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TOWNSHIP OF NUTLEY, NEW JERSEY
BOARD OF COMMISSIONERS

PUBLIC MEETING) TRANSCRIPT OF
) PROCEEDINGS
)

March 10, 2017

BOARD OF COMMISSIONERS BUDGET WORKSHOP MEETING

BEFORE:

- Commissioner Steven L. Rogers
- Commissioner Mauro G. Tucci
- Commissioner Thomas J. Evans
- Commissioner Alphonse Petracco
- Mayor Joseph P. Scarpelli
- Township Clerk
- Raymond Sarinelli, CPA, Township Auditor
- Rosemary Costa, CFO Treasurer

Job No. VTNJ 2540167

Transcribed by: Pamela A. Skaw

P R O C E E D I N G S

1
2 MADAM CLERK: Board of Commissioners Budget
3 Workshop Meeting, Friday, March 10th, 2017. The time is now
4 9:23.

5 Pursuant to the requirements of the Open Public
6 Meeting Act, Chapter 231, Public Law, 1975, notice of this
7 meeting was published in the March 2nd, 2017 issue of The
8 Nutley Sun.

9 A copy of this notice has been posted on the
10 Nutley Town Hall bulletin Board and a copy is on file in the
11 Municipal Clerk's office.

12 Commissioner Rogers?

13 COMMISSIONER ROGERS: Here.

14 MADAM CLERK: Commissioner Tucci is not here yet.

15 Commissioner Evans?

16 COMMISSIONER EVANS: Here.

17 MADAM CLERK: Commissioner Petracco?

18 Commissioner Petracco: Here.

19 MADAM CLERK: Mayor Scarpelli?

20 MAYOR SCARPELLI: Here.

21 MADAM CLERK: All present, Mayor, except for
22 Commissioner Tucci and we also have Ray Sarinelli, our
23 Township Auditor and Rosemary Costa, our Treasurer.

24 MAYOR SCARPELLI: Thank you everybody.

25 This is our annual budget workshop and I'm going

1 to turn it right over to Commissioner Evans.

2 COMMISSIONER EVANS: Thank you. And I'm going to
3 -- in front of you, you have the budget recap summary which
4 is in draft as well as other documents particular to your
5 department and the Township overall.

6 In the interest of the time, I'm going to flip it
7 right over to Ray Sarinelli to walk you through and give you
8 basically a summary viewpoint as to where we are at this
9 point in time.

10 This isn't the budget for introduction. This is
11 clearly our first look at it and that we have time to
12 continue to work through these numbers before we hit the
13 introduction. And, right now, we're slated to introduce
14 March 21.

15 So, with that; Ray.

16 MR. SARINELLI: Sure.

17 So, just to stay on the dates that
18 Commissioner Evans had mentioned, you know, I know you've
19 all individually been working on your own departmental
20 budgets. But this is the first chance that you've had to
21 look at how all those budgets come together and how they
22 impact the tax rate and other -- the impact to a taxpayer.

23 So, the plan would be, you know -- so, this is the
24 start of the process. But, from here forward, it's a pretty
25 short time window because you're looking to introduce the

1 budget by March 21st which would need -- mean, pretty much
2 any changes would need to be back to Roe (ph) by next week,
3 by next Wednesday, March 15th.

4 The plan would be to introduce on March 21st and
5 then adopt the budget on April 18th. That meets all of the
6 statutory requirements.

7 COMMISSIONER EVANS: Just raise a clarification.
8 Given the fact that we get transitional aid, our adoption
9 date, it would not be April. It's -- it will probably be
10 closer to the end of May, beginning of June, like it was last
11 year.

12 MR. SARINELLI: Right.

13 COMMISSIONER EVANS: Until -- because we won't get final
14 approval from the DCA to adopt until that time.

15 MR. SARINELLI: So, I'll change that to say that
16 your hearing date will be April 18th and then your adoption
17 date will be pending final approval of the division on your
18 actual transitional aid

19 COMMISSIONER EVANS: Yeah.

20 MR. SARINELLI: -- (inaudible) amount.

21 COMMISSIONER EVANS: I would agree to that.

22 MR. SARINELLI: Okay.

23 So, just to kind of summarize up the numbers that
24 you have here because I know you're looking at all of these
25 for the first time today, across the top, Rosemary has

1 allocated that inside outside cap grants and overall
2 increase by individual commission and the reserve for
3 uncollected taxes.

4 I think what -- where I wanted to spend the time
5 focusing on what I think you -- what I believe you feel is
6 most important and I'll go to the front page in the bottom,
7 left hand corner where it says the budget increase.

