br> higher than that. So again, this reverts back to <br> the open and transparency and somebody is hiding something, okay. <br> And I am preparing now, as a <br> commissioner, and that's why I ran for <br> commissioner, is to figure this out, okay, and to do what I can to correct this. It's just not <br> fair to the taxpayers of the Borough of <br> Lindenwold. <br> MS. SUAREZ: Sir, if I can interject <br> here for just one moment because I do hear your concerns. And I want to make sure that we're on | borrowing capacity that is unaffected by the borough itself or the Board of Education. There is a specific set of statutory requirements, for which we are governed and for which we are permitted to borrow. We are within those borrowing capacities. <br> So, yes, this is an additional tax <br> bill, but not being given by the borough directly to its own taxes or the Board of Ed for their taxes. This is our own separate borrowing ability, our own separate taxing ability, et cetera. <br> It is separate and apart from <br> anything that the borough or the Board of Ed may <br> or may not have done and were specifically <br> permitted to do so under statute, as long as <br> we're under our statutory debt cap, and we are, so that's first. <br> Second, you had mentioned the <br> referendum itself and that there was not an opportunity for folks in the borough to understand that the vote was happening or that it was undertaken improperly. I would submit that it was done in strict accordance with election <br> 25 law and fire district law. |
| task with the purview that the Local Finance <br> Board has jurisdiction over. <br> So if it's okay with you, what I'd <br> like to do, is have Mr. Winitsky address some of <br> the concerns you've raised regarding the vote and <br> some of the other items because those have to get <br> sent over to the board for review which we've done. <br> I'd like to give Mr. Winitsky an <br> opportunity to address the concerns you've raised <br> that would be within the board's purview. <br> MR. DELUCCA: Okay. Thank you very <br> much. And I apologize for meandering on. I <br> wasn't prepared. I'm going strictly by memory. <br> MS. SUAREZ: Of course. Of course. <br> MR. WINITSKY: Thank you, <br> Commissioner. There was a few points, I'll try <br> to hit all of them. If I don't, I'll be happy to <br> circle back. Remind me of anything I missed. <br> Your first concern was with respect to the <br> ability of the fire district to incur the debt <br> when the Borough of Lindenwold, and or, the Board <br> of Education is either at or exceeded its CAP. <br> I would let you know that, pursuant <br> to state law, the fire district has its own | We are required to post notices in <br> newspapers at various times. We're required to <br> post physical notice at 10 spots around the <br> borough which we have done. We're required to do <br> all the things under the election law necessary <br> to conduct referendum and the election which we have done. <br> In fact, I don't know if you have a <br> copy of our LFB application, but we're happy to <br> supply it. We included the full record of <br> proceedings related to everything that we did for <br> the election, which includes all of our <br> affidavits of publication, our county Board of <br> Election filing, et cetera, so the full record is there. <br> And I can tell you, as counsel to <br> the fire district, we would not permit this <br> application to proceed had we not been satisfied <br> that the referendum was conducted appropriately <br> and in accordance with law. <br> And likewise, I don't think we'd be <br> sitting here given the opportunity to present if <br> those at Local Finance Board believed that our referendum was done inappropriately. <br> So to the extent there may have been |

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| some misunderstanding or miscommunication on your <br> part or perhaps on the part of others in the <br> borough, we apologize for that. However, we did <br> follow very strictly election law and fire <br> district law requirements for purposes of the election itself. <br> In terms of outreach or <br> understanding of the project itself, again, the <br> fire district did post on its own social media, its website, granted we don't have the website capacity that maybe perhaps of others, but we did everything -- when I say we, I mean the fire district of course, did everything that it could, and I'll let Chairman Paul speak to this a little bit, it could to inform folks in the borough that this was going to happen. <br> The fire district also engaged a <br> financial advisor in the form of Phoenix <br> Advisors, Sherry, who is on the call, to run comprehensive analysis, not just from the <br> architect about what this might cost, but from a trained and licensed professional advisor as to the finances and economics. <br> Again, if for some reason, you were <br> not advised of that, I apologize. All of this | what that means? <br> MR. WINITSKY: Yes. <br> MR. DELUCCA: You are, but you're <br> exceeding what the capability, okay, that the <br> borough has, okay, and maybe you were in <br> compliance with the law, okay, but I do plan on <br> meeting with our legislators, okay, because this <br> is just not a concern in the Borough of <br> Lindenwold. <br> It's a concern throughout the state, <br> okay. Are you familiar with the expression of <br> being hoodwinked, okay, and what that means? And <br> again, I'm sure you are, and I don't mean to be a <br> wise guy, Jeff. The voters in the Borough of <br> Lindenwold were totally hoodwinked. <br> And just a little piece of this, <br> okay. You know, why didn't the fire <br> commissioners, if they wanted to be open, okay, <br> and responsive to the public, okay. Again, in <br> reviewing, how it was advertised, okay, which the <br> people nowadays, whether youse know it or not, <br> don't read the newspapers and don't read the <br> legal notices. <br> This is what it is, okay. The fire <br> district election, okay, is not advertised like |
| data, all of these materials are available for public review. And in fact, as soon as we submitted it to Local Finance Board over a month ago, they were all there. <br> All these analysis had been done and carefully considered before we proceeded given the size, scope and impact. If there was some misunderstanding or miscommunication or perhaps, it wasn't communicated to you directly enough, our apologies, but I can assure you that everything that was required was done and careful deliberation and review was done. <br> This was not done lightly given sort of the size and scope and I represented that, both to the board and we talked to the fire district at length about this and what this might mean from an economic impact, all in advance. <br> MR. DELUCCA: Is that Jeff? <br> MR. WINITSKY: I'm sorry? <br> MR. DELUCCA: Miss Chairman, am I <br> allowed to respond to any of that? <br> MS. SUAREZ: Yes. <br> MR. DELUCCA: Well, first off, let's <br> talk about the bond. Are you now into an arbitrage situation, okay? Are you familiar with | it should be, especially when you're spending 10 <br> million dollars and the architectural fee is one million dollars, okay. I've asked the questions prior to being a fire commissioner, if in fact, they look at any types of grants that were available. Oh, there's no grants out there. Okay. <br> Well, there are grants out there and available for this type of thing, okay. But again, the taxpayers in the Borough of Lindenwold were hoodwinked and I am prepared to go meet with our legislators. Our legislative district is Senator Beach, okay, and I believe that they are taking a look at this whole thing. <br> Absolutely, Jeff, you are probably <br> in compliance with the law, okay, but that don't make it right, okay. And this is just not proper, okay. And they done it on the sneak, okay. How do I say that nicely, okay. You said 62 percent, I believe, okay, voter approval, okay. And again, how many registered voters, okay, were in the Borough of Lindenwold? <br> MR. WINITSKY: Around 11,000. <br> MR. DELUCCA: Okay. Do you know how <br> many came out and voted at the fire district |


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| 1 election? | 1 A lot of these are legislative fixes |
| 2 MR. WINITSKY: 532. | 2 that would require the legislature to intervene. |
| 3 MR. DELUCCA: Doesn't that seem a | 3 So I'm happy to hear you're already engaging with |
| 4 little bit awkward, okay? Something is being | 4 Senator Beach. I will tell you that there was |
| 5 hidden, okay or hoodwinked, okay. That just | 5 some, in recent history, legislation that was |
| 6 doesn't seem fair. And I'll tell you what, you | 6 done to enable the movement of fire district |
| 7 know, as mayor in this town for 16 years, if I | 7 elections and votes to move to the November |
| 8 ever done anything like that, they've had me on a | 8 election. |
| 9 rail line to Atlantic City. | 9 So there's a possibility of amending |
| 10 It's not right. The only people | 10 that further. But that's something you may want |
| 11 that really knew about it, again, were the people | 11 to entertain with Senator Beach to make this, you |
| 12 that got absentee ballots, or whatever they call | 12 know, a more robust opportunity for voters to |
| 13 it nowadays, or the inner circle of the fire | 13 participate in this process. |
| 14 department to protect their jobs, okay, being a | 14 And Mr. Winitsky did mention to you, |
| 15 chief and I guess the commissioners and so on and | 15 and I know you even mentioned this yourself, they |
| 16 so forth, okay. | 16 have complied with what the law requires and it |
| 17 This is not right and I believe | 17 may be frustrating and you may disagree with it |
| 18 youse really have to take a look at this, okay. | 18 and then I would encourage you to continue those |
| 19 And Jeff, were you at all of those public | 19 conversations with the legislators to talk about |
| 20 meetings? How were they advertised? None of | 20 interventions or changes to the legislation to |
| 21 this was advertised. It was an inner circle of | 21 make this a more encompassing process for voters. |
| 22 firemen. | 22 But unfortunately, that's outside of |
| 23 And again, this is not just taking | 23 this board's purview, so I need us to get back on |
| 24 place in the Borough of Lindenwold, it's | 24 track with what it is we're here to vote on |
| 25 throughout the State of New Jersey, okay. And | 25 today. |
| 35 | 37 |
| 1 this has to be addressed, okay. Because the | 1 MR. DELUCCA: Thank you. And I |
| 2 people are being hoodwinked, okay. And when you | 2 apologize for meandering on, again, okay, but |
| 3 exceed what the bondable powers of the borough, | 3 these numbers are just not correct, okay. And is |
| 4 okay, I never heard of that. | 4 there an opportunity to submit, okay, you know, |
| 5 Maybe it's the law, okay, but you | 5 and that the board read these, what was passed |
| 6 know, there's one other last issue, okay, you | 6 out to the public, okay. |
| 7 know, regarding tax abatement programs, okay. | 7 You know, and again, I was told, you |
| 8 You know, there are several thousands of dollars | 8 know, regarding needing to, you know, because the |
| 9 that a municipality receives, okay, under a tax | 9 board is moving in that direction. Well, now, |
| 10 abatement program for senior citizens projects. | 10 it's my understanding that I received a text from |
| 11 Was any of that given to the fire | 11 the chairman yesterday that, well, maybe we're |
| 12 district? Okay. There's just a lot of issues | 12 not going to do it and we're going to take a |
| 13 that need to take place, okay. And we're on a | 13 second look, okay, at having it, okay. |
| 14 crash course. And again, Ithank you for your | 14 So again, the chairman indicated |
| 15 time and I apologize for meandering on, but it's | 15 that they were going to move to a November |
| 16 something that's very personable to me, okay. | 16 election this fall, okay, but now, oh, well, |
| 17 The people of Lindenwold have to speak out | 17 maybe we're not going to do that, okay. |
| 18 against, okay, and this is just not proper, okay. | 18 Something is rotten in Denmark, I don't like to |
| 19 MS. SUAREZ: Mr. DeLucca, I'm going | 19 use that expression to Denmark people, but this |
| 20 to interject here. I appreciate all of your | 20 is not fair, okay. |
| 21 thoughts and comments. I need to wrap it up a | 21 And I'd love to have the opportunity |
| 22 little bit so we can get back on to schedule for | 22 to prove some of the statements that Jeff said. |
| 23 the board. I hear your concerns. I think the | 23 And believe me, I have the utmost respect for |
| 24 board hears the concerns, even the applicant | 24 this firm, okay, but that's what they get paid |
| 25 hears the concerns. | 25 for. And this is what I get paid for, okay, not |

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| ```momentarily, okay. But I love Lindenwold and I feel like it's my job to protect the taxpayers of the Borough of Lindenwold and that's why I ran for fire commissioner. Thank you very much and God bless all and have a great day. MS. SUAREZ: Thank you, Mr. DeLucca. I thought I saw a hand up. MR. PAUL: Yeah, I wanted to speak on the election. I know it's not the time or place here, but he did send an email about the election and we are looking at moving it to the November election. And that is in the process and that will be brought to the board and our solicitor for a resolution to move for 2025, from February, to November. MR. DELUCCA: Yeah, but you're saying two years from now. MS. RODRIGUEZ: Commissioner, if I may? MS. SUAREZ: Yes. MS. RODRIGUEZ: I think, you know, we've heard Mr. DeLucca's concerns. We're taking them seriously. We're not here to debate back``` | MR. BENNETT: With the five votes, <br> recorded the motion is positive findings for the record. <br> MR. WINITSKY: Thank you very much. <br> We appreciate your help today. <br> MR. PAUL: Thank you for your time. <br> MS. SUAREZ: Thank you. The next <br> applicant on the agenda is the Borough of <br> Chesterfield. I see Miss Wulstein. Thank you <br> for your patience. I'm assuming you're <br> presenting the application for the board today. <br> Is that correct? <br> MS. WULSTEIN: That's correct. And <br> if he is still there, our mayor, Matt Litt should <br> also be on-line or through the phone. Do you see <br> him, Mr. Matthew Litt? <br> MS. SUAREZ: Yeah. I think I did hear him. <br> MS. WULSTEIN: He was. He may have <br> had to jump off in the meantime. I can proceed if that's what the board would prefer. <br> MS. SUAREZ: Let's get you sworn in and then the floor is yours. <br> (At which time those wishing to <br> testify were sworn in.) |
| and forth on elections. I think we have to move on. I'm going to make a recommendation that we move on. <br> MS. SUAREZ: Thank you, Miss <br> Rodriguez. I don't see any other hands or questions raised, so at this juncture, I will ask if we have a motion to issue positive findings in an amount not to exceed $\$ 10,650,000$. <br> MS. RODRIGUEZ: I make a motion. <br> MR. JACKSON: Second. <br> MR. BENNETT: Miss Rodriguez moving, <br> Mr. Jackson second. Miss Suarez? <br> MS. SUAREZ: Yes. <br> MR. BENNETT: Mr. DiRocco? <br> MR. DIROCCO: Yes. <br> MR. BENNETT: Mr. Close? Mr. Avery? <br> MR. AVERY: Yes. <br> MR. BENNETT: Miss Rodriguez? <br> MS. RODRIGUEZ: Yes. <br> MR. BENNETT: Mr. Jackson? <br> MR. JACKSON: Yes. <br> MR. BENNETT: And Mr. Close, were <br> you back on? <br> MS. SUAREZ: He said he's attempting <br> to log back in right now. | MS. WULSTEIN: So good morning. <br> Thank you for hearing me this morning. I am here on behalf of -- I am the CFO of the Township of Chesterfield. We are here with a local appropriation CAP waiver request of 960,000 . <br> Chesterfield has been before this board today in this area. I like to explain it to the local taxpayer as this is the part of the transition from the very rural community that chesterfield once was now to where it is now a mix of that rural into the suburbs. It has been ongoing. <br> We do have the surplus available in cash for the amount of the relief. We're looking for the appropriation CAP. We do anticipate, this will go to vote. What we have asked the board for, is consideration, if they could approve this appropriation CAP. <br> And when we do go to the voters for the levy CAP, we will be knee putting this appropriation cap as well. It is all related to the same manner. Chesterfield, as I said, was a rural community, was state police for a number of years, had a very low number of police officers as the population started growing in the past 20 |

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| 1 years. | 1 MS. SUAREZ: Thank you, Miss |
| 2 We have some favorable things going | 2 Wulstein. I do have just one question and I |
| 3 on this year that are new. We haven't had much | 3 believe I saw in the application, I think you |
| 4 development as we are a very well farmland | 4 made a reference to it here, and I just wanted to |
| 5 preserved but we do have two new commercial | 5 verify. |
| 6 endeavors that we're hoping would provide some | 6 Have you been in contact with the |
| 7 tax relief to the community. | 7 Borough of Financial Regulations and Assistance |
| 8 Was is in the area of a warehouse | 8 just regarding the adjustments that the township |
| 9 which actually, just yesterday, delivered. Their | 9 is going to have to make for the amendment to |
| 10 final plans, they go before the planning board | 10 bridge the budget within the appropriation CAP? |
| 11 and we hope that after a two year process, this | 11 Have those conversations commenced? |
| 12 will come in. | 12 MS. WULSTEIN: I'm sorry. I didn't |
| 13 The reason I talk about that is in | 13 follow that. |
| 14 relation to how far I think we might get to where | 14 MS. SUAREZ: Sure. So it's my |
| 15 we're going to be in front of a levy CAP vote | 15 understanding that I think there has to be an |
| 16 because we do utilize -- right now we're | 16 amendment, right, to bring the budget with in the |
| 17 utilizing 44 of our surplus in this year's | 17 appropriation CAP per the budget cycle? |
| 18 budget. That will leave us enough for 2025. | 18 MS. WULSTEIN: Introduced as with |
| 19 And if everything went exactly as we | 19 the waiver, assuming is to be approved, the |
| 20 budgeted, that would mean we might run a little | 20 budget will have to be amended if the waiver is |
| 21 short in '26. If the development is able to | 21 not approved. The budget has been submitted to |
| 22 achieve what they would like in the next two | 22 the state for review and we certainly will make |
| 23 years, we might be able to get through 2026 which | 23 any adjustment we need to upon their request. |
| 24 would put us in front of the voters in 2027. | 24 MS. SUAREZ: I think that may be the |
| 25 We have started to get the community | 25 case, so if you could just touch base with Tina |
| 43 | 45 |
| 1 involved. We do have a budget advisory. The | 1 Zapicchi on that just to make sure there is |
| 2 challenge that Chesterfield faced is going to be | 2 nothing else that needs to be done in advance. |
| 3 in the educating of the public. Although it's | 3 MS. WULSTEIN: Absolutely. We will |
| 4 been ongoing for years, we're gonna start putting | 4 make any adjustment needed. |
| 5 a lot more intention into that, so that we can be | 5 MS. SUAREZ: Thank you. I don't |
| 6 aware that our taxpayers are aware of the | 6 have any other questions so I will open it up to |
| 7 situation. | 7 see if there are any from the board or from the |
| 8 This isn't new spending. The | 8 public. Hearing no questions, do we have a |
| 9 township debt exercises all the caution they can | 9 motion to approve -- |
| 10 to reserve their spending. Although we have to | 10 MR. DIROCCO: I'll make a motion to |
| 11 budget for some things, every expense is reviewed | 11 approve. |
| 12 for better ways to do it or cheaper ways to | 12 MR. AVERY: Second. |
| 13 accomplish that, but this is the situation where | 13 Mr. BENNETT: Mr. DiRocco and Mr. |
| 14 we are. | 14 Avery. Miss Suarez? |
| 15 The appropriation CAP came back from | 15 MS. SUAREZ: Yes. |
| 16 back in the day when we were at a five percent | 16 MR. BENNETT: Mr. DiRocco? |
| 17 tax rate and we were -- I think the total budget | 17 MR. DIROCCO: Yes. |
| 18 was about \$500,000. So we certainly have grown | 18 MR. BENNETT: Mr. Close? |
| 19 since then and that appropriation CAP just hasn't | 19 MR. CLOSE: Yes. |
| 20 allowed us to operate the way we are. | 20 Mr. BENNETT: Mr. Avery? |
| 21 So we have requested to the board | 21 MR. AVERY: Yes. |
| 22 this year, again, 960,000 for relief and I'm here | 22 MR. BENNETT: Miss Rodriguez? |
| 23 to answer any questions. My mayor is floating | 23 MS. RODRIGUEZ: Yes. |
| 24 around. Whether or not he's on at the moment, | 24 Mr. BENNETT: Mr. Jackson? |
| 25 he's also available. Thank you. | 25 MR. JACKSON: Yes. |

