

BOARD OF COUNTY COMMISSIONERS  
ESSEX COUNTY, NEW JERSEY

2023 BUDGET HEARING

TRANSCRIPT OF

PROCEEDINGS

Tuesday, January 31, 2023  
Commencing at 4:08 p.m.

M E M B E R S      P R E S E N T:

THYSHAMMIE L. COOPER  
BRENDAN W. GILL  
ROMAINE GRAHAM  
RUFUS I. JOHNSON  
LEONARD M. LUCIANO  
ROBERT MERCADO  
PATRICIA SEBOLD  
CARLOS M. POMARES, Vice President  
WAYNE L. RICHARDSON, President

M E M B E R S      A B S E N T:

A L S O      P R E S E N T:

MICHAEL J. PARLAVECCHIO, ESQ., County  
Commissioner Counsel  
ROBERT D. JACKSON, County Administrator  
DEBORAH DAVIS FORD, Clerk of the Board  
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1       A L S O       P R E S E N T:  Continued...

2       JULIUS N. COLTRE, Deputy County Administrator  
3       KYALO MULUMBA, Public Information Officer, Board  
4       of County Commissioners  
5       HOSSAM MOHAMED, Director, Department of  
6       Administration & Finance  
7       PHILIP ALAGIA, County Executive's Office, Chief  
8       of Staff

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1           PRESIDENT RICHARDSON: Good evening,  
2 everyone. I have before me a certification from  
3 the Clerk that this meeting is in compliance with  
4 the Open Public Meetings Act.

5           Roll call, Madam Clerk.

6           MS. DAVIS FORD: Commissioner Cooper,  
7 absent.

8           Commissioner Gill, absent.

9           Commissioner Graham.

10          COMMISSIONER GRAHAM: Here.

11          MS. DAVIS FORD: Commissioner Johnson.

12          COMMISSIONER JOHNSON: Here.

13          MS. DAVIS FORD: What an entrance.

14          Commissioner Luciano.

15          COMMISSIONER LUCIANO: Here.

16          MS. DAVIS FORD: Commissioner Mercado.

17          COMMISSIONER MERCADO: Here.

18          MS. DAVIS FORD: Commissioner Sebold.

19          COMMISSIONER SEBOLD: Here.

20          MS. DAVIS FORD: Commissioner Vice  
21 President Pomares, absent.

22          Commissioner President Richardson.

23          PRESIDENT RICHARDSON: Here.

24                   \*       \*       \*       \*

25

1       **PROSECUTOR:**

2

3               PRESIDENT RICHARDSON: First up is the  
4 prosecutor. Good evening.

5               MR. STEPHENS: Good evening, sir.

6               MR. JACKSON: He's under Tab 9, Mr.  
7 President.

8               PRESIDENT RICHARDSON: What page?

9               MR. JACKSON: Page 5 of that tab.

10              PRESIDENT RICHARDSON: Mr. Prosecutor,  
11 you're up. Don't mind him.

12              MR. STEPHENS: Okay. Stay in my lane  
13 right here.

14              PRESIDENT RICHARDSON: Floor is yours,  
15 sir.

16              MR. STEPHENS: Good afternoon, everyone.  
17 It's always a pleasure to come in front of the  
18 Commissioners. And to say that I'm definitely  
19 like everybody else, I say Freeholder, so if I  
20 slip, please forgive me.

21              Essentially, we at the Essex County  
22 prosector's office are pleased with the year that  
23 we've had. Let me start out by saying that we had  
24 one of the lowest number of homicides in recent  
25 years, we had 81 homicides, still sounds like and

1 is too many. But as Essex goes, obviously knows  
2 that we have the largest amount of homicides, we  
3 continue to have a third of the violent crimes in  
4 the State of New Jersey. So we're pleased any  
5 time the net numbers are low.

6 A lot of that means that other benefits  
7 accrue as well because we have -- we deploy our  
8 resources based on need. So if we have homicide  
9 officers and other members of the department who  
10 are not chasing homicides, than they're able to  
11 deploy and do other things as needed. So there's  
12 always a need in the office scenario, we follow  
13 that from the very beginning. I think we're  
14 getting good results with that.

15 And we're doing that in the midst of a  
16 national crisis on the ability to hire assistant  
17 prosecutors. There's a number of reasons for  
18 that. We've talked before about salaries and  
19 we're trying to do some things to address that,  
20 but we can't address it enough to change this  
21 industry, which is a public service industry,  
22 public sector, compared to what a private sector  
23 and other industries might offer. So we're never  
24 going to be able to do that. So, generally, we're  
25 hiring people who want to be prosecutors, number

1 one, or they want to get the benefits from being  
2 in an office like the Essex County prosecutor's  
3 office can offer. Primarily that's the ability to  
4 learn their craft because we are so busy. They're  
5 able to deal with things that they can't deal with  
6 in some other smaller counties, they're able to  
7 get into courtrooms and try cases quicker than  
8 other counties. So that's still a benefit that we  
9 have that we tout when we are marketing our  
10 office.

11 And we've had to market our office a lot  
12 more vigorously than we have. And, again, it is  
13 not just us. I'm just coming back today, I did  
14 training earlier today, from Washington, DC, where  
15 the National District Attorneys Association, which  
16 is the national prosecutors society, held a  
17 recruitment conference. There were 50 recruiters  
18 there from Montana, from Hawaii, from Alaska, from  
19 literally all over the country because everybody  
20 is facing the same dilemma in trying to attract  
21 young attorneys into the profession.

22 That's exacerbated by the things in  
23 terms of salary shortfall, as I indicated, but  
24 also, as First Assistant Sukhdeo is going to talk  
25 in a little while, he pointed out earlier, there's

1 probably the lowest number of individuals going to  
2 law school and passing the bar in recent memory.  
3 I'm told it's less than 800 that passed the bar --

4 MR. SUKHDEO: We had 786 in calendar  
5 year, 2022. So in 2010, we had just under 3,300  
6 people who passed the New Jersey bar, it's just  
7 not -- doesn't make sense to spend 65 grand to  
8 make 65 grand. It's \$65,000 a year to go to law  
9 school and we start at 65,000. So it's --

10 MR. STEPHENS: So to take up, but not  
11 enough to cover that shortfall. So there are --  
12 so the numbers are down in themselves, a smaller  
13 pool of individuals to attract, so obviously, you  
14 get a lesser number to actually interview and go  
15 through the process. So we go through -- our  
16 interview process is a lot different. We started  
17 out creating a pile A, which are the yes, and a  
18 pile B, which is a maybe or no. And then we,  
19 after looking at the paltry number of A, we're  
20 back to pile B, saying let's look at them again,  
21 maybe they're not so bad on second look. Because  
22 we need numbers, we need people, bodies in here to  
23 keep an office like this going. So that's a  
24 dilemma that we're dealing with.

25 Now, individually -- so I went down to



1 market and I'm sorry to say also to end that  
2 story, while there were 50 recruiters, there were  
3 probably 20 law students that showed up. I mean  
4 they were in demand like -- I mean people were --  
5 it was almost like a bidding frenzy in terms of  
6 trying to get people to talk to. They'll do it --  
7 it was the first time tried to do it. So I'm sure  
8 they'll make some adjustments and next year, it  
9 should be more successful. But that's the  
10 environment we're dealing with here.

11           So we're trying to deal with it  
12 ourselves. And as you know, we've always dealt  
13 with -- had a surplus at the end of the year here.  
14 So what we're doing in this opportunity now, for  
15 two reasons, we're upping the entry salary, taking  
16 them up to a level -- Step 1, Level 4, which means  
17 they're going to go from a \$65,000 to start with  
18 to 68,000, not a lot, but it will be  
19 representative compared to everybody else I think  
20 around in the state, maybe Bergen may be higher,  
21 but Bergen is always a little higher. But  
22 notwithstanding, we'll be competitive in terms of  
23 that. Now that of course means we're going to  
24 have adjust everybody else up a step as well, so  
25 people who are already with us are not hurt by

1     that. So even with that, that will fit within our  
2     budget, so that's not going to have a negative  
3     effect on what we're doing.

4             This is maybe the time to do that  
5     because obviously we have been working with the  
6     administration to deal with assisting with the  
7     budget. So there are a number of individuals  
8     who -- 21 individuals have come out of our table  
9     of organization, not the worst thing in the world  
10    right now for a number of reasons. One,  
11    traditionally, we've had difficulty hiring up to  
12    the maximum number, and now in this environment as  
13    I just described, it becomes even more difficult  
14    to do that.

15            So if we -- and currently with regard to  
16    the number of openings we have, we have 24  
17    openings now, with about 13 offers pending for  
18    background checks. So even if we get those 13 in,  
19    obviously that gives us some more leeway. And we  
20    fully expect, we're going to turn over every  
21    stone, every rock to get up to that number by mid  
22    year or so. Because we have investigators, we  
23    need support staff, and obviously assistant  
24    prosecutors, that we need. So we have some room  
25    to get to that. And so I hope to be able to come

1 to you next year and say we are at our max all the  
2 way. And as soon as administration can find it  
3 possible, we want the 21 back. Because that's  
4 certainly is not -- our work may not always stay  
5 at 81 homicides every year. It's something that  
6 we take credit for, but we have very little to do  
7 with other than continuing to develop great  
8 relationships with the municipalities, especially  
9 the City of Newark, in order to do what we can to  
10 take guns off the street and to do some things  
11 like that.

12 So it continues to be a challenging  
13 environment, but it is one which we are managing  
14 right now. And so I don't see any difficulty in  
15 being able to meet our obligations in the short  
16 term. Romesh, you were going to cover with regard  
17 to --

18 MR. SUKHDEO: I was going to also say,  
19 just in terms of the issues affecting us, the  
20 judiciary put additional judges in. So we have  
21 almost a full compliment of Superior Court  
22 criminal judges, 18 now. I think we were at 12  
23 about a year and a half ago, so we have 18. Each  
24 one of those courts have to be manned by assistant  
25 prosecutors, typically two to three in those

1 courts. So we had 12 before, now we have 18. So  
2 that number has been increased.

3 And, of course, I mentioned in the other  
4 budget meeting, just the stress of the criminal  
5 justice reform, it puts a speedy trial component  
6 upon indicting cases and trying cases. So now we  
7 have -- we don't have a cash bail system anymore.  
8 It gives a benefit to the accused, it gives a  
9 benefit to the accused. So if somebody is going  
10 to be held, there's no bail, but the case has got  
11 to be indicted within 180 days and got to be tried  
12 in X amount of months. And we have to get the  
13 discovery in, it just puts a strain on the system.

14 So you need -- we have detention  
15 hearings, which you need dedicated assistant  
16 prosecutors to do that. And that's an additional  
17 group of prosecutors. It makes, you know,  
18 screening has to be done more quickly, grand  
19 juries have to be done more quickly. The  
20 discovery has to be produced more quickly.

21 We just had a recent episode. We had  
22 meetings with the assignment judges, you know, and  
23 the local municipalities weren't getting us the  
24 body cams that we need. Clearly, when you look at  
25 what happened in Memphis over the weekend, they

1 released the videos. Transparency equals videos,  
2 body cams. They don't want to hear about written  
3 police reports and descriptions or anything, they  
4 want to see color videos. And it's just a -- you  
5 know, we usually bring about 10,500 cases to the  
6 prosecutor's office every year. They want videos  
7 on everything, not only body cams from the  
8 officers, they want dash cams from the car. And  
9 they want a meaningful canvass for surveillance  
10 that might be in the neighbors, businesses that  
11 have surveillance, Ring cameras and all that.  
12 It's a lot more work than just typing reports.

13 So all of these things that I'm talking  
14 about put a strain on the assistant prosecutors.  
15 The judges, you know, they're slamming us with  
16 these new criminal justice reform rules. And it  
17 makes it trying. So those are some of the things  
18 that are really affecting us.

19 MR. STEPHENS: So that gives a picture  
20 where we are in terms of Essex County prosecutor's  
21 office. We still lead the state in almost every  
22 dubious category, and some which are certainly  
23 noteworthy as well. The discovery piece that  
24 Romesh talked about coming from Newark  
25 particularly and I don't bash Newark, it's just a

1 question of the numbers. Newark is 95 percent of  
2 our business coming through. And so we need to  
3 make sure that there's a system in place, which is  
4 not in place currently -- but we're working on it  
5 with them -- to make sure that their video and the  
6 other evidence gets to us in a timely manner.  
7 They know the problem, we all know the problem.  
8 It's a problem involving money, you know, they've  
9 got to get rid of the Panasonic computer and get  
10 an Axon computer that everybody else has. So it's  
11 maybe a five or \$6 million problem they got to  
12 deal with, but we're working on it.

13 In the meantime, we dedicate bodies  
14 to -- they dedicate bodies to NPD to manually get  
15 the information and send it to us. And then we  
16 have to cull through it and pass it on. But we  
17 will address that issue.

18 So, Chairman, sir, that's it for us.

19 PRESIDENT RICHARDSON: Commissioners,  
20 any questions or comments? Commissioner Sebold.  
21 Is it a budget question?

22 COMMISSIONER SEBOLD: I have a comment.  
23 I want to --

24 PRESIDENT RICHARDSON: I did say  
25 questions or comments. I got to take that out.

1 I'm sorry.

2 COMMISSIONER SEBOLD: Our prosecutor has  
3 done a wonderful job in his department. And two  
4 recent events are an example of the kind of work  
5 that he's now doing that in the past didn't occur.  
6 You were really great in working with the FBI and  
7 the Attorney General to capture that immigrant  
8 from Saudi Arabia, who came to Livingston and  
9 stole the bus and you found him in Pennsylvania.  
10 You followed his phone and you found him and he  
11 was arrested.

12 And now I know you're working on what  
13 happened at Ner Tamid and I'm sure that with your  
14 efforts and with the FBI and with the Attorney  
15 General, you will find him.

16 MR. STEPHENS: Thank you.

17 COMMISSIONER SEBOLD: You're really  
18 doing a fantastic job.

19 MR. STEPHENS: Thank you so much.

20 PRESIDENT RICHARDSON: Commissioner  
21 Graham.

22 COMMISSIONER GRAHAM: I have a question  
23 about the body cams. Are they expensive?

24 MR. STEPHENS: Yes.

25 COMMISSIONER GRAHAM: And the cameras,

1     like the one they had on --

2                 MR. STEPHENS: Pole cameras? They're  
3     all -- it's all expensive items involved with  
4     that. The pole cams are usually owned by the  
5     municipality that puts up. But every law  
6     enforcement entity, including ourselves, that go  
7     on the street have to have body cams. The problem  
8     with that, not only are they expensive, but  
9     they're in short supply. So the supply chain is  
10    still back ordering those items. So we got  
11    appropriations to equip everybody, but still can't  
12    get all the equipment in. It's been over a year  
13    to get that.

14                COMMISSIONER GRAHAM: So the body cams,  
15    does someone monitor it? Is someone like watching  
16    what's going on?

17                MR. STEPHENS: Well, it's downloaded.  
18    Every day, it's downloaded in the repository.  
19    They're supposed to go through it and redact faces  
20    and things that aren't necessary in there. And  
21    then ultimately if in fact it's associated with a  
22    job, it's supposed to be sent to us right away,  
23    within 24 hours. Because we in turn, as Romesh  
24    indicated, have to use that in detention hearings,  
25    not the trial, the detention hearings. So just to



1 hold somebody in jail that we think should be  
2 detained, we need to put all our evidence up  
3 front, so to speak, in front of the judge.  
4 Otherwise, you know, we run the risk of a  
5 dangerous person being let out on the street.

6 PRESIDENT RICHARDSON: Commissioner  
7 Sebold.

8 COMMISSIONER SEBOLD: I'm back again.  
9 Is it mandatory for all police officers to have a  
10 body cam?

11 MR. STEPHENS: Oh, yeah, AG directive.  
12 If they're on the street, not in the office.

13 COMMISSIONER SEBOLD: That's what I  
14 thought. But do all police departments in Essex  
15 County have the body cams?

16 MR. STEPHENS: They all do.

17 COMMISSIONER SEBOLD: They do?

18 MR. STEPHENS: I think Orange was the  
19 last one. Let me put it this way. If they  
20 haven't gotten it, it's only because they're  
21 having the same supply chain issue. What they  
22 were -- they ordered them all. I was -- all  
23 forfeiture funds. You know, the forfeiture funds,  
24 the case goes and there's money associated with  
25 it. We collect the money and the money gets

1     disbursed. Some of it stays with me and some of  
2     it goes to the municipalities. And I have a  
3     policy that if the body cams have not been  
4     ordered, I'm not satisfied then I don't disburse  
5     their forfeiture money. Currently, I'm doing that  
6     with Newark. And I have about almost half a  
7     million dollars of their money. As soon as they  
8     tell me they finished the order, then I'll release  
9     it, otherwise I'll hold it.

10           COMMISSIONER SEBOLD: We can rest  
11     assured that every police officer in Essex County  
12     will have --

13           MR. STEPHENS: Yeah. Newark has a  
14     bunch, their body cams are -- they were one of the  
15     first ones to get it going. This is a transfer  
16     issue with them. But Orange and Irvington were  
17     the last two to get them.

18           COMMISSIONER SEBOLD: Thank you.

19           PRESIDENT RICHARDSON: So let me preface  
20     this with I know you guys do a great job, your  
21     office is very professional.

22                   Got a couple questions. So the 81  
23     homicides that you referenced, does that include  
24     members of the public killed by police?

25           MR. STEPHENS: Members of the public --

1           PRESIDENT RICHARDSON: Killed by police  
2 officers.

3           MR. STEPHENS: All homicides would be  
4 included in that.

5           PRESIDENT RICHARDSON: Okay. So how  
6 many of the 81 are actually people killed by  
7 police officers?

8           MR. SUKHDEO: I don't think any, not for  
9 last year.

10          MR. STEPHENS: Yeah, you know -- yes,  
11 none.

12          MR. SUKHDEO: The previous year, they  
13 had the shooting on Rose Street, what I believe  
14 happened on News Years Eve, that was transferred  
15 to the AG's office pursuant to the new statute. I  
16 don't believe any of those 81 were officers  
17 shooting individuals.

18          PRESIDENT RICHARDSON: Okay.

19          MR. SUKHDEO: We don't have much of that  
20 in Essex, like in other parts of the country, I'm  
21 proud to say that.