8 So, the budget increase in expenses right now is
9 1,462,000. The budget increase net, of course, is offset by
10 when we reduce the revenue side by 15 percent, we reduce the
11 payout by 15 percent as well and that brings down the total
12 impact to the tax levy to one million seven sixty-three and
13 then that's broken -- we broke that down, maybe for the
14 first time, into what makes up the increase in taxes to the
15 average taxpayer.

16 So, right now, you're at 4.544 percent, the tax
17 levy, which I think, you know, with some effort you'll get
18 to a better position than that. But, right now, the budget
19 increase gross, which is one million three thirteen. If you
20 look to the right bottom corner of the front page, you'll
21 see the major areas of increase and decrease.

22 So, it talks about the -- you know, the top two
23 lines (indiscernible) police and fire, are four hundred and
24 eighty-nine thousand and two forty-six. Other salaries and
25 wages, there's a reduction of fifteen thousand.

1 Passaic Valley Sewer is down ninety-three thousand. The
2 library appropriation is up thirty-two. The two pensions are
3 up about eighty thousand.

4 Other insurances are up a hundred and ten
5 thousand. Group insurance is at four hundred and sixty-six
6 thousand. Utilities are up twenty. Debt service is down
7 fifty-seven thousand.

8 Reserve for uncollected taxes is up eighty-four
9 thousand. And, then, other increases (inaudible) that don't
10 fit into those categories are down about forty-nine
11 thousand.

12 So, that net one million three thirteen increase
13 in expenses, if we come back over to the change in tax --
14 taxes to the average taxpayer, right now, would create a
15 hundred and twenty-eight dollar, twenty-five cent increase
16 to an average taxpayer.

17 The reason the increase to a taxpayer would be for
18 other reasons would include the 15 percent reduction in the
19 municipal transition aid.

20 So, generally, depending on, you know, how much we
21 can influence the process in Trenton, the division's
22 position has always been that transition aid is to
23 transition you from a bad position to a better position and
24 that they want to take away 15 percent of your aid each
25 year.

1 Now, some years you've avoided that. But, you
2 know, trying to follow the rule that we set (inaudible) loss
3 of -- the net loss of the aid of two hundred and ninety-one
4 thousand would cause a \$28.59 increase.

5 Then, because there were about a half a dozen
6 revenues that were reduced in 2017 -- 2016 to 2017,
7 basically, because they don't exist any longer, that also
8 caused an increase net of a hundred and fifty-eight thousand
9 or \$15.62.

10 So, right now, before you, you know, start
11 adjusting budgets, et cetera, and even though you have a
12 short time to do it, the average taxpayer would see a \$172
13 increase assuming there would be a 15 percent reduction in
14 State aid.

15 And, then, I guess, Commissioner Evans was going
16 to talk about some individual lines and details of the
17 budget. But that's in summary where we're at, that, you
18 know, there can be spending increases primarily where the
19 largest part of the impact is to the taxpayer at this point.

20 COMMISSIONER EVANS: So, I'll just add and then we
21 can have some discussions. We have an opportunity to do
22 some work to try and improve what that increase is. When we
23 look at this one seventy-two, that's the municipal portion
24 of the tax rate. We -- to get the full tax rate, you have
25 to add the school and the county to that, which we don't

1 have those numbers yet. So, we're -- so, just on the
2 municipal side, it's looking at a \$172 increase per average
3 household for that house that's around 325,000 of assessed
4 value; all right?

5 So, there's more work to be done on this. As you
6 can see, that the -- there's targeted areas which, I think,
7 and as Commissioner Petracco, as we were talking last night,
8 I think we can fine tune the public safety numbers a bit.

9 I think when Mauro gets here, I think there's an
10 opportunity to discuss how we could take a finer look at the
11 group insurance areas to see if we can, you know, trim those
12 numbers and --

13 COMMISSIONER PETRACCO: Does this reflect the three
14 percent that I budget --

15 COMMISSIONER EVANS: Yes.

16 COMMISSIONER PETRACCO: -- okay.

17 COMMISSIONER EVANS: I believe so. Just as we
18 discussed, I think we can do work to address that --

19 COMMISSIONER PETRACCO: Uh-huh.

20 COMMISSIONER EVANS: -- with Roe and I think we
21 can, you know, tune that up a bit which would lower the
22 overall appropriation.

23 I think the thing to keep in mind is that with the
24 State, I've been back and forth with them quite a bit and
25 they were very clear, based upon local finance board

1 guidance, that we can anticipate, in our budget, eighty-five
2 percent of what we received the prior year. The total
3 exposure for the Township, not just the municipality, is a
4 potential loss of aid of about \$825,000 at this point.

5 The municipal portion of that is 291,000. The
6 county and school portion of that is 533,000. So, there's a
7 -- there's -- it's important for us to understand is that
8 while our aid is not a final number and, remember we did
9 this last year, and we anticipated eighty-five percent and
10 over the forward-looking months, we were able to continue
11 our negotiations to receive the full amount of our aid.

