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HUDSON COUNTY
BOARD OF CHOSEN FREEHOLDERS

RE:

REGULAR MEETING : TRANSCRIPT OF
OF THE :
HUDSON COUNTY BOARD OF : PROCEEDINGS
CHOSEN FREEHOLDERS :
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- - - - -

O P E N S E S S I O N

Hudson County
Administration Building,
Freeholders Chambers
567 Pavonia Avenue
Jersey City, New Jersey
Thursday, August 8, 2013
1:00 p.m.

B E F O R E:

- ANTHONY ROMANO, CHAIRMAN
- ALBERT CIFELLI, Freeholder
- DOREEN DiDOMENICO, Freeholder
- JEFFREY DUBLIN, Freeholder
- THOMAS LIGGIO, Freeholder
- E. JUNIOR MALDONADO, Freeholder
- JOSE C. MUNOZ, Freeholder
- WILLIAM O'DEA, Freeholder
- TILO RIVAS, Freeholder

A L S O P R E S E N T:

- EDWARD J. FLORIO, ESQ., Board Counsel
- DONATO J. BATTISTA, Hudson County Counsel
- LAURIE COTTER, County Administrator
- ALBERTO G. SANTOS, County Clerk

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1 THE CLERK: Freeholder Cifelli.
 2 DiDomenico.
 3 FREEHOLDER DiDOMENICO: Here.
 4 THE CLERK: Dublin.
 5 FREEHOLDER DUBLIN: Here.
 6 THE CLERK: Liggio.
 7 FREEHOLDER LIGGIO: Here.
 8 THE CLERK: Maldonado.
 9 FREEHOLDER MALDONADO: Here.
 10 THE CLERK: Munoz.
 11 FREEHOLDER O'DEA: Here. He's here
 12 walking around. I hear him. Jose is here. He said
 13 "here" from the kitchen.
 14 THE CLERK: O'Dea.
 15 FREEHOLDER O'DEA: Here.
 16 THE CLERK: Rivas.
 17 FREEHOLDER RIVAS: Here.
 18 THE CLERK: Chairman Romano.
 19 CHAIRMAN ROMANO: Here.
 20 THE CLERK: Please stand for the
 21 Pledge of Allegiance.
 22 (Flag Salute.)
 23 THE CLERK: Adequate notice of this
 24 meeting has been provided as follows:
 25 1. Posting notice of Resolution No.

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1 8-1-2013 on the Freeholder's Bulletin Board, Third
 2 Floor, Administration Building Annex, Jersey City,
 3 New Jersey.
 4 2. Copies of the above mentioned
 5 resolution have been sent to the County Clerk and
 6 the editors of the Jersey Journal and the Star
 7 Ledger.
 8 Mr. Chairman, may I have a motion to
 9 approve the following Minutes: The Department
 10 Budget Review Special Meeting, June 5th, 2013;
 11 Department Budget Review Special Meeting, June 6th,
 12 2013; the Budget Hearing on the 2013 Budget, which
 13 was held on June 11th, 2013; the Regular Meeting of
 14 June 13th, 2013; the Regular Meeting of June 27th,
 15 2013; the Closed Session Meeting of June 27th, 2013;
 16 and the Special Meeting regarding the Lincoln Park
 17 Fountain on July 8th.
 18 Motion by Freeholder Dublin. Seconded by
 19 Freeholder Liggio.
 20 Freeholder DiDomenico.
 21 FREEHOLDER DiDOMENICO: Yes.
 22 THE CLERK: Dublin.
 23 FREEHOLDER DUBLIN: Yes.
 24 THE CLERK: Liggio.
 25 FREEHOLDER LIGGIO: Yes.

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1 THE CLERK: Maldonado.
 2 FREEHOLDER MALDONADO: Abstained.
 3 THE CLERK: Munoz.
 4 FREEHOLDER MUNOZ: Yes.
 5 THE CLERK: O'Dea.
 6 FREEHOLDER O'DEA: Yes.
 7 THE CLERK: Rivas.
 8 FREEHOLDER RIVAS: Yes.
 9 THE CLERK: Chairman Romano.
 10 CHAIRMAN ROMANO: Yes.
 11 THE CLERK: The next order of
 12 business is additional discussion on today's agenda.
 13 MS. COTTER: Mr. Chairman, if I may,
 14 we have some as we discussed on Tuesday, we have
 15 some additional items for the Board's consideration.
 16 First of all, we have a replacement for Agenda Item
 17 No. 20, which we're going to add two extensions that
 18 we discussed.
 19 FREEHOLDER O'DEA: Do we have any
 20 updated information as it related to the questions
 21 that were raised about it on Tuesday?
 22 MS. COTTER: Yes, I believe the
 23 Freeholder was e-mailed, and Susan Mearns advised
 24 Freeholder Munoz.
 25 FREEHOLDER MUNOZ: Have Susan Mearns

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1 put it on the record. I received an e-mail. I
 2 would like to put it on record for the Freeholders.
 3 MS. MEARNs: Susan Mearns, Department
 4 of Community Development.
 5 FREEHOLDER MUNOZ: My question was at
 6 the last meeting whether we -- what did the County
 7 or your office give to the parks in West New York?
 8 MS. MEARNs: I believe that, well,
 9 Freeholder, you requested that information about the
 10 Community Block Grant funding as it related to
 11 Veteran's Park. I said I would provide you with a
 12 history. I did see an e-mail. I want to put it on
 13 the record that they are attached. In 2007, which
 14 is where I believe if you look back in your e-mail,
 15 we found that there was an allocation of about
 16 \$96,000 for a playground.
 17 THE CLERK: Freeholder Cifelli is
 18 present.
 19 MS. MEARNs: I had suggested that
 20 there may have been a reprogramming of funding that
 21 was reprogrammed to Donnelly Park. In 2008, there
 22 was funds for the Miller Playground in Donnelly
 23 Park. At this time, the refurbishing for Miller
 24 Playground was higher than originally anticipated,
 25 in which to Miller Park, there was a reprogramming

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1 of that money. In 2009 and 2010 --

2 FREEHOLDER O'DEA: Susan, the funding

3 was reprogrammed from where to where?

4 MS. MEARNS: It was from Donnelly

5 Park to Miller Playground to take care of those

6 parks. In 2009 and 2010, there was funding for

7 Veteran's and Donnelly Park, as well as 2010. In

8 2009, the lowest responsible bidder sued that went

9 into the bid for the refurbishing of the park, and

10 at this time it was for the refurbishing of the

11 exterior, some cosmetic repairs, and the fencing and

12 lighting.

13 There was a lawsuit, and lowest bidder at

14 the time prevailed. During that period of time

15 based on the Community Development Block Grant file,

16 there was soil erosion to Veteran's Park, and their

17 funds no longer fit in. So they again repurposed

18 from Veteran's Park to Verrazano Park. The plans

19 for Verrazano, which was resurfacing, fencing and

20 light, Verrazano was slated to be completed by the

21 contractor who did prevail in court, and the project

22 was finished in July of 2012.

23 FREEHOLDER MUNOZ: We have the

24 Commissioner from West New York here if we have

25 questions.

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1 FREEHOLDER O'DEA: Hold on one

2 second. What was the amount of money of those

3 grants?

4 MS. MEARNS: In 2007, it was 96,000

5 for the playground equipment. In 2008, it was

6 \$100,000. The grant combined in both '09 and '10,

7 totaled almost \$555,000.

8 FREEHOLDER MUNOZ: All to West New

9 York?

10 MS. MEARNS: That was for the

11 Veterans and Donnelly Park. Again, Veterans' funds

12 were reprogrammed for Verrazano Park.

13 FREEHOLDER MUNOZ: Is there money

14 left over from what we have provided to West New

15 York?

16 MS. MEARNS: They utilized all of the

17 money. The project was completed and the files were

18 closed in July of 2012.

19 CHAIRMAN ROMANO: Okay. Thank you.

20 FREEHOLDER O'DEA: That bring us now

21 to the three allocations here totaling a million

22 fifty thousand for Veterans and Donnelly Park, and

23 we're, I guess, what I need to understand, you told

24 me that the other money was spent on Verrazano Park

25 and no money was spent on Donnelly Park and no money

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1 spent on Veterans?