22          PRESIDENT RICHARDSON: I'm proud as  
23 well.

24          MR. SUKHDEO: There is a significant  
25 amount of restraint for --

1           PRESIDENT RICHARDSON: I wanted it for  
2 the record, I want people to understand.

3           MR. STEPHENS: No question.

4           PRESIDENT RICHARDSON: This is not  
5 blaming, you guys do a great job, you're  
6 professional.

7           So the speedy trial thing where you said  
8 puts a heavy burden on prosecutors. So before,  
9 you when you didn't have the speedy trials, right,  
10 so it was -- so the playing field wasn't level, so  
11 it was more burdensome for the innocent until  
12 proven guilty parties. So does this kind of level  
13 the playing field and give folks who have not been  
14 found guilty of anything an equal opportunity?

15           (Commissioner Gill came in.)

16           MR. STEPHENS: Well, I don't think it  
17 was -- I can't say that the system was broken or  
18 that it was less fair, so the rules have just  
19 changed. In those -- trials -- an individual  
20 might be in jail longer under the old system. To  
21 that extent, that's a benefit, no question about  
22 that. Clearly, there are fewer people of color in  
23 jail now because of their inability to pay a cash  
24 bail situation. So it's based on danger to the  
25 community, that the public safety analysis will

1     yield. So clearly that's okay.

2             It's not perfect though because that  
3     public safety analysis doesn't deal with property  
4     crimes quite the same way as it does a dangerous  
5     individual. It doesn't even deal with guns  
6     really. A gun, under public safety analysis, may  
7     be deemed as being not a threat to the public,  
8     which still blows my mind. But nonetheless that's  
9     the case. It doesn't deal necessarily individuals  
10    that have multiple shopliftings or thefts because  
11    they have some kind of drug or some kind of  
12    problem. But the minute you let them, they're  
13    going to go back and do what they've been doing.

14            So Mayor Baraka had a particular concern  
15    with the repetitive nature of individuals coming  
16    back and causing trouble on the streets. So, not  
17    a perfect system, but clearly puts pressure on the  
18    prosecutor's office because we have to cull all  
19    that information, as I said. And right now, it's  
20    not fair because we can't get it from the entity  
21    that gives us 90 plus percent of our business. So  
22    once we get that worked out, it will be, I think,  
23    a much better situation.

24            PRESIDENT RICHARDSON: I want to  
25    recognize Commissioner Gill.

1                   So how long before you get it worked  
2 out?

3                   MR. STEPHENS: Why don't you call Eric  
4 Pennington and find that out.

5                   PRESIDENT RICHARDSON: Good luck with  
6 that one.

7                   MR. STEPHENS: Right, right. I'm trying  
8 to -- I think they got an estimate for about  
9 six months. This year, but hopefully by June,  
10 we'll be in better shape.

11                  PRESIDENT RICHARDSON: You referenced --  
12 also you said -- I think you said something to the  
13 effect that the system, there's nothing wrong with  
14 the system or the system's not broken?

15                  MR. STEPHENS: Right now? The system --  
16 well, because it does -- the system could be  
17 improved because there are still some -- the  
18 current analysis doesn't take into consideration  
19 some crimes, which are not viewed as being  
20 particularly dangerous now to the public, which  
21 still cause trauma, cost money, ultimately might  
22 lead to a dangerous situation. And so there  
23 should be some leeway in order to keep those  
24 people that should be in in so we can resolve  
25 that.

1                   PRESIDENT RICHARDSON: Understood.

2                   MR. STEPHENS: I say that because in  
3                   some cases that forces people to take advantage of  
4                   some of the courts, which are diversionary courts,  
5                   recovery court, used to be called drug court.  
6                   That's an area where individuals who are involved  
7                   in the system and because they have a drug  
8                   problem, maybe they'll now go to recovery court,  
9                   where there's a mandatory program that Judge Lee  
10                  has been championing for years to make sure they  
11                  get the help and they avoid getting back in the  
12                  system.

13                  Mental health courts, which is  
14                  everybody's on the list number one in terms of a  
15                  focus that should happen at a school level, let  
16                  alone as adults, to identify people with mental  
17                  health issues early on and try to get them the  
18                  help they need before it gets to be a problem.  
19                  Some of the communities, like West Orange, has a  
20                  program they've had for a couple years that we  
21                  approved for them, where they got a relationship  
22                  with the Mental Health Association of Essex and  
23                  Morris. And so when they identify it as a mental  
24                  health problem, they'll call an on call mental  
25                  health specialist who will come out. The officer

1 turns it over to them and then we start that  
2 process going forward, so that a cop with a gun  
3 and a badge who's not trained to handle that is  
4 out of the situation as quickly as possible and  
5 turning it over to the kind of professional that's  
6 needed.

7 PRESIDENT RICHARDSON: So some people  
8 would say, I've heard over the years, that the  
9 legal system in this country is broken. Would you  
10 agree with that?

11 MR. STEPHENS: No.

12 PRESIDENT RICHARDSON: No. I think the  
13 system works exactly the way it was designed to  
14 work, to punish certain people more so than  
15 others.

16 MR. STEPHENS: Yeah.

17 PRESIDENT RICHARDSON: So I agree with  
18 that system. It's not a fair system, it's never  
19 been a fair system, the legal system in this  
20 country. And the way that certain police police  
21 in certain communities is certainly not fair, is  
22 certainly tilted.

23 One of the things that we could possibly  
24 do is train our officers coming out of the academy  
25 more in deescalation tactics, also teach them some



1 of the laws that they really don't know, and don't  
2 get taught in six months. You know, there's --  
3 you go to the academy for six months, you become a  
4 police officer, if you pass the training and  
5 whatever else. To be a hairstylist, you got to go  
6 to school for two damn years. And tell me how  
7 much sense does that make, right?

8 MR. STEPHENS: Absolutely.

9 PRESIDENT RICHARDSON: To be a barber,  
10 you got to go to school for two years. To be a  
11 police officer only six months. And then they  
12 don't learn anything about the law.

13 MR. STEPHENS: Well, they do --

14 PRESIDENT RICHARDSON: Well, not very  
15 much.

16 MR. STEPHENS: They teach 2(C).

17 PRESIDENT RICHARDSON: Comparable to six  
18 months. Like, I want to be a barber, I got to go  
19 to school for two years.

20 MR. STEPHENS: Right, I understand.

21 PRESIDENT RICHARDSON: To be a police  
22 officer to carry a gun, to have lethal power, it's  
23 only six months. Something is wrong there.

24 MR. SUKHDEO: I'll say they did redo the  
25 use of force policy, this was Gurbir Grewal who

1 was the previous attorney general. They hadn't  
2 revised the use of force policy in 20 years, and  
3 they did revise it. And it does talk about  
4 deescalation, there's a lot of -- I mean if you  
5 just review the police reports coming in, you  
6 don't see officers putting their hands on people,  
7 you don't see officers -- in my experience, this  
8 is my 25th year that I'm entering, it's not as  
9 physical as it was before, also because of the  
10 body cameras and the surveillance cameras there's  
11 a lot more transparency.

12 But I'll tell you, the shooting we had  
13 in Weequahic where the two officers were shot out  
14 in the building over there, neither of the  
15 officers had their guns out when they're looking  
16 for a person who was potentially armed. Suspect  
17 had the jump on them and they were going by some  
18 of these new use of force standards.

19 MR. STEPHENS: And the year before that,  
20 when the officers who went up to apprehend someone  
21 on a porch in Newark as well, and the two officers  
22 went up, they got shot and didn't discharge their  
23 weapon at all.

24 MR. SUKHDEO: There's restraint. To me,  
25 there's an incredible amount of restraint.

1           MR. STEPHENS: We have been blessed in  
2 New Jersey, particularly in Essex County, with the  
3 restraint that our officers have shown.

4           Clearly, that's not the case in a place  
5 like Memphis, they've have way too many problems  
6 there. So they have to look at what they're  
7 doing, and other places around the country. Knock  
8 on wood, we've been very lucky here to have the  
9 officers show the kind of restraint they have.  
10 And that's deescalation. That's something that's  
11 emphasized here. And, fortunately, the young  
12 cops -- a bunch of young cops in Newark. They are  
13 showing some real restraint, I have to give them  
14 credit for that.

15          PRESIDENT RICHARDSON: When police  
16 officers use excessive force or use force, are  
17 there qualified a minimum potentially at risk?

18          MR. STEPHENS: Well, there may be. And  
19 it depends on the circumstances, but what New  
20 Jersey is doing as you probably know, to address  
21 that is they're going to a licensing of police  
22 officers.

23          PRESIDENT RICHARDSON: I think that's a  
24 good thing.

25          MR. STEPHENS: That's a tremendous

1     thing. I had no idea that Jersey was one of the  
2     few states not to license their police officers.  
3     And so that is a tool everybody who's there, as  
4     learned counsel knows, a license by it's very  
5     nature is a revocable instrument. You buy a  
6     ticket to go to a game, you're given a license to  
7     enter that arena, which means that they can revoke  
8     it at any time should your behavior not be up to  
9     par, by the nature of it.

10           So the fact it's a license for a police  
11     officer means it can be revoked at any time. And  
12     on top of that though, what the national  
13     legislation is talking about is there needs to be  
14     a way to track officers who have been fired for  
15     bad behavior and prevent them from running to  
16     another jurisdiction --

17           PRESIDENT RICHARDSON: Yes.

18           MR. STEPHENS: -- and getting hired.

19           PRESIDENT RICHARDSON: Letting them  
20     resign.

21           MR. STEPHENS: At least one of the  
22     officers involved in Memphis had been in a  
23     situation where they had previously been fired in  
24     another jurisdiction.

25           PRESIDENT RICHARDSON: Anybody know how

1 long it takes to become a police officer in the  
2 UK? Three years.

3 MR. STEPHENS: Wow.

4 PRESIDENT RICHARDSON: I'll leave that  
5 there. Mr. McEnerney.

6 MR. McENERNEY: Thank you very much. We  
7 were talking earlier about raising salaries, I  
8 think that's been some of the discussions we've  
9 had in the past too --

10 MR. STEPHENS: Yes.

11 MR. McENERNEY: -- during the course of  
12 budget hearings. But I did notice that there  
13 seems to be at least more of a population of your  
14 assistant prosecutors in the higher salaries than  
15 previous budget years. So I'm looking at the  
16 payroll number one for 2023. And in that there's  
17 112 employees listed under the category assistant  
18 prosecutor. So I'm assuming that those 112 are  
19 all assistant prosecutors, would that be a fair  
20 assessment?

21 MR. STEPHENS: Yes.

22 MR. McENERNEY: So let me first ask  
23 though, there's 127 assistant prosecutors that are  
24 budgeted. And in the 2023 budget are -- is there  
25 15 vacancies there at this point?

1           MR. STEPHENS: Yes. That would be the  
2 number that's vacant. We're looking at -- our  
3 agreement with the administration is that there is  
4 isn't a limitation on any number of assistant  
5 prosecutors, investigators, or support staff,  
6 there's just a number total number in the office.  
7 So we're going to use that number to allocate for  
8 all three of those branches going forward. But  
9 the question is right.

10           MR. McENERNEY: I see that also true for  
11 the investigators, that there's a wide gap between  
12 what's budgeted here --

13           MR. STEPHENS: Right.

14           MR. McENERNEY: Do you know how many  
15 vacancies you have with regard to the  
16 investigators?

17           MR. STEPHENS: Total four investigators,  
18 one sergeant, two lieutenants.

19           MR. McENERNEY: Okay. I have a little  
20 bit more than that, based on payroll. But again,  
21 getting back to the assistant prosecutors. So  
22 what I've looked at is that and I just eyeballed  
23 some of my past, you know, budget analyses, and  
24 looked at it here. But there's -- out of 112,  
25 there's 19 that are making that base salary, in

1 the 60,000 range, another 15 in the 70,000,  
2 there's 10 in the 80,000, 70 in the 90,000. I'm  
3 giving you a brief, you know, summary. And then  
4 59 that are making over 100. And when you get in  
5 there, you start to see quite a few making 130 to  
6 180, you know. So some of those positions might  
7 be more administrative when you get to the higher  
8 end, but that I don't know.

9 But there are positions that are paying  
10 and it seems to be weighted more on the heavier  
11 side, over one hundred than it was in the past.  
12 So is that a question of people being bumped up  
13 and having more senior people in the assistant  
14 prosector's office now as opposed to those below  
15 the 100,000 mark?

16 MR. STEPHENS: We did not intentionally  
17 target individuals with like merit rates or  
18 something like that. Couple people got promoted  
19 and we had a couple of D caps last year, upped  
20 from directors to deputy chiefs, but that was only  
21 two or three occasions.

22 The people who I'm sure we find in  
23 there, I'd have to go through the list  
24 specifically, I'm sure they've just in been in the  
25 office for a longer periods of time.

1           MR. McENERNEY: Yeah, I think that's the  
2 point I was making.

3           MR. STEPHENS: So we have the group in  
4 and a lot of that was helped by -- I think last  
5 year I reported that there was the reinstatement  
6 of prosecutor's pension part, which is very  
7 favorable compared to what the PERS pension had  
8 been. So individuals who were close to that are  
9 probably now going to stay because they get the  
10 benefit of that. They've been in there for ten  
11 plus years. We have that gap though after you  
12 reach -- after that number of who's been there for  
13 a long period of time, that lower number is  
14 constantly churning of lower number because  
15 they're not staying the way their predecessors had  
16 stayed in the past. So that lower number,  
17 frankly, is going to kind of stay the same if  
18 people keep leaving and we bring them back, in  
19 it's going to be always within that 68, 70,000  
20 kind of range going forward.

21           (Vice President Pomares came in.)

22           MR. McENERNEY: That's what I'm saying,  
23 there's a good majority of your APs making decent  
24 salaries.

25           MR. STEPHENS: Right. Those are the



1       ones we'll keep.

2               MR. McENERNEY: That said, even with the  
3       112 APs, if you cross that out -- and obviously, I  
4       think it's a pretty fair cost because there's no  
5       overtime involved with the APs.

6               MR. STEPHENS: No, no overtime.

7               MR. McENERNEY: So when I'm looking, I  
8       see straight -- the straight salaries on a pay  
9       period, you know, basis. And if I annualize  
10      those, it comes to the 12,300,000 that's actually  
11      budgeted for APs in the budget. And that  
12      obviously wouldn't involve any overtime, which is  
13      listed here.

14              I don't know if -- are there any APs  
15      charged off to grants?

16              MR. STEPHENS: Yes.

17              MR. McENERNEY: Maybe that's it because  
18      the twelve, two that I come to annualizing the  
19      first pay period salary is exactly what you have  
20      here, even though you have vacancies. So it's  
21      almost like you have the money spoken for and the  
22      vacancies may be difficult to fill in the AP's  
23      office, unless you get the money from -- unless  
24      those grants are involved with the APs and that  
25      frees up some money.

1           MR. STEPHENS: We do -- we do have some  
2 grant monies, especially on the intellectual  
3 property side.

4           MR. McENERNEY: 900,000 is listed in the  
5 budget.

6           MR. STEPHENS: That would be about it.

7           MR. McENERNEY: As far as the  
8 investigators go, you said you only have about  
9 five?

10          MR. STEPHENS: Yeah. We don't have any  
11 vacancies at all. I'm looking at the numbers here  
12 showing that we have six, seven -- there was a  
13 total of 22 at 90, we're budgeted total 86 actual,  
14 that left four. So, yeah, that's all we see in  
15 terms of our -- as of right now. Some are going  
16 to retire, but as of right now we only have four.

17          MR. McENERNEY: Yeah. I see the 90  
18 county investigators that are listed here. I'm  
19 assuming that in the payroll under investigators  
20 that includes not only investigators, but  
21 sergeants and lieutenants?

22          MR. STEPHENS: That's all in the  
23 payroll, there's 21 sergeants -- there are 90  
24 investigators, 21 sergeants, ten lieutenants,  
25 seven captains, three chiefs, and one chief. So

1 in looking at all the vacancies we have here, only  
2 a lieutenant, the sergeant, and the investigators  
3 and that comes to seven.

4 MR. McENERNEY: Okay. And that's -- is  
5 that where the overtime is involved?

6 MR. STEPHENS: Oh, yeah.

7 MR. McENERNEY: In the investigators?

8 MR. STEPHENS: Yes, no question.

9 MR. McENERNEY: How is that going -- I  
10 mean it's early in the year, but how is that going  
11 so far?

12 MR. STEPHENS: We're managing it.

13 MR. SUKHDEO: I think we have more  
14 homicides this January than we had last January.

15 MR. McENERNEY: And that's the catalyst  
16 for overtime?

17 MR. SUKHDEO: Yes.

18 MR. STEPHENS: Yes. All jobs,  
19 especially homicides. But if we have a special  
20 victims job, it sets us off or something like  
21 that. That tends to pick up the overtime.

22 MR. McENERNEY: As far as other expenses  
23 go, they're the same this year as they were last  
24 year. So there's really no -- actually, yeah, the  
25 same as last year. Some items you needed some

1 extra, so you expended last year a little bit  
2 more, so it was transfers, I believe in. But it  
3 probably came from the salaries and wages?

4 MR. STEPHENS: Right, that's where we  
5 take it from.

6 MR. SUKHDEO: You'll see coming out of  
7 the pandemic now -- we were doing less actual  
8 trials. So now, transcripts and things of that  
9 nature, which cost money, are going to be needed.  
10 So you could expect to see some of that.

11 MR. McENERNEY: There's a whole section  
12 for support as well from the payroll, about 93  
13 employees, just what's called support. I don't  
14 know necessarily what that is, but I'm sure it's  
15 mostly all clerical in nature.

16 MR. STEPHENS: Absolutely, they're  
17 paralegals and clerks, Clerk 1, 2, 3, et cetera,  
18 so...

19 MR. McENERNEY: So, again, last year, as  
20 you said, you know, kind of worked out. I think  
21 as far as the other expenses, nothing has changed  
22 there. So other than that, I don't have any other  
23 questions. How's that?

24 MR. STEPHENS: Thank you.

25 PRESIDENT RICHARDSON: Excellent.

1 MR. STEPHENS: Thank you.

2 PRESIDENT RICHARDSON: Thank you.

3 MR. STEPHENS: Appreciate it as always.

4 COMMISSIONER MERCADO: Thank you,  
5 prosecutor.

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1       **DEPARTMENT OF PARKS & RECREATION:**

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3               PRESIDENT RICHARDSON: You're on.

4               MR. SALVANTE: Good evening, Dan  
5 Salvante, Director of the Essex County Parks  
6 System. With me this evening, Deputy Director  
7 Kate Hartwyk, and joining the administrative team  
8 from Turtle Back Zoo, Jamie Donofrio.