12 You know, recognizing that, you know, the stance
13 for Roche, you know, hasn't really changed that much year
14 over year, that we have a good position to argue it out with
15 the State and, now, would be -- not -- would not be a time
16 to cut that aid.

17 So, we're going to continue to work very hard on
18 trying to make sure we achieve the result we want which is
19 to recoup that eight hundred and twenty-five that we're not
20 able to anticipate today. So, it's out of the budget for
21 introduction. My hope is that we will be able to have it
22 there included by the time we ultimately get approval to
23 adopt.

24 I think there's some things that we have to
25 consider as well is that if there is a reduction in aid,

1 this municipal portion, roughly \$29 on average to a
2 taxpayer, that after -- it'll take some time, so we don't
3 have to do it before we introduce, but, before we adopt, we
4 should do everything we can to look at our budgets and find
5 a way to absorb that and not pass that increase onto the
6 taxpayers automatically.

7 We should figure out how much of that exposure we
8 can absorb and tighten our belts around in order to achieve
9 (indiscernible) increase to the -- to the homeowner.

10 The same thing with the revenues; all right?
11 There are certain revenue areas that we no longer have the
12 ability -- it's not a year over year thing. It's just the
13 revenue is -- the revenue stream is now completed. We no
14 longer have that. So, that would actually be passed on to
15 the taxpayers and I would include that 158,000 in that same
16 pool that says, before we actually adopt the budget, we
17 should be looking for ways to see how we would absorb those
18 costs and avoid that increase to the taxpayers.

19 You know, we've had a lot of discussions about,
20 you know, the spiral is -- it can't be a never-ending
21 spiral. We have to take a hard look and find ways to
22 moderate that increase.

23 When you are dealing with, for example, right now,
24 you know, almost a \$570,000 increase in our insurance costs,
25 right, that's very hard to absorb in the normal course and

1 the taxpayers feel the burden of that. And we have these
2 outside those areas, areas where we have an opportunity to
3 tighten -- to look at them, we should do our best to avoid
4 passing that on to the taxpayer.

5 So, the 172 is a starting point. Based upon the,
6 I believe, the negotiations that will continue to go on with
7 the State, I hope to reduce that 825 or eliminate it -- it's
8 exposure completely. But to the event that it is, there's
9 going to be some number that we should all be thinking about
10 that as we go forward, how would we absorb that and not pass
11 it on to the taxpayers to the extent that that's possible.

12 So, I think those are just some of the risk areas
13 that are in the budget that we face today and that, while we
14 have some fine tuning to do for introduction, I think there
15 is a potential of a lot more work to do before we adopt.

16 So, with that, you know, any -- I'll just turn it
17 over for open discussion with Roe and Ray and myself.

18 COMMISSIONER PETRACCO: I'm just looking at this
19 first page what the municipal prosecutor, board of
20 adjustment, our town attorney, what -- I just want to know
21 if I'm reading this correctly. Like this is a change for
22 the municipal prosecutor, 3.59 percent. So, in 2016, the
23 salary was \$54,060 and today it's \$56,000.

24 And, then, I see, as I go down, the Planning
25 Board, I'm assuming this is attorney also, it went from

1 \$33,660 down to \$33,000. Then we have rent, our town
2 attorney, what is changing those numbers? I mean, why are
3 they being changed?

4 COMMISSIONER EVANS: Mayor's Office.

5 MAYOR SCARPELLI: It's based on what their
6 salaries are.

7 COMMISSIONER PETRACCO: What do you mean?

8 MAYOR SCARPELLI: What was budgeted last year may
9 not have covered some of their salary.

10 (Pause)

11 COMMISSIONER PETRACCO: Did their salaries go up
12 or down?

13 MAYOR SCARPELLI: Their salaries haven't changed
14 but some of the -- the way they were paid, so we had to
15 adjust for that.

16 COMMISSIONER PETRACCO: Oh.

17 MAYOR SCARPELLI: Some of the coverage.

18 COMMISSIONER PETRACCO: What do you mean coverage?

19 MAYOR SCARPELLI: There was some coverage issues
20 with some of these. So --

21 COMMISSIONER PETRACCO: Benefits or --

22 MAYOR SCARPELLI: (Indiscernible) benefits. You
23 look at the overall -- the overall, it's gone down.

24 COMMISSIONER PETRACCO: Well, that's my question.
25 Why has some gone down and why has some gone up? That's

1 what I don't understand.

2 MAYOR SCARPELLI: Based on their salaries.

3 COMMISSIONER PETRACCO: So, if you have a salary
4 of \$54,060 in 2016 for a prosecutor, why would it go up to
5 56,000? Are they getting a raise -- are they getting a
6 raise?