2 MS. MEARNS: It was Verrazano and

3 Donnelly, the interior of Donnelly Park, and

4 Veterans sits near it, and that's where there is a

5 slope issue. Donnelly runs south and north.

6 FREEHOLDER O'DEA: Have we passed a

7 resolution to reallocate that money?

8 MS. MEARNS: For Veterans I know

9 because you put the Veterans in Donnelly, and

10 Verrazano was repurposed, a lot of that money went

11 into Verrazano. There was a resurfacing there.

12 Because we approved those funds in terms of a

13 reprogramming, it wasn't necessary. The Miller Park

14 as well because you approved both Miller and

15 Donnelly at the time when we did that.

16 FREEHOLDER O'DEA: I'm sorry. Miller

17 is not adjacent to it?

18 MS. MEARNS: No, Miller and Donnelly

19 were various park improvements. That was the 2007

20 allocation.

21 FREEHOLDER O'DEA: If we approved

22 \$100,000 for Donnelly Park, and \$100,000 for Miller

23 Park, and then you decided, not you, you after the

24 City came to you, decided that the Donnelly Park

25 money was going to be moved to Miller Park, and they

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1 didn't have to come back to us?

2 MS. MEARNS: It was \$100,000 for both

3 park improvements, and the intent there was so that

4 they could go out to bid and have one contractor to

5 do repairs to both. So both of those parks were

6 approved in the original recommendation of funding.

7 FREEHOLDER O'DEA: Could you provide

8 us the resolution?

9 MS. MEARNS: Of the 2007 dollars?

10 FREEHOLDER O'DEA: Yes, so I could

11 understand. I have no reason to disagree. I just

12 want to see the language as it was written in a

13 manner it didn't matter if they spent it all on

14 both, or separate projects and separate items.

15 That brings us, I guess, to trying to

16 understand the current allocation that we're being

17 asked to extend of the \$1,050,000, where these

18 projects sit and why the extension all the way to

19 2015 is being requested, and then it was kind of

20 portrayed to us Tuesday that there is a contractor

21 in place. If that's not the case, then we need to

22 understand that. Maybe since we have folks from the

23 town, I saw people with drawings and stuff, I assume

24 that's part of the group.

25 If somebody wants to give a presentation

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1 on where is the project today, and then from there,
 2 we can work our way to how did it get to where it is
 3 today and how it's moving forward, if that's okay,
 4 Mr. Chairman.
 5 CHAIRMAN ROMANO: Yes.
 6 MS. FERRARA: Good afternoon.
 7 Massiel Ferrara, Division Chief of Planning. I have
 8 Nathan Burrows from the Town of West New York as
 9 well as Commissioner Frias from West New York to
 10 come speak on this project.
 11 FREEHOLDER MUNOZ: Massiel, who is
 12 the current contractor right now? What happened
 13 with the ones that won the lawsuit. As Susan
 14 explained there was a lawsuit that was separate.
 15 FREEHOLDER O'DEA: That was a
 16 different project.
 17 FREEHOLDER MUNOZ: So the other
 18 people were able to finish, right? I believe they
 19 started doing some work on the project. I'm going
 20 to let them --
 21 FREEHOLDER O'DEA: Let them speak on
 22 how we at least got to where we are today. You've
 23 got to figure out where we are.
 24 COMMISSIONER FRIAS: Good afternoon.
 25 My name is Commissioner Frias, the Finance

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1 Commissioner from West New York, and we've come here
 2 because of the administration requested an extension
 3 for the project. We hope to demonstrate to you that
 4 there has been work that's been done on this
 5 particular project, and unfortunately, there have
 6 been circumstances beyond our control. Some of this
 7 project has been stopped at the moment, but it will
 8 continue. There has been change of engineer and a
 9 change of administration, and so we are just here to
 10 present the good work that has been done and has
 11 been addressed and make sure that we finalize that
 12 project, it's done properly, and we have to revise.
 13 FREEHOLDER MUNOZ: You are the
 14 Commissioner of Finance in West New York?
 15 COMMISSIONER FRIAS: Correct.
 16 FREEHOLDER MUNOZ: Who is the
 17 Commissioner for parks? I believe it is
 18 Commissioner Gorman is assigned to the department.
 19 Who is in charge of parks?
 20 COMMISSIONER FRIAS: Commissioner
 21 Count Wiley.
 22 FREEHOLDER MUNOZ: Was Commissioner
 23 Count Wiley advised that we had issues with the
 24 parks?
 25 COMMISSIONER FRIAS: I'm pretty sure

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1 he's aware. I cannot speak on his behalf. I can
 2 only speak on my behalf.
 3 FREEHOLDER MUNOZ: Did the department
 4 contact the Commissioners?
 5 COMMISSIONER FRIAS: I'm not aware of
 6 that. I received a phone call yesterday, and I
 7 needed to do what had to be done. I am the regular
 8 Finance Commissioner of my department.
 9 FREEHOLDER MUNOZ: Did the Department
 10 of Planning contact Commissioner Wiley? Do we have
 11 that answer, please?
 12 MS. FERRARA: When it comes to the
 13 Open Space Trust Fund, we usually contact the
 14 Mayor's office, and the Mayor's office will let us
 15 know who they want to be the project manager and the
 16 contact person for each grant. Right now, Bob
 17 Cabana and the BA, Mr. DeMarco, are the contact
 18 persons for these grants.
 19 FREEHOLDER MUNOZ: Let me tell you
 20 how we work here. In Hudson County we have
 21 different forms of governments. If there is a city
 22 that we work because the Mayor is in charge, but in
 23 the case Commissioner Wiley, he is in charge of the
 24 department. They are responsible for that
 25 department. The right thing would have been to

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1 contact the Commissioner that deals with that
 2 department.
 3 Commissioner Frias handles the money, so
 4 she could answer some of the question, today, but in
 5 the future, we should contact the Commissioner for
 6 that department and the Mayor's office. That would
 7 be the correct way because they know what department
 8 they are representing here today from the office.
 9 CHAIRMAN ROMANO: Freeholder Cifelli.
 10 FREEHOLDER CIFELLI: Just from the
 11 County side of government, I don't think we can do
 12 that. We have a contact person, the Mayor's office,
 13 the BA's office. We reach out to those people.
 14 That's their obligation to appoint them. Let's not
 15 overcomplicate it. Let's not overly complicate the
 16 process.
 17 FREEHOLDER O'DEA: Can we have
 18 somebody give a -- why don't we do this? Why
 19 doesn't someone give us a historical overview of
 20 what has occurred from 2009, when the funds -- 2009
 21 when initial funds were approved to date? Why don't
 22 we start with that?
 23 COMMISSIONER FRIAS: What I have here
 24 is the summary. This one particular is from
 25 February 2010. So that in February 2010, the grant

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1 agreement for PI 23-09 and PI 22-09 were finalized,
 2 the plans by April '11, the grant agreement is
 3 revise and finalized. Then we move into the new
 4 administration. We came in, and at the moment, the
 5 Finance Commissioner was Commissioner Rodriguez. I
 6 became the Commissioner of Finance July of 2012.
 7 June of '11, the new administration; July,
 8 RTA joined the town engineer in August 2011. In
 9 October we suffered a major storm. We had Hurricane
 10 Irene. Again, 2012, February, in the appointed town
 11 engineer was confirmed. March through May of 2012,
 12 the Veterans Park wall, the preliminary wall data is
 13 prepared by various engineers. Based on the
 14 preliminary data, the erosion continued.
 15 FREEHOLDER O'DEA: Can you go over
 16 something that's not highlighted. It's not on this
 17 document. What was the original cost estimate of
 18 the project, and what is the current cost estimate
 19 on the project based on whatever?
 20 COMMISSIONER FRIAS: The original
 21 number on this \$1.5 million.
 22 FREEHOLDER O'DEA: What is the
 23 current number?
 24 COMMISSIONER FRIAS: The current
 25 number is 4.5.