9 Unfortunately, Gabe is ill and he's not able to  
10 join us, so myself, Kate, and Jamie will do our  
11 presentation. The first item --

12              MR. JACKSON: Tab 13.

13              COMMISSIONER SEBOLD: What page?

14              MR. JACKSON: Go to tab 13, they're  
15 right there.

16              COMMISSIONER JOHNSON: We were waiting  
17 on that.

18              MR. SALVANTE: And Jamie is handing out  
19 our revenue stream for 2022, so you have an idea  
20 how our revenue stream went. It gives you a  
21 breakdown of all our cost centers, that we can  
22 review quickly. Of course, we color coded it so  
23 it's easier to follow.

24              Basically, it's two charts. The bottom  
25 chart represents the 2021 revenue stream. We

1 broke it down to golf concessions, included in the  
2 concession numbers are permits and events permits  
3 that we issue. Turtle Back Zoo and Codey Arena  
4 and what our gross revenue is at the end of the  
5 year. So in 2021, our gross revenue, as you can  
6 see, was 19 million, 232.

7 Moving up to 2022, weather was  
8 phenomenal, you can see our golf increased by  
9 almost \$700,000. So golf was 4.6, again  
10 concessions came in at one, eight. Turtle Back  
11 Zoo, eleven, 291, Codey Arena was 2.5, almost.  
12 And our gross revenue for 2022 was over  
13 \$20 million.

14 In those numbers that I just read to  
15 you, some of the statistical items, as you know,  
16 Feldman building in Weequahic park has been a  
17 tremendous success, the community uses it quite  
18 often. To date, last year rather, we rented that  
19 building for private events, 87 rentals took place  
20 inside that building.

21 In addition, our Cedar Grove rental of  
22 that building was over 63. Special events, 180  
23 within the park system, 436 picnics. And on top  
24 of that, again Turtle Back Zoo had 882,000 people.  
25 Our athletic permits, which represents a three

1 hour block of time was over 3,800 and there was  
2 104 rounds of golf played on our Essex County golf  
3 courses.

4 MR. ALAGIA: 404,000. Rufus played 104  
5 rounds himself.

6 MR. SALVANTE: That gives you a quick  
7 snapshot of the revenue streams and some of the  
8 statistical information of items I just read to  
9 you as far as permits are concerned. Any  
10 questions on the revenue stream?

11 PRESIDENT RICHARDSON: Mr. McEnerney.

12 MR. McENERNEY: With regard to revenues  
13 or everything?

14 PRESIDENT RICHARDSON: Yeah, yeah.

15 MR. McENERNEY: Not so much the  
16 revenues. I did go back and crossed it out, most  
17 of, if not all, of your departments. And  
18 basically looking at the number of employees and  
19 looking at the cost outs, one thing I did want to  
20 comment is that -- and I did discuss this with Dan  
21 beforehand -- is that there is a tremendous use of  
22 part time employees in this department, which kind  
23 of adds the ability to have a lot of bases covered  
24 at a much lower cost. So you want to comment on  
25 that?



1 MR. SALVANTE: Sure.

2 MR. McENERNEY: It's in the zoo, it's in  
3 golf, it's really all over.

4 MR. SALVANTE: Yeah, it's throughout the  
5 department.

6 MS. HARTWYK: So we have made use of  
7 seasonal staff. Some of our facilities are on  
8 opposite seasons.

9 PRESIDENT RICHARDSON: I'm sorry, Kate,  
10 I just need to recognize VP Pomares is here.

11 MS. HARTWYK: So we do have opposing  
12 seasons and that's one of the reasons why the  
13 seasonal number is a little bit consistent  
14 throughout the year, we have the arena in the  
15 winter and then golf, for example, in the summer.  
16 And then Turtle Back Zoo, we have cross trained a  
17 lot of our seasonal staff to give us as much  
18 flexibility as possible throughout the season.

19 MR. McENERNEY: So does that -- so  
20 people who will be, let's say, doing certain  
21 things in the wintertime could also be used for  
22 golf or the zoo?

23 MS. HARTWYK: That's correct. So our  
24 treetop ropes course, for example, that's open  
25 seven days a week in the summer, but then is only

1 open on the weekends in the spring and fall. So  
2 those staff can be utilized at the arena in the  
3 winter months where we need skate guards and  
4 things of that nature.

5 MR. McENERNEY: I noticed quite a bit --  
6 I was kind of surprised. In January, there was  
7 still a lot of part time, but my understanding was  
8 you had the Christmas holiday, a lot of that was  
9 warm.

10 MS. HARTWYK: Right. So payroll one  
11 actual covers the weeks in December when we have  
12 holiday lights seven nights a week. So there's a  
13 large number of seasonal staff that stay on to  
14 cover the evening hours, who then take the month  
15 of January and February off.

16 MR. SALVANTE: Right. Throughout the  
17 course of the year, it's probably about 300 to 350  
18 seasonals in our operation and that includes all  
19 the bathroom attendant people that work in the  
20 parks, our senior buildings, and so forth and so  
21 on.

22 MR. McENERNEY: So if I look at - like I  
23 said, as I cost everything out, I'm not going  
24 through each department, but I will tell you every  
25 department came in on the cost out less than what

1 was budgeted. So are there full time vacancies  
2 that you still have?

3 MR. SALVANTE: Yes, there is.

4 MR. McENERNEY: Could you lay those out?

5 MS. HARTWYK: Jamie has the department  
6 breakdown, but in total, the department has ten  
7 vacancies currently.

8 MR. McENERNEY: Out of the entire  
9 department?

10 MS. HARTWYK: Out of the entire  
11 department, they are split up over all of the cost  
12 centers. The zoo has three, golf has one,  
13 maintenance has three, environmental has one, and  
14 cultural affairs has two.

15 MR. McENERNEY: Okay. As far as, you  
16 know, the revenues go and the projections this  
17 year, are they much greater than -- I've looked,  
18 it's not much greater than it was last year?

19 MR. SALVANTE: As far as our projections  
20 for this year coming up? We do have the rate  
21 increase, so that's going to generate probably  
22 another million plus on that side. I think, you  
23 know, when you look at our numbers, it's all  
24 weather driven. So golf was tremendous, you know,  
25 year last year with golf, as far as the weather

1 was concerned. You see some of the numbers at the  
2 zoo may be not as high because the weather  
3 wasn't -- it was too hot. So, you know, that  
4 kind of offsets the attendance on that side. But  
5 with, you know, with the DiVincenzo  
6 administration, with your support, we just know  
7 that Byrne golf course is going to be a home run  
8 when we open that in July of this year, based on  
9 the renovations. You know, the west side building  
10 opening up, as far as I see people knocking the  
11 doors down to start reserving that, the inside of  
12 that building.

13 So you know more and more we make these  
14 investments into the park system, you know the  
15 public demand is there for rental. I could just  
16 see that on athletic fields. Now that we're doing  
17 upgrades on Brookdale park, you know, we're trying  
18 to juggle a lot of balls to try to meet all the  
19 needs of the public at the same time.

20 MR. McENERNEY: What about the dedicated  
21 funds? What dedicated funds do we still have?  
22 Don't we have a surcharge on the zoo ticket that  
23 goes in the fund and how much is in that account?

24 MS. HARTWYK: So the enhancement account  
25 is the revenue collected from ticket sales at the

1     zoo. It's dedicated towards maintenance and  
2     improvements at the location. So some of our  
3     landscaping and maintenance contracts are paid out  
4     of that, some of our security services for the  
5     facility at large, some repairs to the playground  
6     and the bathroom buildings that serve the public  
7     on the waterway as well inside the zoo are used  
8     for that.

9             And then golf also has a beautification  
10    fee that's tacked on as an additional revenue  
11    source and dedicated towards golf. And they use  
12    those funds for maintenance at all three courses.

13            MR. McENERNEY: Is there still a  
14    beautification fund in Eagle Rock Reservation?

15            MR. SALVANTE: Yes.

16            MR. McENERNEY: \$25,000.

17            MR. SALVANTE: Actually, the stipend is  
18    I believe \$5,000 a month from the vendor, it goes  
19    into a restricted account just to be utilized at  
20    the Eagle Rock Reservation.

21            MR. McENERNEY: And we're still  
22    utilizing open space for maintenance and it's my  
23    understanding that's a full complement --

24            MR. SALVANTE: 55, correct.

25            MR. McENERNEY: That has to help

1       tremendously.

2               MR. SALVANTE:  Always.

3               MR. McENERNEY:  I don't have any other  
4       questions.

5               PRESIDENT RICHARDSON:  Thank you.  Mr.  
6       VP?

7               VICE PRESIDENT POMARES:  Thank you.  
8       Good evening, good to see you.  I saw in the line  
9       item, we have arts and cultural affairs has gone  
10      up to 674 from 615, about \$120,000 more.  Can  
11      you -- it's great to see the increase, I'm not  
12      complaining by any means.  What is it that you're  
13      doing that warrants the increase?  Is there  
14      anything new?

15              MS. HARTWYK:  So there is a new program  
16      coming through cultural affairs, the Essex County  
17      Teen Arts Festival.  This will be the first year  
18      that we put that together as an in-person event.  
19      It is scheduled for May of this year.  It's a  
20      state sponsored program, but there are some costs  
21      that the department is absorbing as well to put  
22      that on.

23              In addition, we have seen costs  
24      associated with the summer concert series  
25      increase, in terms of advertising, printing costs,

1 and those types of services.

2 VICE PRESIDENT POMARES: So it's  
3 basically the uptick is within these two areas?

4 MS. HARTWYK: Um-hum.

5 VICE PRESIDENT POMARES: Thank you.

6 PRESIDENT RICHARDSON: Commissioner  
7 Sebold.

8 COMMISSIONER SEBOLD: I keep hearing  
9 that the parks system is bringing in so much  
10 revenue that taxes don't have to be used; is that  
11 correct?

12 MR. SALVANTE: No, I don't think that's  
13 correct.

14 COMMISSIONER SEBOLD: I don't think so  
15 either, but I wanted to hear you say it because I  
16 keep having people tell me that so much revenue is  
17 coming in that they don't have to feel it in terms  
18 of taxes.

19 MR. SALVANTE: That's not correct.

20 COMMISSIONER SEBOLD: Okay, thanks. I  
21 needed that answer. But the parks system -- I  
22 mean we have such a wonderful park system,  
23 probably the best in the State of New Jersey. We  
24 have the top zoo in the State of New Jersey. And  
25 Dan and Kate and all of the staff do such a

1     fantastic job. And I really enjoy being on the  
2     open space trust fund advisory board because much  
3     of what Dan spoke about we've discussed as the  
4     years have gone by in terms of what needs to be  
5     done to the system. And it's really being brought  
6     up-to-date on a regular basis. And I think you're  
7     doing an absolutely wonderful job and never giving  
8     up in terms of what you need to do, so thank you.

9             PRESIDENT RICHARDSON: Mr. McEnerney.

10            MR. McENERNEY: Just on that topic, some  
11     people may look at the revenues coming in from  
12     parks and looking at the appropriation for parks.  
13     What they don't see is the 55 workers paid out of  
14     open space trust, what they don't see is the debt  
15     service on the improvements that take place  
16     throughout the county parks system, they don't see  
17     the fringe benefits paid to employees or the  
18     payroll taxes that are paid and other allocable  
19     costs that are not directly in the parks and  
20     recreation budget, or for that matter, in any of  
21     the individual budgets of county departments.

22            So some people -- you know, like I said,  
23     some people look at those two numbers and see a  
24     degree of parity there, but they missed the boat  
25     entirely.



1           COMMISSIONER SEBOLD: I appreciate your  
2 explanation.

3           MR. McENERNEY: I'm just saying if  
4 somebody brings it up to you.

5           COMMISSIONER SEBOLD: They do. I wasn't  
6 kidding when I said that.

7           COMMISSIONER MERCADO: I have a  
8 question.

9           PRESIDENT RICHARDSON: Commissioner  
10 Mercado.

11           COMMISSIONER MERCADO: All the seasonal  
12 workers you have with everything that's going on,  
13 do they get any benefits? Or they're just  
14 strictly --

15           MR. SALVANTE: They receive the -

16           MS. HARTWYK: New Jersey paid sick leave  
17 time off.

18           MR. SALVANTE: That's what they get.  
19 And, again, you know, we hire 80 bathroom  
20 attendants to do monitoring and so forth, so  
21 that's a bulk there that's 65 to 70. So they  
22 start in April and terminate in October, so, you  
23 know, that's how we work those individuals.

24           COMMISSIONER MERCADO: If someone wanted  
25 to apply for a seasonal, let's say, at the parks

1 Branch Brook or in the Ironbound, what would they  
2 have to do?

3 MS. HARTWYK: At Turtle Back Zoo, we run  
4 a job fair. The next one is on March 11th where  
5 we will hire seasonal employees for the upcoming  
6 season. In the meantime, the application is also  
7 available on the Turtle Back Zoo website, with job  
8 descriptions of each of the positions that are  
9 available. We do those interviews on a rolling  
10 basis that come in prior to the job fair. But we  
11 have a big job fair on March 11th.

12 COMMISSIONER MERCADO: And what time is  
13 that?

14 MS. HARTWYK: I will say it's 10 to 3.

15 COMMISSIONER MERCADO: Thank you.

16 PRESIDENT RICHARDSON: That completes  
17 your presentation? Thank you very much for coming  
18 in. Have a good evening.

19 MR. SALVANTE: I want to say,  
20 Commissioner President, you know, it's a team  
21 effort. I know I'm at the front of the team. But  
22 these people with me today and all 140 that work  
23 in the department, they're the ones that really  
24 make it all work and I want to make sure I get  
25 that on the record.

1               PRESIDENT RICHARDSON: Absolutely. Dan,  
2 we understand. We know who actually does the  
3 work.

4               COMMISSIONER MERCADO: Thanks, Dan.

5               PRESIDENT RICHARDSON: Those two sitting  
6 next to you.

7               COMMISSIONER JOHNSON: Dan, you sounded  
8 like you don't see that.

9                               \*       \*       \*       \*

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**DEPARTMENT OF PUBLIC WORKS:**

MR. JACKSON: We're onto Tab 10.

PRESIDENT RICHARDSON: Thank you for the advance notice. Sanjeev.

MR. JACKSON: Sanjeev Varghese.

MR. VARGHESE: Good evening. Thank you for having us. With me is Olivia Samuel and Dosania, my staff, who worked on the budget. Just give me one to two minute introduction. You all know about all the division. We have six divisions, engineering, which does all the capital projects; planning which is another division, which does the planning board, all the development in the county; roads and bridges takes care of the snow on the bridges and the traffic lights; building and grounds, which takes care of all the buildings we have; fleet, which takes all the vehicles in the county, and we have mosquito, the service for mosquitos.

We have two statutory boards, the planning board, which we meet every month and the second board is the board of -- construction board of appeals, which takes care of all the appeals from all the 22 towns comes back to our board.

1     It's like a courtroom, we decide if there's an  
2     argument between code official and the landlord or  
3     the owner of the building.

4             We also support the parks department in  
5     their capital projects or any engineering works  
6     they have. We have state grants, we have federal  
7     grants on traffic safety. Last year, we had  
8     \$24 million grant. Just now, we were approved for  
9     almost \$400,000 grant, I just got the notice, for  
10    the East Orange Freeway, which we had an accident  
11    recently. So the state gave us \$400,000 today to  
12    study that freeway, and that will start right  
13    away.

14            We have -- we get grants for bridges, we  
15    have CMAC, that's a traffic safety, new  
16    technology. Having said that, I'm here to answer  
17    any questions you may have.

18            PRESIDENT RICHARDSON: Mr. McEnerney.

19            MR. McENERNEY: Just going through, if I  
20    can go through each one of these line items, I  
21    should say departments. Buildings and grounds,  
22    look at the larger ones. I'm looking at -- this  
23    is buildings and grounds. This is the Hall of  
24    Records are all of these listed in the payroll --  
25    I'm going to ask this of administration. In the

1 payroll, I have a category called buildings and  
2 grounds and that includes a number of employees.  
3 Are those for all buildings and grounds or is  
4 it -- I don't see it broken down any further, like  
5 it has it here in the budget, buildings and  
6 grounds, Hall of Records; buildings and grounds,  
7 building maintenance. So I mean is it all one?  
8 It's all listed as one?

9 MR. VARGHESE: We have 34 employees in  
10 buildings and grounds and four seasonals, which  
11 again we have different costs on this. Building  
12 and grounds, administration; building and grounds,  
13 maintenance. Some most of the employees are  
14 maintenance, we have 29 employees there.

15 MR. McENERNEY: Okay. So let me go to  
16 buildings and grounds. You have 34 employees in  
17 maintenance or was it --

18 MR. VARGHESE: 29 in maintenance, four  
19 seasonal.

20 MR. McENERNEY: I have 34 employees  
21 there as well. So you're fully filled in that?

22 MR. VARGHESE: Yes.

23 MR. McENERNEY: How about engineering?

24 MR. VARGHESE: Engineering, we have one  
25 vacancy, 14 employees.

1           MR. McENERNEY: And you list 18  
2 employees in the payroll register. Is there a  
3 charge off of any of those?

4           MR. VARGHESE: Hold on one second.

5           MS. SAMUEL: Yes. Some of the employees  
6 are coded as LGS, as the wrong cost center.

7           MR. VARGHESE: We have MSI and LGS,  
8 there's some discrepancy there. Some of the  
9 employees, even though they're not engineers,  
10 they're listed --

11          MR. McENERNEY: They're listed in there.

12          MR. VARGHESE: We have to fix that with  
13 Annette this year. We have six of them, right.

14          MR. McENERNEY: All right, okay. None  
15 of those -- we haven't charged off engineering in  
16 capital in years, correct?

17          MR. VARGHESE: We stopped that practice  
18 because it doesn't makes sense. Capital money has  
19 to go to capital, it's not for salaries.

20          MR. McENERNEY: Used to be used quite a  
21 bit.

22          MR. VARGHESE: It was a game we did with  
23 it, but again --

24          MR. McENERNEY: Not this administration,  
25 just to make sure. Going to fleet maintenance.

1 Fleet maintenance, I have listed ten employees.

2 MR. VARGHESE: We're looking for another  
3 mechanic because we spent too much money for  
4 outside vendors. Because the vehicles are getting  
5 old and it's -- so I spent too much money on  
6 outside repairs and so I am looking for one  
7 mechanic in this budget.