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| 1 MR. BENNETT: Motion approved. | 1 million and a half or whatever the exact number |
| 2 MS. WULSTEIN: Thank you very much | 2 is. And what we've done, and I understand the |
| 3 for your time this morning. | 3 concern is for a plan. There's very little |
| 4 MS. SUAREZ: Thank you. Best of | 4 leeway for any plan other than what we've done. |
| 5 luc | $5 \quad$ For the last two years, we have |
| 6 MS. WULSTEIN: Thank you. | 6 frozen our bond issues. We're at 2.1 percent out |
| 7 MS. SUAREZ: The next applicant on | 7 of 3.5 percent which we're allowed. We've held |
| 8 the agenda today is Weehawken Township. I see | 8 steady for two years, maybe even longer, to |
| 9 Mr. Capizzi, I see Miss Toscano and I see Mayor | 9 offset this. |
| 10 Turner. | 10 We are managing our debt very well. |
| 11 MR. TURNER: Hello. | 11 We have another issue going off the books next |
| 12 MS. SUAREZ: If we can get the group | 12 year, so when this comes on, if it's at 10 years, |
| 13 sworn in quickly. | 13 we'll have 100,000 savings. If it's less, we'll |
| 14 MR. HANLEY: Mike Hanley and Heather | 14 have less savings. But the only alternative is |
| 15 Litzebauer are on as well. | 15 to either increase taxes. |
| 16 (At which time those wishing to | 16 We're already going up \$600 on |
| 17 testify were sworn in.) | 17 average. We lost very little state aid with |
| 18 MR. CAPIZZI: Good morning, Miss | 18 schools, basically are the biggest proportion. |
| 19 Chairman and commissioners. My name is Jason | 19 We're a suburban school district. We received |
| 20 Capizzi. I'm bond counsel to the township. We | 20 \$100,000 more in state aid which doesn't cover |
| 21 are here this morning seeking approval of a | 21 the health benefits or the pensions or the union |
| 22 refunding bond ordinance issuing the issuance of | 22 increases. |
| 23 not to exceed 2.1 million dollars of refunding | 23 And we've already been burned once |
| 24 obligations to be paid pursuant to a 10 year | 24 before when big companies like UBS, which has a |
| 25 maturity schedule in accordance N.J.S.A. | 25 major facility in Weehawken. They will go in for |
| 47 | 49 |
| 1 40A:2-51. | 1 a judgment, and if we don't pay their judgment, |
| 2 The township's plan in this regard | 2 we will pay interest and penalties. We got hit |
| 3 will have, approximately, 57 dollar tax impact | 3 with that once before. |
| 4 per average household if approved. If the | 4 We were six days behind schedule and |
| 5 township is unable to move forward with this | 5 we got hit for \$150,000. When you're dealing |
| 6 plan, the impact will be, approximately, \$413 | 6 with big corporations of this level, they have no |
| 7 dollars per average household. | 7 concern. They will go in and get a judgment and |
| 8 MR. TURNER: I understand that | 8 we may not have enough time if we put it off to |
| 9 there's some suggestion that we postpone the | 9 May 7th. The council meets the 8th. I believe, |
| 10 application. I think that's unfair and not | 10 the 8th, if that's the second Wednesday, 7th or |
| 11 acceptable. I don't know what we will | 11 8th. |
| 12 accomplish. | 12 Then you have 20 days before you can |
| 13 It's basically, as we discussed two | 13 do anything and it makes it very tight and we owe |
| 14 weeks ago, I don't know what would happen in | 14 them the money in July. We've paid over 800 to a |
| 15 three weeks. Three quarters of this, three | 15 million dollars in direct credits or |
| 16 quarters of this bond issue comes from Hartz | 16 reimbursements over the last two years. The |
| 17 Mountain Industries. | 17 revals, in a town like Weehawken, was very |
| 18 It's a result of -- they own 50 | 18 disruptive. |
| 19 percent of the waterfront, 20 percent of the | 19 We've settled everything down. We |
| 20 township's geographic area. As a result of two | 20 have one major appeal left, which we discussed |
| 21 and-a-half years of litigation since the | 21 two years ago, with UBS, two weeks ago, I'm |
| 22 revaluation and that's what we've been hit with. | 22 sorry. And if you don't push back and delay it, |
| 23 Originally they came in for three, three | 23 you get hammered. So we pushed back, we were |
| 24 and-a-half million. | 24 successful with Hartz Mountain bringing it down |
| 25 We were successfully reduced it to a | 25 to a reasonable level. We can manage the debt. |

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| And, like I said, we already have a <br> $\$ 600$ increase on average this year. That's primarily school and we're not 100 percent sure what the county is. We think the county will stay pretty stable. <br> Our municipal taxes have gone up 18 percent in two years. A lot of it based on handing back these tax appeals, so we've settled everything out. We have a plan. I don't know what more could possibly happen in two to three weeks. It's up to you guys, I guess. <br> MS. SUAREZ: I'm going to open it up to the other board members, but I think, Mayor, part of the consideration that the board was looking to understand is there have been intimations that there are other large tax appeals on the horizon. <br> MR. TURNER: Not intimations, Director. I admit it, we have a rather large one on the horizon. We don't know the outcome yet, but I can't pay out a million and-a-half, 2 million dollars unless you want me to have a major tax increase. <br> That would be $\$ 400$ on top of this 600 we're already doing so you have to deal with | happens across the state, and we're coming out with our revenue starting to pick up again from the hotel tax and the parking tax, New York waterways at six percent of their operation. <br> That's what people come get for the hotels and the parking tax. So we've kept things fairly stable and still passed along significant tax increases. This will be five percent this year, four and-a-half percent, so I don't know what the you guys are suggesting, but I don't think putting it off to May will work and I'm open for suggestions. <br> MS. SUAREZ: One thing I'd like to clarify, Mayor. I heard you just say there was about 800,000 to a million dollars. Can you, I guess, can you just clarify the set aside for me because I was under the impression, when we last heard from you, that it was somewhere between 415,000. <br> MS. TOSCANO: The 415,000 was over the last three years. I think what the mayor is referring to is since the reval, we have paid back in credits and different type of items about almost like $\$ 800,000$ in tax appeals. And every year, it's a small, you know, numbers that we're |
| this and I have to deal with this. So yeah, I don't know. It's a UBS tax appeal. I have no idea where that goes. You're dealing with major corporations which hire -- just the legal fees we spend alone in fighting these, and I can't go into the specifics and I will not go into the specifics because they pay attention to everything and they subpoena everything, and I don't want them to know necessarily our strategy, but we are fairly successful in getting these to a reasonable number. <br> UBS might be a little more difficult because they're not a development company. So, yeah, you tell me what's going to happen in three weeks. What will I accomplish in three weeks? I understand the board's concerns. I have the same concerns. <br> We've held our debt down. We've <br> been able to offset it next year when something <br> else goes off the books. We've stayed level debt even with a rateable loss as a result of some of these tax appeals and we have very high rateables. <br> We've been able to offset the <br> school, getting lack of additional funding, which | doing credits on and things like that. <br> MR. TURNER: We've looked at -- <br> that's why the tax appeal took effect in '18, I <br> believe, right before the pandemic. And these <br> appeals, by the way, and this is an unfair <br> system, an unfair process. The appeals are based on the value during the pandemic. <br> So during the pandemic -- these <br> appeals go back to '20 and '21. And during the <br> pandemic, property values went down because <br> nobody was doing anything, so I'm fighting <br> appeals for something that is not really relevant at this point in time. <br> And I think it may be better if I <br> get a vote yes or no. So if I get a no vote, <br> then I have something if they go to court and ask for a judgment, but I'm open to suggestions, guys. You tell me. <br> MS. SUAREZ: Mayor, one of the things I think the board was looking for clarity on is what is Weehawken's game plan, I guess, for the other tax appeals that are coming down the pike. What's the plan to address this overall? <br> MR. TURNER: We would probably have the same plan we put in place. Freeze any other |


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| 1 debt, unless there's an emergency, freeze all the | 1 already sending out. |
| 2 debt we can. Hopefully now, as our revenue | 2 MS. RODRIGUEZ: Right, right. Okay. |
| 3 starts coming back, other than UBS, it may be a | 3 MR. TURNER: Now, if it goes lower |
| 4 pretty large one and manage it with our debt. | 4 and I save 100,000 next year with the 10 years, |
| 5 As things go off the books, again, | 5 if it goes lower, we save less next year and we |
| 6 we've kept our debt level to 2.1 percent. This | 6 pass more along. Nobody likes this guys. I |
| 7 will not increase our debt level. So by managing | 7 don't like it. You don't like it, but it's a |
| 8 our debt, not increasing it and by dealing with | 8 reality. |
| 9 the extraordinary costs you have in fighting | 9 My options are limited. We took a |
| 10 appeals for major corporations. | 10 tremendous -- we received about a million seven |
| 11 We're very unique in that regard. I | 11 now from hotel and parking tax. During the |
| 12 used to have a lot of single business towns. | 12 pandemic, we received almost nothing. Now, the |
| 13 We've been through that over the years with | 13 COVID funds helped offset that, but we have to |
| 14 single business towns. And when somebody goes | 14 pay that back too. |
| 15 bankrupt or somebody does something, you get hit | 15 So, you know, we're a mass transit |
| 16 with it. | 16 center that received nothing for the mass transit |
| 17 Orange is dealing with a devaluation | 17 during '20 and most of '21. Like I said, New |
| 18 that took place during the pandemic that was | 18 York waterways is back to 60 percent now. |
| 19 appealed after the reval, so it's a very unique | 19 They're not back to 100 percent because people |
| 20 situation. And if the revenue stream continues | 20 are not going to work five days a week, but it's |
| 21 to increase, we may be able to pay more of this | 21 creeping up. |
| 22 back through credits. | 22 The hotel tax, we expect being this |
| 23 But credits then creates problem | 23 year, 2 million dollars between parking and |
| 24 also because it's less revenue that we receiv | 24 hotel, where we used to receive almost two |
| 25 And believe me, they have no hesitation to go in | 25 and-a-half million. So you know, it's creeping |
| 55 | 57 |
| 1 for a judgment. | 1 up, but the adjustments are enormous that are |
| 2 MS. RODRIGUEZ: I have a question. | 2 taking place. |
| 3 MR. TURNER: Who is this? | 3 So, you know, you can go five years |
| 4 MS. RODRIGUEZ: It's Idida | 4 and that will be -- what will be based on five |
| 5 Rodriguez. So looking at the number of years, | 5 years? |
| 6 right, and for some strange reason, my | 6 MS. TOSCANO: Of the \$97? |
| 7 recollection, have we ever done over five years, | 7 MR. TURNER: \$97. I'll add it onto |
| 8 Commissioner? Because I don't remember. | 8 the 600 and I'll pass around \$700. I have no |
| 9 MR. TURNER: Yes. Yes, we have. | 9 choice. You go zero and I'll see what we do. 10 |
| 10 MS. TOSCANO: Actually, I believe | 10 years, I think what should be focused on is |
| 11 one of the last two -- | 11 keeping the debt level as steady as possible and |
| 12 MR. TURNER: I know, when I was | 12 then also -- I don't know what's going to happen. |
| 13 there, we did many. | 13 We had an earthquake the other day for God sakes. |
| 14 MS. TOSCANO: We actually did a 14 | 14 I have no idea what's going to |
| 15 year one a few years ago. And it was the | 15 happen, but right now, our revenues are picking |
| 16 largest. | 16 up from the extraordinary services with the |
| 17 MR. TURNER: If you go by your | 17 parking and with the hotel tax. So you tell me |
| 18 general rule of anything over \$50 and \$55, 10 | 18 what to do. The plan is level debt service. The |
| 19 years brings you to 57. | 19 plan is do the best we can and there is a big |
| 20 MS. RODRIGUEZ: That's why I'm | 20 one. |
| 21 asking, Rich. That's exactly why I'm asking | 21 I can't say that because I'm hoping |
| 22 because I'm looking at the 57/47, but it was | 22 we're very successful. I can't be put in the |
| 23 either five years. I'm asking for clarification. | 23 spot of predicting what will happen with the big |
| 24 MR. TURNER: It's 10 years will give | 24 ones but I hope we're very successful. Can I |
| 25 us a 57 dollar increase on top of the $\$ 600$ we're | 25 guarantee it? No. |

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| 1 And you have no idea how many | 1 that lives in a suburban type district we get |
| 2 lawyers these companies have. We spend a fortune | 2 hammered in school increases. |
| 3 on legal fees. But if you don't push back, you | 3 MS. SUAREZ: Without divulging too |
| 4 would have paid out three and-a-half million. | 4 much information, any sense as to the need to |
| 5 I'm going to give you one example which is part | 5 come before the board in the near future? |
| 6 of this other one. I'll probably get in trouble | 6 MR. TURNER: Oh, well. Let's put it |
| 7 for this. | 7 this way. If we win, no. If they win, yes. But |
| 8 We get revaled and reassessed with | 8 I don't know what the near future is because I |
| 9 only a 205 million major building. 205 million. | 9 have no idea when this will be resolved. |
| 10 They file a tax appeal. They beat us down to, I | 10 MS. SUAREZ: What's the over under? |
| 11 think 150 million. Six months later, the | 11 MR. TURNER: I'm sorry? |
| 12 building sells for 205 million and I can't | 12 MS. SUAREZ: What's the over under? |
| 13 revalue it. | 13 MR. TURNER: For the one that's not |
| 14 MR. CAPIZZI: Mayor? | 14 decided? |
| 15 MR. TURNER: No. When we go to | 15 MS. SUAREZ: Mm-mm. |
| 16 court and we're trying to prove that it was a | 16 MR. TURNER: I have no idea. |
| 17 disadvantage appeal. Obviously, you don't sell a | 17 MS. SUAREZ: Not amount. I mean |
| 18 building for 205 million dollars overnight. | 18 time frame. Are we talking two years, three |
| 19 And we've talked about various ways | 19 years, could be five years. |
| 20 to do a reevaluation, but it's very disruptive | 20 MR. TURNER: Oh, you mean for |
| 21 because the problem I have, and I mentioned this | 21 settlement? |
| 22 to the chairman a while back. The values are | 22 MS. SUAREZ: Mm-mm. |
| 23 extremely high. | 23 MR. TURNER: Well, it may not come |
| 24 I paid in 1993, a little under | 24 down to a settlement. It may come down to a tax |
| 25 200,000 for my house. I couldn't afford my house | 25 court judgment. We're fighting the whole issue I |
| 59 | 61 |
| 1 now. It's probably a million to a million two. | 1 laid out there, but I don't know what to expect. |
| 2 So those who have lived here a long time, if I do | 2 But I would say probably not until the end of |
| 3 a reval, the houses are valued now at six or | 3 this year, early next year at the earliest, but |
| 4 700,000. | 4 you never know. |
| 5 If I did a revaluation on what its | 5 If we push for a judgment date, they |
| 6 currents sales, they bounce up, they can't afford | 6 will definitely go in for a judgment date. If we |
| 7 to live here. So it's a very unique situation. | 7 push for a judgment date as far in advance as |
| 8 I've got a town living on valuations that are not | 8 possible so nobody is happy. I'm not happy. We |
| 9 current sale prices so we do the best we can. | 9 live in an unhappy situation. |
| 10 We match it the best we can. We | 10 MS. RODRIGUEZ: Rich, I'm sorry I'm |
| 11 have held off on severely needed capital projects | 11 not on line because I'd like to see your face |
| 12 to manage this. And the focus should be on, are | 12 right now. Commissioner, if I may, I'm fine with |
| 13 we managing it the best we can. I can't set | 13 seven years. I think 10 years is too far out, |
| 14 aside money, I raise taxes. I can set aside and | 14 but I am fine with the seven year. |
| 15 reserve, I raise taxes. | 15 MR. TURNER: If we have to live with |
| 16 No matter what I do is raise taxes | 16 seven years, we'll live with seven years. We're |
| 17 and it's not like we haven't raised taxes and the | 17 just going to cut Lisa's salary to make up the |
| 18 residents have dealt with it the best they can. | 18 difference. |
| 19 MS. SUAREZ: Mayor, do you have a | 19 MS. SUAREZ: Any thoughts or |
| 20 calculation for what it would be for a seven year | 20 comments from the board members? |
| 21 refunding? | 21 MR. CLOSE: Lisa and Mayor, how much |
| 22 MS. TOSCANO: Yes, we do. | 22 is the budget annually for tax appeals just as an |
| 23 MR. TURNER: 7433. Five year is | 23 FYI for me. How much do you budget annually for |
| 24 9732. Six years, 8429. Seven years, 7433. And | 24 tax appeals over the last few years? |
| 25 again it's not isolated. You know, like anybody | 25 MS. TOSCANO: About 100,000. Last |