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1 FREEHOLDER O'DEA: So this project
 2 went from a \$1.5 million project to a \$4.5 million
 3 project?
 4 COMMISSIONER FRIAS: Correct.
 5 FREEHOLDER O'DEA: Is that gentleman,
 6 are you from CME?
 7 MR. BURROWS: I don't work with CME.
 8 FREEHOLDER O'DEA: Is there anybody
 9 from CME here?
 10 MR. BURROWS: He provided all the
 11 documents.
 12 FREEHOLDER O'DEA: That's nice, but
 13 it's hard to ask a question. Can you answer why the
 14 cost went from 1.5 to 4.5?
 15 MR. BURROWS: My name is Nathan
 16 Burrows, I'm a grant writer for the town. I've
 17 spoken at length for the past months enough about
 18 the project with the engineer, and I have all the
 19 documents that provided I've here. The first
 20 drawing I gave you was the original concept. That
 21 concept proved not to be sufficient to meet the
 22 purpose of the grant. It was really to build a wall
 23 that prevented the erosion of the slope.
 24 Along with that came some probing, and
 25 that was in 2010. The new administration came in.

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1 They picked up the project, and as the Commissioner
 2 indicated, there were some occurrences natural
 3 disasters that took up the engineer's time. They
 4 had some turnover in the engineering department.
 5 Then really as soon as possible, the next engineer
 6 again picked the project up, and they looked at the
 7 original probes, and more geotechnical probes had to
 8 be done because the bedrock is not where we thought
 9 it was. This original plan would not serve the
 10 purpose of avoiding erosion and creating a
 11 sustainable project.
 12 CHAIRMAN ROMANO: If I may, there was
 13 an error by the engineering firm?
 14 MR. BURROWS: In 2010.
 15 CHAIRMAN ROMANO: Is it the same? I
 16 got confused.
 17 MR. BURROWS: It's been a long time.
 18 We're about three engineers into it. The current
 19 engineer came --
 20 CHAIRMAN ROMANO: I think there was a
 21 change?
 22 MR. BURROWS: A number of changes.
 23 CHAIRMAN ROMANO: Is it the same
 24 firm?
 25 FREEHOLDER O'DEA: Is the engineer

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1 who gave the City the estimate in 2010, are they
 2 still the engineering firm?
 3 MR. BURROWS: No, no, definitely not.
 4 FREEHOLDER O'DEA: Was the
 5 engineering firm let go in part because of that?
 6 MR. BURROWS: It's hard to say
 7 because none of the administration was in place.
 8 CHAIRMAN ROMANO: I understand the
 9 administration got rid of their first engineering
 10 firm.
 11 COMMISSIONER FRIAS: I think the
 12 prior administration got rid of the first one. A
 13 second one came in and he took over, then a third
 14 one.
 15 FREEHOLDER O'DEA: You've had three
 16 engineering firms just on this project.
 17 CHAIRMAN ROMANO: Freeholder Cifelli.
 18 FREEHOLDER CIFELLI: The assumption
 19 is that the first engineering firm came in at 1.5,
 20 and the subsequent engineering firm maybe had
 21 something else, and the third engineering came in
 22 with 3.5 --
 23 FREEHOLDER O'DEA: It's 4.5.
 24 FREEHOLDER CIFELLI: Sure. It's one
 25 thing to say, I'm not an expert, and but when

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1 another guy says it's 4.5, it doesn't necessarily
2 means it's right. It just means it's higher. It
3 doesn't necessarily mean it's better. Was there a
4 reconciliation between opinions as to why that was?
5 MR. BURROWS: I can speak to that. I
6 can give you as much information as I have. If you
7 look at the original picture, you'll see that there
8 is a delineation of a wall that was supposed to stop
9 the erosion of the slope. That wall was proven to
10 be ineffectual. The bedrock is about 20 feet deeper
11 upon further probing than they thought it was. That
12 wall would do nothing.
13 They decide they would do a wall tower and
14 take all the fill out. The fill would get to the
15 bedrock. That's the main issue. That adds a lot of
16 cost to the project, getting all the bad fill out
17 and putting something in that would be lasting,
18 sustainable and safe. There's a firehouse in the
19 flow area. These are things that the town wants to
20 protect.
21 CHAIRMAN ROMANO: Did they find the
22 bedrock?
23 MR. BURROWS: That's all they told
24 me. It wasn't solid. It wasn't something that
25 could sustain the structure that they wanted put

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1 there from a layman.
2 FREEHOLDER O'DEA: The only concern I
3 have is that you are not the engineer.
4 MR. BURROWS: I understand.
5 FREEHOLDER O'DEA: You literally
6 almost every question we're going to ask is probably
7 a question best answered by a licensed engineer, who
8 did all the work.
9 MR. BURROWS: I understand.
10 FREEHOLDER O'DEA: Well, I'm going to
11 be honest with you, we're going to be very
12 frustrated because you're not licensed that in that
13 particular field.
14 MR. BURROWS: I understand.
15 FREEHOLDER O'DEA: And any question
16 we ask you, you're quite frankly, I'm not sure why
17 you even want answer. You're kind of like telling
18 us what you may or not have heard based on how much
19 information CME gave you.
20 MR. BURROWS: This is basically what
21 he gave me. The engineering that's written here is
22 what was given to me by CME.
23 CHAIRMAN ROMANO: I would make a
24 request for the \$3 million increase, there should
25 have been a written report submitted to Massiel

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1 explaining --
2 MS. COTTER: Excuse me, Mr. Chair.
3 They were not requested to be here. This is just
4 the cost of the project now. This is not a request
5 for an additional money.
6 FREEHOLDER O'DEA: To get back to
7 this, to our issue, it does relate to this. To get
8 to the simple side of it to so speak, you've got a
9 \$1,050,000 from the County Open Space. By your
10 admission, you have a \$4.5 million estimated
11 project. Maybe you can answer part of it as a grant
12 writer. Where does the other -- where does the 3.5
13 million from? I did note there is a note here on
14 your time line of August and September to provide
15 funding for a revised phase one concept. So is
16 that -- is that --
17 MR. BURROWS: The totality of the
18 project.
19 FREEHOLDER O'DEA: So there is a bond
20 ordinance currently in placed on the agenda by
21 September that will award the \$3.4 million.
22 COMMISSIONER FRIAS: I'll have our
23 CFO.
24 MS. CERONE: Good afternoon. My name
25 is Marge Cerone, the CFO for West New York, and I've

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1 been the CFO for approximately a year.
2 FREEHOLDER O'DEA: Can you speak a
3 little louder?
4 MS. CERONE: So the original, there
5 were two grants awarded to the County -- awarded to
6 the town rather, by Open Space Trust Fund, 2010.
7 Those two grants were \$700,000, and they were
8 appropriated by the Town of West New York as Bond
9 Ordinance No. 17-10. In that particular component
10 of that specific bond ordinance, the totality of the
11 cost provided for \$1,800,000. So essentially
12 \$385,000 was down payment money.
13 FREEHOLDER O'DEA: And so it was part
14 of a larger bond?
15 MS. CERONE: Yes, all of it was.
16 Now, it comes to this point, and by the way, that
17 ordinance does have expenditures against it for
18 funds. However, for some reason the County Open
19 Space Trust Funds was never drawn down, so
20 approximately \$230,000.
21 FREEHOLDER O'DEA: So you're saying
22 that you expended 230,000 of 700,000?
23 MS. CERONE: Correct.
24 FREEHOLDER O'DEA: But you just
25 failed to actually drawn it down and get reimbursed?