8 MR. McENERNEY: Is there ten there now?

9 MR. VARGHESE: Yes.

10 MR. McENERNEY: Ten, that's why. As far  
11 as planning, I only have two employees there.

12 MR. VARGHESE: I have two, plus one  
13 Bonitas, which is the attorney.

14 MR. McENERNEY: So it's two?

15 MR. VARGHESE: Actually, the Bonitas is  
16 seasonal, so it's not counted. Bonitas is also  
17 staff.

18 MR. McENERNEY: Where's the other?

19 MR. VARGHESE: He comes to the meetings.

20 MR. McENERNEY: Okay. And roads and  
21 bridges, environmental, I have 26 employees there.

22 MR. VARGHESE: 28.

23 MR. McENERNEY: And mosquito, how many  
24 employees?

25 MR. VARGHESE: We're going to --



1                   MR. McENERNEY: You have 26 and I have  
2     26.

3                   MR. VARGHESE: I have seasonal, I have  
4     16 -- 14 seasonals that's where I have -- I use  
5     return employees for snow. So I have three return  
6     employees, who also operate as machine operators,  
7     they come back doing the snow and they help me, so  
8     I have seasonals.

9                   MR. McENERNEY: You have two seasonals I  
10    see in there.

11                  MR. VARGHESE: I have more than two  
12    seasonals.

13                  MR. McENERNEY: I'm only seeing two,  
14    unless -- well, I don't know what seasonals --  
15    these are salaries that range from 25 -- one is  
16    9,000, the other one is 25,000.

17                  MR. VARGHESE: That's annually, that's  
18    what they get, but they come when we ask them to  
19    come.

20                  MR. McENERNEY: Okay. So how many  
21    seasonals do you have?

22                  MR. VARGHESE: The total I have, total  
23    seasonals, 12.

24                  MR. McENERNEY: 12, okay. That would be  
25    anybody in the range from 10,000 to 43,000?

1           MR. VARGHESE: Yes, because the 43,000,  
2 as you said, those are mosquito -- we have to  
3 train them and we absorb them in the vacancy, we  
4 absorb them. And the younger -- whoever stays  
5 with us, they're trained, they get licensed, we  
6 absorb them and help --

7           MR. McENERNEY: So you only use them a  
8 certain period of time?

9           MR. VARGHESE: Some of them, yes,  
10 certain. The rest who stays, as there's a  
11 vacancy, we absorb them. So most of the kids come  
12 with us, some stays with us as full time later.

13          MR. McENERNEY: Okay. As far as other  
14 expenses go -- so again, when I went through  
15 payroll, what I'm basically saying to you is  
16 there's a very close similarity between what I  
17 come up with on the first payroll of '23, which is  
18 the last payroll of '22 and what is budgeted here,  
19 once you take into account any offsets that you  
20 have, grants or things of that nature.

21          MR. VARGHESE: When we use the head  
22 counts, if you look at the overall budget, it's  
23 less than last year. And after absorbing the  
24 3 percent increase, the contractual increase, we  
25 have that, plus my budget is less than last year.

1           MR. McENERNEY: It's less than to the  
2 extent of the expenses in snow.

3           MR. VARGHESE: Yes. I cut snow by  
4 \$650,000.

5           MR. McENERNEY: So, obviously, that  
6 deals with the reserve we have for snow.

7           MR. VARGHESE: You know I have --

8           MR. McENERNEY: How much do you have?

9           MR. VARGHESE: Eight million dollars.

10          MR. McENERNEY: Eight million dollars in  
11 snow. So there's -- so whatever -- I mean so we  
12 budget for snow and then obviously if we have a  
13 good year and there isn't a lot of snow like this  
14 winter --

15          MR. VARGHESE: Yes, this is --

16          MR. McENERNEY: Then we take that money  
17 and put it in reserve?

18          MR. VARGHESE: We planning to keep 10  
19 million. Then when we hit 10 million dollars, it  
20 goes back to the fund balance.

21          MR. McENERNEY: Right. Some of it will  
22 go back to --

23          MR. VARGHESE: The whole thing can go  
24 back, we choose to keep it.

25          MR. McENERNEY: So it's really a reserve

1       that --

2               MR. VARGHESE:  It's same as fund  
3       balance.

4               MR. McENERNEY:  Thank you very much.  
5       Okay, it is.  It is the same.  Once it gets past  
6       the part where it's above and beyond what you  
7       needed, in terms of a bad --

8               MR. VARGHESE:  There was a bad year and  
9       we had to raise taxes for the next year to get  
10      that money, six million dollars.  On top of this,  
11      I have \$800,000 in mosquito trust.

12              MR. McENERNEY:  800.  Believe me, I'm  
13      all for that.  I like the idea of reserves.

14              MR. VARGHESE:  Thanks to Mark, he came  
15      up with it.

16              MR. McENERNEY:  But as you say, when you  
17      look at fund balance, you have to think --

18              MR. VARGHESE:  It's the same as fund  
19      balance, two different purpose, but it's the same  
20      as when you say 140 million dollars, oh, 99  
21      million, you can add this, too, that's that money.

22              MR. JACKSON:  That's how the other  
23      agencies do it as well.

24              MR. McENERNEY:  Absolutely, they're  
25      looking at reserves.  So what was the reserve that

1 we had set up that we changed the -- during COVID,  
2 we changed the categorization of it, which reserve  
3 is that?

4 MR. JACKSON: Essentially, this fund  
5 which it used to be snow reserve or storm and now  
6 it's storm reserve, instead of snow reserve.

7 MR. VARGHESE: Because they added storm  
8 also to the snow. So we -- it's available for  
9 snow and storm.

10 MR. McENERNEY: We were using it for  
11 emergency situations --

12 MR. VARGHESE: Only.

13 MR. McENERNEY: -- as well. Not  
14 necessarily storms, but other emergencies.

15 MR. VARGHESE: You have to exhaust all  
16 your available funding first before you touch  
17 this.

18 MR. McENERNEY: Okay. But that goes to  
19 the prudence of it, that it's there not just for  
20 snow or storms, it's also there for the ability to  
21 tap into it without overspending your budget, if  
22 there's something of a catastrophic nature.

23 MR. VARGHESE: You can sleep at night.

24 MR. McENERNEY: You can sleep at night.

25 COMMISSIONER SEBOLD: You can sleep.

1           MR. VARGHESE: Before it was like this,  
2 please don't snow, please don't snow, because we  
3 don't have the money. Please let it snow.

4           MR. JACKSON: Let it snow.

5           COMMISSIONER MERCADO: I think they --

6           MR. VARGHESE: We have snow tonight.

7           COMMISSIONER MERCADO: This weekend.

8           MR. VARGHESE: Tonight, half an inch  
9 from 1:00 to 6:00.

10          PRESIDENT RICHARDSON: Commissioner Vice  
11 President Pomares.

12          VICE PRESIDENT POMARES: Thank you, Mr.  
13 President. Good to see you, Sanjeev. In fleet,  
14 you have drop of about -- you go up about 1.5,  
15 down to just under 1.3, you know, so it's about  
16 close to \$300,000. Do you attribute that drop to  
17 the adding of the mechanic?

18          MR. VARGHESE: Yes.

19          VICE PRESIDENT POMARES: The 108 and do  
20 you see -- is there any different expertise you're  
21 looking for that you don't currently have?

22          MR. VARGHESE: I need a diesel mechanic  
23 because the diesel trucks, during the snow, if it  
24 breaks down, I have one truck less and one driver  
25 less.

1                   VICE PRESIDENT POMARES: Are you  
2                   operating without a diesel mechanic?

3                   MR. VARGHESE: He does most, but I don't  
4                   have an steady diesel mechanic.

5                   VICE PRESIDENT POMARES: All right.  
6                   That was a good move. Thank you.

7                   PRESIDENT RICHARDSON: Commissioner  
8                   Luciano.

9                   COMMISSIONER LUCIANO: Thank you, Mr.  
10                  President.

11                  Sanjeev has done a great job and his  
12                  department is excellent. I've been sitting here  
13                  many years now and I know that whenever we reach  
14                  out to him, whether it's as small as a pothole or  
15                  a tree that falls, they get out there. Just some  
16                  of the things that I want to put on the record  
17                  because we should. You know, the administration  
18                  under the County Executive really values this  
19                  department. We have three beautiful buildings,  
20                  right, that you operate out of?

21                  MR. VARGHESE: Yes.

22                  COMMISSIONER LUCIANO: Two in Cedar  
23                  Grove, one in Verona. I did have a couple  
24                  questions though. Let's talk about snow, right,  
25                  and snow removal. So those are outside

1 contractors we use, we don't do that inhouse or we  
2 do some inhouse or --

3 MR. VARGHESE: Today, we do inhouse.

4 COMMISSIONER LUCIANO: So we'll do  
5 inhouse today.

6 MR. VARGHESE: If it's a salting  
7 operation for less than two inches, we do inhouse,  
8 small. More than two inches, we have to get help.  
9 But we still have our trucks.

10 COMMISSIONER LUCIANO: Well, I think  
11 everyone sits up here knows and not to knock  
12 anybody, but whenever we have major snow, all the  
13 residents know the county roads are always the  
14 best, right, we know, so --

15 MR. VARGHESE: Starts with Fairfield.

16 COMMISSIONER LUCIANO: I wanted to give  
17 accolades to whoever it is, if it's your workers  
18 or if it's the venders that we hire. You know,  
19 I'm sure we've all heard, right, thank God for the  
20 county roads during the snow. So I wanted to put  
21 that on record. And then there was one other  
22 thing, at least particularly in my district that I  
23 wanted to make just a note of, too. You know, on  
24 county roads, we also pick up the leaves too,  
25 right?



1 MR. VARGHESE: We do.

2 COMMISSIONER LUCIANO: A lot of folks  
3 don't realize that, you know, on county roads,  
4 especially in the towns where they pick up leaves,  
5 our department picks up the leaves.

6 MR. VARGHESE: We go every week and pick  
7 up. The towns do it once.

8 COMMISSIONER LUCIANO: And you do it  
9 better than a lot of municipalities because they  
10 may come once or twice. But the county, for  
11 safety, because let me tell you wet leaves is more  
12 dangerous than ice because folks don't know how to  
13 drive on wet leaves. So I want to say thank you  
14 to your department for doing that as well.

15 MR. ALAGIA: With the leaves, a lot of  
16 towns, we have shared service agreements.

17 MR. VARGHESE: Nine towns, Fairfield is  
18 one.

19 MR. ALAGIA: So in other words, they  
20 don't have to pay to pick up leaves on their  
21 streets, they pick up the county leaves and we  
22 give them salt.

23 MR. VARGHESE: I give them 150 tons.

24 MR. ALAGIA: So there's a lot of  
25 shared -- even now, when you see plowing,

1 sometimes, a municipality truck will go and then  
2 when they get to a county road, they lift their  
3 plow. You know, it just doesn't make -- so we  
4 said, you know, if they're going to be out picking  
5 up leaves, one of the early things, it's really  
6 saved us and the municipalities a lot of money to  
7 have them do shared services.

8 PRESIDENT RICHARDSON: Commissioner  
9 Sebold.

10 COMMISSIONER SEBOLD: Nothing was  
11 mentioned about the wonderful work that's been  
12 done on the traffic lights in Essex County.

13 MR. VARGHESE: Yes.

14 COMMISSIONER SEBOLD: It really is a  
15 tremendous improvement and you and your department  
16 do so much work right here in Essex County. And  
17 it really shows how great Essex County is.

18 COMMISSIONER LUCIANO: Just to add to  
19 that, Mr. President, through you, I'm sorry. To  
20 add to, you know, Commissioner Sebold and Sanjeev,  
21 you can put on record, how many bridges have we  
22 replaced in recent years?

23 MR. VARGHESE: We have been doing it  
24 more than normal.

25 COMMISSIONER LUCIANO: Right.

1           MR. VARGHESE: Last year we did like  
2 eight.

3           COMMISSIONER LUCIANO: For  
4 infrastructure and having a strong county, it's  
5 all about safety. Those bridges are important.

6           MR. VARGHESE: We started the Bridge  
7 Street Bridge, the bridge which goes -- that's  
8 \$150 million job and it's funded by TPA. So we  
9 hired a consultant to start doing it and we were  
10 in the TPA program. So in six years, we'll get  
11 \$150 million to replace that bridge.

12          COMMISSIONER LUCIANO: How long would  
13 something like that take? What's a project like  
14 that take?

15          MR. VARGHESE: Two years.

16          COMMISSIONER LUCIANO: -- the bridge  
17 will be out of commission?

18          MR. VARGHESE: One at a time. There are  
19 three bridges plus the Kingsland bridge. We'll do  
20 Bridge, then Clay Street, Jackson Street and  
21 Kingsland.

22          MR. ALAGIA: Just real quick, I think  
23 it's great. I had asked the state why is the  
24 county responsible for those big bridges over the  
25 Passaic River, you would think it would be a state

1 function. And they said, Phil, 150 years ago when  
2 we built them or 100 years ago, county DPWs were  
3 bigger and more powerful than the state DOT. So  
4 it made sense to have the county do them.

5 COMMISSIONER SEBOLD: Don't we share  
6 with other counties?

7 MR. ALAGIA: We do, but it's a state --

8 COMMISSIONER SEBOLD: It's our  
9 responsibility?

10 MR. VARGHESE: We don't have any roads  
11 on both sides, but the bridge.

12 COMMISSIONER SEBOLD: Do you ever not  
13 think about all the work you have to do?

14 MR. VARGHESE: We have to go in the  
15 middle of night and turn the bridge.

16 MR. ALAGIA: To let boats through.

17 PRESIDENT RICHARDSON: Thank you so much  
18 and --

19 COMMISSIONER GILL: I'm sorry.

20 PRESIDENT RICHARDSON: Commissioner  
21 Gill.

22 COMMISSIONER GILL: Since we're off  
23 budget again, the floodgates opened. Two quick  
24 questions. The grant division, the vision zero  
25 grant --

1 MR. VARGHESE: The safety grant.

2 COMMISSIONER GILL: The safety grant  
3 that West Orange -- that you were just talking  
4 about, the 400 --

5 MR. VARGHESE: The freeway?

6 COMMISSIONER GILL: That's for the  
7 freeway?

8 MR. VARGHESE: East Orange.

9 COMMISSIONER GILL: Who serves from the  
10 county level on the task force on the West Orange  
11 vision zero task force?

12 MR. VARGHESE: I am supposed to be, but  
13 they had only one meeting so far.

14 COMMISSIONER GILL: Who's the  
15 representative?

16 MR. VARGHESE: I went to a meeting.

17 COMMISSIONER GILL: It's either you or  
18 the --

19 MR. VARGHESE: Traffic engineer.

20 COMMISSIONER GILL: Okay. Through you,  
21 Mr. President. In terms just on the sequencing of  
22 some of the -- and we've talked about this,  
23 Sanjeev, the intersection projects. Like that's a  
24 separate issue, the timing on the Bloomfield  
25 Avenue project needs to be looked at.

1                   MR. VARGHESE: The little --

2                   COMMISSIONER GILL: The eastern to  
3 western gateway.

4                   MR. VARGHESE: So there are two schools  
5 of thoughts. The traffic calming is by slowing  
6 down and you sequence it --

7                   COMMISSIONER GILL: And engineers like  
8 to speed it up, I got it.

9                   MR. VARGHESE: You got the exact same  
10 thing happening on the freeway. People just speed  
11 because everything green, the next street green --

12                  COMMISSIONER GILL: I'm not talking  
13 about that, I'm just asking are we looking -- at a  
14 certain point in time, I thought we were  
15 discussing looking at the timing of those lights  
16 that were recently installed from the eastern  
17 gateway into Montclair to the western gateway. Is  
18 that --

19                  MR. VARGHESE: We were there last  
20 weekend, taking that -- the six corners. And we  
21 are distributing it because, again, we look for  
22 vision zero. If somebody pushes a button, like  
23 everything goes to red. And you have to get 33  
24 seconds for them to cross. That's a long time and  
25 people just go through the red light, then

1 something will happen. So it's a --

2 COMMISSIONER GILL: So I understand one  
3 intersection, but again my question is in the  
4 money that we have for those projects, are we  
5 going to do a formal look at the timing or what?  
6 Because we're -- what I'm saying is we've had a  
7 tremendous amount of outreach on the overall  
8 traffic within the intersection, meaning there  
9 seems to be -- and again, I'm not going to say  
10 it's scientific, but there seemed to be a  
11 consensus that the timing of the lights are  
12 contributing to the bottlenecks within the  
13 intersections that never existed before. Because  
14 they're working -- aren't they working off of  
15 one -- like one is supposed to go green and then  
16 another is supposed to go green and then another  
17 is supposed to go --

18 MR. VARGHESE: That's what -- they don't  
19 want us to do that because that creates the  
20 problem like freeway. So you have green, people  
21 just go right through. And what we did was we  
22 took the nighttime out because it was doing  
23 nighttime, going to the cycle and giving red to  
24 the main road when there's nobody on the other  
25 side, so we took that out. Only equal free flow,

1     it means if you are there, only the green will  
2     come.

3                 COMMISSIONER GILL: I'll do some  
4     additional follow up, I don't want to delay this.  
5     This is more substantive on policy than budget,  
6     but before we approve the budget, I'd like to get  
7     my two cents in.

8                 PRESIDENT RICHARDSON: I understand.

9                 MR. VARGHESE: Call any time, the Mayor,  
10    he's more on the --

11                COMMISSIONER GILL: Through you, Mr.  
12    President, I'm glad to hear that because the other  
13    issue, again, I appreciate the conversation that  
14    when we -- to me, it's still a little always a  
15    little hazy about when we're going to take an  
16    action on a traffic calming measure, when we need  
17    the municipality to act first and when we act  
18    first. And what are the categories where we act  
19    first versus when we need a municipality to take a  
20    formal action.

21                So before you answer that let me finish.  
22    I know you're chomping at the bit, let me just  
23    finish my thought. The two things when these --  
24    from a funding standpoint, when we have a  
25    situation like we just announced with the Watchung



1 Avenue. So we committed, we did a study and now  
2 we have looked at the study and we're out to bid,  
3 if I'm understanding --

4 MR. VARGHESE: We're in design.

5 COMMISSIONER GILL: We're in design. So  
6 during that -- like between design and when we go  
7 out to bid for construction, is there an  
8 opportunity to do a demonstration project there  
9 before -- meaning that you've looked at the study  
10 and our department has determined there should be  
11 a traffic light.

12 MR. VARGHESE: So you cannot go do a  
13 traffic plight without one of the warrants that  
14 are met. There are eight warrants. In that case,  
15 even though everybody is looking for a light, only  
16 one warrant was met, seven did not meet. So that  
17 gives me the authority that I can go and install a  
18 light, nobody could sue me.