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| year was 100,000 . The prior year, 75 . <br> MR. TURNER: That's not correct. <br> That's only budgeting. That's not including credits. <br> MR. CLOSE: Right. I thought I <br> heard you say earlier, unless I misunderstood you, Lisa, 800,000 I thought at one point, as well as, 415 . I heard two different amounts? <br> MS. TOSCANO: The last few years about 413,000 over the last few years. That was a combination of budget line item and also credits that were given and issued that went against our collection. And the 800,000 was over, since the reval, yes. <br> MR. TURNER: '19 was a very bad year all the way around for people appealing for the reval. <br> MR. CLOSE: And budgetary <br> constraints kept you from increasing the amount from 75 and roughly 100,000 in the budget for appeals and you're doing more credits as opposed to budget payments directly? <br> MS. TOSCANO: Yes, absolutely. The <br> 75 hundred thousand are for the smaller tax court county board judgments. These are large tax | MR. BENNETT: Miss Rodriguez, Mr. <br> DiRocco. Miss Suarez? <br> MS. SUAREZ: Yes. <br> MR. BENNETT: Mr. DiRocco? <br> MR. DIROCCO: Yes. <br> MR. BENNETT: Mr. Close? <br> MR. CLOSE: Yes. <br> MR. BENNETT: Mr. Avery? <br> MR. AVERY: Yes. <br> MR. BENNETT: Miss Rodriguez? <br> MS. RODRIGUEZ: Yes. <br> MR. JACKSON: Mr. Jackson? <br> MR. JACKSON: Abstain. <br> MR. BENNETT: Motion approved. <br> MR. TURNER: Thank you. And if you <br> want to go to Manhattan, use New York waterway <br> and park in our parking lots. We need the money. <br> Thank you all. <br> MS. SUAREZ: Thank you, Mayor. The next applicant appearing before the board today is the City of Orange Township. I see Mr. <br> Clements. <br> MR. CLEMENTS: Good afternoon. <br> MS. SUAREZ: Good afternoon. I see <br> Mr. Lerch, I see Mr. Hartwyk. |
| court judgments that we just can't absorb into the budget. <br> MR. TURNER: And the allotment we face with, since they're very large corporations, if we budget it, they figure it's a done deal. <br> If we could budget it, we can't financially support it. But if we did, oh, you're worried about the money? <br> And we'd never know what to budget with these large appeals so I have to play a little bit of a chicken and the mouse game, whatever the hell it is. <br> MR. CLOSE: I appreciate it, Mayor. <br> I appreciate your answer about the 10 years. I do have some concern about the length of time, but that's already been discussed, so thank you, Commissioner. Appreciate it. <br> MR. TURNER: Thank you. <br> MS. SUAREZ: Any other comments? <br> Then hearing none, do woo have a motion to approve the adoption of a refunding bond ordinance it sounds like for a period of seven years. <br> MS. RODRIGUEZ: I make a motion. <br> MR. DIROCCO: I'll second it. | MR. HARTWYK: Good afternoon, <br> Commissioner. <br> MS. SUAREZ: Do we have Mr. Johnson <br> with us? <br> MR. CLEMENTS: He's not able to <br> join. He had to board a plane, so in his <br> absence, I'll do the presentation. <br> MS. SUAREZ: Let's get you all sworn <br> in and then you can proceed. <br> (At which time those wishing to <br> testify were sworn in.) <br> MR. CLEMENTS: Good afternoon, <br> Commissioner and the Board. The City of Orange <br> seeks the approval of the Local Finance Board <br> for, one, the adoption of a refunding bond <br> ordinance pursuant to provisions of 40A:2-51 of <br> the Local Bond Law and the provisions of the <br> Municipal Qualified Bond Act, specifically <br> N.J.S.A. 40A:3-4. <br> And we're looking for approval for, <br> two, the issuance of refunding bonds pursuant <br> N.J.S.A. 40A:2-51 of the Local Bond Law and the <br> issuance of such refunding bonds under the <br> refunding bond ordinance as qualified bond <br> pursuant to the provisions of the Municipal |

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| Qualified Bond Act. <br> The city is seeking the approval to restructure the debt service on the water sewer utility refunding bonds, series 2014 originally issued in the aggregate principal amount of $7,815,000$, which series 2014 bonds, refunded bonds, that were originally issued in 2003. <br> The finance capital improvements to the water and sewer utility system of the City of Orange. The city proposes to restructure the principal payments schedule of the series 2014 bonds and extend the final maturity of the series 2014 bonds for three additional years through the issuance of not to exceed $8,100,000$ of water sewer utility refunding bonds series 2024 , which bond will mature on June 1st in the years 2025 through 2030 inclusive. <br> This restructuring will allow the city to realize budgetary savings in 2024 and 2025 and will have a minimal impact on overall debt service for the water sewer utility budget in the years 2028 through 2030. <br> In March of 2023, the operator of the water and sewer utilities serving the city gave a 90 day termination of service notice. The | budget of, approximately, 1.4 million dollars. <br> In accordance with Local Budget Law, <br> N.J.S.A. 40A:4-1, the revenue shortfall will <br> create an anticipated deficit in the 2024 utility <br> budget that will be required to be appropriated <br> and funded through taxation as part of the 2024 <br> current fund budget. <br> The inclusion of the 2023 deficit in <br> the 2024 current fund budget will create <br> additional pressure on the city's taxpayers. The anticipated deficit would also be required to be raised subject to the Municipal CAP Law. <br> As you are aware, the city is <br> already at the maximum limit permitted under the CAP law and has requested a CAP waiver over the past several years which were funned with surplus. <br> A restructuring will relieve some <br> pressure on the city's taxpayers related to the <br> 2023 deficit and it will also assist the city's <br> water and sewer utility system to, once again, become self-liquidating at the end of the year 2024. <br> The restructuring will also improve <br> the NQBA ratio for years 2024 through 2025. For |
| city then conducted a competitive procurement <br> process to secure a new operator. The then <br> current operator, Veolia, indicated that they <br> were going to bid under the prior contract. <br> Veolia was responsible for billing <br> and collections of the water and sewer utility <br> for the city. Contrary to their representation <br> to the city, Veolia did not bid on the new <br> contract. The city received one bid proposal <br> from Woodard and Curran. Woodard and Curran did <br> not include an in-house billing component in the <br> bid proposal. <br> At such time, the City of Orange <br> made the decision to undertake billing and <br> collections in-house which required a conversion <br> from the Veolia billing in collections system to <br> the Edmond System. The conversion to the Edmond <br> System took, approximately, six months to <br> implement. <br> Due to the timing of the conversion, <br> fourth quarter billings were sent out late and <br> fourth quarter delinquent bills were not included <br> in the accelerated tax sale that was held by the <br> city in December of 2023 which caused the revenue <br> shortfall in the water and sewer utility 2023 | ```example, in 2024, the ratio will go from 1.37 to 1.64. In 2025, the ratio will go from }1.37\mathrm{ to 1.47. The city is hereby requesting approval of, one, the adoption of a refunding bond ordinance pursuant to provisions of Local Bond Law and the Municipal Qualified Bond Act. And two, the issuance of series 2024 bonds as qualified bonds pursuant to the Municipal Qualified Bond Act. Thank you. MS. SUAREZ: Any other comments from the applicant? MR. LERCH: I think I'd like to turn it over for Chris Hartwyk for a few moments so he can give the translation on the conversion because that's really what caused it. And then I'll touch one more time on some of the finances. Chris. MR. HARTWYK: So to underscore what Mr. Clements said, we had this operator for over 25 years. They did our billing and customer service, as well as, operate and manage our utility. It was a long term relationship that started with United Water, then became Suez and``` |


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| 1 then became Veolia. After it became Veolia, it | 1 operating deficit. |
| 2 became apparent that they were less interested in | 2 So the only way the operating |
| 3 operating the utility. | 3 deficit can be actually be funded would be |
| 4 We were still somewhat surprised by | 4 through an appropriation in the general budget, |
| 5 the notice of termination of services, the 90 day | 5 the current fund budget, as an anticipated |
| 6 notice, and we had discussions with them leading | 6 deficit and use taxpayer money and send it over |
| 7 up to that. We immediately undertook a | 7 to the utility to fund that deficit. |
| 8 competitive procurement process. | 8 There's a couple of issues with |
| 9 We hope that Veolia would bid, but | 9 that. Number one is that would be subject to the |
| 10 unfortunately, they did not. We only received | 10 CAP. That's not exempt from the CAP in |
| 11 one bid. The billing system that was used by | 11 anticipated deficit. The city has significant |
| 12 Veolia was not transferrable to the city. It was | 12 CAP issues. |
| 13 an old 20 year old software system. | 13 I think as you're aware, we've been |
| 14 We decided to seize on the | 14 down the last two or three years, I've been down |
| 15 opportunity to convert the billing and collection | 15 with the city requesting a waiver for police and |
| 16 system to our Edmond System so that all of our | 16 fire. Secondary, it's the basic premise, it |
| 17 finances would be on one software system and took | 17 violates the basic premise that we're asking |
| 18 the billing in-house. | 18 taxpayers to subsidize ratepayers. Because the |
| 19 We have dedicated one and-a-half | 19 ratepayers are much different. |
| 20 personnel full-time in our tax department to the | 20 The proportion of ratepayers who |
| 21 water sewer billing and collection. And it was | 21 actually pay water and sewer bills is different |
| 22 that process which took six to eight months. | 22 from the proportion of who pays the actual taxes. |
| 23 We're still working out some of the | 23 And thirdly, we would have a significant tax |
| 24 bugs, to complete, which caused the fourth | 24 increase over and above our normal increases. |
| 25 quarter bills to go out late and the | 25 If the city is compelled to raise |
| 71 | 73 |
| 1 administrative decision was made because of the | 1 this 1.7 million, the impact to the taxpayer will |
| 2 billing going out late, not to include those | 2 be $\$ 245$ just for that piece of the deficit. |
| 3 delinquencies in the 2023 accelerated tax sale. | 3 Now, I just want to, you know, we've |
| 4 We wouldn't be here but for that | 4 had significant tax pressures over the years, and |
| 5 transition from Veolia to in-house. The revenue | 5 just last year alone, and I'm talking strictly |
| 6 shortfall, that Mr. Clements spoke about, is | 6 municipal, but last year alone, the municipal tax |
| 7 something that we can't make up without a | 7 levy for the City of East Orange was increased by |
| 8 significant -- without this relief, without a | 87.2 percent, 7.3 percent. So that was over $\$ 600$ |
| 9 significant tax impact and we're seeking to | 9 per homeowner alone. |
| 10 alleviate the burden on taxpayers by doing this | 10 So hopefully, you know, I think we |
| 11 simple restructuring for six years to avoid a | 11 have significant pressures, between the normal |
| 12 significant payment in June of this year. We'll | 12 increases that the city has been facing and then |
| 13 handle -- turn it over to Dieter for some | 13 to put an additional burden of \$245 dollars on |
| 14 additional. | 14 top of that, really is just extraordinarily and |
| 15 MR. LERCH: Thank you, Chris. Just | 15 that's really the reason why we're before you |
| 16 briefly. As a result, and Mr. Clements pointed | 16 today, to get the relief. |
| 17 out, the shortage in collections, the actual | 17 If we get this relief because our |
| 18 water utility collections in 2023, the water | 18 issue is we have a principal payment coming due |
| 19 sewer utility incurred an operating deficit in | 19 on June 1st of this year of \$975,000. So if we |
| 202023 of 1.7 million dollars. | 20 can eliminate that 975 , by refunding it as part |
| 21 Now that operating deficit is | 21 of this refunding, which this refunding would do, |
| 22 required to be funded in the 2024 budget. There | 22 then we only would have to be responsible for |
| 23 will not be sufficient revenue in the utility | 23 raising one half of the 1.7 , about $\$ 800,000$ we'd |
| 24 itself to fund its normal operating costs, it's | 24 have to raise and we're confident we'd be able to |
| 25 normal debt service plus this 1.7 million dollar | 25 do that between the additional rents that we're |

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| 1 going to collect, as well as, holding the utility | 1 tax levy. |
| 2 sale which we plan on holding shortly now that | 2 And the reason being is, over the |
| 3 we're all back on-line. I think that concludes | 3 last couple of years, the city has had very |
| 4 that presentation at this moment, Madam Director. | 4 significant redevelopment efforts. We have major |
| 5 We do miss Everett, too. | 5 projects that are going up in the city right now |
| 6 MS. SUAREZ: I know. He's here in | 6 and they have a great source of revenue for us in |
| 7 spirit. | 7 the utility because every project, as they get |
| 8 MS. SUAREZ: We love Everett. I | 8 their construction -- before they get their |
| 9 have to put that on the record. | 9 construction permit, they actually have to pay |
| 10 MS. SUAREZ: Before I jump in with a | 10 the water and sewer connection fees and this runs |
| 11 couple of questions, I'm going to open it up to | 11 into hundreds and hundreds of thousands. |
| 12 board members to see if anybody would like to ask | 12 So that's how we ended up getting |
| 13 or address anything. | 13 the windfall and that really is to reimburse the |
| 14 MR. CLOSE: Thank you, Commissioner. | 14 city for infrastructure improvements that it made |
| 15 Mr. Hartwyk, Mr. Lerch, quick question, just | 15 many, many years ago, so that's how that surplus |
| 16 relative to the comment you just made about | 16 was generated, a good portion of it. |
| 17 ratepayers, taxpayers burden. Talk about the 2 | 17 So being as that the city made the |
| 18 million dollars that the impact of the 2 million | 18 investment years ago, we felt it was appropriate |
| 19 that was transferred in 2023 from the utility to | 19 to move that money over and it really was also |
| 20 the current fund, I believe that was to address | 20 kind of mitigate which was a very large increase. |
| 21 the shortfall in the municipal budget. | 21 The increase last year was over seven percent on |
| 22 And with respect to Veolia's exodus | 22 the municipal end. And without taking in that |
| 23 in their notice, was there any conversations in | 23 revenue, it would have been a 10 percent |
| 24 the discussions with them about extending their | 24 increase. Chris, I'll turn it over the second to |
| 25 billing services until such time as the city | 25 you, please. |
| 75 | 77 |
| 1 could take it over running concurrent billing as | 1 MR. HARTWYK: Sure. Commissioner, |
| 2 kind of a test to make sure that you're able to | 2 in answering your question, we did in fact extend |
| 3 get all the necessary billings and appeals, all | 3 the billing and customer service component for a |
| 4 the proper logistics done. Maybe you could talk | 4 period of four months doing it on, first a two |
| 5 to those two points, please. Thank you. | 5 month basis because the Edmonds people told us |
| 6 MR. HARTWYK: Dieter, do you want to | 6 that the conversion could be done within 60 days. |
| 7 take the 2 million first and I'll take the | 7 We then extended through the month |
| 8 transition? | 8 of October, so that we could complete the |
| 9 MR. LERCH: Sure. The 2 million | 9 conversion because it was not completed within |
| 10 dollars, there was really two reasons that we did | 10 the 60 days, and it was at a significant cost. |
| 11 that. Number one, is as I just testified and | 11 We thought about extending them for |
| 12 just brought forth, the fact is even with the 2 | 12 an additional month, but were under the |
| 13 million dollars, the tax increase was over $\$ 600$ | 13 impression, and I think we accomplished most of |
| 14 per homeowner. | 14 this, but we were under the impression that we |
| 15 So had we had not taken that 2 | 15 had the conversion up and running. |
| 16 million dollars in from the water utility because | 16 And we found some bugs, if you will, |
| 17 that was used directly to reduce the tax levy. | 17 in the conversion as we went along doing the |
| 18 The actual tax increase, instead of being | 18 billing that caused us to have a late billing |
| $19 \$ 600,000$, it would have been 800 or roughly $\$ 880$, | 19 cycle in fourth quarter, but we did extend their |
| 20 just shy of $\$ 900$, so tax impact was number one. | 20 customer service and billing component for up to |
| 21 But I want to address because I | 21 four months. |
| 22 think it's a very good question, how did we end | 22 MR. CLOSE: I don't have any more |
| 23 up with these excess surplus because that's | 23 questions at the moment, Commissioner. Thank |
| 24 really what it was. We actually generated a | 24 you, gentlemen. |
| 25 surplus that we utilized over to subsidize the | 25 MR. HARTWYK: Thank you. |