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1 MS. CERONE: Right. And I can't
 2 speak to that. I don't know why the town never
 3 submitted the draw-down request for those funds.
 4 FREEHOLDER O'DEA: Massiel, are you
 5 aware of that fact?
 6 MS. FERRARA: Yes. We met with West
 7 New York in February. We started to become aware
 8 that they had done a good amount of work, that they
 9 were going to work with their new CFO and start
 10 putting together paperwork and submit for
 11 reimbursement. We have been working. We reached
 12 out to them again, and we've been working with them
 13 constantly within this past month asking them what
 14 can we do if they want an extension. Once again,
 15 they alerted us that they actually found more money
 16 that they are going to submit.
 17 So we have recommended to the County
 18 Executive and the Freeholder Board to extend this
 19 project. We now have proof that they did do a
 20 substantial amount of work and do intend to submit
 21 for reimbursement.
 22 FREEHOLDER O'DEA: Let me ask you a
 23 question on how long you need to extend the project.
 24 MS. FERRARA: They -- when we
 25 discussed it with West New York and CME, they gave

Page 23

1 us an approximation of 18 months, but given that
 2 they have some -- they need some time to put
 3 together some paperwork, we said why don't we just
 4 do two years, eighteen months for construction and
 5 approximately another six months for any
 6 administrative issues.
 7 FREEHOLDER O'DEA: Let me get back to
 8 the dollars and cents. At the end of the day that's
 9 paramount here. So fast-forwarding to the present,
 10 what is the status of introduction, approval by
 11 Local Finance Board and approval by -- what is your
 12 time line for final adoption by the Commissioners of
 13 the ordinance to allocate the additional roughly
 14 3 million or \$2 1/2 million?
 15 MS. CERONE: So in essence, currently
 16 we are putting in applications to present the
 17 Commissioners with a bond ordinance. Let me
 18 clarify. The Business Administrator is on vacation.
 19 He'll return next week. We're not making the August
 20 meeting for introduction of the ordinance. That's
 21 going to be pushed back. The construction will be
 22 approximately \$3 million to complete.
 23 Following the first introduction of the
 24 ordinance, they will make an application to the
 25 Planning Board to present at their October meeting,

Page 24

1 and we will finally bring the ordinance in the month
 2 of October, and so the financing will not be
 3 authorized until November of this year, and then of
 4 course, you're dealing with weather issues and
 5 natural things, construction, things of that nature.
 6 It probably wouldn't start again until --
 7 FREEHOLDER O'DEA: I've got to be
 8 honest with you, looking at this time line that CME
 9 has here, their time line to complete construction
 10 plans and contract documents to go out to bid isn't
 11 until December. Advertising of project and receipt
 12 of bids is also in December. A lot of these time
 13 lines in and of themselves are quite frankly in my
 14 opinion progressive, and not a necessarily realistic
 15 time line.
 16 They're completing it, and they're
 17 advertising and they're awarding in only like 30
 18 days. I don't necessarily think that's a realistic
 19 time line. The issue I have from our perspective
 20 is, can we -- can we approve an extension with
 21 conditions? So for instance, I would be much more
 22 comfortable approving this extension on the
 23 condition that by December 31st of this year, the
 24 bonding for the project is in place because then we
 25 know that at that point in time, the money is in

Page 25

1 place to make sure the project gets done as opposed
 2 to approving two years and once we approve two years
 3 with no conditions, nothing could happen for a year.
 4 You can say, Hey, I don't want to do any bonding for
 5 another year or a year and a half, and that money
 6 just sits there.
 7 So do we have the ability, or by contrast
 8 do we have the ability to approve a shorter
 9 extension on the condition that once the bonding is
 10 approved, then we'll grant the longer extension to
 11 allow for the construction to take its normal course
 12 of action in that period of time, that quite frankly
 13 may be a little bit more than even this one here,
 14 just based on the reality of how long it takes to
 15 build.
 16 Obviously, this is a good thing. You're
 17 not approving CME to go out and spend another
 18 \$500,000 of our money, which is now your money,
 19 until you've got the money to do the park because
 20 the worst thing in the world would be to design and
 21 spend \$700,000 on design, construction docs, et
 22 cetera, and suddenly, you don't have the money to go
 23 put a bid out on this, whereas our money got spent.
 24 You said you want to spend our money, but in this
 25 case the money gets spent, and now there's not

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1 enough money to build the park. Then we end up in a
2 worse situation.
3 So in looking at some of the things here,
4 there is actually logic to the timing of the fact
5 that you've kind of -- and I think it's probably a
6 better Commissioner question than a CFO question,
7 that you've told somebody to go out and spend all
8 this design money even though it's been approved,
9 until you know you've got the money to build the
10 park.
11 If you do that and no one ever reads it,
12 the Local Finance says, Oh, you can't approve
13 anymore bonding, or whatever, there's not enough
14 members of the board, whatever, to approve it,
15 whatever that could be. You require two-thirds,
16 when you've got five, it's a lot harder to do than
17 when you have nine because you've got to go four to
18 five, whatever those issues may be. That would
19 seemingly make a lot more sense.
20 MS. COTTER: Mr. Chairman, may I just
21 point out that this extension has varying time
22 frames on them, so if that's the wish of the Board
23 to change the time frame...
24 FREEHOLDER O'DEA: I mean, I would be
25 very comfortable extending this may be a couple of

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1 months beyond that just with the -- with the
2 agreement that we then extend it once all the money
3 is in place. Similarly, I would be comfortable,
4 this is just me, I'll defer to the Board, similarly
5 I would be comfortable granting the full extension
6 on the condition, this why I have to defer to you,
7 on the condition that in order for the extension to
8 go through whatever it was, the two-year period,
9 that within the first six months of that period, the
10 City would have to demonstrate to you that they now
11 have in place the full amount of money for the
12 construction of the park. Yes.
13 MS. CERONE: Can I just clarify
14 something so everyone here understands? There's a
15 couple people here. Part of this what we're talking
16 about here is a long term, so the bond had already
17 been capped. What do I mean by that? \$700,000 of
18 the \$1,050,000 have already incorporated in the
19 bonding. So against that ordinance, you may have
20 expended approximately \$229,000. When you take and
21 prorate the portion of the grant that's funding the
22 bond in the ordinance, you're going to look at 65 or
23 70 percent for the funds for them to spend as the
24 grant.
25 So if you were to apply 70-30 net to get

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1 the -- I guess what I'm trying to ask is for both
2 matters to include if, in fact, we can't meet all of
3 these deadlines that we've established, we've
4 already spent money.
5 FREEHOLDER O'DEA: You should get
6 reimbursed for whatever money you spent, but I've
7 got to also tell you that I think it would be
8 prudent that until you've got the bond ordinance in
9 place to do the rest of it, and it appears to me
10 that from the time line that you're not, again, I
11 wish I had CME here, and Commissioner, you know,
12 even assuming we approve, I would ask the courtesy
13 that have them come to one of our caucuses so we
14 could understand the time line and some of the other
15 issues that quite frankly, with all due respect, I
16 don't think you're in a position to answer properly
17 that so we can understand it.
18 But that the town doesn't go spend the
19 other 500,000, and don't worry about the fact that,
20 you know, we're going to get the bond approved. I
21 think that it's from a good perspective, slowing
22 that time line and not incurring that additional
23 cost, even if 70 percent is coming from Open Space
24 and only 30 percent is coming from you, is not a bad
25 thing to do. Get all your money to know that you're

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1 going to have money to build a park before you go
2 out and have somebody spend the money to get a
3 design contract, bid docs, et cetera, and all of a
4 sudden, there is no money to build it, and the City
5 looks bad, we're going to look bad.
6 I don't disagree with it. We're working
7 with a reasonableness. I don't have a problem
8 working in a reasonableness. If December is too
9 soon, you need until February, that's reasonable. I
10 understand what it takes. I understand that Local
11 Finance may either not hold a meeting, or you may
12 have to go Local Finance and back again because they
13 have a question. You know, I fully understand. All
14 of my concern is that I want to get a reasonable
15 time frame upon which you will have to have the
16 final adoption of the ordinance with the 20-day
17 period for the full and remaining of the funds.
18 MS. CERONE: Right, and that would be
19 the time line. Any exception for the Local Finance
20 Board would be on rigidity. It probably won't
21 happen again, but you never know. So essentially,
22 we rarely see the Local Finance Board carry over.
23 We obviously need to have our ordinance effective on
24 December 31st.
25 FREEHOLDER O'DEA: I mean if you want

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1 to until January 31st, to give you 30 extra days,
 2 that's not an unreasonable request. What I'll say
 3 is I think from is my perspective having that
 4 condition, again, Massiel can weigh in, can we
 5 approve a longer extension conditioned on that in
 6 order for that longer extension to occur within six
 7 months from now, that approval by the governing --
 8 by the City or any other way to demonstrate to you
 9 that all of the money is in place for the
 10 construction of the park?
 11 MS. FERRARA: Currently, we have
 12 just -- our extensions have been straightforward on
 13 the movement of days and what conditions, but I
 14 would prefer to defer to County Counsel on this.
 15 MR. BATTISTA: I spoke to the Deputy
 16 Administrator. I would suggest that you grant the
 17 extension, but you indicate that the extension is
 18 the period of January 31 or whatever, January 31st,
 19 and the terms of the extension is contingent that
 20 the Town of West New York, I believe, adopted the
 21 ordinance of around \$3 million.
 22 MS. FERRARA: Three, three and a
 23 half.
 24 MR. BATTISTA: Adopted an ordinance
 25 for three or \$3.5 million that would fund this