7 MAYOR SCARPELLI: No one's getting a raise.
8 (Indiscernible) a raise. But we just looked at it and we
9 adjusted accordingly. But, the bottom line is, that the
10 Mayor's budget's less.

11 COMMISSIONER PETRACCO: I don't -- I just -- I'm
12 not understanding the -- I'm not following it. What would
13 drive it to change it?

14 COMMISSIONER EVAN: A discussion, a negotiation
15 with the prosecutor comparative of whatever his salary is
16 that would go on -- just as you would make a --

17 COMMISSIONER PETRACCO: But he's saying they
18 didn't get a raise. Nobody's salary has changed.

19 COMMISSIONER EVANS: Well, it -- I'm not sure why
20 -- I don't have the detail and we don't have the detail here
21 to explain why the 54 became the 66 other than it's an
22 increase in salary, right? The obvious thing is --

23 COMMISSIONER PETRACCO: But you're saying it's not
24 an increase.

25 MAYOR SCARPELLI: No increase in salary.

1 COMMISSIONER EVANS: So, something last year,
2 right, giving the timing or something related to his salary
3 or the paying of his salary caused it to be less. The base
4 salary may have been fully 56,000 but the payout against it
5 last year was only 54.

6 I don't know why it was only 54. But --

7 MAYOR SCARPELLI: Could have had one less week.

8 COMMISSIONER EVANS: Could be. Could be.

9 MAYOR SCARPELLI: Could have had one less week of
10 pay.

11 COMMISSIONER EVANS: Absolutely. Absolutely.

12 So, just -- I can have Roe get back to you to look
13 at what went on last year. You could look at the
14 difference. But --

15 COMMISSIONER TUCCI: Good morning.

16 MADAM CLERK: Good morning. COMMISSIONER EVANS:

17 -- to create a lower payout. COMMISSIONER

18 PETRACCO: And what is the O&E for

19 all of these positions?

20 (Pause)

21 COMMISSIONER EVANS: Same as --

22 MAYOR SCARPELLI: Incidental costs.

23 COMMISSIONER EVANS: -- the -- or the --

24 MAYOR SCARPELLI: That aren't salary.

25 COMMISSIONER EVANS: -- that are cost to the

1 board. They --

2 COMMISSIONER TUCCI: (Indiscernible).

3 ROSEMARY COSTA: It could be stationary.

4 COMMISSIONER TUCCI: Yes.

5 ROSEMARY COSTA: It could be --

6 COMMISSIONER EVANS: Reproduction plans.

7 ROSEMARY COSTA: -- any -- under contractual
8 -- (inaudible) agreements. It could be any kind of -- any
9 service.

10 MAYOR SCARPELLI: You could probably answer it
11 better.

12 ROSEMARY COSTA: Right.

13 MAYOR SCARPELLI: You had it for four years.

14 COMMISSIONER EVANS: The secretary to the board.

15 MAYOR SCARPELLI: I've only had it a couple
16 months.

17 COMMISSIONER EVANS: The secretary to the board to
18 prepare minutes. The cost of that.

19 COMMISSIONER TUCCI: Oh --

20 COMMISSIONER EVANS: Right?

21 COMMISSIONER TUCCI: But we just --

22 COMMISSIONER EVANS: It could be a part of that.

23 ROSEMARY COSTA: If they're contracted out.

24 COMMISSIONER ROGERS: Oh.

25 COMMISSIONER EVANS: I don't know how they're --

1 (inaudible) various reasons why they're done.

2 COMMISSIONER TUCCI: What was that?

3 COMMISSIONER PETRACCO: Well, just like the
4 Township attorney, \$92,800 for O&E. What would be in that?
5 Do you know, Allen?

6 ALAN GENITEMPO: No idea. I didn't get it.

7 COMMISSIONER PETRACCO: No?

8 (Laughter)

9 ALAN GENITEMPO: I honestly don't.

10 MAYOR SCARPELLI: We get a -- we can get a
11 printout of what was paid last year.

12 MS. COSTA: That would be any kind of legal
13 services that were contractual.

14 COMMISSIONER PETRACCO: So --

15 ALAN GENITEMPO: There were some -- there
16 are some litigation expenses --

17 MS. COSTA: That 3012 account.

18 ROSEMARY COSTA: -- that were paid.

19 MAYOR SCARPELLI: Is the PBA attorney paid out of
20 that?

21 MS. COSTA: (Inaudible) attorney. Yes.

22 COMMISSIONER PETRACCO: So, that's just where that
23 line item falls? So, it's for all legal services, then, the
24 92,000?

