
Commission Meeting

of

NEW JERSEY COMMISSION ON CAPITAL BUDGETING AND PLANNING

LOCATION: Meeting via Conference Call

DATE: November 19, 2021
10:00 a.m.

MEMBERS OF COMMISSION PRESENT:

James M. Rutala, Chair
Luke E. Wolff, Vice Chair
Senator Paul A. Sarlo
Senator Samuel D. Thompson
Assemblyman Harold 'Hal' J. Wirths
Paulina Banasiak
Anthony 'Skip' Cimino
Daniel Davidow, Esq.
Jo-Ann Povia
Dennis Zeveloff



ALSO PRESENT:

James Langsdorf
Executive Director

David F. Patella
Assistant Executive Director

Brian Onda
Stacy Pingitor
Budget Specialists

Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

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(The New Jersey Commission on Capital Budgeting and Planning held a meeting on November 19, 2021, at 10:00 a.m. Members of the Commission present via teleconference were James M. Rutala, Luke E. Wolff, Senator Paul A. Sarlo, Senator Samuel D. Thompson, Assemblyman Harold 'Hal' Wirths, Paulina Banasiak, Anthony 'Skip' Cimino, Daniel Davidow, Esq., Jo-Ann Povia, and Dennis Zeveloff.)

JAMES M. RUTALA (Chair): Good morning.

I'd like to call the meeting of November 19, 2021, to order.

In accordance with the Open Public Meetings Act, the Commission has provided adequate notice of this meeting by giving written notice of the time, date, and the location. The notice of the meeting has been filed at least 48 hours in advance by mail or by fax to the *Trenton Times* and the *Newark Star-Ledger*, and filed with the Secretary of State.

If we could, everyone please mute their phones unless they're speaking; that would be great.

We will take roll call now.

MR. LANGSDORF (Commission Executive Director): Thank you, Chairman.

Senator Sarlo. (no response)

Senator Thompson.

SENATOR THOMPSON: Here.

MR. LANGSDORF: Assemblywoman Sumter. (no response)
Assemblyman Wirths.

ASSEMBLYMAN WIRTHS: Present.

MR. LANGSDORF: Ms. Jo-Ann Povia.

MS. POVIA: Here.

MR. LANGSDORF: Mr. Dennis Zeveloff.

MR. ZEVELOFF: Present.

MR. LANGSDORF: Paulina Banasiak.

MS. BANASIAK: Present.

MR. LANGSDORF: Mr. Davidow.

MR. DAVIDOW: Present.

MR. LANGSDORF: Mr. Anthony Cimino.

MR. CIMINO: Present.

MR. LANGSDORF: Mr. Luke Wolff.

LUKE E. WOLFF (Vice Chair): Present.

MR. LANGSDORF: Mr. James Rutala.

MR. RUTALA: Present.

MR. LANGSDORF: Chairman, we have a quorum.

MR. RUTALA: Okay; we'd like to welcome our three new members.

At this point, we can have the election of the Chair and Vice Chair.

MR. LANGSDORF: Chairman, as everyone knows, last year Mr. Rutala and Mr. Luke Wolff were named Chair and Vice Chair, respectively. I understand that both yourself and Mr. Wolff are still both interested.

Can someone put forth any other nominations for Chair or Vice Chair at this time? (no response)

SENATOR SARLO: Senator Sarlo joining.

MR. LANGSDORF: Thank you, Senator.

If there are no others interested or nominated, we'll move forward with the first order of business, which is to elect a Chair. Therefore, I ask that Mr. James Rutala be named as Chair.

Can we have someone put forward a motion?

MS. POVIA: Motion.

MR. LANGSDORF: Do we have a second?

ASSEMBLYMAN WIRTHS: Second.

MR. LANGSDORF: Okay, we'll now vote on the election of Chair -- for Mr. Rutala, again this year, as the Chair.

Senator Sarlo.

SENATOR SARLO: Yes.

MR. LANGSDORF: Senator Thompson.

SENATOR THOMPSON: Yes.

MR. LANGSDORF: Assemblywoman Sumter. (no response)
Assemblyman Wirths.

ASSEMBLYMAN WIRTHS: Yes.

MR. LANGSDORF: Ms. Jo-Ann Povia.

MS. POVIA: Yes.

MR. LANGSDORF: Mr. Dennis Zeveloff.

MR. ZEVELOFF: Yes.

MR. LANGSDORF: Ms. Paulina Banasiak.

MS. BANASIAK: Yes.

MR. LANGSDORF: Mr. Daniel Davidow.