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1 project.
 2 CHAIRMAN ROMANO: Freeholder Munoz.
 3 FREEHOLDER MUNOZ: Quick question,
 4 you're saying that from this grant you already spent
 5 750,000, from that grant you already spent? From
 6 what we got, it doesn't say that. It says that you
 7 haven't used the money.
 8 MS. FERRARA: We are aware that they
 9 haven't submitted it. We will not take it off the
 10 ledger until we have submitted and processed the
 11 check.
 12 FREEHOLDER MUNOZ: That's going to
 13 into the fiscal budget this year?
 14 MS. CERONE: We expended \$229,000 in
 15 2011 and 2012. Why the draw-downs were never
 16 submitted to the County, I can't answer. I don't
 17 know why, but suffice to say that the draw-downs
 18 have not been submitted. They will be submitted.
 19 FREEHOLDER MUNOZ: The other question
 20 is for the Administrator. I know that we have an
 21 ability to facilitate the bonds with the County
 22 because they get a lower rate. Is that something
 23 that the town would bond through the County rate?
 24 MS. COTTER: They would have contact
 25 one of the County-approved programs. They are the

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1 ones that do the loan pool program.
 2 FREEHOLDER MUNOZ: This is something
 3 that would qualify?
 4 MS. COTTER: I don't know the answer
 5 to that.
 6 FREEHOLDER MUNOZ: I assume we can
 7 get the answer.
 8 MS. COTTER: We certainly can inquire
 9 on their behalf.
 10 FREEHOLDER MUNOZ: Because we could
 11 provide a way for the town to have a pool loan, the
 12 County would have a better rate than the Town of
 13 West New York has.
 14 MS. CERONE: For your information,
 15 Freeholder, most of the Town of West New York's
 16 financing are the general obligation bonds, which
 17 for the most part are issued through the Hudson
 18 County Improvement Authority. So it is a viable
 19 option for the Town of West New York to obtain from
 20 the bonds, plus the ordinance.
 21 FREEHOLDER MUNOZ: The issue that I
 22 have is they didn't send the person in charge of the
 23 parks to the meeting. It took them five years to
 24 complete the project, and you guys are asking for
 25 seven years complete the park that it's important.

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1 I mean that we expect the park to get done. We
 2 don't want to have a park that's falling down the
 3 Palisades, is that correct, and it's a safety issue.
 4 So I just want to make sure that you're telling me
 5 there's people who didn't do this, and there's
 6 people that didn't do that, and that's happening in
 7 West New York a lot, where sometimes you don't get
 8 the answers because you have to blame the previous
 9 person. But at the end of day, time keeps going and
 10 we don't have a park. The park is still in the same
 11 condition that it was five years ago. That's my
 12 concern in place. We need to continue, Massiel.
 13 COMMISSIONER FRIAS: If I may, sir,
 14 that and with all due respect, we are not here today
 15 to blame anyone why this project has not gotten
 16 done. We're here to make sure that this gets
 17 completed. It's not a blame game. It's about
 18 making sure this park is completed, not only for
 19 future Formula One racing events or whatever.
 20 Right now, it's a very dangerous slope.
 21 If you walk through there, I don't know if anybody
 22 has, it's dangerous. It's just eating up. It's
 23 very dangerous. My main concern as I walk through
 24 there is it's a big liability. So the time line
 25 that was here and I do believe it because I have a

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1 present concern what have they been doing, and I
 2 asked the question myself. What can we do to
 3 complete this program?
 4 And I appreciate the fact that you made
 5 that suggestion because it's very legitimate and
 6 it's reasonable. We should have the funds available
 7 first before we can go ahead and build this thing.
 8 At this moment I believe, yes, I think that what you
 9 proposed is reasonable and makes sense. According
 10 to this statement, it's times, also it's dates.
 11 Circumstances that are beyond our control like the
 12 weather, we're coming upon hurricane season, God
 13 forbid we have another storm, I mean, I cannot
 14 predict the future. I wish I could. I can't.
 15 Right now, it's a matter of safety, making sure that
 16 this is completed properly, and we continue to have
 17 more money not to be spent.
 18 CHAIRMAN ROMANO: Time out. One at a
 19 time. Let the speaker continue.
 20 COMMISSIONER FRIAS: It's about
 21 getting the proper answers because right now, what
 22 we are trying to accomplish once and for all is to
 23 get to this target and complete it properly and make
 24 it safe.
 25 FREEHOLDER MUNOZ: We asked the

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1 reason that the project has taken so long. We asked
 2 the CFO why they haven't submitted, and she could
 3 not tell me. You're saying that was someone that
 4 was there before. I don't know. I asked now why
 5 did the three engineering firms to come to the
 6 conclusion that it cost 4.5 million, why? You know,
 7 so a lot here, I mean when a project takes five
 8 years, we're not talking about what Freeholder O'Dea
 9 said, it's not the Freedom Tower. This is a park.
 10 Why did it take five years to fix a park?
 11 You have the funding. We are providing
 12 some of the funds. You're saying that you had to
 13 bond to the City. That's the way to do it so that
 14 it does get done.
 15 CHAIRMAN ROMANO: Before we delve
 16 into the municipal politics, my recommendation is
 17 obviously that the town, that once the town gets
 18 funding, that there would be a meeting, Freeholder
 19 Munoz, that he be invited to be periodically updated
 20 and know what is going on.
 21 With that being said also, Massiel, as the
 22 Chair, you've done right thing with the contacting
 23 and communication. If your correspondence went all
 24 the way to the Mayor, it's not for us to delineate
 25 who is going to get what. I understand the

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1 Freeholder wanted the Commissioner of the parks
 2 because it is a park. That's a meeting that you
 3 should definitely have with the Freeholder off-site,
 4 maybe with Freeholder O'Dea.
 5 FREEHOLDER O'DEA: Mr. Chairman,
 6 first I appreciate that the request that I made to
 7 her is reasonable. I think we can go forward with
 8 that, and in going forward, I think everyone kind of
 9 knows, you've got to bond the dollars, then go out
 10 to bid. Within 90 days after that, you award the
 11 bid. The construction starts. That's government.
 12 Everyone realizes that we'll have half a dozen that
 13 may need even an additional extension, I think.
 14 I think from our perspective, from the
 15 County's perspective generally, we -- this really
 16 isn't a legislative function, this is an
 17 administration function, if we don't stay on top of
 18 some of these things as much as we should and don't
 19 report back to us as much as I think should be done
 20 to keep us knowing and keep us posted of things that
 21 occur, there are probably, quite frankly, there are
 22 probably, you know, there are probably a half of
 23 dozen other projects in here, that we should be
 24 imposing the same conditions on a long extension
 25 that we're imposing now on you.

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1 To Freeholder Munoz by raising it, raised
 2 the level of discussion. We've got projects in
 3 Hoboken. We've got projects in Jersey City. I look
 4 at it, and I'm like, I don't believe they're going
 5 to get that project done in the time that they've
 6 got. It's in my district, you know. I believe
 7 they're going to be here nine months, and they're
 8 going to need another extension. We as a County
 9 need to have reporting and dialogue with recipients
 10 and sharing of the information with the committee,
 11 Public Resources Committee, and then ultimately with
 12 the Board because the lack of communication is what
 13 creates the situation that we find ourselves in.
 14 I think Jose concurs the condition that we
 15 want to put on is reasonable. I would say
 16 January 31 gives you an extra month to in case you
 17 fall into an issue where you miss a meeting or
 18 something happens in a meeting. There are tons of
 19 things that could happen. That's fair. The only
 20 other, it's not a condition, it's a request, is that
 21 you make CME available to come to a caucus so we can
 22 try to understand better how the 11/2 million become
 23 3.5. No reason not to believe that it did, but it's
 24 just kind of important for us to understand.
 25 Massiel, I would tell you that it's