25 MS. COSTA: All legal services for the Township.

1 COMMISSIONER PETRACCO: And that's what we were
2 talking about increasing or decreasing. Okay.

3 COMMISSIONER TUCCI: Did we increase these
4 salaries?

5 MAYOR SCARPELLI: No. We were just talking about
6 that. No salaries increased.

7 COMMISSIONER TUCCI: I'm sorry.

8 MAYOR SCARPELLI: Nobody's salary is increased.

9 COMMISSIONER ROGERS: Okay.

10 COMMISSIONER TUCCI: That's not what this says;
11 54, 56; 36, 31.

12 MAYOR SCARPELLI: They said it could be --

13 COMMISSIONER TUCCI: A typo?

14 MAYOR SCARPELLI: No. It could be that there was
15 an extra week this year compared to last year.

16 COMMISSIONER TUCCI: Oh, okay.

17 (Pause)

18 MAYOR SCARPELLI: Any other questions for Ray or
19 Roe or Tom?

20 COMMISSIONER PETRACCO: The only other question
21 that I have is the benefits, the -- that I know were in
22 Commissioner Tucci's budget. I lost my spot but that's
23 going up how much this year?

24 RAY SARINELLI: Pension benefits or health
25 -- which --

1 COMMISSIONER PETRACCO: Health benefits.

2 COMMISSIONER TUCCI: That actually went down.
3 They went down two and a half percent. But Medicare went up
4 25 percent because of the shift.

5 COMMISSIONER PETRACCO: So, Ray --

6 COMMISSIONER TUCCI: Our net out contribution is
7 also less because of that decrease.

8 COMMISSIONER PETRACCO: So, on here, on the first
9 page where it says budget recap, it says group insurance
10 increase \$466,000.

11 COMMISSIONER EVANS: Yep.

12 COMMISSIONER PETRACCO: What is that?

13 COMMISSIONER EVANS: Health.

14 RAY SARINELLI: That's the budgeted increase --

15 COMMISSIONER TUCCI: Yeah.

16 RAY SARINELLI: -- in health insurance line.

17 COMMISSIONER TUCCI: That's when you put them all
18 together; all right? That's what you get. The 25 up, the
19 two and a half down.

20 COMMISSIONER EVANS: Both active and retiring.

21 COMMISSIONER TUCCI: Exactly. Active, retirees,
22 that's --

23 COMMISSIONER PETRACCO: So, that's justified by
24 the number not the rate what we're paying.

25 COMMISSIONER TUCCI: Right.

1 COMMISSIONER PETRACCO: The rate actually came
2 down.

3 COMMISSIONER TUCCI: It's also the opt-outs,
4 people that opt out, that money needs to be in there; all
5 right? And there's also an anticipation in the event that
6 someone has a child, you know, they're status changes, a new
7 employee comes on. So, we need to anticipate that because,
8 if we don't, then we run short until the next year and then
9 we have to prorate it the next year.

10 MAYOR SCARPELLI: We should have an employee come
11 on as -- yeah, full family benefits.

12 COMMISSIONER TUCCI: Exactly.

13 COMMISSIONER ROGERS: Or somebody has quintuplets.

14 COMMISSIONER PETRACCO: I know that -- yeah. I
15 know that's a big driver of our budget and I know we
16 discussed about these benefits with part-timers. You know,
17 the part-timers are still receiving benefits here.

18 I just want to put on the record that I think that
19 no one should -- if they're part-time now and they have the
20 benefits, they shouldn't lose it. But looking at, you know,
21 where we're going to try to save some money, anybody hired
22 in the future that's part-time, in my opinion, should -- we
23 -- the town shouldn't be paying part-time benefits.

24 In the public industry, we've been hiring part-
25 timers to get away from benefits, paying their benefits.

1 So, why we're still continuing that here is beyond me.

2 MAYOR SCARPELLI: You just to remember that if
3 somebody puts in --

4 COMMISSIONER TUCCI: The point --

5 MAYOR SCARPELLI: -- thirty hours, they're
6 entitled to benefits, at least, so far.

7 COMMISSIONER TUCCI: Well, that's the State's
8 threshold. We need to (inaudible) --

9 MAYOR SCARPELLI: No, no, no. That's the --
10 that's a federal threshold, right?

11 ALAN GENITEMPO: State too.

12 COMMISSIONER TUCCI: State.

13 ALAN GENITEMPO: State, too.

14 COMMISSIONER TUCCI: State. Not federal, yeah.
15 State.

16 But I think --

17 MAYOR SCARPELLI: But I thought -- I thought
18 Obamacare was thirty thousand. If you work thirty --

19 COMMISSIONER TUCCI: I don't know. I didn't read
20 that actually.

21 MAYOR SCARPELLI: -- hours a week, you --

22 COMMISSIONER TUCCI: I don't know what the heck is
23 in that.

24 (Laughter)

25 MAYOR SCARPELLI: I think if you work 30 hours a

1 week, you're entitled to benefits, right?