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| MS. SUAREZ: Thank you, Mr. Close. <br> Anyone else? I do have a couple of items I <br> wanted to hone in on. So now, it's my <br> understanding that the municipality's <br> anticipating introducing the budget late. Is that accurate? <br> MR. LERCH: Yes. <br> MS. SUAREZ: Have you engaged at all <br> with Financial Regulations in the division just <br> to make sure that they'll grant that extension? <br> MR. CLEMENTS: Not yet. <br> MS. SUAREZ: Okay. I recommend that <br> you just reach out to Tina Zappichi and her team <br> as soon as possible, just to make sure that <br> that's a seamless process. <br> MR. CLEMENTS: Yes, ma'am. <br> MS. SUAREZ: And when are you <br> anticipating introducing? <br> MR. CLEMENTS: May. <br> MS. SUAREZ: Okay. As far as the <br> utility itself, are we anticipating any rate increases? <br> MR. HARTWYK: We are currently <br> anticipating introducing a rate increase <br> ordinance some point in June. That could slip to | on the levy CAP, will cause levy CAP issues, which, as you know, can only be relieved by a referendum which would never pass here. That would leave my only real option, in terms of balancing the budget, would be to cut the largest portion of the budget which is public safety and that's a rather unpalatable alternative. <br> We would -- we'd be happy to agree <br> to use no surplus in 2024, or in any year in which we would have an operating deficit, but the six year restriction would potentially cause us a greater burden on the taxpayer and that's something that, just as Dieter mentioned, in terms of the tax increase, is something that I don't think the taxpayer here at Orange can bear. <br> MR. LERCH: I want to add to that one moment. It could put the city -- it actually could have an adverse impact and put the city in a really difficult position because, as Chris mentioned, there's no remedy for a tax waiver. <br> The city comes before you, there's no remedy before this board for a tax waiver. The only remedy is a referendum. And so that that would have a real negative effect because short of in certain years, short of using that |
| July, but it would be mid year. <br> MS. SUAREZ: Now, I did hear some <br> conversing with the board members just about, if moving forward with this, adding some sort of condition on that the city cannot transfer any funds to the utility until the refunding bonds are fully defeased in 2030. <br> I believe that may have been shared with Mr. Johnson in advance, but I just wanted to make sure that that was clear, that that's the direction that the board is moving in. <br> MR. HARTWYK: Commissioner, if I could address that. As you're aware, we've used some water surplus to transfer to the operating budget for the last three or four years. And a restriction that would go out to 2030 would tie our hands in future budgets and eliminate a certain degree of flexibility that we've had. <br> It would mean that any operating <br> deficiencies, as Dieter pointed out, would have to be raised by taxes and that would put pressure on the taxpayer which is the exact consequence that we're seeking to avoid here with this application. <br> It's also likely to cause pressure | utility surplus. <br> Let's take '23. If we didn't have <br> the 2 million dollars, they would never have made <br> their tax CAP. We would have been substantially <br> over our tax CAP, they would have been compelled <br> to reduce public safety. That's the major part <br> of their budget. There is nowhere else to really reduce it. <br> As Chris said, a referendum wouldn't <br> pass, so it would actually have a real negative <br> impact. I would like to put this out for <br> consideration. I certainly understand -- I <br> understand the concern of the board and Madam <br> Director. <br> I'd like just to couple onto what <br> Chris pointed out, that the city agrees not to <br> obviously, when there's any operating deficits, <br> to transfer any money over to the current fund. <br> And in those years, where it may <br> have a unique situation, a tax situation or a <br> capillary situation, that if they intend to use <br> it, to budget utility surpluses as part of the <br> current fund budget, that we be required to <br> notify you, or your successor, as the director, to notify that this is our intention to use X |

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| number of dollars of utility surplus and provide you with the rational therefor. <br> So in other words, give us, you <br> know, give us an opportunity, if the situations are unique, so we're not bound by a six year BAN. We certainly agree when we have a deficit, we won't do it. <br> But in certain circumstances, if <br> they're faced some unique situation or whatever in the city budget, we're willing to send notice to you to let you know that this is what we intend to do, and obviously, talk it through with you. We're not looking to do it unilaterally. <br> MR. JACKSON: If I may, Chair, I <br> think the issue though and I appreciate the situation. I guess candidly I can only say that I think that the vote would have been no, a potentially no for this, but this was a way to perhaps salvage something for the town. <br> As an Essex County person myself, we're looking to try to help, but in all candor, I don't know that there's support beyond this, so this was just a way of at least do something to help the city in the meantime with this proviso, and I'm not sure that there was support. | going to go, that we won't come before you for that, that the city taxpayer will take that obligation and fund it. We'll put it in our operating budget. We want to add that as well. <br> In other words, we're willing to go <br> one way and say no matter what, we recognize our application in the future to fund the utility. <br> We're willing to state that, but we can't take the only option we have for the next six years. It could put the city in a real dire position. <br> It really could and we want to come <br> back for the permission on it, if we get into that situation. It's not our intention, so I <br> mean -- Chris would state this, it's not our intention to use the water utility money going forward, but certainly if that's one of the only tools he has available in the future in the utilities -- and they also have significant redevelopments still on the board, Chris, and I think you should talk about that because that is going to generate some one shot revenues and that's where it's collected in the utility and that's because the way the statute reads. <br> If we can move that and if you tell <br> us, Madam Director, we can move the connection |
| MR. HARTWYK: I understand the <br> reluctance. If the board is not enticed by the compromise that we offered, then I would just ask for a vote. <br> MR. LERCH: I think we're all <br> working in the same spirit here. I just don't -- <br> I don't see how you can ask the city to handcuff itself for the next six years. They'd be handcuffed. And if the situation occurs, that they do have a significant tax -- face a significant tax increase and can't make that levy, they have no remedy. <br> There's nowhere to go. So it would be almost irresponsible for the city to allow itself to be handcuffed for the next six years. What we're really saying is we have no remedy at all. There would be nowhere to go. A referendum will never pass, so we're saying, we'll gladly come back to you. <br> We don't have a problem with that, but don't ban us for life. We're willing to come and make that compromise and we're also willing to stay in debt, if there is a future deficit in the utility, which we don't know. <br> We don't know exactly where it's | fees and we'll take them in the general fund, that will alleviate that, too, but he's expecting some potential large developers to still come on in. <br> MR. HARTWYK: I have, in anticipated <br> connection fees this year, an additional million <br> dollars. And next year could be more than that <br> depending upon which projects actually pull <br> building permits. <br> MR. LERCH: It's really a matching <br> principal too because that investment was made on <br> the city side years ago, that infrastructure and <br> that's what the connection fees are based on. <br> So we're certainly willing to come <br> back to you and ask you for permission when we do <br> it and we're willing to lay out why and we're <br> willing to explain if the case is if Chris gets a <br> million dollar connection fee and that's really, <br> you know, over and above and we're <br> self-liquidating again and we have no deficit and <br> it's really a connection fee is based on <br> historical investment in the system and that's by statute. <br> So it could be unique situations. <br> We're not looking to raise rates and I think |

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| 1 that's important. We're not looking to raise | 1 And as you know, even with the COLA |
| 2 rates, generate a profit off the ratepayers and | 2 ordinance, I only get a three and-a-half percent |
| 3 then move that money back to the current fund on | 3 increase. They're doomed. I don't want to use |
| 4 an annual basis. That's certainly not our | 4 that word on the record. It's going to create a |
| 5 intention. | 5 dire situation. I'm allowed three and-a-half |
| 6 MR. HARTWYK: No. | 6 percent. |
| 7 MR. LERCH: We're just asking not to | 7 With a COLA ordinance, I know it's |
| 8 take away the only tool we have because it would | 8 already six percent before he starts, so we |
| 9 be the only tool. There is nowhere to go because | 9 already have to make major, major efficiencies to |
| 10 there is no process, no legislative process to | 10 start with. I think we're going to have a very |
| 11 come before you and say, you know, we have this | 11 challenging situation. And I think that's one of |
| 12 tax levy problem. | 12 the reasons we've been holding off because I |
| 13 If we had that process, and if you | 13 think whatever this board decides today will |
| 14 had that power, then it wouldn't be a problem, | 14 dictate how we move forward. |
| 15 but we have to go to the voters and that's never | 15 MR. AVERY: Can I just ask, given |
| 16 going to pass in Orange. | 16 the fact that you use the 2 million dollars last |
| 17 MS. SUAREZ: So if put it up to a | 17 year for this year's budget. How did you |
| 18 vote and it should fail, what is the city's plan? | 18 anticipate making up that amount for the 2024 |
| 19 MR. LERCH: Raise the taxes to the | 19 budget? |
| 20 max. | 20 MR. CLEMENTS: Accelerated water |
| 21 MR. HARTWYK: Right. | 21 lien sale. |
| 22 MR. LERCH: And hope we make the | 22 MR. AVERY: When are you going to do |
| 23 levy and hope we don't have to make a cut. We | 23 that? |
| 24 haven't really followed that scenario totally | 24 MR. CLEMENTS: In the fourth quarter |
| 25 through, but we would put the million seven in | 25 of 2023, we're going to do it in June. Is that |
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| 1 the operating budget. That would have to be | 1 right, Chris? |
| 2 raised by taxes. | 2 MR. HARTWYK: Correct. |
| 3 Mind you now on the city side, let's | 3 MR. AVERY: And how much would that |
| 4 go through this because I can do this. I'd have | 4 be anticipated, roughly? Do you have an |
| 5 to budget the other million seven. At the same | 5 estimate? |
| 6 token, I had a revenue last year of 2 million | 6 MR. CLEMENTS: Yes, it's around 3 |
| 7 dollars from the water utility. | 7 million dollars, Mr. Avery. People come in, you |
| 8 I don't have that revenue because we | 8 know, every quarter to pay or every month because |
| 9 agree, we don't have that, so I don't have it. | 9 we have three cycles, they pay every quarter. |
| 10 So on the city side, I'm starting the year, | 10 Last time I checked, two weeks ago, it was around |
| 11 January 1st, before any increase, I'm starting | 11.3 million dollars. |
| 12 the year 3.7 in the hole. | 12 MR. AVERY: And that could be used |
| 13 I'm starting 2 million of revenue | 13 to support the 2024 budget? |
| 14 that I don't have and an additional 1.7 operating | 14 MR. CLEMENTS: Yes, sir. |
| 15 deficit I have to raise. So I'm starting the | 15 MR. HARTWYK: Correct. |
| 16 year, literally 3.7 million dollars in the hole | 16 MR. AVERY: So you're \$600,000 |
| 17 before he budgets any other contractural | 17 short, something like that? |
| 18 increases for police, fire, et cetera. | 18 MS. SUAREZ: Is that accurate? |
| 19 So my whole tax levy is 6 million | 19 MR. LERCH: Well, the accelerated |
| 20 dollars. So I have an eight percent increase. I | 20 sale will not go into the water utility. It will |
| 21 have a six percent increase automatically. The | 21 not go into the general fund. I think we're |
| 223.7 million, that's the water revenue I don't | 22 mixing the two up. My explanation of the 3.7 |
| 23 have, and the 1.7 I have to raise. That means he | 23 million dollars was all in the general fund. |
| 24 has a six percent increase right off the bat | 24 MR. HARTWYK: Right. |
| 25 before we budget one single item. | 25 MR. AVERY: But what would prevent |


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| you from transferring that to the municipal fund? <br> I have a little concern about mixing the <br> ratepayer money taxpayer money because, as you said, in your presentation, the two groups aren't analogous. The ratepayer is a different group. They're not taxpayer. <br> MR. LERCH: Correct. And that's why <br> we're trying to keep this whole thing in the utility and not raise the deficit in the general fund. That is correct. <br> MS. SUAREZ: I guess to Mr. Avery's point thou, so, like you said, Mr. Lerch, this is not going into the general fund, right? So any of the funds that are recouped from the accelerated tax lien sale, and if this condition is in place, you couldn't touch any of that funding? <br> MR. LERCH: Correct. <br> MR. HARTWYK: Right. <br> MR. LERCH: I'll follow up on Mr. <br> Avery's point because it's actually a good point. If we do, in fact, collect the 3 million, that may be attainable, it may not be attainable. My actual collections this year was only 11 million. So I do have an issue with the water utility | the board members want to go into executive session briefly to discuss that option. <br> MR. AVERY: I'd certainly be willing to do that. I thought I also heard that the municipal utility say that they would be willing to take a shorter length BAN on going into the utility surplus. I thought Mr. Hartwyk said for the next two years or whatever it was. <br> MR. HARTWYK: Correct. <br> MR. AVERY: I don't know what my colleagues think. <br> MS. RODRIGUEZ: I guess that can be discussed in closed. <br> MS. RODRIGUEZ: I'd rather discuss <br> it in closed, Commissioner, if we can. <br> MS. SUAREZ: Yes. I'll ask for a <br> vote to go to closed. <br> MS. RODRIGUEZ: So moved <br> MR. AVERY: Second. <br> MR. BENNETT: Miss Rodriguez moved <br> and Mr. Avery second. Miss Suarez? <br> MS. SUAREZ: Yes. <br> MR. BENNETT: Mr. DiRocco is absent. <br> Mr. Close? Mr. Close, I believe you are on mute. <br> MR. CLOSE: Yes. |
| regardless. <br> MS. RODRIGUEZ: How many rate payers <br> do you have in Orange? <br> MR. LERCH: Nile? <br> MR. CLEMENTS: Are you asking how <br> many line items? About 1500 . <br> MS. RODRIGUEZ: Ratepayers? <br> MR. LERCH: No. I think we have <br> more than that. <br> MR. HARTWYK: The ratepayers is, roughly, 5200. <br> MS. RODRIGUEZ: Okay. <br> MS. SUAREZ: Any other thoughts or <br> comments? It kind of looks like the options that <br> we've got on the table here is either moving <br> forward with the condition, which will likely <br> receive board support or no condition which would <br> likely fail. It sounds like the applicant just <br> wants to move forward one way or the other but <br> does not want a condition placed. Is that <br> accurate? <br> MR. HARTWYK: Is the third condition <br> under consideration where we submit it for <br> director approval? <br> MS. SUAREZ: I guess I could ask if | MR. BENNETT: Mr. Avery? <br> MR. AVERY: Yes. <br> MR. BENNETT: Miss Rodriguez? <br> MS. RODRIGUEZ: Yes. <br> MR. BENNETT: And Mr. Jackson? <br> MR. JACKSON: Yes. <br> (At which time the Local Finance <br> Board went into Executive Session.) <br> MS. SUAREZ: Are there any other <br> questions or comments from anyone, the applicant <br> side or from the public or the board members? <br> MR. HARTWYK: No, Commissioner. <br> MS. SUAREZ: Hearing no additional <br> questions or comments, do we have a motion to <br> approve the application on the condition that the <br> city cannot transfer any funds from the utility <br> to the current fund for the next four years with <br> the director's discretion to make the three year <br> freeze. <br> MR. AVERY: So moved. <br> MS. RODRIGUEZ: Second. <br> MR. BENNETT: I have Mr. Avery <br> moving, Miss Rodriguez second. Miss Suarez? <br> MS. SUAREZ: Yes. <br> MR. BENNETT: Mr. DiRocco is absent. |


