
Commission Meeting

of

NEW JERSEY COMMISSION ON CAPITAL BUDGETING AND PLANNING

LOCATION: Committee Room 11
State House Annex
Trenton, New Jersey

DATE: December 16, 2005
10:00 a.m.

MEMBERS OF COMMISSION PRESENT:

B. Carol Molnar, Chair
Anthony F. Annese, Vice Chair
Assemblyman Joseph Cryan
Assemblyman Guy R. Gregg
Patrick R. Brannigan
Gary Brune
A.J. Sabath



ALSO PRESENT:

Patrick Mulligan
(Representing John E. McCormac)

Michael Lihvarcik, Executive Director
New Jersey Commission on Capital Budgeting and Planning

Meeting Recorded and Transcribed by
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B. CAROL MOLNAR (Chair): I'd like to call the meeting to order.

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

Before we take the roll, I'd like to welcome Patrick Mulligan, who is here on behalf of the Treasury; and also to announce that one of the public members, Robert Roth, has resigned effective December 1, 2005.

We'll now take the roll call.

MR. LIHVARCHIK: Senator Littell. (no response)

Senator Bryant. (no response)

Assemblyman Cryan. (no response)

Assemblyman Gregg.

ASSEMBLYMAN GREGG: Here.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Here.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Here.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Here.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Here.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Here.

MR. LIHVARCHIK: Chairwoman Molnar.

MS. MOLNAR: Here.

MR. LIHVARCHIK: Madam Chair, you have a quorum.

MS. MOLNAR: Thank you.

The next item is the Executive Director's Report.

MR. LIHVARCHIK: Madam Chair, we provided to the committee members a summary of the recommendations, comparing Fiscal '06 and Fiscal '07. When developing the Fiscal '07 capital recommendations, we basically have used the same criteria that we've used the past several years. And our recommendations focused primarily on programs that are supported by dedicated or mandated funding sources, requests that funded critical life-safety projects, and requests that required a State match to draw down Federal funds.

Regarding the programs that required mandatory funding, primarily constitutionally dedicated sources, these particular programs totaled \$983 million in Fiscal '06, and increased to \$1.027 billion -- \$1.028 billion in Fiscal '07. The reason for the increase is the fact that several of these programs are funded from the corporate business tax, and they are based on a percentage of the tax. So as the tax increases, the amount appropriated to those programs will increase correspondingly.

Regarding the discretionary funding-- In Fiscal '06, the Commission recommended \$68 million worth of discretionary funding. And in '07, we're recommending \$103 million. And, again, these are all for critical life-safety projects that the Commission felt were definitely needed.

We've also provided the Commission members with a brief summary of all the projects that were recommended, as part of the package today. And with that, that concludes my report.

MS. MOLNAR: Thank you.

Last year, we voted department by department. If that's all right with the members, I'd like to do that process this year. So if there's no other questions or comments, I will move to the first department.

The Department of Agriculture-- We're recommending 250 -- \$250,000 -- I'm sorry -- for the chromatographic diagnostic equipment.

MR. LIHVARCHIK: Madam Chair, I'm sure the Department would have been very happy if we were to recommend the \$250 million.
(laughter)

MS. MOLNAR: Yes. I had to think twice.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Madam Chair.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion passes.

MS. MOLNAR: Thank you.

The next department is the Department of Corrections, \$13 million: \$8 million for the South Woods State Prison, \$3 million for the trailer units, and \$1 million for fire safety, and another \$1 million for the locking systems.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Madam Chair.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Thank you.

MR. LIHVARCHIK: And if I just may add one thing to Assemblyman Gregg's previous question about trying to recoup damages against the contractor, I would just like to state to him that the Building Authority is in the process. And that has been taken seriously. And Mr. Chianese is intimately involved with that.

ASSEMBLYMAN GREGG: Thank you.

MR. LIHVARCHIK: You're welcome.

MS. MOLNAR: It's mentioned in the summary, too, that the State is considering legal action against the contractor.