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1 probably not a bad policy for us the way we do it
 2 with our own committee meetings where we bring in
 3 our engineers and architects to give us periodical
 4 updates on where projects are, it probably is a good
 5 idea if we have that done in our same format,
 6 whether it's done through our committee or where we
 7 have all of these 26 projects come in, and whether
 8 it's every six months, update us where are we, where
 9 is this project, bring your engineer, bring your
 10 architect in. If the project is under construction,
 11 bring the contractor in.
 12 What's good about that is that it keeps
 13 everybody on their toes. Commissioner, when we say
 14 next month all these consultants have to come in and
 15 tell us where the project is, it's amazing. Things
 16 happen. I would suggest, Mr. Chairman, that maybe
 17 as a policy moving forward, we undertake that as it
 18 relates to all the open space that we create every
 19 six months where we have the recipient come before
 20 the Board, and give us an update.
 21 If they're in the design phase, have the
 22 design person here. If they're in the construction
 23 phase, have someone here related to the construction
 24 side, either the contractor or the construction
 25 manager, so we better know what's going on, you

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1 know, we have a better knowledge and understanding
 2 what is going on. Then we have a better knowledge
 3 and understanding that maybe this is less with
 4 cities and more the not-for-profits, there are folks
 5 that don't have the capacity to get some of these
 6 things done, and we either need to step in and help
 7 them or take the money back from them.
 8 I would suggest that, Mr. Chairman, that
 9 we work on creating that maybe September or October,
 10 we advise all these that we want them to come in and
 11 each do five minutes where their project is at, give
 12 us a document, as simple and laid out as this time
 13 line and project summary.
 14 CHAIRMAN ROMANO: Better monitoring
 15 what is going on.
 16 FREEHOLDER O'DEA: Yeah. We maybe do
 17 it over three meetings, you get eight of them at a
 18 meeting. You want to see how quick some of these
 19 projects will move?
 20 CHAIRMAN ROMANO: Any other
 21 Freeholders?
 22 FREEHOLDER MALDONADO: I have a
 23 question. The third engineering firm, is the
 24 municipality doing litigation with the first one or
 25 the previous one because of that?

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1 COMMISSIONER FRIAS: I'm not aware of
 2 that. I raised the same question somewhere along
 3 the lines, I remember, where it is going. I have to
 4 question that.
 5 It's not a problem, Freeholder Munoz.
 6 Please let me know. I'll be more than happy to
 7 update you. One if these days if you want to come
 8 by, let me know so that I could prepare all the
 9 answers for you. Like the Freeholder said, we'll be
 10 more than happy to do that. At this point, like I
 11 said before, it's the safety of our people that
 12 concerns me the most. I appreciate that you got to
 13 this point. There was a lot of communication to
 14 come here.
 15 CHAIRMAN ROMANO: We appreciate that
 16 you came, Commissioner, and obviously, your
 17 consultants. I think it's an important first step
 18 that was made in communication. Thank you.
 19 Mr. Clerk.
 20 MS. COTTER: Mr. Chairman, I guess
 21 that the County Counsel will add language for the
 22 replacement items.
 23 FREEHOLDER O'DEA: It's not on the
 24 agenda.
 25 MR. BATTISTA: First we have to put a

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1 replacement on 20, then I'll articulate my
 2 understanding.
 3 THE CLERK: You can put the
 4 replacement on the agenda. I've already distributed
 5 the extensions.
 6 MR. BATTISTA: Let's just put the --
 7 THE CLERK: Put that on the agenda.
 8 It's entitled Authorizing Hudson Open Space Trust
 9 Grant Extensions for numerous Open Space
 10 acquisitions, park improvements and historic
 11 preservation projects throughout the County of
 12 August 8, 2013 to February 1, 2015, \$6,298,445.70.
 13 Is there a sponsor for the replacement?
 14 CHAIRMAN ROMANO: Sponsored by
 15 Freeholder Munoz. Second by Freeholder Maldonado.
 16 THE CLERK: Could I take a roll call?
 17 CHAIRMAN ROMANO: Go ahead.
 18 THE CLERK: Freeholder Cifelli,
 19 absent. DiDomenico.
 20 FREEHOLDER DiDOMENICO: Yes.
 21 THE CLERK: Dublin.
 22 FREEHOLDER DUBLIN: Yes.
 23 THE CLERK: Liggio.
 24 FREEHOLDER LIGGIO: Yes.
 25 THE CLERK: Maldonado.

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1 FREEHOLDER MALDONADO: Yes.
 2 THE CLERK: Munoz.
 3 FREEHOLDER MUNOZ: Yes.
 4 THE CLERK: O'Dea.
 5 FREEHOLDER O'DEA: Yes.
 6 THE CLERK: Rivas.
 7 FREEHOLDER RIVAS: Yes.
 8 THE CLERK: Chairman Romano.
 9 CHAIRMAN ROMANO: Wait for Freeholder
 10 Cifelli.
 11 THE CLERK: We're amending No. 20,
 12 Freeholder.
 13 FREEHOLDER CIFELLI: Yes.
 14 THE CLERK: Freeholder Cifelli votes
 15 aye. Chairman Romano.
 16 CHAIRMAN ROMANO: Yes.
 17 MR. BATTISTA: As I understand the
 18 motion to change what would be on the agenda as far
 19 as No. 20, which were three extensions involved with
 20 the Town of West New York. I will put asterisks on
 21 each one to indicate that the extension for the
 22 period of 1/31/14 to 2/1/15, will be contingent upon
 23 the Town of West New York adopting a bonding
 24 ordinance by 1/31/14, in the anticipated amount of 3
 25 million to \$3.5 million.

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1 FREEHOLDER O'DEA: That's fine. I
 2 would say an amount not less than \$3 million rather
 3 than either or. Now we're amending this and we need
 4 a second.
 5 THE CLERK: Is there a sponsor for
 6 that?
 7 CHAIRMAN ROMANO: Sponsored by
 8 Freeholder Maldonado and seconded by --
 9 FREEHOLDER O'DEA: I think it's a
 10 motion to amend. This is a motion to amend. If he
 11 has a motion, I second that to add that language to
 12 the three for West New York.
 13 THE CLERK: Freeholder Cifelli.
 14 FREEHOLDER CIFELLI: Yes.
 15 THE CLERK: DiDomenico.
 16 FREEHOLDER DiDOMENICO: Yes.
 17 THE CLERK: Dublin.
 18 FREEHOLDER DUBLIN: Yes.
 19 THE CLERK: Liggio.
 20 FREEHOLDER LIGGIO: Yes.
 21 THE CLERK: Maldonado.
 22 FREEHOLDER MALDONADO: Yes.
 23 THE CLERK: Munoz.
 24 FREEHOLDER MUNOZ: Yes.
 25 THE CLERK: O'Dea.

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1 FREEHOLDER O'DEA: Yes.
 2 THE CLERK: Rivas.
 3 FREEHOLDER RIVAS: Yes.
 4 THE CLERK: Chairman Romano.
 5 CHAIRMAN ROMANO: Yes.
 6 MS. COTTER: Mr. Chairman, the next
 7 item for inclusion on the agenda are the awards for
 8 construction contracts. These are the contracts for
 9 the intersection of Improvement Package U that we
 10 talked about, the retaining wall in front of the
 11 Hudson County Administration Building, and the
 12 improvement on the bridge median in Journal Square.
 13 CHAIRMAN ROMANO: That will be
 14 number?
 15 MS. COTTER: I'm sorry. It's a bid
 16 rejection.
 17 CHAIRMAN ROMANO: That will be a new
 18 item?
 19 MS. COTTER: Yes, this is a new item.
 20 THE CLERK: That is being
 21 distributed.
 22 FREEHOLDER MUNOZ: I have one
 23 question.
 24 CHAIRMAN ROMANO: Freeholder Dublin
 25 and Freeholder O'Dea first.