MR. DAVIDOW: Yes.

MR. LANGSDORF: Mr. Anthony Cimino.

MR. CIMINO: Yes.

MR. LANGSDORF: Mr. Luke Wolff.

MR. WOLFF: Yes.

MR. LANGSDORF: Mr. James Rutala.

MR. RUTALA: Yes.

MR. LANGSDORF: Thank you very much. Mr. James Rutala has been named again as Chair.

Congratulations, Chair.

MR. RUTALA: Thank you, everyone.

MR. LANGSDORF: Okay, now regarding the Vice Chair.

May I ask that Mr. Luke Wolff be named as Vice Chair? Can we have someone put forward a motion?

SENATOR SARLO: I put forward the motion.

MR. LANGSDORF: Thank you. Do we have a second?

MS. POVIA: Second.

MR. LANGSDORF: Thank you.

Okay, now we'll vote on the election of Mr. Luke Wolff as Vice Chair.

Senator Sarlo.

SENATOR SARLO: Absolutely; yes.

MR. LANGSDORF: Thank you.

Senator Thompson.

SENATOR THOMPSON: Yes.

MR. LANGSDORF: Assemblywoman Sumter. (no response)
Assemblyman Wirths.

ASSEMBLYMAN WIRTHS: Yes.

MR. LANGSDORF: Ms. Jo-Ann Povia.

MS. POVIA: Yes.

MR. LANGSDORF: Mr. Dennis Zeveloff.

MR. ZEVELOFF: Yes.

MR. LANGSDORF: Ms. Paulina Banasiak.

MS. BANASIAK: Yes.

MR. LANGSDORF: Mr. Daniel Davidow.

MR. DAVIDOW: Yes.

MR. LANGSDORF: Mr. Anthony Cimino.

MR. CIMINO: Yes.

MR. LANGSDORF: Mr. Luke Wolff.

MR. WOLFF: Yes.

MR. LANGSDORF: James Rutala.

MR. RUTALA: Yes.

MR. LANGSDORF: Thank you very much. Mr. Luke Wolff has been named again as Vice Chair.

Congratulations, Luke.

Mr. Chairman, it's also necessary to receive approval on the Executive Director today. On your behalf, can we have someone put forward a motion?

MR. CIMINO: I move the approval of the Executive Director.

MR. LANGSDORF: Thank you; can we have a second, please?

MR. RUTALA: Second.

MR. LANGSDORF: Thank you. Okay, now we'll vote on the election of James Langsdorf as Executive Director for this year.

Senator Sarlo.

SENATOR SARLO: Yes.

MR. LANGSDORF: Senator Thompson.

SENATOR THOMPSON: Yes.

MR. LANGSDORF: Assemblywoman Sumter. (no response)

Assemblyman Wirths.

ASSEMBLYMAN WIRTHS: Yes.

MR. LANGSDORF: Ms. Jo-Ann Povia.

MS. POVIA: Yes.

MR. LANGSDORF: Mr. Dennis Zeveloff.

MR. ZEVELOFF: Yes.

MR. LANGSDORF: Ms. Paulina Banasiak.

MS. BANASIAK: Yes.

MR. LANGSDORF: Mr. Daniel Davidow.

MR. DAVIDOW: Yes.

MR. LANGSDORF: Mr. Anthony Cimino.

MR. CIMINO: Yes.

MR. LANGSDORF: Mr. Luke Wolff.

MR. WOLFF: Yes.

MR. LANGSDORF: Mr. James Rutala.

MR. RUTALA: Yes.

MR. LANGSDORF: Thank you. I appreciate that.

James Langsdorf, myself, has been named again as the Executive Director for this year.

Thank you very much.

The Chair moves.

MR. RUTALA: Okay, thank you.

At this point, we'll take a motion to approve the minutes of April 23, 2021.

Do we have a motion?

MS. POVIA: I'll move the minutes.

ASSEMBLYMAN WIRTHS: I'll second.

MR. LANGSDORF: Okay, on the motion to approve the minutes for April 23, 2021; Senator Sarlo.

SENATOR SARLO: Yes.

MR. LANGSDORF: Assemblywoman Sumter. (no response)
Assemblyman Wirths.

ASSEMBLYMAN WIRTHS: Yes.

MR. LANGSDORF: Ms. Jo-Ann Povia.

MS. POVIA: Yes.

MR. LANGSDORF: Dennis Zeveloff.

MR. ZEVELOFF: Yes.

MR. LANGSDORF: Ms. Paulina Banasiak.