19 In this case, I managed to get the  
20 transportation program money to fund it, that's  
21 why the municipality did not go contribute.

22 COMMISSIONER GILL: So in this  
23 particular situation and others, can grant money  
24 be used for demonstration before we decide --  
25 before we decide we're going to install a light,

1     could we do a demonstration project with a  
2     potential other -- like for a roundabout or for  
3     another traffic calming measure before we decide  
4     that we're going to build and put a light up?

5             MR. VARGHESE:  There's no grants for  
6     that.  This is -- we're doing a roundabout in  
7     Livingston by Hoover Gap, that's approved.  That's  
8     going to be this year.

9             COMMISSIONER SEBOLD:  When will it be  
10    done?

11            MR. VARGHESE:  That will be a nine month  
12    project because the land --

13            COMMISSIONER SEBOLD:  When will it  
14    start?

15            MR. VARGHESE:  Probably by April.

16            COMMISSIONER SEBOLD:  Thank you.

17            MR. VARGHESE:  That's all --

18            COMMISSIONER GILL:  Could we fund a  
19    demonstration project?

20            MR. VARGHESE:  I will bring it up to the  
21    administration.

22            PRESIDENT RICHARDSON:  I think they  
23    heard you.

24            MR. VARGHESE:  Which intersection are  
25    you looking for?

1                   COMMISSIONER GILL: On the Watchung  
2 Avenue --

3                   MR. VARGHESE: Watchung Avenue, I have  
4 the conceptual, I can simulate something. I have  
5 plans that I can share.

6                   MR. JACKSON: That can be simulated.

7                   MR. VARGHESE: It's all in the computer.

8                   COMMISSIONER GILL: You can do it  
9 through a simulation.

10                  MR. VARGHESE: There's a program called  
11 Synchro, you can simulate any traffic condition.  
12 It looks like --

13                  COMMISSIONER GILL: I'll follow up on  
14 that. I mean the design -- I mean, again, once we  
15 make that decision and then how we're -- you know,  
16 the input we're taking from the municipality and  
17 from the other stakeholders, to me -- I understand  
18 legally, like, you have this study, you get step  
19 one, now you have the ability to do it. But  
20 before we -- sometimes that already creates the  
21 perception that we already made the decision  
22 before taking that input. So I'm just -- all I'm  
23 asking is from a funding and a budgetary  
24 standpoint where our flexibility is to take  
25 additional input on what we might do before we

1 make a final decision.

2 PRESIDENT RICHARDSON: I think that may  
3 warrant a meeting or something.

4 MR. VARGHESE: We will share that with  
5 the township and we will get any input from them.  
6 But, again, all this new schematic is state of the  
7 art. We can do anything and everything with the  
8 new technology.

9 COMMISSIONER GILL: I didn't -- I did  
10 not.

11 MR. VARGHESE: You don't have to  
12 physically move anything, you can -- so we can do  
13 it on a computerized --

14 COMMISSIONER GILL: Through you, Mr.  
15 President, not just Montclair. I mean we have an  
16 increase of, you know, traffic crashes, you know,  
17 across the board, not only in this country, but in  
18 our county. Like, it's a rising and serious  
19 issue. So the department does a great job, but  
20 the thought process continues to evolve about how  
21 we can make sure that our communities are safe for  
22 pedestrians, walkers and motorists.

23 PRESIDENT RICHARDSON: Understood.

24 COMMISSIONER GILL: So strong, strong  
25 interest in making sure we continue to explore

1       ways --

2               MR. VARGHESE: Absolutely.

3               COMMISSIONER GILL: -- in order to do  
4       that. And last, but not least, I believe that  
5       Montclair is on track for a vision zero task  
6       force. So the county would have -- should have a  
7       representative on the --

8               MR. VARGHESE: We've have somebody  
9       there.

10              COMMISSIONER GILL: Great. Thank you.

11              PRESIDENT RICHARDSON: Duly noted.

12       Thank you so much.

13              MR. VARGHESE: Thank you for having us.

14              COMMISSIONER MERCADO: Thank you Sanjeev  
15       and staff.

16                               \*       \*       \*       \*

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**DEPARTMENT OF HEALTH & REHABILITATION:**

MR. JACKSON: Mr. Del Gaudio is here.  
Chapter 12.

PRESIDENT RICHARDSON: The floor is  
yours, sir.

MR. DEL GAUDIO: Good evening,  
commissioners. Tab 12.

So our budget presentation for 2023  
pretty much comes in flat. It's the contractual  
increases on the salary lines, everywhere else  
it's flat. There are some positions that have  
been not funded for the year and we can go through  
that. Like the head count is there, but the  
positions -- there's no money to back those  
positions, so we won't be hiring into those titles  
for the year.

But other than that, the other divisions  
under the Department of Health and Rehab, which is  
Community Health Services, which is 100 percent  
grant funded. And our new up for your approval  
the Division of Public Health Management. All  
positions there are grant funded with the  
exception of health officer, which is partially  
grant funded.

1           There's still a lot of grant funding  
2           that is available coming in this year from the  
3           state. There's several opportunities coming up,  
4           we're just getting ready to bring the budget  
5           insertions for your approval.

6           PRESIDENT RICHARDSON: Mr. McEnerney.

7           MR. McENERNEY: So, Frank, I'm in  
8           agreement, you know, based on the numbers that I  
9           see, you know, as far as it goes with each  
10          department, I'm finding there are significant  
11          vacancies. But I'm still finding the numbers are  
12          lower than what's budgeted, so it's kind of  
13          contradictory, what you're saying not funding the  
14          vacancies. What you're saying is those vacancies  
15          are not funded?

16          MR. DEL GAUDIO: Well, some are and some  
17          aren't.

18          MR. McENERNEY: So let me go through  
19          each area. So in administration, I have 17  
20          positions there that are paid for, but it looks  
21          like three of them are part time. So that would  
22          mean there's 14 positions there that have been  
23          funded.

24                 I'm going by the payroll that was paid  
25                 in the first pay period of 2023, which represents

1 the last of 2022. So in that payroll, in this  
2 department, in this cost center, there was 14  
3 positions filled, full time positions. And that's  
4 consistent with what's listed here under actual in  
5 that department, number of positions, it says 14.  
6 And so the cost out on that, on an annualized had  
7 basis, is approximately a million two, which is a  
8 couple hundred thousand dollars less than the base  
9 salary of a million four that's showing in that  
10 line item.

11 So what I am saying is it looks like  
12 there are three vacancies there, four vacancies  
13 there that have been funded and the money, you  
14 know, would go unspent if you don't find them.

15 MR. DEL GAUDIO: One of these titles is  
16 actually being -- should be in administration, but  
17 it's being charged to medical services. So we're  
18 making that correction in the budget, it's a Clerk  
19 2 title that should be under administration.

20 MR. McENERNEY: So that would bring it  
21 up to 15.

22 MR. DEL GAUDIO: Right. Then there's  
23 one vacancy, when John James left, which is  
24 basically the supervising program analyst. We  
25 have hired a part time person to fill in in the



1       meantime for that position. So we're saving money  
2       on that side, but we will plan eventually to hire  
3       into that position.

4               MR. McENERNEY: So you're saying there's  
5       really own one vacancy there?

6               MR. DEL GAUDIO: Correct. Well, there's  
7       two.

8               MR. McENERNEY: So that's what I have as  
9       well, if you move that other position. Same thing  
10      with general services. I have 9 positions as  
11      opposed to 11, which are budgeted here. So that  
12      leaves two vacancies here.

13              MR. DEL GAUDIO: Correct.

14              MR. McENERNEY: And I come very close to  
15      the numbers as far as annualized the salaries here  
16      and compare to the budget. My annualized salaries  
17      are less than 500, you're budgeting 663, so that  
18      would represent the two positions that aren't  
19      filled.

20              MR. DEL GAUDIO: I believe there's one  
21      other -- there's a per diem title, too, to bring  
22      us to nine in that department.

23              MR. McENERNEY: I don't see that in the  
24      payroll.

25              MR. DEL GAUDIO: There's one seasonal

1 employee who works in our storehouse, who's an  
2 hourly employee.

3 MR. McENERNEY: Medical services, this  
4 one is much more involved, but this is where you  
5 have the psychiatrist?

6 MR. DEL GAUDIO: Yes.

7 MR. McENERNEY: And how do you --  
8 because I have here and those salaries,  
9 understandably, but they're in the range of 3 to  
10 \$400,000, those salaries two to three -- in one  
11 case \$400,000.

12 MR. DEL GAUDIO: Not in the salary line,  
13 that's all done with on call.

14 MR. McENERNEY: That's done where?

15 MR. DEL GAUDIO: So in other words, our  
16 budget -- our on call -- so our doctors work 8 to  
17 4, Monday to Friday. So our bylaws and the state  
18 requires us to have a physician on-site 24/7, 365.  
19 So at 4:00, a physician is there on call until  
20 8:00 a.m. the next morning. That's a fixed  
21 budgeted amount of \$100 per hour for that allotted  
22 amount of hours in the year. I think it's about  
23 \$790,000 or so. So weekends, holidays, they're  
24 there 24 hours. So that number is added on top of  
25 what their salary is. So the doctors that step up

1 and it's all voluntary. Some doctors work more of  
2 the on call and others work no on call.

3 MR. McENERNEY: So it's not fair to  
4 annualize each doctor's individual salary that was  
5 paid in the first payroll of 2023?

6 MR. DEL GAUDIO: That's correct.

7 MR. McENERNEY: Why is that again?

8 MR. DEL GAUDIO: If you take, for  
9 example, one of our doctors who is one of the  
10 lowest paid salary wise, but overall is the  
11 highest paid employee in the County is because of  
12 working the on call shifts.

13 MR. McENERNEY: He volunteers?

14 MR. DEL GAUDIO: He volunteers for,  
15 which we have a need. And we're short on doctors,  
16 so some of our doctors have stepped up and they  
17 work more of the on call shifts than some of the  
18 others. We have two doctors right now that don't  
19 work any of the on call.

20 MR. McENERNEY: But their salary amount,  
21 in the payroll was, for instance, in one case, you  
22 know, \$12,030 for one pay period. Is that a  
23 salary or is that additional hours?

24 MR. DEL GAUDIO: That's additional  
25 hours, that's a combination.

1                   MR. McENERNEY: So what would be a  
2 typical salary for the --

3                   MR. DEL GAUDIO: Well, we have a range.  
4 The psychiatry ranges go from 240 to 256, that's  
5 our new range for 2023.

6                   11: And we had problems filling that,  
7 didn't we?

8                   MR. DEL GAUDIO: And we're still having  
9 problems filling that because it's -- I had a call  
10 with one of our staff providers telling me that  
11 that's one of the reasons we can't attract anyone  
12 because it's a very hot market for psychiatrists.  
13 Right now and they're coming out of residency  
14 making well over \$300,000. So, you know, the  
15 benefits of having pension and health benefits  
16 coming into the market now, they're not interested  
17 in that. It's a pure salary is what they're going  
18 after.

19                   So we're having some difficulty  
20 recruiting, but we do have some -- I have someone  
21 coming in Friday to take a look around. But it's  
22 a resident, so we're going to the medical schools  
23 now and we're -- I'm not a recruiter, which is a  
24 full time job. But we're doing our best. We do  
25 have a flood of candidates on the internal

1 medicine side too because we have one vacancy  
2 there. We are down three psychiatrists, we're  
3 looking to hire two this year.

4 MR. McENERNEY: And what's the full TO  
5 on psychiatrists?

6 MR. DEL GAUDIO: Right now, there's  
7 four. One works four days a week, she doesn't  
8 work five days a week.

9 MR. McENERNEY: So you only have four.

10 MR. DEL GAUDIO: We have four. Our  
11 medical director is working two units and one of  
12 the other doctors takes on another unit.

13 MR. McENERNEY: But those two salaries  
14 have been budgeted for the year?

15 MR. DEL GAUDIO: Correct. So the way  
16 the market is going, we didn't fund one of the  
17 psychiatrists because if we have six psychiatrists  
18 total, we have one for each unit in the hospital  
19 and that would be it. That would be a good way to  
20 function for us for this year.

21 MR. McENERNEY: Let me skip over to  
22 nursing because that's the largest part. And this  
23 is where we typically have cost savings  
24 transferred out of your funds at the end of the  
25 year on a number of occasions. Right now, I'm

1 showing 220 full time positions filled here off  
2 the payroll and none of them appear to be part  
3 time, except one.

4 MR. DEL GAUDIO: We have some per diems  
5 in that count of nursing. On payroll one, there  
6 were six per diem nurse and one per diem hospital  
7 attendant and one per diem nurse supervisor.

8 MR. McENERNEY: So how many nurses  
9 are --

10 MR. DEL GAUDIO: We budget for 59, right  
11 now we have 57, and we have two in the pipeline to  
12 come on board in February or March. So our 59  
13 budgeted positions would be at 100 percent. Now,  
14 that's a moving number because we have some coming  
15 up for retirement in 2023, we have some others  
16 that, you know, resign. Nursing -- we've been  
17 lucky in our recruitment, but it's a really,  
18 really difficult position to fill nationwide right  
19 now. A lot of people are either not going into  
20 the profession or they're getting out of the  
21 profession.

22 We've been lucky. A lot of it is just  
23 word of mouth and rereferral. We hired several  
24 nurses from our vaccine sites when they shut down  
25 and it's worked out well for us fortunately. But,

1     you know, eventually, we're going to hit that time  
2     where, you know, some of our staff they teach  
3     elsewhere, they do word of mouth. That's really  
4     the way we've been recruiting. We don't advertise  
5     and we've been able to pretty much fill up all of  
6     our vacancies.

7             MR. McENERNEY: Out of the 278 in this  
8     department, how many vacancies exist? Hospital  
9     attendants --

10            MR. DEL GAUDIO: It's a total of 48, but  
11     it's kind of a misleading number. Because if you  
12     look at -- there's ten hospital attendants that  
13     aren't funded from here. So we cut the head count  
14     from 130 to 120, when we were preparing the  
15     budget, so that's ten that comes off of that, but  
16     it's showing as a vacancy.

17            MR. McENERNEY: Showing 130 here.

18            MR. DEL GAUDIO: Right. But we're only  
19     budgeted for 120 for the year. So right now, we  
20     have 110 hospital attendants hired, five of those,  
21     plus five that are either on suspension or on  
22     leave of absence. So our count right now is 115.  
23     We have five in the pipeline that have already  
24     been approved for hire that have to go through  
25     orientation, which will give us our 120.

1           MR. McENERNEY: Right. So those that  
2 are budgeted -- are not budgeted for, that's not  
3 part of the salaries, you just did not budget for  
4 them in that line?

5           MR. DEL GAUDIO: Correct. But that's  
6 part of the salary savings --

7           MR. McENERNEY: It is. But there's  
8 another salary savings down here, it can't be both  
9 places.

10          MR. DEL GAUDIO: Right. It's a little  
11 over \$400,000 trimmed from this year's budget.

12          MR. McENERNEY: Okay. And the last one  
13 I have is therapies, which has -- I have 20  
14 employees here, I have two vacancies at this time;  
15 is that right?

16          MR. DEL GAUDIO: I'm showing 22 total,  
17 with three vacancies. One is --

18          MR. McENERNEY: 22 in total, yes. And  
19 you're saying there's only 19?

20          MR. DEL GAUDIO: There's 19 right now.

21          MR. McENERNEY: I have one salary at  
22 like 24,180 or something like that. So is that a  
23 part time salary? Probably -- if you pull that  
24 out, then it's 19 and put that into the general --

25          MR. DEL GAUDIO: Right, right, that's a



1     prorated based on when we predict we're going to  
2     hire. It's a prorated salary for a replacement of  
3     someone who's already there and is going to come  
4     on later in the year.

5             MR. MCENERNEY: Right. But the overall  
6     operation, I mean as far as other expenses,  
7     there's still, you know, very little change  
8     between the prior year and --

9             MR. DEL GAUDIO: And operational  
10    expenses, we kept flat.

11            MR. MCENERNEY: That is flat. So you  
12    don't see really any change there that you'll  
13    have?

14            MR. DEL GAUDIO: We could. I mean you  
15    are seeing some increases on certain commodities  
16    and, you know, this year our food services bid  
17    comes out, but that's budgeted out of purchasing  
18    department. So, you know, we have to see where  
19    that goes. I anticipate that's going to increase,  
20    and a dozen eggs is costing \$9, you know, those  
21    are going to cost -- it's going to be an increase  
22    there, we anticipate that.

23            MR. MCENERNEY: And as far as the  
24    certification process goes, you've passed all the  
25    requirements?

1           MR. DEL GAUDIO: We had our joint  
2           commission survey in May of 2022, it's probably  
3           the least number of findings we've had in our  
4           history. They weren't the -- way joint commission  
5           rates you now, they do this matrix where high risk  
6           problem prone type things, then go down to low  
7           risk. The majority -- there was nothing in the  
8           high risk category this time around, which we're  
9           really proud of that.

10           We've also had a lot of state surprise  
11           inspections and we had also federal CMS inspection  
12           to come in for our COVID protocol. So we had  
13           about four different surveys.

14           MR. McENERNEY: All --

15           MR. DEL GAUDIO: One came with zero  
16           findings, one was based on an anonymous complaint.  
17           One had some very minor findings for COVID, they  
18           wanted screening to be filed elsewhere, where we  
19           were keeping records. So everyone who walks into  
20           the hospital fills out a questionnaire, like when  
21           you go to the doctor's office. Do you have any  
22           symptoms, you have a fever, and so on, so forth.  
23           That was the only finding on that survey, but  
24           other than that...

25           MR. McENERNEY: The program that you

1     started -- this is off budget a little bit. But  
2     the program that you started with the hospitals,  
3     was it Medicare Medicaid --

4             MR. DEL GAUDIO: Right, the Medicaid fee  
5     program.

6             MR. McENERNEY: How is that working now?

7             MR. DEL GAUDIO: It's going very well.  
8     I mean our -- what's happening now is as we're  
9     coming out of the pandemic, you're seeing the  
10    hospital's revenues going up. And the bill was  
11    twofold. It was supposed to not only get more  
12    money back to the hospitals that take a lot of  
13    Medicaid patients, but at the same time encourages  
14    them to take more Medicaid patients, so then the  
15    payments are better. So for some of our  
16    hospitals, it's a lifesaver.

17            MR. McENERNEY: For those that come up  
18    with the upfront money, have they seen a  
19    recoupment of that initial investment?