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1 FREEHOLDER O'DEA: Can we get this on
 2 the agenda?
 3 MS. COTTER: The bid rejection is for
 4 improvements to John F. Kennedy Boulevard, from 86th
 5 and Bergenline Avenue in Guttenberg and North
 6 Bergen. It exceeded the amount.
 7 FREEHOLDER O'DEA: All right. I'll
 8 make a motion to amend.
 9 THE CLERK: This is a new item,
 10 Freeholder. This will be No. 49.
 11 CHAIRMAN ROMANO: Sponsored by
 12 Freeholder O'Dea. Second by Freeholder Cifelli.
 13 THE CLERK: It's entitled Approve
 14 Purchasing Agent's awards, construction contracts.
 15 FREEHOLDER MUNOZ: Is this the type
 16 of bid can we prequalify?
 17 MS. COTTER: Prequalify? It's a
 18 construction bid there. They're not the subject of
 19 prequalifying.
 20 FREEHOLDER MUNOZ: What I'm saying is
 21 we have the professionals that are qualified, that
 22 some of them have a license.
 23 MS. COTTER: You're right, but those
 24 are professional services. We do qualify firms, but
 25 this is a lowest responsible bidder bid, and unless

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1 there's extreme circumstances, that's my
 2 understanding, or regarded as historically
 3 significant construction bids, then the State will
 4 allow us to prequalify, but any other type of normal
 5 bid area, we're not allowed.
 6 CHAIRMAN ROMANO: What number is
 7 that?
 8 THE CLERK: 49.
 9 MS. COTTER: The next item I have for
 10 addition to the agenda is a change order for Manor
 11 II Electric for \$15,000. This change order is
 12 coming before you because the entity that is doing
 13 the cleanup is requesting the County open up at
 14 night and allow for them to work.
 15 FREEHOLDER O'DEA: Are we getting
 16 reimbursed?
 17 MS. COTTER: We are getting
 18 reimbursed. The money has already been received.
 19 That's what this change order is.
 20 THE CLERK: No. 50.
 21 CHAIRMAN ROMANO: Sponsored by
 22 Freeholder Liggio. Seconded by Freeholder Dublin.
 23 THE CLERK: This is No. 50 on the
 24 consent agenda entitled Resolution approving Change
 25 Order No. 2, Manor II Electric Inc., remediation of

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1 electrical components of the Hudson Essex Joint
 2 Bridges, \$15,000.
 3 MS. COTTER: Mr. Chairman, the next
 4 item is the item we talked about, the Change Order
 5 from Tuesday for Rock Solid for the rehabilitation
 6 of JFK Boulevard Concrete Arch over the cliff at
 7 76th Street in North Bergen, \$35,500.
 8 CHAIRMAN ROMANO: Sponsored by
 9 Freeholder Liggio. Seconded by Freeholder
 10 Maldonado.
 11 THE CLERK: This will be No. 51 on
 12 the consent agenda entitled Resolution approving
 13 Change Order No. 2, Rock Solid Construction and
 14 Rehabilitation of JFK Boulevard improvements to
 15 concrete arch over cliff at 76th in North Bergen
 16 Township, \$35,500.
 17 MS. COTTER: Mr. Chairman, the last
 18 item for your consideration will be a late request
 19 by the Town of Secaucus and the Police Department
 20 for Laurel Hill Park on September 22nd for their
 21 Secaucus Junior Police Academy.
 22 CHAIRMAN ROMANO: Sponsored by
 23 Freeholder Cifelli. Seconded by Freeholder Dublin.
 24 MS. COTTER: Excuse me. It's not
 25 September 22nd. It's August 22nd.

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1 THE CLERK: The item will be 52 on
 2 the consent agenda entitled Authorizing the use of a
 3 portion of Laurel Hill Park for the Junior Police
 4 Academy Program on August 22nd, 2014, between the
 5 hours of 9 a.m. to 2 p.m.
 6 CHAIRMAN ROMANO: 52, correct?
 7 THE CLERK: 52.
 8 MS. COTTER: Mr. Chairman, there were
 9 some items requesting additional information. We
 10 have of Assembly Bill 3993, sponsored in part by
 11 Assemblyman Maynard on the recent insurance
 12 requirement for operators that operate buses must
 13 have commercial driver's licenses. This is not new.
 14 It's just additional information.
 15 And the County Counsel has additional
 16 information.
 17 MR. BATTISTA: I think it was
 18 Freeholder Munoz at the last meeting asked for
 19 copies of the litigation that we were involved in
 20 with stops of jitney buses. The litigation, you can
 21 certainly read through and we could talk about it
 22 another time, was addressing the complaints about
 23 queuing up busing during the investigation for the
 24 stops, and also not allowing the companies to hire
 25 their own companies to remove buses and take them

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1 out of circulation.
 2 In furtherance of the request of
 3 Freeholder O'Dea and Freeholder Munoz, we are
 4 looking into the question as to random stops, what
 5 authority the sheriff or police officers have.
 6 Hopefully, by the next meeting I'll at least give
 7 you an opinion on that. Certainly, if you have any
 8 questions regarding what I've given you, you can
 9 certainly send me an e-mail.
 10 FREEHOLDER MUNOZ: I have a question.
 11 For example, if the Sheriff's Department were to say
 12 let's put an officer in plain clothes to ride the
 13 buses, can we do that legally? And if they see an
 14 infraction like a cell phone as a passenger of the
 15 bus, we will be able to perform a stop?
 16 MR. BATTISTA: I would prefer
 17 answering that question as to the random stops and
 18 why we're selecting a particular bus, perhaps that
 19 we do every public bus, I would prefer that
 20 conversation be at a closed session or committee
 21 with a representative of the Prosecutor's office
 22 because I think they have an interest in that. I'm
 23 not looking not to answer. I don't have the answer,
 24 number one; and number two, we're looking into the
 25 random stop issue. I think law enforcement needs to

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1 be involved, and that's a probably better topic for
 2 a closed session or committee.
 3 CHAIRMAN ROMANO: And you can't stop
 4 a vehicle unless you have to -- obviously, you have
 5 every day different reasons or infractions. If you
 6 observe in plain view a vehicle violating Title 39,
 7 you can make a stop, but for that, you can't
 8 unfortunately say that bus looks like overweight,
 9 you can't.
 10 MR. BATTISTA: That is an issue for
 11 closed session.
 12 FREEHOLDER MUNOZ: You can see
 13 someone on a cell phone driving.
 14 CHAIRMAN ROMANO: That's another
 15 area. It's a Title 39.
 16 MS. COTTER: Mr. Chairman, that's all
 17 I have for the agenda.
 18 FREEHOLDER MALDONADO: Mr. Chairman,
 19 I requested that resolution for the Board in support
 20 of Addendum 3993.
 21 THE CLERK: Freeholder, I didn't get
 22 that request. I will work on it for the next
 23 meeting.
 24 CHAIRMAN ROMANO: Mr. Clerk.
 25 THE CLERK: I have Item 53 for your

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1 consideration from the Board which is a resolution
 2 authorizing contribution to the organization More
 3 Than a Race, \$1,000.
 4 CHAIRMAN ROMANO: Sponsored by
 5 Freeholder Dublin. Seconded by Freeholder
 6 DiDomenico.
 7 THE CLERK: That's 53 on the consent
 8 agenda.
 9 CHAIRMAN ROMANO: Continue,
 10 Mr. Clerk.
 11 THE CLERK: The next portion of our
 12 meeting is public participation. According to the
 13 policy set by the Board of Freeholders, members of
 14 the public are asked to limit their comments to 15
 15 minutes when discussing agenda items and five
 16 minutes at the conclusion of the meeting when
 17 discussing matters of public interest.
 18 At this time the public may address the
 19 Board on any item on the agenda only. Please keep
 20 your comments limited to 15 minutes. Are there any
 21 speakers on agenda items only?
 22 Please state your name.
 23 MS. WAITERS: Patricia Waiters. I'm
 24 going to be speaking on a few agenda items. I'm
 25 going to sum it up in 15 minutes, and I try to

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1 review online when I'm speaking on an item because I
 2 don't have all the facts. So hope today you can
 3 assist me with some of these questions.
 4 On Page No. 2, Item No. 14, the upcoming
 5 special election for the Senate Race on Tuesday, the
 6 13th, that 60,000 is what we have for the machines
 7 because of the special election?
 8 MS. COTTER: That resolution is
 9 because of the extra primary and special elections.
 10 MS. WAITERS: Thank you so much. No.
 11 17, is this a grant request for the juvenile
 12 detention center from our Juvenile Commissioners
 13 from the State of New Jersey?
 14 MS. COTTER: Yes, that's a grant.
 15 MS. WAITERS: Well, with that said,
 16 I'm not trying to stop no progression or progress,
 17 but is there anything else that might need the
 18 money? You all know I attended your budget hearing
 19 because I've been watching dollars and ways we can
 20 save versus wait to see what happened this year with
 21 us rushing the budget, and I've been speaking to
 22 different people, inspiring them to go over some of
 23 these bills.
 24 On No. 26, contract for the correctional
 25 facility for 350,000 for substance abuse treatment.