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| 1 Mr. Close? Mr. Close, you're on mute. | 1 Gandys Beach. |
| 2 MR. CLOSE: Yes. | 2 At that time, we requested board |
| 3 MR. BENNETT: Mr. Avery? | 3 approval under Section 46 of the Local Bond Law |
| 4 MR. AVERY: Yes. | 4 so that the sewer utility would be deemed to be |
| 5 MR. BENNETT: Miss Rodriguez? | 5 self-liquidating for the period of construction |
| 6 MS. RODRIGUEZ: Yes. | 6 and then for one year thereafter. |
| 7 MR. BENNETT: And Mr. Jackson? | 7 What I would like to just point out, |
| 8 MR. JACKSON: Yes. | 8 before I tell you what has changed, and the |
| 9 MR. BENNETT: Motion approved with | 9 reason why we're here today, requesting sort of |
| 10 the condition. | 10 an amended approval of that 246 approval. What |
| 11 MR. HARTWYK: I'd like to thank the | 11 hasn't changed is the overall budget of the |
| 12 commissioners for their thoughtful consideration | 12 project. |
| 13 of our responses to your questions. We | 1333 million dollars is still the |
| 14 appreciate it very much. | 14 project budget. That hasn't changed. The scope |
| 15 MR. CLEMENTS: Thank you. | 15 of the project, from what was approved back on |
| 16 MR. LERCH: Thank you everyone. | 16 January 10th, has not changed and I won't go |
| 17 Thank you so much. | 17 through all the benefits that I talked about on |
| 18 MS. SUAREZ: Of course. The next | 18 January 10th, but the overwhelming benefits of |
| 19 applicant appearing before the board today is the | 19 this project, not only for the Cumberland County |
| 20 Township of Downe. I see Mr. Fleishman. | 20 area and the township, but for the statewide |
| 21 MR. FLEISHMAN: Good afternoon, | 21 basis. |
| 22 Director, members of the board. My name is Joel | 22 All those benefits has not changed. |
| 23 Fleishman. I'm here this afternoon as bond | 23 But what has changed, and this is what we need to |
| 24 counsel to Downe Township. | 24 present to you this afternoon. The funding |
| 25 I just want to introduce a few | 25 matrix, if you might recall, this project is |
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| 1 people that are here with me this morning. I | 1 really in two phases. Phase 1 and phase 2. |
| 2 have Mayor Mike Rothman. I have the township | 2 However, because of the Ibank's |
| 3 clerk, Nadine Lockley, Anthony Inverso, Phoenix | 3 involvement in the overall financing of this |
| 4 Advisors, our financial advisor; Tom Thornton, | 4 project for both phases, they would like it to be |
| 5 who is one of the project engineers, Jeff Ridgway | 5 looked at as an integrated project. What I want |
| 6 is here, CFO of Cumberland County; Amy | 6 to iterate is that the phase 1 funding matrix, as |
| 7 Baumgaertel. She is bond counsel to the county | 7 we presented back on January 10th to the board, |
| 8 and Jane Asselta is also here, the New Jersey | 8 has not changed. |
| 9 director of the USDA. | 9 No change in that funding matrix, as |
| 10 I know this matter is listed as old | 10 I said. However, at the January 10th meeting, we |
| 11 business and I want to refresh the board on why | 11 did represent that the funding for phase 2 would |
| 12 this is old business and what we're here for and | 12 be solely grant funded. So what has happened is |
| 13 the reason why we're here today. | 13 this. We're pleased to announce that we got a |
| 14 MS. SUAREZ: If I may, if we can get | 14 federal earmark for phase 2 for 4 million |
| 15 everyone else sworn in. That way, if we continue | 15 dollars. |
| 16 on, we don't have to bother with that. | 16 However, that earmark will be |
| 17 MR. FLEISHMAN: Thank you, Director. | 17 administered through the USDA office. And as a |
| 18 (At which time those wishing to | 18 result, that pretty much eats up their grant |
| 19 testify were sworn in.) | 19 allotment for fiscal 2025. We're still getting |
| 20 MR. FLEISHMAN: Just for | 20 the 3 million dollar principal forgiveness, which |
| 21 recollection, for the board, back on January | 21 was the federal earmark administered by USDA. |
| 22 10th, we did appear before the board to discuss | 22 We have 3 million dollars in |
| 23 the township's new waste water treatment project, | 23 principal forgiveness, but the project for phase |
| 24 sewer plant and the installation of sewer lines | 242 is the 9.3 million dollar project cost, so that |
| 25 in two sections of the township, Fortescue and | 25 leaves a 2.3 million dollar shortfall. Because |

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| the USDA's grant allotment is utilized, we have to get a loan from them. <br> The project has to get a loan from <br> USDA for the 2.3 million shortfall. So as we <br> represented originally, we thought it would be all grant funded. We do have this 2.3 million dollar loan. <br> With the letter that I submitted to <br> Mr. Bennett, to the other members of the board, I indicated that I enclosed Mr. Inverso's schedule that shows what the change in the user fee is. <br> So when we appeared before the board <br> in January, we got approval for a user fee of $\$ 1,320$, which would keep us self-liquidating. <br> That user fee has increased to 1,447 , which we think is a rather modest increase for this type of project of $\$ 127$. <br> So what we're really asking here for today, and everyone is here that can answer questions that the board may have, is to continue that determination that the board made on January 10th, that the user utility can still be deemed to be self-liquidating with these new numbers during the construction period and for one year thereafter. | predictions, we've exceeded it, as far as, grant funding in this project. Recently, the county <br> has introduced their bond ordinance. We will <br> follow this with the 22 nd on a special meeting to do our part of this. <br> This has been a project that's been <br> in the works for nine years and here we are right here at the finish line to take care of this. <br> And again, we will continue to seek additional funding as this thing grows and through construction. We're not done yet. <br> So once again, I'd like to thank <br> you. I can't emphasize anything else or expand about anything else that Mr. Fleishman has not. I wish Mr. Rutala could still be here. He cannot. He had another obligation at 1 o'clock. And again, thank you for your time. <br> MR. FLEISHMAN: Thank you, Mayor. <br> MS. SUAREZ: Absolutely. Any other <br> comments from the applicant? <br> MR. FLEISHMAN: Not at this time. <br> MS. SUAREZ: So I have just a couple <br> of questions and then of course if the board members have anything they'd like to add, always welcome, along with members of the public. |
| We would also ask for a waiver of <br> the maturity schedule requirements, under 226, <br> based upon the schedule that Mr. Inverso <br> submitted which is what we believe the USDA loan <br> will be. We don't have that in hard and fast <br> writing at the moment, but we did base our <br> projection on, what we think would be, the circumstances. <br> So as I said, we have a number of <br> people here. I think the mayor would like to say <br> a few words. And then Madam Chair, I would throw <br> it over to the board if they have any questions <br> or if you have any questions. Thank you. <br> MR. ROTHMAN: Good morning, Chairman <br> and board members. I'd like to thank you all for <br> taking the time this afternoon in hearing all of <br> us on this project that's taking place in Downe Township. <br> As Mr. Fleishman has mentioned, <br> we've been before you another time or two about <br> this matter. We have been asked on a couple <br> different occasions to find additional funding <br> sources which was the ask of the township and our team, and we have. <br> 25 We have not only met some of our | So last time we spoke, I believe we <br> discussed that if this funding source did not <br> come to pass, this would kind of be the, quote unquote, worse case scenario. Is that kind of what we're seeing? Nothing else can slip away from the funds anticipated? <br> MR. FLEISHMAN: Yes. I think <br> everything else as we used back then baked into this pie. This is the only really last piece. <br> And just to sort of reiterate what the mayor said, we are seeking funding from USEDA, which we won't know for a fact if we are getting for the next couple months. <br> Obviously, these numbers would all <br> then change. The matrix for phase 2 would change <br> to the better. It would change to the better <br> because that would be all grant funding. That <br> would be upwards of 5 million dollars and that <br> will change drastically what we're asking for today. <br> MS. SUAREZ: And then if we could <br> just delve into it a little bit in detail. What <br> efforts have been undertaken to offset that loss <br> of the 2.3 million dollars? <br> 25 Is there anything that the |


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| municipality thinks they might be able to obtain to kind of offset that, or are they going to move into the loan status? <br> MR. FLEISHMAN: Well, Mr. Rutala, as <br> you may recall, he's really our grant writer. <br> He's been handling that, but I do know, he has represented to us that the USDA application has been filed. It is in process. <br> Discussions have been made with Mr. <br> Cohen, David Cohen of the USEDA. And the <br> discussions have been very positive, Madam <br> Director. They really -- it sounds good. I <br> don't know if anyone else on the team has had any <br> more intimate discussions, but I think that's <br> what I'm sensing from what Mr. Rutala has told us and what Mr. Cohen has told us on conversations on project team meetings. <br> MR. ROTHMAN: And at the same time, we are continuously looking for other funding sources, other avenues of either further principal loan forgiveness and different things, whether it be loan forgiveness or any other grants and these things will be very fluid throughout the whole project. <br> There is a possibility that | submitted and have been working with him on how do we, were EDA to provide grant funding, you know, how would their funding come into this project and having to segment one set of federal funds with a second set of federal funds. <br> So we've been working through all of <br> those sort of ticky-tack details that would make a large difference in EDA's ability to <br> participate in this project. You may be aware that some projects, some federal funding programs do not allow a project to have two federal sources of funds and this is the case here. <br> However, we've been able to segment the phase 2 construction to permit EDA to finance a portion of the construction separate and apart from the portion that USDA is funding. <br> MS. SUAREZ: Okay. <br> MR. FLEISHMAN: I hope that's <br> responsive to your question. <br> MS. SUAREZ: It is. Before I open <br> it up for the board members and the public, one thing that I think would just add some level of comfort, and I don't anticipate any questions on this. <br> But I wanted to kind of flag that I |
| somewhere in the middle of construction, whether <br> it be the beginning, or whatever phase it may <br> come, in that we find additional funding. As Mr. <br> Fleishman mentioned, the congressional earmark <br> that was just awarded to us, there is nobody else <br> in the entire country that has received that <br> amount, that congressional earmark during this year. <br> Downe Township received that. Mr. <br> Vandrile and Mr. Booker are still continuing to <br> see what other funding sources will be available <br> on the federal side that we can put into this project. <br> There is nothing that is guaranteed, <br> but the only thing that is guaranteed on our part <br> is we will continue to work very feverishly in <br> finding additional funding sources throughout <br> this whole project. We're not stopping until <br> it's done. <br> MS. ASSELTA: I can also second <br> Joel's comments. I've been on several <br> conversations with USEDA over the last two months <br> anticipating that we may have that shortfall in <br> our grant funding and I picked back up the application that Downe Township had previously | think in moving forward with this, should the board decide to approve, that we would like to see updates regarding the efforts to secure additional funding and the progress of construction. <br> If that could be submitted to the <br> Bureau of Financial Regulations of the division on an every six month time frame, I think that would be helpful so that the board can kind of see where this stands. <br> MR. FLEISHMAN: That would not be a problem at all. <br> MR. ROTHMAN: I think that's very <br> fair. The one other thing I'd like to mention here, and I know it keeps coming up as a subject. On Monday, the 8th, we had our township meeting. And during that time, we also updated in our meeting where we stand with the user. <br> When we went to the county, and we'll be going to the county meeting again on the 22nd, I believe, we will also be doing that in a public portion as well. So it's very transparent about what's going on and where we stand with the funding and the user fee. <br> We have made every effort that we |

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| 1 possibly can to keep everybody advised of where | 1 with N.J.S.A. 18A:18A-4.6 and N.J.S.A. |
| 2 we're at, basically what you're asking us, but in | 2 18A:24-61.5 in order to authorize the issuance of |
| 3 the public's mind. | 3 energy savings obligation refunding bonds and |
| 4 MS. SUAREZ: Thank you for that. | 4 furtherance to finance the boards proposed ESIP |
| 5 That is it from my end. I will ask if there's | 5 program. |
| 6 anything that anyone from the public or the board | 6 The board has previously adopted its |
| 7 would like to ask or raise at this time. Hearing | 7 energy savings plan via resolution at its March |
| 8 none, do we have a motion to approve the | 8 18th meeting. The various projects included in |
| 9 self-liquidating status with the condition that | 9 that plan include LED lighting, upgrades to its |
| 10 the Bureau of Financial Regulations receive | 10 vending machines misers, pipe and valve |
| 11 semiannual updates regarding efforts to secure | 11 installation, updates to its building management |
| 12 additional funding and the progress of | 12 building system, building envelope improvements |
| 13 construction. | 13 and code generation CHP unit. |
| 14 MR. CLOSE: So moved. | 14 As you're aware, the energy savings |
| 15 MR. JACKSON: I'll second it. | 15 generated from these proposed will be sufficient |
| 16 Mr. BENNETT: Mr. Close and Mr. | 16 to cover the cost of financing the program and |
| 17 Jackson. Miss Suarez? | 17 financing those proposed energy conservation |
| 18 MS. SUAREZ: Yes. | 18 measures. |
| 19 MR. BENNETT: Mr. DiRocco is absent. | 19 The implementation of the program |
| 20 Mr. Close? | 20 will be for a proposed term for 21 years. The |
| 21 MR. CLOSE: Yeah. | 21 total estimated cost of the improvements are |
| 22 Mr. BENNETT: Mr. Avery? | $22 \$ 3,724,304$. And to that end, the board is |
| 23 MR. AVERY: Yes. | 23 seeking to finance an amount not to exceed 4 |
| 24 MR. BENNETT: Miss Rodriguez is | 24 million dollars. |
| 25 absent. Mr. Jackson? | 25 The sale of the bonds will be |
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| 1 MR. JACKSON: Yes. | 1 through a negotiated sale that will be overseen |
| 2 MR. BENNETT: Motion approved. | 2 and negotiated by the board's financial advisor, |
| 3 MR. FLEISHMAN: Thank you. Thank | 3 Phoenix Advisors. |
| 4 you, Director. Thank you members of the board. | 4 To that end, we're happy to answer |
| 5 Appreciate your attention and support. Good day | 5 any questions you may have about the proposed |
| 6 to all. | 6 plan of financing or the proposed scope of |
| 7 MS. SUAREZ: The next applicant | 7 improvements that is set forth before you today. |
| 8 appearing before the board today is the Glen Rock | 8 MS. SUAREZ: Thank you very much. |
| 9 Board of Education. | 9 This one I thought was pretty straight forward. |
| 10 MR. SOLIMINI: Good afternoon, | 10 I do not have any questions. I will ask if any |
| 11 Director Suarez. Tony Solimini from Wilentz, | 11 of the board members or anyone from the public |
| 12 Goldman and Spitzer. And also on the line, we | 12 has any questions or comments they'd like to |
| 13 have Sherry Tracey at Phoenix Advisors and James | 13 raise. Hearing none, do we have a motion to |
| 14 Canellas, the school business administrator from | 14 approve the ESIP and the school refunding bonds? |
| 15 Glen Rock Board of Education. | 15 MR. CLOSE: So moved. |
| 16 MS. SUAREZ: Thank you, Mr. | 16 MR. AVERY: Second. |
| 17 Solimini. Let's get the others sworn in, please. | 17 MR. BENNETT: Mr. Close and Mr. |
| 18 (At which time those wishing to | 18 Avery. Miss Suarez? |
| 19 testify were sworn in.) | 19 MS. SUAREZ: Yes. |
| 20 MS. SUAREZ: Mr. Solimini, the floor | 20 MR. BENNETT: Mr. DiRocco is absent. |
| 21 is yours. | 21 Mr. Close? |
| 22 MR. SOLIMINI: Thank you, Director. | 22 MR. CLOSE: Yeah. |
| 23 Today, we're here on behalf of the Board of | 23 MR. BENNETT: Mr. Avery? |
| 24 Education to the Borough of Glen Rock in | 24 MR. AVERY: Yes. |
| 25 connection with seeking approval in accordance | 25 MR. BENNETT: And Mr. Jackson? |