20            MR. DEL GAUDIO: Oh, yes. You're  
21    looking at some hospitals, the assessment -- the  
22    net that they make or the hospital, such as  
23    University Hospital, comes out with a net around  
24    \$25 million --

25            MR. McENERNEY: Wow.

1           MR. DEL GAUDIO: -- a year. Newark Beth  
2       Israel makes the most off of that. They have the  
3       most Medicaid discharges for the year, they're up  
4       in \$40, 50 million range.

5           MR. McENERNEY: So that program really  
6       did incite those hospitals to increase the amount  
7       of Medicaid patients that they take --

8           MR. DEL GAUDIO: What it really did was  
9       the funding for Medicaid was very small for these  
10      hospitals. And most of other states in the  
11      country took advantage of this program, New Jersey  
12      was kind of late coming to the game. So what  
13      happened was it was able to get them a fair fee  
14      for the services they're providing under the  
15      Medicaid program. It's just a very strange system  
16      where you have to come up with money out front,  
17      but they get that money back and then, you know.

18          MR. McENERNEY: And you handle all that  
19      as well?

20          MR. DEL GAUDIO: Well, we have  
21      consultants.

22          MR. McENERNEY: We have consultants.

23          MR. DEL GAUDIO: The ultimate decision  
24      making, the County Administrator and Mr. Alagia  
25      are on board on that program. It's a lot of work,

1     there's a lot of work that goes into it and  
2     especially all the hospitals aren't happy and  
3     things of that nature. They have some questions.

4             MR. McENERNEY: I've seen the emails.

5             MR. DEL GAUDIO: We've worked well with  
6     the hospitals. Thank you.

7             MR. McENERNEY: Thank you.

8             PRESIDENT RICHARDSON: Thank you. I  
9     don't think we have any questions. Commissioner  
10    Luciano.

11            COMMISSIONER LUCIANO: Thank you, Mr.  
12    President.

13            PRESIDENT RICHARDSON: Mr. Saint John, I  
14    was going to try to get you in before dinner, but  
15    I don't think it's going to happen.

16            COMMISSIONER LUCIANO: I'll be quick.  
17    I'll be really quick. I just want to put on  
18    record that the director has done a great job  
19    there. And I just want to personally say thank  
20    you. I know during COVID, you took me on a tour  
21    and showed me where we were storing all our PPE  
22    and stuff like that. We had a lot going on there  
23    and the hospital and the staff was very -- how can  
24    I say this? I want to put it on record, I don't  
25    know if I did last year.

1           When a lot of folks weren't working, the  
2 hospital staff was working 24 hours a day because  
3 they had to be there for the patients. And that  
4 being said, what I wanted to segue, again, is,  
5 Frank, thank you and thank you to your team. How  
6 many patients do we have there on, like, a daily,  
7 weekly, monthly, basis?

8           MR. DEL GAUDIO: Today, 161 is our  
9 census.

10          COMMISSIONER LUCIANO: 161. How many  
11 beds do we have?

12          MR. DEL GAUDIO: 180. Right now, we're  
13 actually full because we have 19 patients on  
14 blocked beds. We're weaning that down as our  
15 patients get a little bit better because they  
16 can't get along with roommates. So when the  
17 hospital was constructed, there's no private  
18 rooms. There's two beds to every room.

19          So in your point, too, with the COVID, I  
20 mean we're still wearing masks every day and our  
21 patients also wear masks. When the patients come  
22 to groups and what have you, they're very  
23 compliant with the masks. And there was always  
24 the fear that the patients -- you're going to  
25 scare the patients off, but we didn't see that at

1 all.

2 COMMISSIONER SEBOLD: Wasn't there just  
3 a change in policy about the masks in health  
4 institutions statewide?

5 MR. DEL GAUDIO: Well, it depends on  
6 your transmission rate in your county. And since  
7 Essex County is still high, we can't remove the  
8 masks yet. So right now, we're still in masks.  
9 I'm in touch with the health officers until that  
10 day comes. I don't know that our staff are really  
11 going to remove the masks, you know, they're  
12 getting used to it.

13 COMMISSIONER MERCADO: They've gotten  
14 used to it. It's second nature now.

15 MR. DEL GAUDIO: I mean we're in a  
16 meeting today, a retirement party today, everyone  
17 is wearing the mask. It was a retirement party,  
18 we had cake, coffee, and take a sip of coffee, put  
19 the mask back on.

20 PRESIDENT RICHARDSON: Anybody else?  
21 The rest might as well chime in, too. Anybody  
22 else? Okay, thank you. You do a wonderful job.

23 COMMISSIONER MERCADO: Thank you, Frank.

24 COMMISSIONER SEBOLD: Tough job.

25 PRESIDENT RICHARDSON: So, Mr. Saint

1 John, unfortunately, we're going to go to dinner.  
2 I wanted to get you in, but we went a little  
3 longer. Break for dinner.

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5 (Whereupon a short recess was taken.)

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1 (Whereupon, the Board resumed the  
2 hearing.)

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4 **ROLL CALL:**

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6 PRESIDENT RICHARDSON: Roll call, Madam  
7 Clerk.

8 MS. DAVIS FORD: Commissioner Cooper.

9 COMMISSIONER COOPER: Here.

10 MS. DAVIS FORD: Commissioner Gill,  
11 absent.

12 Commissioner Graham.

13 COMMISSIONER GRAHAM: Here.

14 MS. DAVIS FORD: Commissioner Johnson,  
15 absent.

16 Commissioner Luciano.

17 COMMISSIONER LUCIANO: Here.

18 MS. DAVIS FORD: Commissioner Mercado.

19 COMMISSIONER MERCADO: Here.

20 MS. DAVIS FORD: Commissioner Sebold.

21 COMMISSIONER SEBOLD: Here.

22 MS. DAVIS FORD: Commissioner Vice  
23 President Pomares.

24 VICE PRESIDENT POMARES: Here.

25 MS. DAVIS FORD: Commissioner President

1 Richardson.

2 PRESIDENT RICHARDSON: Here.

3 Commissioner Gill is here.

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1       **COUNTY COUNSEL:**

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3               PRESIDENT RICHARDSON: And we're going  
4 to move to county counsel.

5               MR. SAINT JOHN: Thank you very much.

6               MR. JACKSON: Tab 5.

7               MR. SAINT JOHN: Mr. President, Jerome  
8 Saint John, county counsel. Thank you very much  
9 for your consideration, I do appreciate it. Plus  
10 I had a great time talking to my old friends at  
11 dinner and had a nice dinner.

12              PRESIDENT RICHARDSON: If you're going  
13 to be talking about a whole bunch of other stuff  
14 that got nothing to do with budgetary, we're going  
15 to put you back in your rotation.

16              MR. SAINT JOHN: Now, onto the budget.  
17 To give you an overview of the county counsel's  
18 office, 19 positions in the county counsel's  
19 office, three positions in mental health, four  
20 people in the inspector general's office. There's  
21 119 civil suits filed against the County, 279 came  
22 in recently. There's over 2,048 OPRA requests  
23 last year. There's grievances that are filed, 50  
24 of them. There's 12 administrative law appeals  
25 that are in progress, and then civil litigation.

1           On the government and mental health area  
2 of the county counsel's office, 2,696 civil  
3 commitments, which is an enormous amount of civil  
4 commitments, almost \$4 million in foreclosure fee  
5 got for the County as a result of Sheriff's sales.  
6 1,722 record services for gun permits, which is  
7 something we're seeing a lot more. And it's  
8 really burdening the office because of what's  
9 happened with the Supreme Court decision on  
10 firearms.

11           Trying to get money for people that are  
12 responsible for indigent mental health payments,  
13 we have that as well. Welfare, we have the  
14 welfare section handle over 1,200 welfare cases.  
15 We've collected almost \$4 million in fees for  
16 support obligations from the -- we'll call it dead  
17 beat dads. That office is funded 66 percent by  
18 the State of New Jersey, by the way, it's only a  
19 third by the County. Any questions at all about  
20 the office or the budget?

21           PRESIDENT RICHARDSON: Mr. McEnerney.

22           MR. McENERNEY: I just -- just that I  
23 also as of the first payroll of 2023 have 19  
24 positions, all filled in your office.

25           MR. SAINT JOHN: A vacancy.

1           MR. McENERNEY: You have a vacancy. I  
2 have -- well, there is one position that I have --  
3 yeah, looks like a part time position.

4           MR. SAINT JOHN: We have a part time  
5 position.

6           MR. McENERNEY: So that would mean  
7 there's 18 full time.

8           MR. SAINT JOHN: That part time  
9 position, I'm going to try to have -- somebody's  
10 go out on maternity leave, I'm going to try to  
11 take that part time position, move that part time  
12 person over to mental health because we need help  
13 in mental health.

14           And I also -- you may not know what I  
15 did also was I told you the OPRA requests,  
16 enormous number of OPRA requests. We had a lawyer  
17 doing the OPRA requests, but the same woman who's  
18 going out on maternity leave. I hired a paralegal  
19 to do the OPRA requests at a significantly lower  
20 salary. He's doing a great job, had been a title  
21 examiner, so you know how anal title examiners  
22 are. And he's doing a very, very good job at a  
23 lower salary, full time OPRA request person so  
24 that when she leaves in a week to go out on  
25 maternity leave, we have someone already trained

1 and ready to pick up the OPRA requests.

2 MR. McENERNEY: And then the inspector  
3 general's office, there's two positions there,  
4 both filled.

5 MR. SAINT JOHN: Yeah, there's two  
6 positions that are funded out of this office, two  
7 positions that are funded out of DFAB in the  
8 inspector general's office.

9 MR. McENERNEY: I'm only seeing two in  
10 the payroll.

11 MR. SAINT JOHN: Two out of the county  
12 counsel's office, two out of the DFAB. But  
13 there's four individuals in the inspector  
14 general's office. They report to the county  
15 counsel's office.

16 MR. McENERNEY: And then there's three  
17 positions budgeted for and I have three positions  
18 filled in mental health, all three.

19 MR. SAINT JOHN: For mental health, we  
20 have two full time lawyers and one part time  
21 lawyer because of the COVID problems, he hasn't  
22 had any work for three months and he's a -- he has  
23 some physical challenges and -- a very, very, very  
24 good lawyer, who unfortunately has been afflicted  
25 with a bad problem. So I just talked to him a

1 couple days ago. I'm switching him over to mental  
2 health to do on a per diem basis to help us with  
3 the mental health cases.

4 MR. McENERNEY: I do have three full  
5 time positions being paid out of mental health as  
6 of the first payroll of 2023.

7 (Commissioner Johnson arrived.)

8 MR. SAINT JOHN: Yes. One of those  
9 people already put notice in, so I'm panicking.

10 PRESIDENT RICHARDSON: Recognizing  
11 Commissioner Johnson.

12 MR. McENERNEY: All right. So the  
13 budget is relatively small, we've noticed --  
14 accounted for the vacancies. And other than that,  
15 all the other positions are filled. Let's talk  
16 about settlements of suits. And can you, without  
17 getting into any details, is there anything on the  
18 horizon that looks, you know, threatening or large  
19 that would require a lot of money?

20 MR. SAINT JOHN: Mr. McEnerney, we have  
21 quite a few very significant lawsuits pending. We  
22 have the matter -- I'll call it colloquial, I  
23 don't mean any disrespect to the man, the  
24 microwave case at the jail, which I'm happy to go  
25 into in detail with you in executive session at

1 some point in the future or at any time anyone  
2 wants to stop by the office. I'm happy to go into  
3 all these matters in detail with you. So we don't  
4 have problem with the attorney-client privilege.

5 That is potentially a big dollar  
6 lawsuit, if you were to see the video of his  
7 horrendous beating. I'm trying to do it in a way  
8 that I think the County should have no liability.  
9 But if we get hit, I think it would be a big  
10 liability.

11 We have overtime challenges that have  
12 been brought by various Sheriff's officers for  
13 overtime work during the COVID time, that are big  
14 numbers, that we're vigorously defending. And  
15 whether we settle them or not depends on the  
16 reasonableness of the people making the requests,  
17 so that's a big number.

18 We have two -- we have people who passed  
19 away, either in shootings that the President and I  
20 discussed one matter, where a young man was in a  
21 car and was shot to death by a group of Sheriff's  
22 officers. That's a matter that potentially could  
23 be a big number or it could be no liability.

24 We have deaths at the jail, which again  
25 can be liability. I think you have very good



1 defenses in all of them, but they are significant  
2 matters.

3           So you know we have -- and then we have  
4 the normal -- and I don't mean that the guards are  
5 normal. Unfortunately, in this day and age, the  
6 law against discrimination matters, where there's  
7 sexual, religious -- usually not religious, it's  
8 usually sexual harassment matters that lawsuits  
9 are brought. And those cases have a significant  
10 problem because these are fee shifting cases,  
11 which the legislature has determined if the  
12 plaintiff gets any money, you have to pay the  
13 legal fees of that person's lawyer, there's no  
14 proportionality. So if the plaintiff gets \$50 --  
15 being facetious, no one gets \$50, but the  
16 plaintiff gets \$5,000 for the damages and the  
17 lawyer's fees are \$400,000, the Supreme Court, our  
18 state Supreme Court, has said if the legislature  
19 wanted proportionality in the law against  
20 discrimination statute, they would have put it in.  
21 Therefore, the lawyer's entitled to the \$400,000.  
22 It doesn't have been to be proportionality between  
23 the damages and the lawyer's fees.

24           There are -- this may come as a shock to  
25 all of you, there are some unethical lawyers. I

1 know it's a shock, but the -- it's easy -- if you  
2 are involved in a suit that has fee shifting and  
3 should take you an hour to do task one, your  
4 client's not going to pay it, you put down  
5 four hours, right? And that's wrong, it's  
6 unethical, you shouldn't do that. But it's very  
7 easy with that kind of thought process to get up  
8 to \$400,000 of legal fees and use it as a club  
9 against the County. Do you want to settle this  
10 lawsuit or not because the legal fees are now  
11 starting to mount up and mount up. You know,  
12 you're going to have to pay all my legal fees. If  
13 I just get a small damage result, you're going to  
14 have to pay the legal fees. These are the kind of  
15 things we're really worried about.

16 We had a county representative today on  
17 a newly filed lawsuit and it has a multicount  
18 complaint. And I said to our person, one of the  
19 counts has a law against discrimination count, but  
20 it's not a lot of substance to it. We're not  
21 going to attack the whole complaint, we're going  
22 to attack that one count. If we get that knocked  
23 out of the complaint, the lawyer's going to say  
24 there's no money in this for me because it's not a  
25 fee shifting case any longer. So that's our

1 strategy, get it knocked of the complaint. So,  
2 sorry for the long winded answer.

3 MR. McENERNEY: It's okay, I asked the  
4 question. But the monies in the budget this year,  
5 are they like set up or accounted for based on  
6 closed cases? Because I know a lot of our awards  
7 are done on the installment basis at times. So is  
8 this \$2,350,000, is that accounted for? Or is  
9 there portions of that that are not appropriated  
10 for any specific lawsuit?

11 MR. SAINT JOHN: Mr. McEnerney, best  
12 guess -- I'm going to be totally honest with  
13 everybody, best guess.

14 MR. McENERNEY: Okay. But are there  
15 installment payments due on any --

16 MR. SAINT JOHN: No, these are not  
17 installment -- the guess here is not for  
18 installment payments.

19 MR. McENERNEY: Okay.

20 MR. SAINT JOHN: But being frank with  
21 everybody, it's a real guess.

22 MR. McENERNEY: Yeah, understood. Thank  
23 you very much.

24 PRESIDENT RICHARDSON: All right. I  
25 think we're good. Thank you so much for coming

1       in.

2               MR. SAINT JOHN: Thank for trying, I do  
3 appreciate it.

4               PRESIDENT RICHARDSON: Okay.

5               MR. SAINT JOHN: The offer is always  
6 open, stop by, all right. Any questions you have,  
7 just stop by.

8               PRESIDENT RICHARDSON: You're going to  
9 tell your secretary to tell us you're not in.

10              MR. SAINT JOHN: I have your pictures  
11 up, saying don't let these people in ever.

12              PRESIDENT RICHARDSON: Have a good  
13 night, sir.

14              MR. SAINT JOHN: Mr. President, I didn't  
15 know my picture was up there.

16              PRESIDENT RICHARDSON: Thank you, sir.  
17 We got to get the next people.

18                               \*       \*       \*       \*

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**DEPARTMENT OF CITIZEN SERVICES:**

MR. JACKSON: Mr. President, next up is Director Ramos, citizens services.

PRESIDENT RICHARDSON: What tab?

MR. JACKSON: 11.

MR. RAMOS: Good evening. I want to take this opportunity to thank the Board of Commissioners for allowing us to present our 2023 budget requests. Your support during the year 2022 has enabled us to provide much needed services to tens of thousands of residents throughout the County of Essex.

With me today, I have a number of directors and division heads within our department, who provide services that are partially or primarily County funded. So I'm going to introduce, starting to my right, our division head for the Division of Family Assistance and Benefits, Ms. Valentina Richardson Green. To her right is our CFO for the department of citizen services, Carlos Gonzalez. Behind me, we have Reverend Dennis Hughes, who's the director of the juvenile detention center. With Reverend Hughes, we have Terrence McCoy who is our director

1 of community action. But for the purposes of  
2 today's hearing, he's the person who oversees  
3 consumer services, which is primarily the weights  
4 and measures program. And with Terrence, we also  
5 have Maurice Brown who is the head of our Division  
6 of Senior Services and there's a small portion of  
7 that division that's County funded and is included  
8 in our budget request.

9 PRESIDENT RICHARDSON: I just have one  
10 question before you start. Ms. Richardson Green,  
11 that huge binder you have there, you're not going  
12 to go through all that?

13 MS. RICHARDSON GREEN: No, I am not.

14 PRESIDENT RICHARDSON: That's my  
15 question.

16 COMMISSIONER MERCADO: He'll hold you to  
17 it.

18 MR. RAMOS: That's it, Mr. President.  
19 I'll open up for questions.

20 PRESIDENT RICHARDSON: Mr. McEnerney.

21 MR. MCENERNEY: Okay. So just going  
22 through your budget, things are pretty standard.  
23 I didn't cost out the directors -- I costed out  
24 youth services and senior services. With regard  
25 to senior services, the only thing I -- there's a

1 number of positions. And what I'm looking at is  
2 the first payroll registered for 2023, which  
3 applies to the last payroll of 2022. And in that  
4 payroll, there's -- under that department,  
5 seniors, is 18 employees listed and there's five  
6 here. Can you explain the differential?