Next department is the Department of Education, \$2.45 million: \$1.6 million for the Katzenbach School, \$350,000 also for the Katzenbach School strobe lights, and \$500,000 for fire suppression.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Chairwoman Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: The motion passes.

MS. MOLNAR: Thank you.

Next department is DEP, Department of Environmental Protection. A lot of this is mandated. We're recommending \$130.052 million: \$35 million for hazardous waste, \$16 million for underground tanks, \$25 million for brownfield remediation, diesel emissions is \$21 million; and then \$25 million for shore protection, and flood control is another \$5 million, approximately. These are all approximate numbers.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Chairwoman Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Next department is the Department of Health and Senior Services. They asked for \$2 million, and we're recommending zero at this time, due to budget constraints. And there is a balance in the laboratory service accounts for some laboratory equipment.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Madam Chair.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Thank you.

Next department is the Department of Human Services, for \$49 million. Now, there's some new pieces. I'm sorry, that stayed the

same. Ten million for the statewide automated information system, \$5 million for the sewer connection, and \$4 million for underground water lines at Hunterdon, and \$30 million for the HVAC at seven developmental centers.

Any questions or comments?

ASSEMBLYMAN GREGG: Madam Chair.

MS. MOLNAR: Mr. Gregg.

ASSEMBLYMAN GREGG: Thank you, Madam Chair.

On this specific recommendation-- While I agree with at least three out of the four, I still have concerns about the sewer connection. And I wanted to publicly, at least, make a statement. I will support the total package, but I have read the information that we received on the sewer. It's obvious that there needs to be some correction here. We don't want a failing system. But I do hope that, with the recommendation, we do look at the fees that the Camden MUA will be charging the facility. And I still think that needs to be reviewed. I did read the material. It just seemed that the material stated that that is customary and appropriate. It may be customary and appropriate for the private sector, but I'm not so sure it should be customary and appropriate for the public sector, seeing as how much money the State of New Jersey already contributes to the economy of Camden. So with that statement on the record, I will vote in support of this.

Thank you.

MS. MOLNAR: That's a good point. Perhaps it's negotiable down the road -- what they can charge for fees.

Any other questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: I'd like to welcome Assemblyman Cryan.

And we'll start with him.

Assemblyman Cryan.

ASSEMBLYMAN CRYAN: We're on Human--

MR. LIHVARCHIK: This is for Human Services.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Chairwoman Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Thank you.

As part of the Department of Human Services, I want to publicly thank Jim Davy for his fabulous job during his tenure as Commissioner. I'm sure we'll all miss him.

The next department is the Department of Law and Public Safety. We're recommending \$3.2 million: \$1.4 million is for HVAC, and \$1.8 million is for an emergency operations center.

Any questions or comments? (no response)

If not, we'll take a vote.

DANIEL W. FOSTER: Madam Chair, may I?

MS. MOLNAR: Yes, sure.

MR. FOSTER: I just want to make one correction to that, if I can.

MS. MOLNAR: Okay.

MR. FOSTER: When you talk about the million--

MS. MOLNAR: Can you give your name for the stenographer?

MR. FOSTER: I'm sorry.

My name is Dan Foster, from the Office of the Attorney General.

I just want to clarify, in the write-up, the \$1.8 million is not for the emergency operations center. It's just labeled incorrectly. And if it gets labeled in the Appropriations Handbook that way, we would have a difficult time using the money.

MS. MOLNAR: Good.

MR. FOSTER: If I could just get that corrected--

MS. MOLNAR: What would be a good label for this Priority 3 other than generators?

MR. LIHVARIK: Excuse me, Madam Chair, if I may.

Mr. Foster, we provided the Commission with a revised listing of the projects, in which that title was corrected.

MS. MOLNAR: What's the new title? Do you remember?
It's called electrical upgrades.

Thank you for clarifying that, Mr. Foster.

MR. FOSTER: Thank you.

MS. MOLNAR: We'll take a vote.

MR. LIHVARCHIK: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Ms. Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, we have a unanimous vote.