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| 1 MR. JACKSON: Yes. | 1 energy savings plan. And the energy savings plan |
| 2 MR. BENNETT: Motion approved. | 2 and the third party review were submitted to |
| 3 MR. SOLIMINI: Thank you, Director. | 3 NJBPU for approval. The BPU approved the plan |
| 4 Have a great day. | 4 which, of course, includes the improvements and |
| 5 MS. SUAREZ: You're welcome. Best | 5 the plan of finance we're discussing here in |
| 6 of luck with the projects. The next applicant we | 6 December of 2023. |
| 7 have before the board today is Passaic County. | 7 The total cost of the BPU approved |
| 8 MR. JESSUP: Good afternoon, | 8 ESIP project is 19.979 million. The college |
| 9 Director. Matt Jessup. | 9 proposes to fund the project from three sources. |
| 10 MS. SUAREZ: Good afternoon, Mr. | 106 million dollars from Chapter 12 proceeds issued |
| 11 Jessup. | 11 for energy savings improvements. |
| 12 MR. JESSUP: So Director, with us, | 12 A 4.815 million dollar capital |
| 13 we have county administrator, Matthew Jordan; | 13 contribution being made by the college from |
| 14 county auditor, Steve Wielkotz; county financial | 14 existing capital funds on hand and 10.5 million |
| 15 advisor, Heather Litzebauer. On behalf of | 15 from the county sale of the energy savings |
| 16 Passaic County Community College, Michael Cerone, | 16 obligation refunding bonds. |
| 17 and we have Dan Riggle from Schneider Electric, | 17 As the board knows, the ESIP law |
| 18 the energy savings company for this ESIP project. | 18 authorizes the college to request that the county |
| 19 MS. SUAREZ: We'll get them sworn | 19 issue bonds on behalf of the college, not unlike |
| 20 in, please. | 20 the way the college finances general capital |
| 21 (At which time those wishing to | 21 projects through county issued bonds. |
| 22 testify were sworn in.) | 22 In this case, the debt service on |
| 23 MS. SUAREZ: Mr. Jessup, the floor | 23 the county's bonds will be paid for by through |
| 24 is yours. | 24 the energy savings realized by the college |
| 25 MR. JESSUP: Thank you. So hoping | 25 through implementation of the energy savings |
| 111 | 113 |
| 1 to capitalize on the momentum from the last | 1 improvements. |
| 2 application we just heard. | 2 To summarize that effect, total |
| 3 This is an a application by the | 3 aggregate debt service on the bonds is about |
| 4 County of Passaic pursuant to N.J.S.A. | 414.778 million and total energy savings are about |
| 5 18A:65A(1)(c)(3) and N.J.S.A. 40A:2-52 in | 518.241 million leaving a net energy savings to |
| 6 connection with the issuance by the county of not | 6 the college of about 3.463 million. |
| 7 to exceed 10.5 million dollars in energy savings | 7 When we add in the SREQ revenue, |
| 8 obligation refunding bonds to finance a portion | 8 which I know the board knows we can't use for BPU |
| 9 of the Passaic County Community College's Energy | 9 purposes, but is a fixed sum under the SuSi |
| 10 Savings Improvement Program. | 10 program and we account for all of the improvement |
| 11 The county has decided to undertake | 11 operating costs, those savings increase to 6.4 |
| 12 various energy conservation improvements to about | 12 million dollars over the 20 year period. |
| 1315 college facilities. To that end, the county | 13 So with that as sort of our proposed |
| 14 had hired Schneider Electric as the college's | 14 plan, we turn if back over to you, Director. |
| 15 energy services company to assist the college | 15 MS. SUAREZ: I only have one |
| 16 with the creation of the energy savings plan. | 16 question before I open it up. Is it the intent |
| 17 The completed energy savings plan | 17 of the Improvement Authority to allow the county |
| 18 include solar PV, LED lighting, boiler and | 18 college to be reimbursed in the first year |
| 19 chiller replacement, HVAC combined heat and power | 19 savings, or how is that going to be structured? |
| 20 and windows, among others. There is, of course, | 20 MS. LITZEBAUER: So the energy |
| 21 a very detailed list of the improvements in the | 21 savings in year one totals just over 4 million |
| 22 energy savings plan itself and a summary of that | 22 dollars. And it's unsure of when that 4 million |
| 23 in Exhibit D to the county's LFB application. | 23 dollars comes in. |
| 24 Conquered Engineering Group | 24 And typically, we would have debt |
| 25 performed the required third party review on the | 25 service matching that savings number. Instead of |


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| 1 doing that, since we're unsure of timing and | 1 I'm Josh Nyikita with Acacia |
| 2 that's a large dollar amount that you don't want | 2 Financial Group. We're the authority's financial |
| 3 the college to have to come out of their budget | 3 advisor. I know Nick Concilio, I saw him on |
| 4 to pay and then be reimbursed with energy | 4 earlier. He's bond counsel to the authority. |
| 5 savings. | 5 MR. CONSILIO: I'm here. |
| 6 Since they're putting that capital | 6 MR. NYIKITA: And I think that's the |
| 7 contribution in, it decreases the debt service | 7 full team. So with that, I'll turn it over to |
| 8 and then the excess savings of 3.1 million | 8 John and we can kick it off. |
| 9 dollars can go back to the college to sort of | 9 MR. REINHARDT: Great. Thank you. |
| 10 reimburse themselves for the cash that they put | 10 Before we get into the two applications, I |
| 11 up front. | 11 figured it would, because of the size of them, to |
| 12 MS. SUAREZ: Thank you. That's all | 12 give you a financial update on Bergen County. On |
| 13 that I had. Do any board members, or anyone from | 13 March 19th Bergen County was reaffirmed as a AAA |
| 14 the public, have any questions or comments that | 14 by Moody's. |
| 15 they'd like to raise? Hearing none, do we have a | 15 Some of the areas that they focused |
| 16 motion to approve the ESIP and refunding bonds? | 16 on and helped us maintain the AAA were our were |
| 17 MR. JACKSON: So moved. | 17 ratable growth. Bergen County state equalized |
| 18 MR. BENNETT: I heard Mr. Jackson | 18 value stands at 226 billion to 848 million and |
| 19 before Mr. Close. Mr. Close, would you like to | 19 charge. |
| 20 second? | 20 For the last two years, from '21 to |
| 21 Mr. CLOSE: Yeah. | 21 '23 in each year we've grown 16.9 billion in each |
| 22 Mr. BENNETT: Miss Suarez? | 22 of those years, which is fantastic. It's just |
| 23 MS. SUAREZ: Yes. | 23 under eight percent growth in every year. |
| 24 Mr. BENNETT: Mr. Close? | 24 So Bergen County has the largest |
| 25 MR. CLOSE: Yes. | 25 rateable base in the entire state with Monmouth |
| 115 | 117 |
| 1 MR. BENNETT: Mr. Avery? | 1 County being the next closest in value to Bergen, |
| 2 MR. AVERY: Yes. | 2 but we dwarfed them by another 20 percent. The |
| 3 MR. BENNETT: And Mr. Jackson? | 3 two percent statutory debt limit for the county |
| 4 MR. JACKSON: Yes. | 4 is just under 4.2 billion dollars of which we are |
| 5 MR. BENNETT: Motion approved. | 5 standing at 964 million and change now or . 49 |
| 6 MR. JESSUP: Thank you all very | 6 percent. |
| 7 much. We appreciate it. | $7 \quad$ Our remaining capacity of 3.2 |
| 8 MS. SUAREZ: Best of luck with the | 8 billion. I only point this out because the |
| 9 project. The next applicant appearing before the | 9 numbers on the two applications appear huge and I |
| 10 board today is the Bergen County Improvement | 10 thought it would be great to put this into |
| 11 Authority. I see Mr. Reinhardt. I see Mr. | 11 perspective. |
| 12 Nyikita. Who is going to be taking lead on this | 12 And I had to focus on the rateable |
| 13 application? Before we do, I want to get | 13 growth because that's one of the main factors |
| 14 everybody sworn in. | 14 that helped us with Moody's to maintain the AAA. |
| 15 (At which time those wishing to | 15 Our fund balance though, if you look at the end |
| 16 testify were sworn in.) | 16 of 2023, unaudited, is just over 78 million, |
| 17 MS. SUAREZ: The floor is yours. | 17 which another number that sounds really high, it |
| 18 MR. REINHARDT: Josh, do you want to | 18 represents 9.89 percent of our budget. |
| 19 do introductions? | 19 However if you follow the Moody's |
| 20 MR. NYIKITA: I'll go around the | 20 AAA rating, they're looking for 35 percent, so in |
| 21 horn. I think most of us are on. Some folks may | 21 our case, that would be 247 million and change. |
| 22 be joining late. There's Jim Spanarkel just | 22 That's a lot of money. We've consistently |
| 23 joined is county bond counsel. We have John | 23 focused on increasing our fund balance and we |
| 24 Reinhardt, county CFO and Improvement Authority | 24 have managed that over the past several years. |
| 25 CFO, Steve Wielkotz, county auditor. | 25 Fund balance in 2015 was 33.8 |

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| 1 million and now we're 78 million, which is a 44.5 | 1 approximately, 70 to 80 million dollars. We're |
| 2 million growth since 2015, so you can see the | 2 asking for the authority to go up to 100 million |
| 3 county is committed to a financial plan. | 3 because it's an old building and we're concerned |
| 4 I know in the past you've asked | 4 that we're going to find something we didn't |
| 5 about our debt, while we continue to issue and | 5 anticipate. |
| 6 maintain, we authorize about 70 million dollars a | 6 They're going to open a wall and |
| 7 year and we paid it off 70 million plus every | 7 we're going to have a surprise, so we certainly |
| 8 year, so we are managing our debt. Some years is | 8 don't want to have to come back to this board |
| 9 up, some years is down. | 9 again for approval, so that's why we're asking |
| 10 This year is actually going to be | 10 for it all at once. But you'll notice our |
| 11 down with the exception of the two applications. | 11 intention from the application is to fund the |
| 12 The courthouse project, which is why we're here, | 12 courthouse project in two issuances of debt. |
| 13 the county has been applying for this for a | 13 The initial 60 million is to fund |
| 14 while. The courthouse was first occupied in | 14 the project to most construction and then to true |
| 15 1912, which is 112 years ago, so it's an old | 15 up with our final financing needs once we |
| 16 building. | 16 established the bulk of the project. Obviously, |
| 17 It underwent a significant | 17 we don't know the final amount now and we're |
| 18 renovation in the '50's and is due for another | 18 going to manage that going forward. |
| 19 one right now. Some of the recent projects that | 19 The courthouse project has been |
| 20 have been done with the courthouse just so you | 20 anticipated in our long term debt plan and will |
| 21 know, we continue to maintain it. | 21 not disrupt the county's long term plans. Steve |
| 22 In 2012, we spent 32.6 million | 22 and I worked together collectively on the debt |
| 23 dollars for a parking garage to support the | 23 management plan going forward. And I don't, |
| 24 courthouse. In 2013, we spent another 834,000 | 24 Steve, if you want to add a comment? |
| 25 for courtroom renovations. In 2015, we spent | 25 MR. WIELKOTZ: Why wouldn't I? To |
| 119 | 121 |
| 1 another 747,000 for courtroom renovations and HVA | 1 John's point, from now to 2028, there's over a 20 |
| 2 upgrades. | 2 million dollar reduction in annual debt service |
| 3 In 2019, we spent 24.3 million, as | 3 based on the debt that we have outstanding before |
| 4 part of phase 1, to do the historic restoration. | 4 this issue, so we have sufficient budgetary room |
| 5 That was delayed as a result of COVID and we're | 5 in order to satisfy this particular project and |
| 6 working on that right now. | 6 the future county projects over the next few |
| 7 2021, we spent another 2.6 million | 7 years without any negative impact on the budget |
| 8 for some ongoing maintenance and actually to Band | 8 or the taxpayers. |
| 9 Aid it to get us where we are now and here we are | 9 MS. SUAREZ: Anything else from the |
| 10 with a 2024 request. So you can see that we | 10 applicant side? I take silence as acceptance on |
| 11 consistently manage and invest back in the | 11 applications. I appreciate Mr. Reinhardt going |
| 12 courthouse. | 12 into the detail about what the county has already |
| 13 So this project was broken into two | 13 put into this project because I think that far |
| 14 parts, the exterior historic portion, which is | 14 exceeds what we would typically see in projects, |
| 15 the one I just mentioned. And then we separated | 15 but for, an Improvement Authority involvement |
| 16 that because we wanted to prequalify the bidders | 16 which would be the five percent down payment. |
| 17 because of the nature of the historical work. We | 17 One thing that I do want to flush |
| 18 wanted someone that was qualified that could take | 18 out. Can we just confirm that this is the final |
| 19 that on. | 19 phase or phases of the project? This is what we |
| 20 By saving the bigger piece, we're | 20 think is the last? |
| 21 hoping to get a larger more competitive pool of | 21 MR. REINHARDT: This is it, we're |
| 22 bidders for the non historic component. The | 22 hoping. |
| 23 project is going to take at least two years, | 23 MS. SUAREZ: Okay. That's all that |
| 24 probably a lot longer. | 24 I add. I will open it up to see if anyone from |
| 25 The cost of the project will be, | 25 the board or the public has any questions or |

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| successful year and program. <br> MS. SUAREZ: Well, thank you for <br> that. I appreciate you getting out in front of some of my questions. I guess I'm becoming predictable. <br> So what would be helpful is maybe we could get a quick -- we're well behind in time, just getting a quick flavor of what the participants are going to be utilizing the funds for and the amounts that they're going to be issued. <br> MR. REINHARDT: Okay. You want to start with Little Ferry. Bridget? <br> MS. GONZALEZ: Good afternoon. The Borough of Little Ferry wishes to use the proceeds from the existing note in the pool with the BCIA to finance road improvement projects. <br> MR. REINHARDT: Then we can bundle <br> Closter and Ridgefield together because Frank <br> Elenio is the CFO for both <br> MR. ELENIO: Borough of Closter is going to refinancing $10,093,000$. We paid down 257. Our new financing that we're adding in this year is 486,000 which is financing five new streets for paving. | we're replacing fire equipment and repaving streets that are already purchased and paved. So <br> all general capital improvement programs from <br> street pavings to sewer improvements to equipment <br> acquisitions and purchases. 1.5 million in new money, 10.2 in existing. Thank you. <br> MR. REINHARDT: Thanks, Greg. Then <br> we have the City of Garfield with Anders <br> Hasseler. <br> MR. HASSELER: Thank you, John and <br> thank you for quarterbacking this. Garfield was <br> able to take advantage of their rating and this <br> helped us out quite a bit last year. We are <br> including roads and parks and playgrounds in <br> here. And then on the water utility side, we're <br> doing meters, wells and new well fields, so we're issuing a total of 14 million on this one. <br> MR. REINHARDT: Thank you. And the City of Englewood, Bob Hoffman. <br> MR. HOFFMAN: Thank you, John. Good afternoon, Madam Commissioner. The City of Englewood will be refinancing or repaying some debt that goes back to 2009. <br> But we also are, as Greg Franz had <br> said, we're going to be repaving roads, |
| Anticipate 30 percent each year of <br> the projects for the road pavings, so this will <br> be continuing on a go forward but paying down as well. <br> For the Borough of Ridgefield, we're putting in 1.1 million of new money which is for <br> a new fire truck and a roof replacement of our current library which comes in at 350,000 and the new fire truck is 815,000 . <br> The prior is refinancing a prior BAN <br> that we had for outstanding ordinances which <br> generally run the majority of it for road <br> financing each year for the years 2022, 2023, as <br> well as pickle ball courts, fire equipment, turn <br> out gear, skycaps, things like that and a great <br> deal of DPW new infrastructure, Backhoe, garbage <br> truck, compactor. <br> MR. REINHARDT: Borough of Edgewater with Greg Franz. <br> MR. FRANZ: Thank you, John, Madam <br> Chairwoman. Borough of Edgewater, one of the <br> fastest growing or the fastest growing community <br> within Bergen County over the last 25 years. So <br> our list includes numerous items. <br> 25 I've been here so long now that | reconstructing roads where we're going to be <br> fixing 110 year old storm water sewer lines and we're going to be doing flood mitigation work, as well as, purchasing equipment, including fire apparatus and energy efficient vehicles, such as, electric vehicles and making energy improvements to our DPW garage and other projects. <br> So thank you. And then Heather is <br> on. And Heather if I've missed anything, please chime in. <br> MS. LITZEBAUER: No, I think you got everything. <br> MR. HOFFMAN: Okay. Thank you. <br> MS. SUAREZ: Does that round it out? <br> MR. REINHARDT: That rounds it out. <br> I've got a longer list, but it covers a ton of stuff. <br> MS. SUAREZ: No, I appreciate that. <br> And Mr. Reinhardt, thanks for hitting on the fees. Can I ask what the discount was? <br> MR. REINHARDT: Josh, you want to <br> hit that one? I don't remember off the top of my head. <br> MR. NYIKITA: It's at least a 30 <br> percent discount across the board. And that |


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| ```includes all of the professionals, as well as, the authority financing fee. And I would just add, they're consistent with the fees from the last program, from 2003. So everybody has pretty much held firm from what we had last time. MS. SUAREZ: Thank you. Your local governments appreciate your donations. Any comments from the board members or anyone from the public? Well, then, hearing none, do we have a motion to approve? MR. JACKSON: So moved. MR. CLOSE: Second. MR. BENNETT: Mr. Jackson and Mr. Close. Miss Suarez? MS. SUAREZ: Yes. MR. BENNETT: Mr. Close? MR. CLOSE: Yes. MR. BENNETT: Mr. Avery? MR. AVERY: Yes. MR. BENNETT: And Mr. Jackson? MR. JACKSON: Yes. MR. BENNETT: Motion approved. MR. REINHARDT: Thank you very much. MS. SUAREZ: You're welcome. Good luck with the program. The next applicant``` | which will be the equivalent of a pay down if this were a bond issue. <br> So we're treating this note much <br> like a bond issue under the Local Bond Law. It's under 40A:52A-24. The note itself is a part of a much bigger, more bold initiative that's going on in Jersey City. <br> Jersey City, under the direction of <br> Mayor Fulop and the council, determined that <br> Journal Square was an underserved part of the city that needed to be revitalized and saw it as an opportunity to take an artistic and cultural center and build off two projects. <br> One of them is the Loews, which is about to break ground in about 60 days. That's restoring to its former beauty and a theater that was left for eight years, nine years. That project is about to break ground. <br> The second component of this initiative is to bring a world class museum to Jersey City, the Pompidou. This building was acquired with a vision of turning it into a museum. <br> Initially, we didn't know who that <br> museum would be, so we went through a very |
| appearing before the board today is the Jersey <br> City Redevelopment Agency. <br> MR. EISMEIER: Good afternoon, <br> Director. Tim Eismeier with NW Financial. We're <br> financial advisor to the agency. <br> MR. BAUMANN: Joe Baumann, <br> McManimon, Scotland and Baumann, counsel. <br> MR. WIELKOTZ: Matt Wielkotz, chief <br> financial officer. <br> MS. SUAREZ: Is there anybody else <br> joining us from the group? <br> MR. BAUMANN: Diana Jeffrey and <br> Christopher Fiore, director and executive <br> director of the JCRA are also joining us. I see <br> them in the room. <br> (At which time those wishing to <br> testify were sworn in.) <br> MR. BAUMANN: Director, <br> Commissioners, thank you very much for taking the <br> time after a very long day. I actually sat <br> through all of this. I didn't know I could log on late. <br> This is an application that is <br> really narrow in its request and it's to roll <br> over 9.3 million dollars after making a pay down | complex process to identify and find a partner. <br> First, we identified, through a competitive <br> contracting, a team of professionals to help us find that partner. <br> And then we went into the world <br> looking for a partner and the Pompidou met us <br> along the way and we began to build a <br> relationship with the Pompidou, which is owned by France. <br> So now we're dealing with, in this <br> process, another government, the State of New <br> Jersey, the city, multiple stakeholders. And I <br> tell you that to help you understand why this <br> process takes as long as it's taking and also why <br> we're getting closer to getting to the point <br> where we have some clear understanding of what's <br> going to happen next. <br> So we identify our partner and we <br> begin a process of negotiating a memorandum of understanding. And we start to go through the process of understanding what this building needs to look at, the building that we bought for, roughly, 10 million dollars back in the day. <br> What has to happen to become a world <br> class museum, we hire the best professionals out |