7 MR. RAMOS: Like I explained in my  
8 opening statement, a number of our divisions are  
9 grant funded. In the case of the Division of  
10 Senior Services, there is a required county match,  
11 that's included as part of our grant agreement  
12 with the State of New Jersey. So the five  
13 positions that you see in our budget request to  
14 the County are part of that required match.

15 MR. McENERNEY: Okay. Not all of those  
16 are -- let me just see here -- but those five  
17 positions are actually appropriated for in the  
18 budget? So those are raised by taxation or  
19 whatever general revenues apply, but typically  
20 when I see 18 positions and then a grant funding  
21 of 13 and then five left, I'm just confused as to  
22 why there's so many more positions listed under  
23 that department in the payroll register, but not  
24 in the budget.

25 And, correct me if I'm wrong, you're

1 saying that the balance of those over five, those  
2 13 positions are all funded by grants?

3 MR. RAMOS: Through you, Mr. President,  
4 yes.

5 MR. McENERNEY: Okay. So all those five  
6 positions are filled?

7 MR. RAMOS: Through you, Mr. President,  
8 at this point, we do have five full time  
9 equivalents. We have one vacancy that we carried  
10 over into 2023, which was eliminated in the County  
11 portion of this office.

12 MR. McENERNEY: Okay. And as far as the  
13 other expenses there, they're the same as the  
14 prior year, there's no increase?

15 MR. RAMOS: Through you, Mr. President,  
16 yes.

17 MR. McENERNEY: On the consumer and  
18 constituents, there's a \$58,000 increase. I don't  
19 have that listed here, but there's six employees  
20 there. There's six employees filled, are all  
21 those positions filled?

22 MR. RAMOS: Through you, Mr. President.  
23 A few years ago, through the efforts of the Board  
24 of Commissioners, you all added an apprentice  
25 position in that office. Because of the



1 challenges related to the pandemic, we had a  
2 little bit of difficulty in filling that  
3 apprentice position.

4 I'm glad to report back to the Board,  
5 that in the latter part of 2022, we did promote a  
6 young man who was our messenger over at DTE into  
7 that position of apprentice. And he's currently  
8 in the process of taking, you know, all the  
9 required courses and should hopefully take his  
10 examination to take him out of the apprentice  
11 position into a more official capacity sometime in  
12 the spring.

13 MR. McENERNEY: Are we actually out  
14 testing weights and measures?

15 MR. RAMOS: The number of inspections  
16 compared to where we were in 2020 have  
17 significantly increased. What I will report is  
18 this is the kind of service where, you know, a lot  
19 of times we look at revenue generation as one of  
20 the goals.

21 And I always remind people that our goal  
22 here is to provide a quality service to the  
23 residents of the county to make sure that their  
24 rights are being protected as consumers. And  
25 we're not levying the kind of fines that maybe we

1       were in 2018 and 2019. But if you look at the  
2       number of inspections that we're doing on a daily  
3       basis, those inspections have increased.

4               MR. McENERNEY: So there must be more  
5       compliance?

6               MR. RAMOS: Yeah. Your customers, per  
7       se, the folks you're out inspecting, whether it's  
8       a supermarket, gas stations, you know, they tend  
9       to adjust as you're out there more regularly. But  
10      we are responding to calls that come in through  
11      the Exec's office, emails that come to our office.  
12      We have a regular inspection schedule that we keep  
13      up to make sure we're hitting as many businesses  
14      as possible.

15              And as the young person who's now the  
16      apprentice is able to get his certification, he'll  
17      be able to go out there and do official  
18      inspections on behalf of the unit.

19              MR. McENERNEY: So that -- I'm sorry, I  
20      didn't mean to interrupt you.

21              MR. RAMOS: That will increase our  
22      activity by having the apprentice move into a more  
23      official capacity.

24              MR. McENERNEY: And are those fines  
25      levied through the courts?

1           MR. RAMOS: In some instances, they're  
2 settled. I would say in most instances, they're  
3 settled.

4           MR. McENERNEY: In youth services, a  
5 large department, I should say cost center. I  
6 have listed here, I guess I'm just -- I'm trying  
7 to figure out what I have here in the first  
8 payroll. It looks like these are the juvenile  
9 detention officers and I'm showing -- this looks  
10 like all of them, but I'm looking at -- I guess  
11 it's the first part of the custodial staff  
12 subtotal 181, which I'm showing 173. I don't know  
13 if that's -- you're showing actual 154. Are there  
14 a lot of vacancies in there?

15           MR. RAMOS: Through you, Mr. President.  
16 When we typically present our budget for the  
17 juvenile detention center, the division of youth  
18 services, our staffing number on the custodial  
19 side is more based on an optimum number. We  
20 recognize that our facility, at full capacity, can  
21 hold, with double bunking 242 juveniles. We have  
22 even, with the counties that we have subcontracts  
23 with, including Essex County, are not near that  
24 number. So we always want to be in a position  
25 when it relates to our budget that's approved by

1 the Board of Commissioners that we do have enough  
2 room to handle fluctuations in population.

3 MR. McENERNEY: Those fluctuations  
4 happen?

5 MR. RAMOS: Yes. Through you, Mr.  
6 President. We've seen with the changing of our  
7 family court judge representing Essex County, an  
8 increase in the number of juveniles who are  
9 currently being admitted from Essex.

10 MR. McENERNEY: That educational program  
11 is still part of the appropriations?

12 MR. RAMOS: Through, Mr. President. We  
13 have a contract with the Essex County Educational  
14 Services Commission. We've had the contract for a  
15 number of years. The contract amount has remained  
16 unchanged. Over time, we've asked them to make  
17 some adjustments in order to accommodate the  
18 varying needs of the young people that we serve  
19 there.

20 And I will recognize officially on the  
21 record that, you know, the amount of funding we  
22 get if the state to support the school program at  
23 the detention center is much less than the sending  
24 districts around the county receive. And the  
25 needs of the population there are pretty

1 extensive. You have a large number of young  
2 people who are classified, who need specialized  
3 services. But we are still working with the ed  
4 services commissioner.

5 MR. MCENERNEY: As far as the family  
6 assistance and benefits, on the salaries and  
7 wages, it's so extensive, so many employees, I did  
8 not cost that out, to be honest with you. But can  
9 you just describe what the table of organization  
10 is there and what number of vacancies are there  
11 and what the state requires in terms of staffing?

12 MR. RAMOS: Our funding agreement with  
13 the state calls for 832 full time equivalents at  
14 the Division of Family Assistance and Benefits.  
15 I'll turn it over to Ms. Richardson Green, who is  
16 currently the division head there. She does have  
17 a deputy division director that works under her, a  
18 number of administrative supervisors, and the  
19 family service workers, which are case worker  
20 staff that service the customers that come in to  
21 that particular division.

22 MS. RICHARDSON GREEN: Through you, Mr.  
23 President. As Mr. Ramos said, 832 is the required  
24 number that the state is looking at. We have  
25 right now 76 vacancies. Primarily the vacancies

1 of the most concern have to do with the family  
2 service worker, that's the case worker, that  
3 handle the bulk of the work. That is at 32  
4 vacancies currently. Family service supervisors  
5 are at two. So those are the primary areas where  
6 we'll be looking to fill within the next few  
7 months.

8           There are several other vacancies that  
9 exist, but those are -- historically, we've always  
10 had those vacancies. But with the number of cases  
11 that we have, the case loads, COVID, things like  
12 that, the family service worker and the  
13 supervisors are the primary concern. And those  
14 are the ones that we will be aggressively  
15 addressing over the next couple months.

16           MR. RAMOS: If I could add, through you,  
17 Mr. President? I will state that for a period of  
18 about nine months, we were awaiting a  
19 certification back for family service workers.  
20 We're now in receipt of that certification list,  
21 which enables us to hire. So we were kind of in  
22 limbo for a period of time awaiting for the test  
23 to be called, waiting for certifications to come  
24 back from the state. And, you know, Director  
25 Richardson Green and her staff are now actively

1     appointing -- interviewing and appointing people  
2     off the civil service list for family service  
3     worker.

4             MR. McENERNEY:  There is a current list?

5             MR. RAMOS:  Yes.

6             MR. McENERNEY:  Is it adequate to fill  
7     the needs?

8             MR. RAMOS:  Yes.

9             MS. RICHARDSON GREEN:  Yes.

10            MR. McENERNEY:  Where is child support  
11     in the budget?  I'm seeing it in the payroll  
12     register, but am I missing it?

13            MR. RAMOS:  It's included in the overall  
14     budget for family assistance and benefits.  
15     Individuals that work in the child support office  
16     have similar titles, they're family service  
17     workers, they're supervisors, they're  
18     administrators, so we don't necessarily segregate  
19     that office in DFAB's budget.

20            MR. McENERNEY:  And as far as other  
21     expenses go, you're pretty much stagnant with the  
22     prior years.

23            MR. RAMOS:  Yes.  Some of the other  
24     expense categories are either the same or less  
25     than they were last year.  I will mention that

1 DFAB's budget requests, unlike other departments,  
2 does include pension and health benefits requests  
3 as well.

4 MR. McENERNEY: How much of your  
5 overall -- the reimbursement that we get, that's  
6 based on your department, is there some sort of  
7 lag between the cost of what it costs for your  
8 department and the period of time that we get  
9 reimbursed? Or is it something set in stone that  
10 the state provides you with the number in the  
11 revenues?

12 MR. RAMOS: There are a number of  
13 reimbursement sources, there isn't just one. The  
14 primary one is the Division of Family Development  
15 at the state level. But as you mentioned before,  
16 child support is a different reimbursement stream  
17 and percentage. But for the most part, the  
18 Division is very good at collecting revenue that's  
19 owed to us. You know, a lot of it is based on  
20 reporting that we have to submit to our funding  
21 sources. And once those reports are reviewed and  
22 approved, the Division is reimbursed on a regular  
23 basis for those expenses.

24 MR. McENERNEY: And is there any -- not  
25 penalty, but if you don't spend the money, you



1 don't get the revenue. So are there kind of  
2 adjustments on both sides?

3 MR. RAMOS: Through you, Mr. President.  
4 We can provide you with some information over the  
5 last few years to see if there has been some areas  
6 that have been under expended. You know, for the  
7 most part, we may have a percentage of unfilled  
8 positions that result on average during the  
9 calendar year, but we are able to work with our  
10 funding sources to sometimes allocate some of  
11 those resources for, you know, overtime projects  
12 to reduce Medicaid backlogs, to deal with  
13 increasing our timeliness for SNAP and food  
14 stamps.

15 So there's some flexibility that we have  
16 at the division level that we're able to work out  
17 with our funding sources, in order to better  
18 prepare ourselves to handle some of the expected  
19 outcomes that we have.

20 MR. McENERNEY: So if you don't fill  
21 certain positions, not necessarily you're going to  
22 lose money, it's just that money can be repurposed  
23 based on what you --

24 MR. RAMOS: In some instances, through  
25 you, Mr. President, yes. If you look at the

1 amount that we've cancelled out on average over  
2 the last few years, it's -- I'm not saying it's  
3 not considerable, but it's not as much as you  
4 think it is based on the number of vacancies.  
5 Because we are able to fund overtime projects.

6 MR. McENERNEY: I think the point I was  
7 making though, when you do have this amount of  
8 vacancies and there's appropriations left over at  
9 the end of the year, it's not the kind of  
10 situation where that goes to fund balance or  
11 appropriations. That has some impact I believe on  
12 the amount of revenues that you got or if it  
13 doesn't, then you're able to spend it elsewhere in  
14 some of the items that you just listed, which  
15 would eat up the revenue. So in other words,  
16 there's -- it's not like going to another  
17 department and cancelling an appropriation because  
18 you didn't spend it and having that go to fund  
19 balance? This department, I believe, is different  
20 in that respect. I don't know if that's a  
21 question.

22 MR. RAMOS: Through you, Mr.  
23 President --

24 MR. McENERNEY: Yeah.

25 MR. RAMOS: -- could probably speak more

1 specifically about where any funds that have been  
2 cancelled on the DFAB side have been transferred  
3 to. But I can speak administratively that there  
4 are occasions where we have Medicaid backlog  
5 issues, when we have to catch up on SNAP  
6 processing cases, that we go to our funding  
7 sources at the state level and ask permission to  
8 allocate funds that we have within our budget that  
9 may go unexpended due to vacancies to utilize  
10 those funds for overtime projects. And we have  
11 received regular approvals to do so.

12 MR. McENERNEY: Thank you very much.

13 PRESIDENT RICHARDSON: Any budget  
14 questions? Commissioner Cooper.

15 COMMISSIONER COOPER: Thank you,  
16 Director Ramos, you and your department are doing  
17 a fantastic job. I want to thank Director  
18 Richardson Green, you guys responded to  
19 constituents who had problems with their cards and  
20 you guys personally delivered them to them. So  
21 thank you for that. I didn't know you guys  
22 provided that kind of service to people in need.

23 MS. RICHARDSON GREEN: Thank you.

24 MR. RAMOS: Thank you, Commissioner.

25 PRESIDENT RICHARDSON: Great questions.

1       Doesn't seem like there are anymore. Thank you so  
2       much for your presentation, have a good night.

3               MR. RAMOS: Thank you, Mr. President.

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1       **DEPARTMENT OF CORRECTIONS:**

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3               PRESIDENT RICHARDSON: Mr. Jackson.

4               MR. JACKSON: Director of Corrections,  
5 Mr. Charles, he's on Tab 9.

6               MR. CHARLES: Good evening, everyone.  
7 President Richardson and members of the Board. It  
8 is my privilege to present the 2023 department of  
9 corrections budget to you. Before we get into the  
10 numbers, I want to introduce some of my staff who  
11 are here tonight. To my immediate right,  
12 Lieutenant Camacho who heads the division of  
13 office management and budget. To his right is Dr.  
14 Lionel Ansett, who is the medical director of the  
15 facility. To his right is Regina Marra, which you  
16 may remember meeting last month. She's the deputy  
17 director in charge of internal affairs,  
18 professional development. Dr. Vega, who you met  
19 at that meeting as well, is sick, non-COVID  
20 tonight, so she couldn't be here and she's in  
21 charge of inmate programs, the community relations  
22 programs, the MET program and the mental health.

23               Before we look at the numbers, I --

24               PRESIDENT RICHARDSON: Before we do  
25 that, why don't you tell us who you are?

1           MR. CHARLES: Ron Charles, Director of  
2           Corrections.

3           So before we look at the 2023 numbers, I  
4           want to publicly talk about three accomplishments  
5           the department had in 2022. Number one was the  
6           department raised over \$60 million of revenue for  
7           the County. We were able to earn a  
8           reaccreditation through the American Correctional  
9           Association, only 5 percent of the jails and  
10          prisons in the United States earn that  
11          accreditation. And the department maintains  
12          accreditation with the NCCHC, which is for medical  
13          services -- correctional medical. And lastly,  
14          during the last quarter of the year, we began a  
15          critical look at the department's operations,  
16          policies, to ensure things are being done  
17          efficiently and effectively, which was spearheaded  
18          by the Ambrose report.

19          In looking forward to 2023, this budget  
20          is our road map which supports our core mission  
21          and focus areas, which are number one, maintaining  
22          a safe and secure facility for the staff and  
23          prisoners, improve on the delivery of our programs  
24          for our prisoners, both in the facility and in the  
25          community, which include mental health, drug and

1 alcohol rehabilitation, and case management in  
2 partnership with our civilian task force and  
3 community organization, and to create what I call  
4 a center of excellence in the corrections field.

5           Though this is probably the most  
6 difficult time in the corrections profession with  
7 the pandemic, retiring work force, I believe the  
8 men and women of this department, together with  
9 the department's executive team and support from  
10 the county administration and the County Executive  
11 along with the Commissioner Board will achieve our  
12 mission. My team is here now to answer any  
13 questions anyone may have.

14           PRESIDENT RICHARDSON: Mr. McEnerney.

15           MR. McENERNEY: So just looking at  
16 salaries and wages, going from what was paid last  
17 year for salaries and wages, including overtime  
18 and holiday pay, 74,081,000, down 4.7 to budget  
19 amount of 68,700,000. Clearly the big item there  
20 is what's called an SCAAP grant for 5.5 million.  
21 Can you explain that to us, what that grant is?  
22 If it's new this year, it wasn't in last year's  
23 budget, what the source of that funding is and how  
24 you've qualified for it.

25           MR. CHARLES: So this is the SCAAP grant

1 is what's it was called. Years ago, it was called  
2 the alien assistance grant. The County has been  
3 receiving that grant probably for -- since I was  
4 here last time, back in the late '90s. We started  
5 out two, three hundred thousand. Now we're up,  
6 this year we're up significantly higher.

7 It's based on a formula from the federal  
8 government on how many inmates we are actually  
9 housing in the facility, the cost to house them.  
10 We supply the data to the federal government, the  
11 department of justice. And the justice department  
12 then sends us our award amount. We are the second  
13 highest in the state, the only number that's  
14 higher has the department of corrections in the  
15 state.

16 MR. McENERNEY: So this number has been  
17 part of previous corrections salary and wage  
18 calculations?

19 MR. CHARLES: When I was here last time,  
20 yes. I don't know recent history.

21 MR. JACKSON: Someone from --

22 MR. McENERNEY: It's not listed.

23 MR. MOHAMED: Hossam Mohamed, County  
24 Treasurer. This grant used to be classified as  
25 revenue. And last few years, we had the grant and



1 I actually called to inquire about it. And it has  
2 to be part of our single audit, so it has to be  
3 inserted as a grant. And eligibility for that  
4 expenditure, this would be for regular salaries  
5 for correction. So we inserted the amount last  
6 year for the first time. And we charge salaries  
7 to that grant, it's not overtime, it's just  
8 regular salaries to be charged to the grant. And  
9 we did the same for 2023, we had significantly  
10 higher amount in 2023. 2022, we received 2.2  
11 million, I believe in 2023, it's over 5 million.

12 MR. McENERNEY: What's changed so much  
13 in corrections that the increase then from 2.2  
14 million to 5.5? What changed in the population,  
15 in the cost?

16 MR. CHARLES: Certainly, the number has  
17 gone up.

18 MR. McENERNEY: Significantly?

19 MR. CHARLES: As far as the inmate  
20 population, but it's the origin of where the  
21 prisoner resides in the formula from the federal  
22 government.

23 MR. McENERNEY: And what would typically  
24 be something that the origin that would increase  
25 that amount?

1           MR. CHARLES: If we have more foreign  
2 born, if we have more out of state prisoners, more  
3 federal prisoners.

4           MR. McENERNEY: When you say foreign  
5 born, just people who don't have, you know,  
6 papers?

7           MR. CHARLES: No. They would have --  
8 that may be the case, some of them. Some of them  
9 would be that we have papers as well. Some of  
10 them have dual citizenships, those types of  
11 classes.