MS. BANASIAK: Yes.

MR. LANGSDORF: Mr. Daniel Davidow.

MR. DAVIDOW: Yes.

MR. LANGSDORF: Mr. Anthony Cimino.

MR. CIMINO: Abstain.

MR. LANGSDORF: Mr. Luke Wolff.

MR. WOLFF: Yes.

MR. LANGSDORF: Mr. James Rutala.

MR. RUTALA: Yes.

MR. LANGSDORF: OMB, do we have enough votes to approve the meeting minutes?

MR. ONDA (Budget Specialist): Yes, but I believe we didn't record Senator Thompson's vote.

SENATOR THOMPSON: Yes.

MR. LANGSDORF: So therefore, if we have enough votes, the motion moves.

I'd like to remind everybody again -- for those who are representing your agencies, or others, please state your name before making any comments. The meeting is being recorded and will be transcribed, and we want your name to accompany any of your statements or questions.

Also, please mute your microphones as necessary to reduce background noise.

Thank you.

Chairman, you may begin.

MR. RUTALA: Okay; we're going to review the Fiscal 2023 capital requests, starting with the Department of Agriculture.

Do we have any questions?

MR. LANGSDORF: Chairman?

MR. RUTALA: Yes?

MR. LANGSDORF: My apologies. I need to get into the Executive Director's Report, and I passed over that. My apologies.

MR. RUTALA: No, go ahead. No, there's no problem.

MR. LANGSDORF: Fiscal Year 2022, the Commission approved \$80,071,000 of discretionary projects, all of which have been

funded. Additionally, the Commission recommended \$1.857 billion for debt service and other capital appropriations.

The 2022 Appropriations Act included \$1.832 billion for these items.

Do we have any questions? (no response)

Therefore, if there are no other questions -- and I apologize for missing this earlier -- we can move on to the Fiscal 2023 capital requests.

MR. RUTALA: Okay, thank you.

Going back to the capital requests -- we started with the Department of Agriculture.

Are there any questions on their requests? (no response)

Hearing none, the Department of Children and Families.

MS. POVIA: I do have a question.

MR. RUTALA: Go ahead, Jo-Ann.

MS. POVIA: For the priority that was the solar arrays, is there any other source of funding possible for an energy project like this? Have you -- has Agriculture looked at other funding sources?

J O E A T C H I S O N III: We have not, at this point. And this is regarding the solar arrays at the Horse Park of New Jersey?

MS. POVIA: Yes.

MR. ATCHISON: We have not. We have not been aware of any other funding sources, at this point; and we included it in this as part of our overall request.

MS. POVIA: Okay, thank you.

MR. RUTALA: Just a follow-up on that.

Have you considered a power purchase agreement for the solar project?

MR. ATCHISON: I'm sorry, you broke up a little bit.

MR. RUTALA: Have you considered a power purchase agreement, whereby a private vendor would fund the improvements?

MR. ATCHISON: We did not; I can look into that. But I'm not familiar with that. So I can certainly have somebody look into that.

MR. RUTALA: Okay; that would be appreciated.

Thank you.

MR. ATCHISON: Thank you.

MR. RUTALA: Any other questions for Department of Agriculture? (no response)

Hearing none, we'll move on to our Department of Children and Families. (no response)

Next, the Department of Corrections.

MS. POVIA: I have another question; my apologies.

For Corrections -- in the beginning, when you list the different -- *A* through, I think you have *G* -- is there any prioritization in that subset? Or are you just -- does the *A* mean that the chapel roof replacement is the most important thing, or you just list them *A* through *F* (*sic*) for a reference?

A S S I S T A N T C O M M I S S I O N E R D O N N A G I E S:
Yes, that is the listing of our priority.

MS. POVIA: Okay. So the chapel roof is number one under that particular item.

ASSISTANT COMMISSIONER GIES: Correct.

MS. POVIA: Okay, thank you.

And there are some other areas where you have some aggregate funds -- like \$100 million. Do you also have-- For instance, on page 7 of 13 of your packet, under the first two that you can see on that page, "Health and Environmental Hazards." Do you have a priority list for those funds as well?

ASSISTANT COMMISSIONER GIES: I'm sorry, which one are you looking at?

MS. POVIA: It's page 7 of 13. Maybe I'm reading it wrong. The first -- roof replacements. "There are many facilities--"

ASSISTANT COMMISSIONER GIES: Under roofs; okay.

MS. POVIA: Yes. Do you have subsets of priorities under those two aggregate numbers for funding over the next few years?