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| there because we're not trying to build something that's not unique and special. This is meant to be a game changer, a bold initiative, not unlike many of the issues that happened in New Jersey over the years. <br> This is like The Rock in Newark, it's like The Path in Newark. It's like the Red Bull Stadium in Harrison. These are big, bold complicated projects that take years and years to bring to fruition. That's what we're doing. <br> We're getting closer and closer to understanding exactly what this project is going to cost, both from a construction perspective and then from an operational cost and beginning to put together the pieces associated with making all that work. <br> Some of those pieces are coming from the State of New Jersey. At least two legislatures have made appropriations to help fund some of these project. The City of Jersey City has committed its own assets to make this a reality and we're getting closer. We're getting closer. <br> Now, I appreciate and understand <br> there's a frustration with goes with why is it | dollar bond issue because you have negative arbitrage. <br> Bonds are not callable for 10 years. <br> I can borrow more money to pay off that bond if we issued it today, than I did if it was a note. That's a million dollar decision, if it turns out we're gonna have to sell the building because the Pompidou doesn't work and we could have waited a year and made that decision a year from now. <br> Alternatively, perhaps, we sell the <br> bonds now which, by the way, wouldn't be taxable because we're not sure who will absolutely own this building. We think it would be best served by a nonprofit and maybe the debt service has to be taxable. <br> So out of abundance of caution to be careful, we sell the notes as taxable. If we're told to sell bonds today, we're going to sell those bonds as taxable because we don't know. Now it turns out that the Pompidou, we're going to take that building on and make it a community center. <br> We could have sold those bonds tax exempt. That decision costs 3.9 million dollars if we make that decision today. If we decide |
| taking long and when are you going to be to the point where you're going to make a decision. I think we're within six months to a year of making that decision, but it isn't today. <br> We don't know for sure what's going to happen today. We're getting closer. Then the question becomes what do we do with our note that's coming due. We have three choices here. We can roll over a note for one more year, give us time to continue to sort it out and then make a decision about what's going to happen with that note because there's options here. <br> That note, for perhaps, say, the <br> worse case scenario and it turns out that after <br> all our hard work and effort, we can't make the Pompidou happen. Well, we have a building. We may choose to sell that building. If we sell that building, we would use the money to pay off the note. <br> If instead we issue bonds today, we have to fund an escrow that's going to pay off that note and bonds. That decision alone would cost us a million dollars. And what I mean by that is, I would need 10.3 million dollars put in escrow a year from now to pay off a 9.3 million | today to sell bonds, refinance this note and then in the future we could have done a tax exempt, we just made a 3.9 million dollar mistake. Those are the two situations that we could be faced. <br> Our third choice is, somehow <br> miraculously, the JCRA comes up with 9.3 million <br> dollars and you uses cash to pay it off. It's been suggested that we could use an arts fund that has been made available through the state appropriation. <br> There's 6 million dollars. It's a <br> 24 million dollar grant, there's 6 million <br> dollars that are sitting in an account that we <br> could draw down tomorrow. But we've taken the conservative approach of not pulling down any of that money until we know for sure that we have a project. <br> So we haven't taken down any money <br> that's been available to the state to date <br> because we're not sure just yet what's going to <br> happen because the due diligence requires that we figure out everything. <br> Construction costs, operating costs, <br> if we're going to have a nonprofit run, we have to raise money through a foundation. We're |


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| 1 trying to on ramp a museum. This doesn't happen | 1 of the team that's here representing them, the |
| 2 easily. It's a process, it's complicated, but | 2 note is being done for all of the right fiscally |
| 3 we're trying to be really cautious and careful | 3 responsible reasons. |
| 4 every step of the way on how we expend public | 4 And one more year with notice from |
| 5 funds and we make decisions when we have to make | 5 you I think that one more year is it of JCRA. |
| 6 a decision. | 6 This is it. We're done. That would be our |
| 7 So we're here today asking you to | 7 preferred, and I think, the most responsible for |
| 8 let us roll this note over one more time. Give | 8 us to tackle this effort because, again, we think |
| 9 us one more year to sort it out. It's a decision | 9 it's going to happen. |
| 10 that allows us more time to sort it out. And I'm | 10 We think this is a -- we had bought |
| 11 confident, between now and then, we're going to | 11 in from the state legislature. There is a tax |
| 12 know because I'm aware of where we are in the | 12 credit program that was recently approved that we |
| 13 process. | 13 could take advantage of. Many levels of |
| 14 But more importantly, the three | 14 government are invested in trying to make this |
| 15 alternatives would be available to us if we don't | 15 work, not just this Jersey City, not just this |
| 16 roll over the note, they turn out to be really | 16 mayor, not just this council. |
| 17 bad decisions at the end of the day, no point | 17 And with one more year, we'll be in |
| 18 because, as I said in the beginning, we're | 18 a position, I feel strongly, to make a decision. |
| 19 treating our note like a bond. | 19 So our request is, give us one more year, just |
| 20 We're paying down principal on our | 20 one more year. Put a condition in that we have |
| 21 note in the same way we would if this was a Local | 21 to prepare to issue bonds or pay off the note one |
| 22 Bond Law bond issue. So it's being treated | 22 year from now, please. |
| 23 exactly like a bond with one important component. | 23 Don't ask us to make the hard |
| 24 We have flexibility. We have flexibility to | 24 decision today, which would be the wrong |
| 25 decide what's going to happen one year from now. | 25 decision, nine months from now to permanently |
| 139 | 141 |
| 1 We have flexibility to decide that | 1 finance the taxable bonds or to come up with 9.3 |
| 2 it might make sense to pay off the note all | 2 million dollars out of our stress budget. Those |
| 3 together and not have to have an escrow account | 3 are not great options. |
| 4 that's earning less money than we're paying in | 4 All we're really asking for is one |
| 5 interest on the bond. | 5 more year with the condition that we bond or pay |
| $6 \quad$ We have flexibility to decide | 6 off the notes at the end of that year. Any other |
| 7 whether we're going to issue a taxable or tax | 7 questions? |
| 8 exempt bond in the future. We have flexibility | 8 MS. SUAREZ: Mr. Baumann, I do, I |
| 9 on making all these decisions. But if we bond | 9 do. First, I want to say, I always appreciate |
| 10 today, we lose that flexibility. | 10 your candor in all of the meetings that we have |
| 11 If we raise that money in the | 11 together because I think you often delve directly |
| 12 budget, 9.3 million dollars in a budget, on a 45 | 12 into the issues that the board would like |
| 13 days notice, that wreaks havoc with the budget. | 13 answered. |
| 14 It also makes no sense. | 14 So I think what this boils down to |
| 15 By the way, it's an asset that's | 15 for us is taking a look at the financial prudence |
| 16 worth at least 9.3 million dollars because it | 16 of how this is progressing. And so I know that |
| 17 sits in the center of one of the fastest growing | 17 the board, in the last several iterations, when |
| 18 portions of Jersey City that's about to see three | 18 NJRA has come before us asking to roll these |
| 19 towers going up, fully renovated Loews Theatre. | 19 notes over, we were reticent to do these because |
| 20 It's popping. It's happening. | 20 it didn't appear to be the most financially |
| 21 I understand there's a lot of | 21 prudent position to take. |
| 22 anxiety that comes with bold visions, long time | 22 Can you boil it down, for the board, |
| 23 to make them come to fruition. We're aware | 23 to understand why it would not make sense to dip |
| 24 politics enter into all of this, this nix of what | 24 into the legislative set aside to pay this down |
| 25 to do, but I'm telling you, as the professional | 25 instead of continuing to roll it over. I think |


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| 1 that might be the crux of where this sits. | 1 Board with respect to the Jersey City |
| 2 MR. BAUMANN: Sure. You should also | 2 Redevelopment Authority's proposal to roll over |
| 3 that know we are in regular monthly contact with | 39.3 million dollars of short term notes that have |
| 4 the New Jersey Economic Redevelopment Authority | 4 partially financed the construction of the |
| 5 and the Governor's office, right, so the State of | 5 Pompidou museum project since 2018. |
| 6 New Jersey and its professional teams that do | 6 The note roll over is wasteful, in |
| 7 this for a living are intimately involved in all | 7 and of itself, for the reasons discussed in this |
| 8 of our decision making and our partners in this | 8 letter. But in context, the roll over of funds |
| 9 process, so we're not alone, so that should help | 9 and excessive project that all but guarantees, |
| 10 you have some cover. | 10 the already financially distressed city, will be |
| 11 Together, we are making decisions | 11 unable to pay its bills and seek a bail out. |
| 12 about what -- if you were to call the executive | 12 I am attaching a report I requested |
| 13 director, he would tell you that he's not | 13 last summer that documents how excessive the |
| 14 prepared to let us draw down. That is coming | 14 project has become. The project can cost upwards |
| 15 through this office. The other one comes from | 15 of 200 million dollars according to the |
| 16 the Secretary of State's office. | 16 Department of State with the city having no |
| 17 We haven't really asked for that | 17 viable plan to pay for it. |
| 18 money for the main reason that we want to be in a | 18 It has been a feeding frenzy for |
| 19 position where we think we're ready to go. So | 19 dozens of consultants, most of whom are selected |
| 20 we've been trying to be really careful about | 20 outside of the ordinary procurement process. |
| 21 using assets that are available to us in order to | 21 Some consultants duplicate work. Some, like the |
| 22 make sure we dot all the I's and cross all the | 22 food consultant, were selected despite being the |
| 23 T's. | 23 highest bidders. |
| 24 So when we do make the asks and the | 24 Some have made local campaign |
| 25 decisions, we are collectively on the same page. | 25 contributions or nonprofit contributions that |
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| 1 So that decision about drawing down the money | 1 fund local officials travel to Paris. Meanwhile, |
| 2 involves the State of New Jersey, it involves the | 2 as the Division of Local Government Services is |
| 3 Secretary of State, it involves the New Jersey | 3 no doubt aware, the most recent audits of the |
| 4 Economic Development Authority. | 4 city have documented enormous city deficits and |
| 5 Those are not unilateral decisions | 5 financial mismanagement that are outliers within |
| 6 we can make. We would only make them with the | 6 the state. |
| 7 participation of the State of New Jersey. | 7 Things have gotten so bad, the Local |
| 8 MS. SUAREZ: Before I get into some | 8 Finance Board was asked late last year to support |
| 9 of my perfunctory questions, I'm going to open it | 9 a Jersey City's authority proposal to help the |
| 10 up to see if anybody from the board or if there | 10 city, quote, balance its budget by borrowing |
| 11 are any public comments that would like to be | 11 against the city's water revenues for the next 30 |
| 12 raised or addressed. | 12 years. |
| 13 MR. SOLOMON: Yes, if I may. My | 13 Thanks to you, that proposal |
| 14 name is Alex Solomon. I'm here on behalf of | 14 received negative findings for seeking to |
| 15 State Senator Michael Testa. The senator regrets | 15 irresponsibly pay over the city's deficits. The |
| 16 that he wasn't able to attend the meeting, but he | 16 note, quote, roll over ought to be down only with |
| 17 ask that I read a letter that he wrote and | 17 important contextual questions being asked of the |
| 18 transmit it into the board, into the record if | 18 Jersey City on the record at Wednesday's meeting. |
| 19 that's okay with you, Madam Commissioner. | 19 In light of the high deficits being |
| 20 MS. SUAREZ: By all means. | 20 carried on the city's ledger and the |
| 21 MR. SOLOMON: Dear Commissioner | 21 unsustainable financial trajectory of the city, |
| 22 Suarez and members of the Local Finance Board. I | 22 how is the ballooning cost of the Pompidou |
| 23 am writing to urge that you issue negative | 23 project going to be paid and why is the |
| 24 findings with respect to your consideration at | 24 application blank when project costs are |
| 25 next week's April 10 meeting of the Local Finance | 25 requested? |

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| How does the city respond to the <br> excess and waste noted in the attached report? <br> The actual note roll over begs its own set of questions. <br> As of July 2024, 58 million of state <br> appropriations to support the project remain <br> unspent with the city holding 6 million dollars <br> in cash accounts, and the state and EDA holding <br> the 52 million dollar balance. <br> So why is there a need to issue debt <br> when so much cash is available for the project? <br> This is the sixth time the note will be rolled <br> over. Annual roll over cost include professional <br> fees and interest expenses more than half a <br> million dollars this past year alone. <br> How much in total has been paid in <br> interest and fees over the last six years and how much will be paid for this transaction? The initial note issuance was for 10 million dollars. <br> Though the outstanding principal will be 9.3 <br> million when this debt comes due seven years later, next May. <br> At this average rate of $\$ 100,000$ pay <br> down of debt it will take 100 years to retire the <br> initial issuance. Who knows, maybe the museum | when their audits are a year late, if available at all. <br> In conclusion, this note roll over <br> is facilitating a project with a pattern of <br> fiscal mismanagement. The project is documented <br> as being grossly excessive and no way to pay for it has been identified. <br> And to the agenda item, this <br> particular note roll over is both avoidable and <br> wasteful. If you provide positive findings, <br> which I hope you do not, please substantially <br> limit the maturity of the note to six months and order the city to retire the notes at maturity <br> and either provide a comprehensive plan for how <br> the project will be paid for, in the context of <br> the city's larger financial imbalances, or put <br> the plug on this insanely wasteful project once and for all. Sincerely, Michael Testa, Junior. <br> MS. SUAREZ: Thank you, Mr. Solomon. <br> Mr. Baumann, I don't know if there was anything <br> that was addressed in there that you feel <br> inclined to respond to. <br> MR. BAUMANN: Yes, I'd like to <br> respond respectfully to the senator and his staff <br> member. Good job, Alex. In my opinion, the |
| will even then have started construction by then. How is this appropriate? <br> If the debt was necessary, and it wasn't, why were the annual issued notes not converted to longer term, but callable bonds before interest rates skyrocketed more than six percent. <br> Why is the application indicating <br> the bonds are paying for a private use facility <br> and being issued on an expensive tax basis? See footnote on part 2 of the application when the project has been explained as a public purpose. <br> Which is it? <br> Why are the new notes proposed to have a high interest rate of five to seven percent. Is it because they are taxable and being issued annually? Is it because of the city's declining credit rating? Is it part of the reason the note purchase will be negotiated instead of auctioned off? If negotiated, why? <br> Why is the authority unable to produce a copy of the FY 2022 audit as part of the application when the report was due one year ago? And why should the positive findings be provided for an agency that wishes to issue debt | suggestion that we bond this or pay down cash would be the fiscal mismanagement. If you're suggesting that we draw down the state funds now would be the fiscal mismanagement. <br> The careful fiscal decision making <br> is when you are careful in when you spend money <br> and how you spend your money and you plan and you do your due diligence. So to his fundamental <br> question, nothing is going to happen until the <br> State of New Jersey, the JCRA, the City of Jersey <br> City, have all decided what it's going to cost <br> and how it's going to get paid for, both to <br> operate it and to run it. <br> So this fundamental issue, we agree. <br> That's why we're not drawing the money. That's why we're being more careful, that's why we're <br> continuing to draw over the notes. So fundamentally, we're all on the same page. <br> We won't make the next step until we <br> know exactly what this next step is going to look <br> like. We're not there yet. <br> So from that perspective, I think <br> we're aligned. We just fundamentally believe <br> that the fiscally responsible thing to do is to <br> roll the note over, not to bond it, to leave the |