2 COMMISSIONER EVANS: (Indiscernible) all ours
3 (inaudible) --

4 MAYOR SCARPELLI: Does anybody know that, right?
5 If you work 30 hours a week, you're entitled to benefits.

6 COMMISSIONER EVANS: That's right.

7 UNIDENTIFIED SPEAKER: That's correct.

8 COMMISSIONER EVANS: That's correct.

9 MAYOR SCARPELLI: So, that's why we're very
10 careful with some of our part-time recycling people that
11 they don't put in over 30 hours a week. They only work
12 three days a week.

13 COMMISSIONER EVANS: Right.

14 (Pause)

15 COMMISSIONER EVANS: So -- but I think it's a fair
16 point that says, you know, some of the things that
17 historically have been a historical practice and is
18 automatic, you know, again, and we've all talked at great
19 length about this that there is a need to start thinking
20 differently about how we look going forward. That it
21 shouldn't -- things just shouldn't be automatic.

22 There should be --

23 COMMISSIONER TUCCI: Well, wasn't the State
24 looking at that?

25 COMMISSIONER EVANS: Yep.

1 COMMISSIONER TUCCI: For part-timers. What
2 happened? Did that die or --

3 COMMISSIONER EVANS: Yeah. It's hung up.

4 COMMISSIONER TUCCI: They just --

5 MS. COSTA: I'm not -- no. If I'm not mistaken,
6 State health benefit says you must be a full-time employee
7 in order to be eligible for State health benefits.

8 It's -- it says, you cannot set full-time at less
9 than 25 hours --

10 COMMISSIONER TUCCI: Uh-huh.

11 MS. COSTA: -- but you have within your
12 jurisdiction to determine for a position what is full-time.
13 So, any time from 25 to 30, ACA says 30.

14 COMMISSIONER EVANS: Right.

15 MS. COSTA: So, the 25 to 30 is within your
16 jurisdiction to set what is full-time. Over 30 or more, ACA
17 requires you to provide health benefits.

18 COMMISSIONER PETRACCO: So, what do our full-timer
19 employees work now? How many -- is it a 35 hour work week?

20 MS. COSTA: Well, it depends. Office people are
21 35. Police and fire are 40. And then you can set, within
22 your own jurisdiction --

23 COMMISSIONER TUCCI: Yeah.

24 MS. COSTA: -- what you determine for positions to
25 be full-time.

1 COMMISSIONER PETRACCO: Following the State
2 guidelines of what that is or --

3 MS. COSTA: No. That's you own discretion.

4 COMMISSIONER PETRACCO: -- the municipality.

5 MS. COSTA: It has to be -- in order to be full-
6 time, it cannot be less than 25. It has to be 25 or more.
7 But you have that ability to set that yourself.

8 COMMISSIONER PETRACCO: So, is it safe to say what
9 we think, as a board of commissioners, 35 hours is full-time
10 and that --

11 COMMISSIONER TUCCI: I think -- I -- we -- this has
12 come up before.

13 COMMISSIONER EVANS: We've had this --

14 COMMISSIONER TUCCI: We've talked about this.
15 Yeah. I mean, I don't have a problem with giving benefits
16 to only full-timers.

17 COMMISSIONER PETRACCO: Yeah.

18 COMMISSIONER TUCCI: Yeah. But I think --

19 COMMISSIONER PETRACCO: But what is a full-timer?
20 That's the problem.

21 RAY SARINELLI: -- (inaudible). I think the State
22 --

23 COMMISSIONER EVANS: Well, they were included
24 (inaudible) --

25 RAY SARINELLI -- (inaudible) under 25

1 clearly you're not, right?

2 COMMISSIONER PETRACCO: Right.

3 COMMISSIONER EVANS: We never set the
4 (indiscernible) threshold.

5 RAY SARINELLI: Over 30 clearly you are.

6 COMMISSIONER TUCCI: Uh-huh.

7 RAY SARINELLI: You have discretion for
8 people who are working between 25 to 30 hours --

9 MAYOR SCARPELLI: Right.

10 RAY SARINELLI: -- or less than 30 hours.

11 COMMISSIONER TUCCI: Uh-huh.

12 RAY SARINELLI: Up -- once you hit 30 hours
13 or above, the State health benefit plan considers that -- or
14 ACA considers them to be full-time.