MS. MOLNAR: Thank you.

The next department is the Juvenile Justice Commission.
We're recommending \$3 million: \$500,000 for suicide prevention,

\$500,000 for critical repairs to facilities, and fire safety initiatives for \$2 million.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Ms. Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion passes.

MS. MOLNAR: Thank you.

The Department of Military and Veteran Affairs -- \$2.89 million: \$1.9 million for roof replacements, \$590,000 for fire suppression, and \$400,000 for emergency generators.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Ms. Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Thank you.

Next department is the Department of State. We are not recommending anything at this time. There are some funds available from an interdepartmental account.

We'll take a vote.

MR. LIHVARCHIK: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Ms. Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Thank you.

Next is Higher Ed. We are not recommending anything at this time. In prior years, there have been some appropriations from some bond issues, etc.

Any discussion? (no response)

If not, we'll take a vote on that recommendation.

MR. LIHVARCHIK: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Ms. Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Thank you.

State Library, Thomas Edison State College-- We are not recommending anything at this time. There may be funds available from the interdepartmental account.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Ms. Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Thank you.

Department of Transportation -- we're recommending \$805 million, which is basically for debt service.

Any questions or comments? (no response)

If not, take a vote.

MR. LIHVARCHIK: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Ms. Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: The motion carries.

MS. MOLNAR: Department of Treasury, OIT--

Now, there was a revision here. We're recommending \$10 million: \$2 million for the Garden State Network, \$6.5 million for OARS, and \$1.5 million for critical facility preservation projects -- slight change from the prior handout.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Ms. Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Thank you.

Interdepartmental accounts -- we're recommending \$111.575 million. There is a piece on there for the New Jersey Building Authority. But we are voting on the \$111 million, which is open space and statewide capital projects.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Ms. Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Thank you.

Judiciary-- The Judiciary has been asking for this every year. I think we recommended some money last year. This year we're recommending \$825,000 to begin upgrading walls and partitions in the Justice Complex.

Any questions or comments? (no response)

If not, we'll take a vote.

MR. LIHVARCHIK: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Yes.

MR. LIHVARCHIK: Assemblyman Gregg.

ASSEMBLYMAN GREGG: Yes.

MR. LIHVARCHIK: Mr. Sabath.

MR. SABATH: Yes.

MR. LIHVARCHIK: Mr. Brune.

MR. BRUNE: Yes.

MR. LIHVARCHIK: Mr. Brannigan.

MR. BRANNIGAN: Yes.

MR. LIHVARCHIK: Mr. Mulligan.

MR. MULLIGAN: Yes.

MR. LIHVARCHIK: Mr. Annese.

MR. ANNESE: Yes.

MR. LIHVARCHIK: Ms. Molnar.

MS. MOLNAR: Yes.

MR. LIHVARCHIK: Madam Chair, the motion carries.

MS. MOLNAR: Thank you.

I believe that's all the departments.

Under other business, it's been brought to my attention we may have to meet in January because of the Building Authority project that we will have to vote on. So we will keep you posted.

Is there anything else?

MR. LIHVARIK: The only thing that I would like to say-- I would like to thank the Departments for their contributions and the timely updates that they provided when we asked for additional information.

And the other thing I would like to do is extend a very heartfelt thank you to Mr. Thor Woronczuk, of OMB. This year, basically, he was the Commission staff. He put together recommendations, he put together the meetings. We were supposed to have coffee today, and it was found out that they didn't remember, even though he did order it. So don't shoot anybody for that one.

But I would just like to sincerely thank him for all his hard work, that I really don't think gets noticed, in dealing with setting up all the meetings, and asking the Department's for the information, putting together the plans, putting together the mailings.

So, again, I would just like to say thank you very much.

MS. MOLNAR: On behalf of the Commission, Thor, we'd all like to thank you.

Last but not least, I want to wish you all a Merry Christmas, and a happy holiday, and a safe holiday. Hopefully we'll see you all in January.

Any other business? (no response)

Meeting adjourned.

(MEETING CONCLUDED)