ASSISTANT COMMISSIONER GIES: I would say that's in priority order.

MS. POVIA: Okay. So the one that is Priority 9, that says, "Many facility roofs have been leaking." Of those roofs, do you have a priority of which roofs are--

ASSISTANT COMMISSIONER GIES: Yes, I think the way they are listed, A through R, is the priority.

MS. POVIA: Okay.

MR. ONDA: I think I can kind of help clarify.

So for the purpose of the Commission meetings, this specific report is prepared and provided to the Commission members. However, the Department of Corrections did submit backup documentation--

MS. POVIA: Okay.

MR. ONDA: --that will further break out the priorities--

MS. POVIA: All right.

MR. ONDA: --of the specific roofs.

MS. POVIA: Thanks, Brian. That's all I was interested in.

MR. ONDA: So when we consider--

MS. POVIA: Okay.

MR. ONDA: When we consider funding the projects, we will--

MS. POVIA: Then when we meet (indiscernible) again, or say when -- if they get the pocket of money, you all will work on which ones are first.

MR. ONDA: Correct, yes.

MS. POVIA: Okay, great. Thank you.

MR. ONDA: You're welcome.

MR. LANGSDORF: Chairman Rutala, as we're going through and referring to the Department requests, is it possible for you to also mention the total requested amount for Fiscal Year 2023?

MR. RUTALA: Yes. And the total request is at the bottom of the request, correct?

MR. LANGSDORF: At the bottom of each Department's request there's a total.

SENATOR THOMPSON: Page 13.

MR. RUTALA: Yes, yes.

So the total for the Department of Corrections is \$503,254,000.

Okay; any other comments on the Department of Corrections?

(no response)

The Department of Education's total request is \$678,000, with one priority.

Next, is the Department of Law and Public Safety.

ASSEMBLYMAN WIRTHS: Chairman, just on the Department of Education -- I'm sorry to backpedal a little bit -- on the "campus reoccurring EPA fines," does anyone know what amount we're being fined now for not handling the oil tank cleanup? Because it says *reoccurring*. Is it on hold now, or are we actually being fined for not doing this?

AMANDA SCHULTZ: I don't have those figures right in front of me, but I will get it back to the Commission through OMB.

ASSEMBLYMAN WIRTHS: Thanks. I mean, obviously, it should be a top priority if we're being fined, and I'd like to know the dollar amount that we are being fined by not fixing this oil tank issue.

Thanks.

MS. SCHULTZ: You're welcome.

MR. ONDA: I actually do have a correspondence about the fines. It is \$300 yearly that they're being fined.

ASSEMBLYMAN WIRTHS: Thanks, Brian.

MR. ONDA: You're welcome.

MS. SCHULTZ: Thank you, Brian.

MR. ONDA: You're welcome.

MR. RUTALA: Okay; next, is the Department of Law and Public Safety. Their total request for Fiscal Year 2023 is \$19,850,000.

Are there any questions or comments? (no response)

Hearing none, we'll continue.

Next, is the Juvenile Justice Commission. Their request is \$21,978,000.

Next, is the Department of Military and Veterans Affairs; \$33,810,000.

Next, is the Department--

MR. LANGSDORF: Chairman Rutala, would you mind giving the total for Agriculture and Children and Families also?

MR. RUTALA: Fair enough.

The total for the Department of Agriculture is \$7,315,000. The total request for the Department of Children and Families is \$1,661,000.

MR. LANGSDORF: Thank you, Chairman.

Okay, Chair, unless there aren't any other questions, comments, or other business to discuss, can someone put forward a motion to adjourn this meeting?

MS. POVIA: Could we finish all the items?

MR. LANGSDORF: I'm sorry, I thought we were finished. We didn't finish Judiciary.

MR. RUTALA: We did not.

MR. LANGSDORF: We need to do Judiciary.

MR. RUTALA: And Treasury, their request-- The Department of Treasury request is \$5,225,000.

Any comments or questions?

MR. ONDA: Just to clarify, the Department of Treasury request is specifically for the Office of Information Technology.

MR. RUTALA: And finally, Judiciary is \$3,714,000.

Is there any other business to come before the Commission today? (no response)

MR. LANGSDORF: Okay, if there are no other questions, comments, or other business to discuss, can someone put forward a motion to adjourn?

SENATOR THOMPSON: Move it.

MS. POVIA: Second.

MR. LANGSDORF: Okay, thank you all, and have a wonderful Thanksgiving. And thank you for attending this meeting.

ALL: Thank you.

(MEETING CONCLUDED)