15 MAYOR SCARPELLI: I wouldn't have no problem
16 changing that to 30 hours.

17 MS. COSTA: What (inaudible)?

18 COMMISSIONER TUCCI: Neither do I.

19 COMMISSIONER PETRACCO: Is it 30 or should it be
20 35? That's my only argument.

21 MAYOR SCARPELLI: You can't.

22 COMMISSIONER TUCCI: Well, you can't supersede --

23 MS. COSTA: No. The ACA is 30.

24 COMMISSIONER PETRACCO: That's what -- so -- but I
25 thought you said the municipality could make that up.

1 MS. COSTA: Obamacare.

2 COMMISSIONER EVANS: But -- no, we -- the
3 threshold is is that -- it says 30 but more than -- we can
4 set full-time at 25 or more. So, it could be 28. It could
5 be 30. And where we left off on those discussions was
6 making a determination of whether or not it was going to be
7 25 or 30 hours.

8 And I also -- you know, it would be important is
9 that -- to avoid it being discriminatory, it would have to
10 be in a town right ordinance so that it affects all
11 departments uniformly.

12 COMMISSIONER TUCCI: Oh, absolutely.

13 COMMISSIONER EVANS: So --

14 COMMISSIONER TUCCI: Yeah. Yeah. It can't be
15 selective.

16 COMMISSIONER EVANS: No.

17 COMMISSIONER PETRACCO: So, we're all -- so, it
18 cannot be 35 hours or constitutes it? It has to be 30?

19 MS. COSTA: Okay. Well, then, you just stepped
20 over -- there's a little bit more on -- to that point.

21 COMMISSIONER PETRACCO: Uh-huh.

22 MS. COSTA: You could set 40. But --

23 COMMISSIONER PETRACCO: Thirty-five.

24 MS. COSTA: -- ACA, the Affordable Care Act --

25 COMMISSIONER PETRACCO: Uh-huh.

1 MS. COSTA: -- says 30 or more, you must provide.
2 It doesn't say full-time. Or, it doesn't say part-time. ACA
3 says, 30 hours or more.

4 COMMISSIONER PETRACCO: Uh-huh.

5 COMMISSIONER EVANS: Under the current law.

6 MS. COSTA: Under the current law.

7 COMMISSIONER PETRACCO: Okay.

8 COMMISSIONER EVANS: Okay.

9 COMMISSIONER TUCCI: Which is tenuous, at best.
10 Is that right (inaudible) --

11 MS. COSTA: I only speak of the here and now.

12 COMMISSIONER PETRACCO: (Inaudible) add anything to
13 that?

14 COMMISSIONER ROGERS: I'm as confused as
15 everybody else in the conversation.

16 (Laughter)

17 MS. COSTA: So, that's the -- there comes a point
18 where, in the conversation --

19 COMMISSIONER TUCCI: You gave me the opening.

20 MS. COSTA: -- where there's a little bit more --

21 COMMISSIONER EVANS: You're welcome.

22 MS. COSTA: -- to it. So, if you set it at 40, if
23 40 is full-time, and somebody only works 30, under the
24 Affordable Care Act currently, you have to provide health
25 benefits.

1 COMMISSIONER EVANS: You must (inaudible) --

2 COMMISSIONER TUCCI: Right. But it doesn't say
3 what level of health benefits.

4 ALAN GENITEMPO: You can't --

5 MS. COSTA: Well, I don't think State health
6 benefits gives you the flexibility to change levels.

7 COMMISSIONER TUCCI: No, it doesn't. But if we're
8 going by the ACA regulations which say, you know, you have
9 to work at least 30, you know, in order to get them; we
10 could say; okay. But we're going to give you, under ACA,
11 this plan; all right, which will cost us --

12 MS. COSTA: Okay.

13 COMMISSIONER TUCCI: -- this amount which may not
14 cost us --

15 MS. COSTA: Or you could just --

16 ALAN GENITEMPO: You can't do that.

17 MS. COSTA: I think --

18 COMMISSIONER TUCCI: Why not?

19 ALAN GENITEMPO: Because you can't offer two
20 different plans --

21 COMMISSIONER EVANS: Right. It's discriminatory.

22 ALAN GENITEMPO: -- in the same group of employees. You
23 cannot -- it would be considered discrimination just because
24 they're at a certain hour level to give them different
25 benefits.

1 The ACA is just a triggering -- it's the
2 triggering language --

3 COMMISSIONER TUCCI: Uh-huh.

4 ALAN GENITEMPO: -- that says you must
5 provide coverage. What coverage you provide to the rest of
6 your employees, you have to offer to them.

7 I've just actually done this research for another
8 client. So, you can't -- you can't say; we're going to give
9 this type of plan to these less than 35 or less than 40 and
10 everybody else gets this other type of insurance.

11 COMMISSIONER TUCCI: Well, can't we say that as of
12 this date, like the State said, as of -- what was it, July
13 21st, 2010, you know, moving forward this -- these are the
14 new regulations that we need to follow? All right? And
15 everyone needs to contribute and all that other good stuff
16 that they put forth.