12          MR. McENERNEY: And that population has  
13 gone up that much over the last year?

14          MR. CHARLES: Yeah, yeah, significantly.

15          MR. McENERNEY: Well, at least the  
16 calculation.

17          MR. CHARLES: The calculation has.

18          MR. McENERNEY: I'm assuming is this  
19 more of a projection, is there an audit on the  
20 grant that comes back and says, well, in fact, you  
21 didn't have that much?

22          MR. CHARLES: The process is we -- The  
23 Department of Correction supplies the Department  
24 of Justice with the raw data. Then the Department  
25 of Justice comes back and gives us our award

1 amount. And then there is an audit process, I  
2 would imagine, through the administration office.

3 MR. McENERNEY: Okay. So, like any  
4 other grant, there's an audit process that comes  
5 back, because this prospective? This is against  
6 your 2023 salaries and wages or your 2023  
7 population that only exists for the last month.  
8 So it's going to depend on all 12 months as to  
9 whether or not you meet the requisite amount of  
10 those types of prisoners, those types of costs in  
11 order to realize that whole 5.5 million, correct?

12 MR. CHARLES: Correct.

13 MR. McENERNEY: So there is a  
14 possibility that that may or may not happen?

15 MR. MOHAMED: Hossam Mohamed, County  
16 Treasurer. That grant was determined already in  
17 2022 for 2023, based on historical information.

18 MR. McENERNEY: It's history.

19 MR. MOHAMED: It's not going --

20 MR. McENERNEY: It's not subject to  
21 audit.

22 MR. MOHAMED: No, it's based on  
23 information already submitted by Corrections to  
24 apply for the grant and was granted. It's not  
25 going to change.

1           MR. McENERNEY: So then what was the  
2 grant in 2021?

3           MR. MOHAMED: I'd have to get back to  
4 you on that.

5           MR. CHARLES: The 2.2?

6           MR. McENERNEY: That was 2.29.

7           As far as your collective bargaining  
8 agreement, where do you stand with those? Any  
9 increases that are applied to the correction  
10 officers this year and other staff are all  
11 included in here?

12          MR. CHARLES: Correct. There's the FOP  
13 which is the supervisors, the PBA which is the  
14 officers, and the IBEW, is all --

15          MR. McENERNEY: Up to date, up to 2023.

16          MR. CHARLES: There is a 3 percent built  
17 in for that.

18          MR. McENERNEY: Okay. Where are those  
19 contracts now? Are they closed out for 2023?

20          MR. CHARLES: They're at the stage of  
21 being negotiated, they haven't been finalized.

22          MR. McENERNEY: You have a reserve --  
23 you have funds in here in order to cover that?

24          MR. CHARLES: Correct.

25          MR. McENERNEY: Can you just give us a

1     little bit, too, about how everything is working  
2     out with the other counties' funds that are coming  
3     in, the amount of prisoners? You know, it's part  
4     of those prisoners coming in from other counties  
5     affecting that number that we talked about  
6     earlier, the foreign born or those that apply to  
7     that grant.

8             MR. CHARLES: Certainly. With the  
9     contract with Union County, some of those do fall  
10    in that category. Some of the federal marshal's  
11    inmates that we're holding as well fall in that  
12    category. Not all of them, but some of them do  
13    affect that in a positive manner from the revenue.

14            MR. McENERNEY: All those agreements are  
15    working out well?

16            MR. CHARLES: Absolutely, absolutely.

17            MR. McENERNEY: You know what was  
18    surprising is to see the amount of money sill  
19    coming in from the federal marshal program. It  
20    almost mirrors what we were getting on ICE, on a  
21    gross basis. So explain the federal marshal  
22    process and the type of inmate coming in through  
23    that program?

24            MR. CHARLES: Sure. So the federal --  
25    we hold about three different classes of federal

1 marshals. We hold the ones that are from New  
2 Jersey, we also hold the ones from the eastern  
3 district of New York, we also the federal marshals  
4 from the southern district of New York, and the  
5 last group, which is smaller is the federal  
6 marshals of New Jersey and New York, we -- what  
7 they call cooperators, those are the prisoners who  
8 are cooperating on a federal level, who need to be  
9 segregated from their codefendants because they're  
10 actually testifying on their behalf, we have  
11 those. We receive \$132 per day for those. That  
12 contract will be renegotiated at the end of this  
13 year for a higher per diem.

14 We also receive -- we also handle the  
15 transportation for the federal marshals. So  
16 anything that is build out as far as picking up  
17 prisoners, we have revenue on that. That happens  
18 daily, whether we're picking them up from New  
19 York, New Jersey, southern Jersey. And it's been  
20 a big revenue for the County.

21 MR. MCENERNEY: I mean that's -- that  
22 program is really expanded.

23 MR. CHARLES: It has. When I was here  
24 last time, we had about 175 federal inmates.  
25 We're close to 700, 800 today.

1 MR. McENERNEY: Wow.

2 MR. ALAGIA: Phil Alagia, chief of  
3 staff. We meet with the marshals regularly, but  
4 we are their number one -- in essence, we are the  
5 County Jail for the entire FBI in the area. So  
6 these marshals inmates are people who are arrested  
7 federally by the FBI, DEA, and they're awaiting  
8 federal trial. And we hold them in the New York  
9 New Jersey area. And they used to have a bunch  
10 all around but they wanted to be with us  
11 exclusively. They want more, they want to close  
12 other ones because they're so happy with the work  
13 of the team at the jail. Even through the few  
14 years where it's been, I would say, somewhat  
15 turbulent, they've always said we're the number  
16 one provider for them in the area. And that's how  
17 we went from New Jersey to southern district, to  
18 northern district. They want -- Pennsylvania  
19 wants to come in now. I mean we're the preferred  
20 jail for them.

21 MR. McENERNEY: Do you still get any  
22 stake for finding prisoners?

23 MR. CHARLES: Yes.

24 MR. McENERNEY: Is that still the 15 day  
25 rule?

1 MR. RAMOS: Yes.

2 MR. McENERNEY: Is that generating any  
3 real money?

4 MR. CHARLES: It has.

5 MR. McENERNEY: Thank you very much.

6 PRESIDENT RICHARDSON: Commissioner  
7 Mercado.

8 COMMISSIONER MERCADO: How are the  
9 federal inmates housed? Are they housed  
10 separately --

11 MR. CHARLES: They are. They have a  
12 separate processing when we take them in booking.  
13 We then process them and everyone goes to a  
14 quarantine process of 5 days. Then they're put in  
15 the dorms, which is building 5, we call it  
16 building 5. So it's separate than where the  
17 County inmates are and general populations.

18 COMMISSIONER MERCADO: Cool.

19 COMMISSIONER JOHNSON: One question, Mr.  
20 President.

21 PRESIDENT RICHARDSON: Commissioner  
22 Luciano, then Commissioner Johnson.

23 COMMISSIONER LUCIANO: Thank you, Mr.  
24 President.

25 Mr. Director, I did have a couple



1 questions, more for the chief of staff. So our  
2 federal inmates, they're separate from our county  
3 inmates, correct?

4 MR. CHARLES: Correct.

5 COMMISSIONER LUCIANO: And I'm assuming,  
6 Delaney Hall, is that where they're kept?

7 MR. CHARLES: No, they're --

8 COMMISSIONER LUCIANO: No, just separate  
9 in the --

10 MR. CHARLES: Separate in the jail. We  
11 call it building 5 in the jail, which is the  
12 dorms.

13 COMMISSIONER LUCIANO: I got you. So  
14 then do they have the same restrictions as to how  
15 long they can stay? I know the county, you can  
16 only be there, what, 364 days? Then you had to go  
17 on to state prison?

18 MR. CHARLES: Correct.

19 COMMISSIONER LUCIANO: So what happens  
20 with the federal inmates? Can they stay on for  
21 years?

22 MR. CHARLES: They can, yes. That's all  
23 decided by the federal court system or if the  
24 federal marshal wants to transfer them out for a  
25 particular reason to another facility.

1           COMMISSIONER LUCIANO: Maybe I missed it  
2 and I'm sorry if I did, through you, Mr.  
3 President. About how many in total can we house?  
4 I mean what is our capacity for that?

5           MR. CHARLES: Up to about 950 in that  
6 area. We have about 725 today.

7           COMMISSIONER LUCIANO: Thank you.

8           PRESIDENT RICHARDSON: Commissioner  
9 Johnson.

10          COMMISSIONER JOHNSON: Yes, I heard, Mr.  
11 Director, I heard you mention in your report about  
12 the Ambrose report. Did any of my colleagues or  
13 any of us receive a copy of that Ambrose report?

14          MS. DAVIS FORD: Yes.

15          COMMISSIONER JOHNSON: I never got it.

16          COMMISSIONER COOPER: We can get it to  
17 you, we all got it.

18          COMMISSIONER JOHNSON: I never got it.

19          COMMISSIONER COOPER: If I may?

20          PRESIDENT RICHARDSON: Wait a second.  
21 Were you done?

22          COMMISSIONER JOHNSON: Yes.

23          PRESIDENT RICHARDSON: I'm sorry.

24          COMMISSIONER COOPER: I was going to  
25 respond to that. We had a meeting, a hearing

1 about it about a month ago. So we got that  
2 report, I think you were out.

3 COMMISSIONER JOHNSON: Okay.

4 PRESIDENT RICHARDSON: We'll make sure  
5 you get one.

6 COMMISSIONER JOHNSON: Thank you.

7 PRESIDENT RICHARDSON: No problem.

8 COMMISSIONER JOHNSON: I was going to  
9 request it.

10 PRESIDENT RICHARDSON: You did.

11 MR. CHARLES: It's also -- we put it on  
12 our website for the public to see as well.

13 PRESIDENT RICHARDSON: Commissioner  
14 Cooper.

15 COMMISSIONER COOPER: Thank you, Mr.  
16 President.

17 Director, speaking of the Ambrose  
18 report, it had a couple recommendations in it  
19 related to equipment and staffing changes. Does  
20 this budget include anything -- I can't remember  
21 if you -- I don't think you had done everything  
22 during the time of our meeting. I think there was  
23 some things that you were still looking to do, are  
24 those things baked into the budget?

25 MR. CHARLES: Yes. The Ambrose report

1 was detailed -- as far as supervisors, so this  
2 budget reflects the increase in what the Ambrose  
3 report recommends and what I recommend as well.

4 COMMISSIONER COOPER: It also talked  
5 about equipment, cameras and something. Did you  
6 install all of those cameras?

7 MR. CHARLES: All the cameras, the  
8 upgrades have been done, and have been completed  
9 in the facility.

10 COMMISSIONER COOPER: Okay. When  
11 looking at your personnel summary, I don't see a  
12 break out for specifically folks who have a mental  
13 health kind of background. I'm just thinking  
14 about the comments from you and from the Chief  
15 Phil Alagia who talked about how you have  
16 recognized more and more of the inmates coming in  
17 are experiencing mental health issues. And I know  
18 you recently hired director Vega and some other  
19 people.

20 Have you built in meant health staffing,  
21 mental health programing to help capture some of  
22 the challenges that you're seeing with the  
23 inmates?

24 MR. RAMOS: We have in this budget, as  
25 well as CFG has hired more mental health

1 professionals as well from the medical and  
2 clinical side. But this budget also has built in  
3 extra staffing that deals with the counseling,  
4 that deals with training.

5 We're also working with Rutgers  
6 University and the civilian task force. Actually,  
7 we're producing a training video for officers to  
8 be used throughout the United States on jails and  
9 prisons and identifying mental health signs in  
10 prisoners. So that's something we're very proud,  
11 to be like on the forefront on. And that's coming  
12 out of the task force.

13 COMMISSIONER COOPER: All the staff will  
14 be trained with that?

15 MR. CHARLES: Yes.

16 COMMISSIONER COOPER: How many mental  
17 health staff is there now?

18 MR. CHARLES: We have Dr. Vega there.  
19 From the corrections side, we have four counselors  
20 and Doctor -- I'll defer to Dr. Ansett on the  
21 clinical people.

22 DR. ANSETT: How do you, Commissioners?  
23 Dr. Ansett, I'm the medical director. So we do  
24 have a mental health -- I'm trying to --

25 COMMISSIONER MERCADO: I didn't

1 recognize you with your mask, Doctor.

2 DR. ANSETT: I see a lot more folks with  
3 COVID than you guys do.

4 We have a mental health director, Dr.  
5 Fleming, who's now been seasoned, he's been there  
6 about five years now, he's the director and he has  
7 a full time psychiatrist and a full time  
8 psychiatric nurse practitioner, and then two part  
9 time psychiatric nurse practitioners, along with  
10 four master's level counselors that are there that  
11 work to basically start to capture those patients  
12 in terms of their pathology from the door. So the  
13 nurses are trained, even the nonpsychiatric  
14 providers are trained on suicide prevention. In  
15 fact, Dr. Fleming just started a new round of  
16 suicide prevention that goes for the medical staff  
17 and also for the custodial staff. And the  
18 objective is that as our patients are coming in,  
19 we can start to identify immediately who actually,  
20 A, needs to be housed at an another level that's  
21 maybe beyond the scope of the jail. Because we do  
22 get cases that are coming into the facilities that  
23 are actively suicidal. And those patients may  
24 need to go back to crisis. We work with two  
25 affiliated hospitals, University Crisis and also

1 Beth Israel Crisis. If those patients are deemed  
2 at a level where they're lower than hospital level  
3 care, they're placed in our forensic unit.

4 We have right now to date roughly 400  
5 patients that are out of the 2,300 that are there,  
6 that have a bona fide mental health diagnosis. So  
7 the job is big, I think the team could definitely  
8 use some expansion, to say the least. And I know  
9 one of our deputy chiefs, deputy director's  
10 mission is to try to basically blend all the  
11 different teams that are there. Because we also  
12 have a lot of addictions -- because cooccurring is  
13 a real entity at the jail. We have roughly 3 to  
14 400 patients that are suffering from addiction as  
15 well. So when you combined those numbers we have  
16 over 500 at any given time that need the care from  
17 the mental health department. So we have a  
18 separate MAT program, medication assistance  
19 therapy, which methadone, Suboxone, Vivitrol, and  
20 some other meds that we use.

21 But we're finding as we delve deeper  
22 into this that the scope of care that we need  
23 is -- needs to be expanded. And that the staffing  
24 and the personnel also needs to be expanded as  
25 well.

1 COMMISSIONER COOPER: Thank you.

2 Director Charles, thank you for  
3 stabilizing the jail and growing it and working  
4 with Phil to implement - because I know I haven't  
5 gotten as many complaints as I got like a year  
6 ago. So I think that's a really good thing, you  
7 know. So thank you for keeping up that good work.

8 MR. CHARLES: Thank you.

9 PRESIDENT RICHARDSON: Mr. McEnerney.

10 MR. McENERNEY: I have just one last  
11 question. Just give us an update on overtime. I  
12 know it's been reduced substantially.

13 MR. CHARLES: So at the start of my  
14 appointment in August, I took a look at the  
15 overtime. We had a staffing analysis done. We  
16 put a tiered system of restrictions or reforms on  
17 managing the overtime. And we are looking at --  
18 if you compare the first month of January of last  
19 year, we're looking at about a 49.8 percent  
20 reduction in the overtime.

21 MR. McENERNEY: You think you can  
22 maintain that through the balance?

23 MR. CHARLES: That is the goal. Unless  
24 something drastic happens, I believe we can, yes.

25 MR. McENERNEY: Thank you very much,



1 Director.

2 PRESIDENT RICHARDSON: Any other  
3 questions or comments? Any other budget  
4 questions? Or comments?

5 Hearing none, thank you so much for  
6 coming in.

7 MR. CHARLES: Thank you, Mr. President.

8 COMMISSIONER MERCADO: Thank you,  
9 Director.

10 PRESIDENT RICHARDSON: Have a good  
11 night.

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**BOARD OF COMMISSIONERS AND ADMINISTRATION:**

MR. McENERNEY: Mr. President, with regard to the Board of Commissioners and the Clerk of the Board budgets, they remain very much in line with how they have been in the past. Obviously, there's nine commissioners that are budgeted for. We still keep the same level amount of commissioner aides per Commissioner, so those are budgeted for.

The only thing I would say is that it really begs the Commissioners from time to time to look to make sure that they're maximizing their allocations. Because there's plenty of times throughout the end of the year, I might see that see that some of you have not. So there is opportunity there sometimes, to make sure that all those positions are filled, those commissioner aide spots.

With regards to the Clerk's budget, I won't speak for the Clerk, but I will say that's -- it's pretty much the same as it's been in prior years, although we will have a retirement in 2023. In addition, there are some other expenses that are being shifted to the

1 Commissioner's budget, that is the entertainment  
2 budget, which we're working with the  
3 administration on now that the Board of  
4 Commissioners will be responsible from their end  
5 of hiring an entertainment consultant so that he  
6 can go out and hire those entertainment groups  
7 that are required at the various festivals and  
8 commemorations that the Commissioners conduct  
9 annually. That's pretty much it.

10 COMMISSIONER SEBOLD: I have a question,  
11 it's not in this book.

12 MR. McENERNEY: Not yet, no.

13 COMMISSIONER SEBOLD: Will we get a copy  
14 of what you're talking about?

15 MR. McENERNEY: No, it's in the book.  
16 As far as the change --

17 COMMISSIONER SEBOLD: It's in here?

18 MR. McENERNEY: I believe so, yeah.

19 COMMISSIONER SEBOLD: Where is it?

20 MR. McENERNEY: Legislative office,  
21 number 3.

22 COMMISSIONER SEBOLD: 3.

23 MR. McENERNEY: If anybody has any  
24 questions.

25 PRESIDENT RICHARDSON: Any questions or

1        comments?    Hearing none, good.

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**ADJOURNMENT :**

PRESIDENT RICHARDSON: Motion to  
adjourn.

COMMISSIONER MERCADO: So moved.

VICE PRESIDENT POMARES: Second.

PRESIDENT RICHARDSON: All in favor?

(All Board Members indicate in the  
affirmative.)

PRESIDENT RICHARDSON: Thank you,  
everyone, for your participation in the budget  
hearings for 2023. And good job, everyone.

(Whereupon the meeting was adjourned at  
7:35 p.m.)

C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as taken stenographically by me at the time, place, and on the date hereinbefore set forth.

A handwritten signature in blue ink, reading "Susan Bischoff". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

SUSAN BISCHOFF, CCR, RPR  
LICENSE NO. 30XI00233700