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| state money alone, not to draw it down. And that <br> I think is the fiscally responsible response. <br> The other stuff is probably just the background. <br> I don't need to respond to it. <br> But again, I think we're aligned in <br> wanting to all know, I know the Governor wants to know, I know his office wants to know, I know our mayor wants to know, everyone wants to know. <br> That's going to have to all be figured out and it's getting closer. <br> From that perspective, including, <br> Director, you and the board, that's going to have to happen. No one is going to go into this not <br> knowing how we're going to pay for this building and how we're going to operate it when it gets up and running. <br> MR. WIELKOTZ: Director, I'd like to <br> add to that, too. I think there is a little <br> miscommunication here. We are being conservative <br> by not drawing down on these grants specifically <br> because we don't know what the end game of the project is at this point. <br> So what we're doing is we're using <br> the city funds before we would ever consider <br> using the state funds because that is the | opinion with no issues, which I think would dictate the financial well being of the agency itself. <br> MS. SUAREZ: Thank you both. I want that letter was received by the board in advance and it was distributed to the members before it was read into the record today. Are there any other questions or comments from the board or the public? <br> One of the more perfunctory <br> questions that I had that I wanted to address was the time frame for the 2023 audit. I wanted to discuss what kind of safeguards are going to be put into place or have been put into place to ensure that it is not going to be late again. <br> MR. WIELKOTZ: As I mentioned, we did have some staff turnover in the finance department. We are a relatively small staff for taking on such a big project, so that did put a little dent in our operations, but I am now fully on board handling all of these items and I can tell you that it will not be anywhere near. <br> We just finished the 2022 audit. We <br> are working on the 2023 audit as we speak. And I can guarantee you, it will not be anywhere close |
| conservative thing to do. It would be very easy for us to draw down on 24 million dollars. Why would we do that if we don't know what the finality of the project is. It's still in this developmental phase. <br> So I would agree with Mr. Baumann here where we are being conservative by using our money and not drawing down on the grant, which I know you mentioned was a big question. For us, it doesn't make sense for us to do those things because we don't know what the actual game plan is. <br> And again, under Local Public <br> Contracts Law, we have to have the money ready before we go out and do any bid construction, things of that nature. So we're still very much in the fact finding phase, developing the design, developing the actual plan. <br> And we wouldn't plan on using these state funds before we do that because it would be irresponsible for us to do so. I do want to make one -- we did get our audit in last week. And although it was late, I would say the timeliness of the audit, while it should be on time, if you look at the audit, it was actually a clean | to as late as it was for 2022. <br> MS. SUAREZ: The other thing I'd <br> like to delve into a little bit has to do with <br> why this is a negotiated sale. If we can flush that out. <br> MR. EISMEIER: Sure. Every one of the issuances, dating back to the original issuance, has been a negotiated sale, which is, essentially, just means that you bring on the underwriter of the transaction in advance as opposed to setting a date and time for the sale and having the underwriters bid. <br> That is not uncommon for <br> transactions like this that are somewhat complex as opposed to a more plain vanilla general obligation bond or note sale. So there, I'll say this, this application is not unusual in two respects. <br> One, it's the same from all the <br> other previous issuances of this particular note <br> that the board has approved and it's also very <br> similar to complex securities, where as a <br> guaranty or subsidy like this where there's a <br> trust indenture, bond resolution that are somewhat unusual in terms of the security that |

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| associated with developing large tracks, i.e., return on equity, taxes, all those expenses that drag down the cost of a project and make it more expensive to build. <br> So we bought the land, the JCRA is managing the process. Then we went out to the market place and we looked for a developer to kick off phase 1. We took proposals. <br> We settled on two, identified one <br> for our first phase and that is the Pennrose Omni Group that is proposing to do 210 units, market rate in the property on the southern eastern most tip of the property for the purposes of 35 <br> percent moderate and low income families, and then 65 percent market rate units. <br> The project will, as you can see from this fly over here, is going to be up to 8,000 units when it's done. There's going to be a public river walkway and kayak launch. There's going to be a Hudson River rail stop. <br> One of the questions in the investigation the board has to make is how is this going to be handled from infrastructure and traffic and pedestrian walkways, so there is a planned light rail stop at the northern most tip | of taxes is five percent and the gross revenues on the residential, 10 percent on the commercial. <br> That, together with a complicated <br> capital stack that involves the participation of <br> the EDA and Housing and Mortgage Financing Agency <br> and the Hudson County have combined to put us in <br> a position where we can have this inaugural <br> project come out of the ground. <br> The cost benefit analysis in this <br> project is complicated in the sense that the <br> benefit to Jersey City and the community is not <br> quantifiable in dollars. It's quantifiable in <br> providing a mixed income community addressing an <br> under served constitutional requirement in New <br> Jersey of providing affordable housing for people <br> that work in this area. So that's the benefit. <br> There's also using a property that <br> has currently not been producing rateables. It's <br> parks, it's recreation, but fundamentally, it's <br> being driven by satisfying this constitutional <br> obligation to provide housing for our residents <br> that can't afford market rate housing and can <br> only afford affordable housing at the lower rents. <br> 25 That's a very expensive thing to do. |
| of the peninsula. <br> The plan requires, at least, 20 <br> percent affordable housing on every parcel and 35 <br> percent overall affordable, slash, work force. <br> There's pedestrian parking and there's <br> sustainability component and there's a myriad of <br> linear parks that stretch from 440 all the way out to the river. <br> That project, again, is in response <br> to the efforts by the city to be a leader in the <br> development of affordable housing. And we are doing that by making the city and the JCRA the master redeveloper and eliminating all the costs that go along with that. <br> As a result of that, we are able to <br> put this property out into the market place and <br> have developers come in and do projects that are, at this level, affordability and begin to build this truly mixed income for the community in Jersey City that will be adjacent to Route 440 and the light rail and pedestrian and parks. <br> So phase 1 , in order to, the RAB is really entirely a legal mechanism to allow us to have the payment in lieu of taxes that is below the formula 10 percent. So the payment in lieu | That project is going to include entirely built by wage union labor. It's going to have many of the accoutrements you would expect in one of these building. And in particular, it's going to have retail that's designed for the community that will occupy it. <br> So the retail, for example, a tech center, expected a daycare center and a credit union driven in part to address the people that are going to live in this community. It's the first of its kind. It's a proof of concept, right? <br> So by definition, the first ones in are going to need the most help from the government. That's why it's extremely low PILOT. That's why we have a RAB. That's why we're doing all the things we're doing to make this succeed. <br> We need to prove the concept that a mixed use community can be, can work and make economic sense, can be affordable and can (inaudible) to the benefit of the community and the state and the region as a whole. <br> So we're asking for your permission, again, it's a really narrow ask, but it's in the context of a really bold initiative that the |

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| board will now be a part of, agree to allow us to issue a 600,000 dollar, $\$ 20,000$ a year non recourse Redevelopment Area Bond. <br> But importantly, I think we want you <br> to also buy into the vision of what's trying to be accomplished here in Jersey City, a truly mixed income community at levels that's inclusive at levels that really haven't been achieved in many places in the country and certainly not in New Jersey. <br> We're happy to answer any questions. <br> We're really proud of this. I'm sure all of us would like to speak about it if you have questions, but, again, we thank you for the opportunity. <br> We understand it's the end of a long day, but I did want you to, at least, begin to have a glimmer because we'll be back a lot. There's a lot to be done here. You'll be seeing Jersey City Redevelopment Agency and Jersey City for administrations and administrations to come. <br> This is going to outlive all of us. <br> 30 years from now, we're going to look back and say we succeeded or didn't succeed. But it begins today with first project. It begins today | had a discussion with the developers about paying for the school and building so we've been in discussions with some of our redevelopers that would fund the construction of the school into their building. <br> This project contemplates we built <br> into the mechanism not unlike is done in New York City where there's an HOA built into this that will allow the properties to be assessed for the parks and the shuttle system. <br> So we embedded into it initially <br> with the first developer because we thought we <br> had to do it in the beginning and the mechanism <br> for the community to also be self-sufficient in <br> paying for some of these costs that would not come of the general taxpayers. <br> So there are examples of this across <br> the country that we sort of stole from, but the idea is that this HOA over time would pick up -the community would pick up some of the costs from shuttle bussing you to a rail or maintaining the parks, once they're built, so that's one of the mechanisms. <br> But I think at the end of the day, the view is, there's a cost to providing |
| by this vote by this board by these members <br> supporting this Redevelopment Area Bond. Nothing further. <br> MS. SUAREZ: Thank you, Mr. Baumann. <br> I'm going to open it up quickly just to see if any board members or anyone from the public has any questions or comments they'd like to raise. <br> MR. JACKSON: Just one question. <br> Have you done an actual fiscal analysis that we could see at some point? You mentioned the fiscal can't be measured. I'm thinking you're talking thousands of school kids, infrastructure improvements, all those kind of things. Has that been looked at in its totality, Mr. Baumann? <br> MR. BAUMANN: Great question. We haven don't it in totality. For this project, obviously, the impact is negligible. It's a big school system. It's a big system. We've been mostly focused on -- we borrowed money to do this, and most of our analysis has gone into generating proceeds over time that will pay off the debt that the city invested to the project and the infrastructure and how to pay for all that. <br> It does envision a school. We've | affordable housing. There's a cost. It doesn't pay for itself, so there's initial investment cost and then there's a community investment cost that comes with educating the children that come out of that system. <br> For example, that has to be born at the end of the day by the community that believes in affordable housing. So we do need to get our hands around those bigger discussions about all that, but for now we've been focusing on how to pay off the debt that we borrowed, how do we build an infrastructure that allows the community to pay for some of its own costs without involving the general taxpayers, and then over time how to get the developers to pay for some of the capital costs associated with some of that infrastructure. <br> So we have plans. We are setting the foundation for a lot of this, but over time, we'll have to build out a much bigger mountain, for sure. But there's a cost to doing this and it's a cost that this current administration and the mayor thinks is worth paying. <br> MR. JACKSON: Understood. Thank <br> you. My only -- the reason for asking it, I'm |

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| 1 sure we'll see that down the road. One of the | 1 speaking and I think we've unloaded everything |
| 2 things we're seeing is that and agreeing with the | 2 through January maybe. It will be in the next |
| 3 noble effort, but it's helpful for the residents | 3 couple days. |
| 4 to see, have an idea of what that cost is. | 4 The two IT departments have sorted |
| 5 We've seen projects where it's great | 5 out the problem and it's either in the process of |
| 6 intellectually, you know, 30,000 square foot | 6 being resolved in a matter of days or a week. Is |
| 7 view, and you think that's a great idea, but we | 7 that accurate, Carmen? |
| 8 don't have -- is it 10 dollars or 10 million. | 8 UNKNOWN SPEAKER: That's correct, |
| 9 Kind of getting a sense of what that is and being | 9 yes. |
| 10 comfortable with that's the cost and we're good | 10 MR. BAUMANN: So it sounds like a |
| 11 with it. | 11 software issue unfortunately. |
| 12 MR. BAUMANN: Yeah. It's about the | 12 MS. SUAREZ: Okay. I appreciate |
| 13 state recognizing that there's a price to | 13 that and anything that can be communicated to |
| 14 providing affordable housing. And if we all | 14 them just to make sure that they are |
| 15 believe in it, which I don't know many people | 15 communicative should there be issues in the |
| 16 that don't believe in it, but it's good to know | 16 future because that would be really helpful. |
| 17 what that cost is to your point. | 17 I know staff, the DCA side, even |
| 18 I understand, I buy -- I understand | 18 sent them templates so I don't think that was |
| 19 there's an investment associated with this. I | 19 relayed clearly to the department that that was |
| 20 just like to know what the investment is. I'm | 20 the glitch. |
| 21 not saying I'm for or against. I'm just saying I | 21 MR. BAUMANN: Yes. |
| 22 like the idea. I just want to know what the | 22 MS. SUAREZ: The other thing, Mr. |
| 23 investment is. Fair point. | 23 Baumann, that I thought was helpful that has been |
| 24 MS. SUAREZ: Any other questions or | 24 discussed previously that I'd like to make sure |
| 25 comments from the group? I just have a couple of | 25 is on the record again this time around, just has |
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| 1 quick items. So one, Mr. Baumann, I think we may | 1 to do with discussing the process by setting the |
| 2 have sent this over to the team yesterday, but I | 2 rate at zero percent. |
| 3 wanted to follow up and to see, it's my | 3 Mr. BAUMANN: Sure. So the RAB that |
| 4 understanding that there's some outstanding | 4 we use nominal RABs and it's because they're |
| 5 construction code compliance -- | 5 permanently designed to avoid the minimum and |
| 6 MR. BAUMANN: Yes. | 6 maximum requirements in the statutes. So under |
| 7 MS. SUAREZ: -- issues. And I | 7 the long term tax exemption law there's minimum |
| 8 wanted to see, the city obviously wants to bring | 8 annual service charges, PILOTs that you can pay. |
| 9 on new construction, happy to see that. Looks | 9 If you do a Redevelopment Area Bond, those |
| 10 like just under 20 percent of all the states | 10 minimums don't apply. And in certain |
| 11 construction last year alone is attributable to | 11 circumstances like this, which, by the way, was |
| 12 Jersey City. | 12 vetted carefully, a lot of negotiation, a lot of |
| 13 Just want to make sure we're going | 13 vetting by our financial team. It was determined |
| 14 to be able to sustain the regulatory | 14 that this project can't afford a 10 percent |
| 15 requirements, with the Division of Codes and | 15 annual gross revenue. It can only afford five |
| 16 Standards in the State of New Jersey and what the | 16 percent so we have to use a RAB to make that |
| 17 city's plan is to catch up. Right now we're | 17 happen. By and large, the RAB is then purchased |
| 18 seven months behind in reporting. | 18 by an affiliate in these instances of the |
| 19 MR. BAUMANN: We all checked in. We | 19 developer and it's sort of a way of providing |
| 20 spent a lot of time, thank you for giving us a | 20 equity. My perspective is that adding an |
| 21 heads up. We understand, and Carmen can correct | 21 interest rate complicates it. It may make it |
| 22 me , that there was issues with our software and | 22 available to be resold in the future. So say, we |
| 23 your software talking to one another. | 23 had a six percent interest rate, the developer |
| 24 And as of yesterday, your IT | 24 arguably could sell it into the market place, if |
| 25 department and our IT department spoke and are | 25 the rates were four percent and you could make a |


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| lower premium. I just want to avoid all that, those possibilities and that complexity and set it at zero so it just never goes away and it always continues to be owned by the affiliate or someone else. And there's no sort of hidden -there's no market play associated with that RAB in the future. So that's the reason -- it doesn't always have to be that way. I don't think this should be a rule, but certainly in this case, zero percent would seem more appropriate. <br> MS. SUAREZ: Thank you for that. I appreciate that. The last question I have and this is typical any time we see a RAB. I just wanted to, and this may be Carmen, that the city's financial office is prepared to ensure that the RAB is collected as appropriate. <br> MR. HANLEY: This is Mike Hanley. <br> We have more PILOTs than anyone and many RABs and the city has significant staff attends to this and audits, payments and makes sure we get to the right solution on an annual basis across all of them. This would not be a significant increase and work in the context of what already exists in Jersey City. | MS. SUAREZ: Thank you again, Mr. <br> Baumann for your candor. I really do appreciate <br> it. All right everybody. I think that concludes <br> the agenda. I'm going to ask for a motion to adjourn. <br> MR. CLOSE: So moved. <br> MR. AVERY: Second. <br> MR. BENNETT: Mr. Close and Mr. <br> Avery. All those in favor? <br> BOARD MEMBERS: Aye. <br> MR. BENNETT: Anybody opposed? We are adjourned. <br> (Hearing Concluded at 3:16 p.m.) |
| MS. SUAREZ: Thank you. That's for <br> my questions. Everything hearing was already <br> addressed. Anything else from the public or the <br> board? Hearing none, do we have a motion to <br> approve the issuance of the RAB not to exceed 3 <br> million and the private sale of bonds. I'm <br> sorry. I don't think that was 3 million. <br> 600,000. <br> MR. JACKSON: So moved. <br> MR. AVERY: Second. <br> MR. BENNETT: Mr. Jackson and Mr. <br> Avery. Miss Suarez? <br> MS. SUAREZ: Yes. <br> MR. BENNETT: Mr. DiRocco? <br> MR. DIROCCO: Yes. <br> MR. BENNETT: Mr. Close? <br> MR. CLOSE: Yes. <br> MR. BENNETT: Mr. Avery? <br> MR. AVERY: Yes. <br> MR. BENNETT: Mr. Jackson? <br> MR. JACKSON: Yes. <br> MR. BENNETT: Motion approved. <br> MR. BAUMANN: Thank you for joining <br> us in this journey. You're now part of history <br> with the rest of us. | CERTIFICATE <br> I, LAUREN ETIER, a Certified Court <br> Reporter, License No. XI 02211, and Notary Public <br> of the State of New Jersey, that the foregoing is <br> a true and accurate transcript of the testimony <br> as taken stenographically by and before me at the <br> time, place and on the date hereinbefore set forth. <br> I DO FURTHER CERTIFY that I am neither a <br> relative nor employee nor attorney nor council of <br> any of the parties to this action, and that I am <br> neither a relative nor employee of such attorney <br> or council, and that I am not financially <br> interested in the action. <br> Notary Public of the State of Newujersey <br> My Commission Expires June 30, 2024 <br> Dated: April 25, 2024 |


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