17 So, why can't we say, as of March 31st, 2017, any
18 new employees coming on will be offered (inaudible) the
19 State plan but this other coverage? All that Act says is
20 that we have to afford coverage. Unless you're telling me
21 there's something else that says we have to afford everyone
22 the same coverage.

23 ALAN GENITEMPO: No. What I'm saying is whatever
24 plan you have in existence --

25 COMMISSIONER TUCCI: Right.

1 ALAN GENITEMPO: -- there --

2 COMMISSIONER TUCCI: That's what we must --

3 ALAN GENITEMPO: -- (inaudible) --

4 COMMISSIONER TUCCI: -- offer?

5 ALAN GENITEMPO: -- if someone then becomes
6 eligible --

7 COMMISSIONER TUCCI: Right.

8 ALAN GENITEMPO: -- then they have to be
9 offered that coverage. They -- you can't offer them a
10 lesser plan.

11 COMMISSIONER TUCCI: Uh-huh. Okay.

12 ALAN GENITEMPO: And I've -- we can check with
13 the insurance people but I've spoken to a couple prominent
14 companies that do that and --

15 COMMISSIONER TUCCI: Okay.

16 ALAN GENITEMPO: -- they've all concurred on
17 that because we were trying to do it in a different --

18 COMMISSIONER TUCCI: Right.

19 ALAN GENITEMPO: -- entity.

20 COMMISSIONER EVANS: Yeah.

21 COMMISSIONER TUCCI: But if and when that's
22 repealed or modified --

23 ALAN GENITEMPO: Right, or whatever
24 changes --

25 COMMISSIONER TUCCI: -- then, at that point --

1 MAYOR SCARPELLI: (Inaudible) change.

2 ALAN GENITEMPO: I'm not sure that that
3 provision that I've just referred --

4 COMMISSIONER TUCCI: Right.

5 ALAN GENITEMPO: -- is actually part of the
6 ACA. I think it's overall insurance law. But I -- we can
7 get some citations --

8 COMMISSIONER TUCCI: Yeah. Thanks.

9 ALAN GENITEMPO: But I'm pretty confident on
10 that. I'm not confident of very much but I'm pretty
11 confident --

12 COMMISSIONER TUCCI: Right.

13 ALAN GENITEMPO: Because we just did the --

14 COMMISSIONER TUCCI: Well, it's worth
15 investigating. If we can save some money, you know, I mean,
16 we're paying for family coverage, \$31,000 and change right
17 now. So, you know --

18 COMMISSIONER EVANS: Absolutely.

19 COMMISSIONER TUCCI: -- every little bit we can
20 save helps the cause.

21 COMMISSIONER EVANS: Absolutely.

22 MAYOR SCARPELLI: Anything else?

23 So, like everybody sharpen their pencils and when
24 -- we have to get --

25 COMMISSIONER EVANS: (Inaudible).

1 MAYOR SCARPELLI: -- back to you, Roe?

2 MS. COSTA: Wednesday the 15th.

3 MR. SARINELLI: Wednesday. Next Wednesday.

4 MAYOR SCARPELLI: Next Wednesday.

5 MS. COSTA: This coming Wednesday.

6 MAYOR SCARPELLI: This coming Wednesday.

7 COMMISSIONER PETRACCO: This coming Wednesday, we
8 have to do what?

9 MS. COSTA: All the changes.

10 COMMISSIONER EVANS: Modify your budget.

11 MAYOR SCARPELLI: Modify the budgets. All right.

12 If nothing else, I look for a motion to adjourn.

13 COMMISSIONER ROGERS: Motion to adjourn.

14 MAYOR SCARPELLI: Second.

15 COMMISSIONER EVANS: I'll catch up with you.

16 MADAM CLERK: Commissioner Rogers?

17 COMMISSIONER ROGERS: Aye.

18 MADAM CLERK: Commissioner Tucci?

19 COMMISSIONER TUCCI: Only 15 minutes late. Aye.

20 MADAM CLERK: Commissioner Evans?

21 COMMISSIONER EVANS: Aye.

22 MADAM CLERK: Commissioner Petracco?

23 Commissioner Petracco: Aye.

24 MADAM CLERK: Mayor Scarpelli?

25 MAYOR SCARPELLI: Aye.

1 THE CLERK: And the time is 9:52. (Inaudible) --

2 COMMISSIONER EVANS: It was a very intense 15

3 minutes.

4 COMMISSIONER TUCCI: I can understand that. Well,
5 you guys do good work.

6

7 (Whereupon, the meeting was adjourned)

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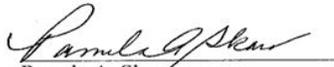
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C E R T I F I C A T I O N

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I, Pamela A. Skaw, certify that the foregoing transcript is a true and accurate record of the February 7, 2017 proceedings.


Pamela A. Skaw

Date: March 22, 2017

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