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1 I know about them. They have treatment for -- what
 2 is that substance abuse treatment from, not
 3 Integrity, the one on Garfield Avenue? I don't know
 4 if that still exists. Is this going to be an
 5 additional substance abuse that you're just adding
 6 to the one that already exists?
 7 MS. COTTER: This is a continuation.
 8 That contract is expiring. This is a new one.
 9 MS. WAITERS: Okay. And for legal
 10 counsel on No. 28, is this our County Counsel,
 11 Mr. Florio's firm?
 12 MR. FLORIO: No, it's the other
 13 Florio. I'm the good Florio.
 14 MS. WAITERS: Because the word
 15 "outside" grabbed my attention because like I said,
 16 I don't have it today but I'm going to be submitting
 17 paperwork where I know we can save lots of money
 18 with the Legal Department on the legal level because
 19 in Hoboken we has a horrible last night. We didn't
 20 get out until almost four in the morning.
 21 I'm confused with the not-to-exceed
 22 amounts when an attorney asks for a not-to-exceed
 23 amount. I don't understand how you come back and
 24 reamend and ask for more money, and it's not like an
 25 appeal has to be done. All the law firms should

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1 know in advance. If they ask for \$50,000, it's
 2 50,000, instead of coming back asking for more money
 3 for hiring outside legal counsel.
 4 MR. FLORIO: This firm is performing
 5 the role of counsel for the Construction Board of
 6 Appeals. The hourly rate was established in an RFQ.
 7 I believe it's \$125 an hour. The reason why it's
 8 not to exceed is there is no way to know how long a
 9 meeting will take, how much time will be devoted to
 10 a particular meeting. What we did, and this is just
 11 for one month, when we can get responses to a new
 12 RFQ, we just took one-twelfth of what the yearly
 13 contract was for the last year. That doesn't mean
 14 we're going to spend it.
 15 It was just an estimate. There is no way
 16 I can tell in advance what the agenda is going to be
 17 for the meeting in September, not how long it will
 18 take. It could take one hour. It could take six
 19 hours. There could be bylaws which may take more
 20 time. It's just an amount and an estimate.
 21 MS. WAITERS: Thank you, Mr. Counsel.
 22 I applaud you for that. I'm thinking that's a good
 23 idea, but I don't see the not-to-exceed amount, and
 24 I was looking at the hundred or whatever per hour
 25 because you don't ever know what might happen in the

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1 future. That's what I'm saying, compared to these
 2 17 attorneys, when it says not to exceed, one of
 3 them asked for an extra \$20,000. So I actually
 4 mentioned No. 28, and there is no mention about a
 5 not-to-exceed amount. Thank you for that
 6 clarification. I'm almost finished now.
 7 On No. 27, did you ever get ever in touch
 8 with Mr. Yessin, Mr. O'Dea, and the others guys that
 9 live in Florida with this specific issue? I'm
 10 noticing back when they came in, it's listed for 52.
 11 I know we had an issue with Jersey Medical Center.
 12 CHAIRMAN ROMANO: It's a monthly
 13 renewal.
 14 MS. WAITERS: We were concerned about
 15 nobody getting paid if something gets sick. Is that
 16 the same issue because of Sandy? I remember the
 17 public speakers from West New York, no disrespect to
 18 you, we've got to be careful. The members of the
 19 public are very upset about that too. We were all
 20 impacted by Sandy, and I'm going to say this again,
 21 I mean, we can't say what's right and what's wrong
 22 and what's safe and unsafe.
 23 We were all impacted by it, but lately we
 24 have to be careful because there's a lot of people
 25 looking at Sandy funds as a free-for all. I mean,

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1 I've been doing my homework, and I've been looking
 2 really deep into stuff. That's good what the body
 3 did tonight, like curious as to why would you go
 4 from 3 million to another 4 or 5 million. I'm glad
 5 that you took a stand like that, and you're looking
 6 into all of these people. Because the money is
 7 there, that don't mean we have to spend it. There's
 8 other avenues, different commissions that work
 9 within the cities, and you've got to make a park
 10 safer, not unsafe. If you want to rush a deadline
 11 just to get money. There are other ways we can do
 12 money instead of everybody keep using Sandy as a
 13 free-for-all. Thank you.
 14 THE CLERK: Are there additional
 15 speakers on agenda items only? Mr. Chairman, there
 16 appear to be none.
 17 The consent agenda now includes an amended
 18 to 20, new No. 49, 50, 51, 52 and 53. No. 3 was
 19 revised at the caucus, and that was distributed as
 20 part of your agenda. Is there a motion to approve
 21 all items on the consent agenda?
 22 CHAIRMAN ROMANO: Motion by
 23 Freeholder Dublin. Seconded by Freeholder Liggio.
 24 THE CLERK: Freeholder Cifelli.
 25 FREEHOLDER CIFELLI: Yes.

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1 THE CLERK: DiDomenico.
 2 FREEHOLDER DiDOMENICO: Yes.
 3 THE CLERK: Dublin.
 4 FREEHOLDER DUBLIN: Yes.
 5 THE CLERK: Liggio.
 6 FREEHOLDER LIGGIO: Yes.
 7 THE CLERK: Maldonado.
 8 FREEHOLDER MALDONADO: Yes.
 9 THE CLERK: Munoz.
 10 FREEHOLDER MUNOZ: Yes.
 11 THE CLERK: O'Dea.
 12 FREEHOLDER O'DEA: Abstain on 27.
 13 Abstain on 29. Abstain on 32E as an award. Abstain
 14 on 33. Aye on the rest.
 15 THE CLERK: Rivas.
 16 FREEHOLDER RIVAS: Yes.
 17 THE CLERK: Chairman Romano.
 18 CHAIRMAN ROMANO: Yes.
 19 THE CLERK: All items are approved.
 20 We have one ordinance for introduction. The
 21 ordinance is entitled Ordinance rescinding Ordinance
 22 No. 168-4-2010, and amending Chapter 200, Article
 23 8.11, of the Administrative Code to eliminate a
 24 reserved handicapped parking space on John F.
 25 Kennedy Boulevard, Bayonne, for Anna Santiago due to

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1 a change of address.
 2 On introduction, Freeholder Cifelli.
 3 FREEHOLDER CIFELLI: Yes.
 4 THE CLERK: DiDomenico.
 5 FREEHOLDER DiDOMENICO: Yes.
 6 THE CLERK: Dublin.
 7 FREEHOLDER DUBLIN: Yes.
 8 THE CLERK: Liggio.
 9 FREEHOLDER LIGGIO: Yes.
 10 THE CLERK: Maldonado.
 11 FREEHOLDER MALDONADO: Yes.
 12 THE CLERK: Munoz.
 13 FREEHOLDER MUNOZ: Yes.
 14 THE CLERK: O'Dea.
 15 FREEHOLDER O'DEA: Yes.
 16 THE CLERK: Rivas.
 17 FREEHOLDER RIVAS: Yes.
 18 THE CLERK: Chairman Romano.
 19 CHAIRMAN ROMANO: Yes.
 20 THE CLERK: We have no ordinances for
 21 second reading. That concludes the items of
 22 business on today's agenda. Are there any comments
 23 from the Freeholders on the business of the Board?
 24 Are there any comments from the Chief of
 25 Staff of the County Executive?

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1 MR. GAUGHAN: No, thank you.
 2 THE CLERK: This is the time for
 3 anyone present to address the Board on any matter of
 4 public interest. Please remember to limit your
 5 comments to five minutes.
 6 Frank Williams.
 7 MR. WILLIAMS: Good afternoon. I'm
 8 Frank Williams, and I'm a sergeant with the Jersey
 9 City Police Department. I also am the president
 10 Hudson County Youth Football League, an
 11 organizations that you Freeholders have kindly every
 12 year supported with a resolution of funds to help us
 13 support the payment of the referees.
 14 I just wanted to address and bring to your
 15 attention some events that occurred within the last
 16 week. I was introduced in a meeting with Joe
 17 Chickini, the new Hudson County Director, to a
 18 gentleman by the name of Michael Ascolese, who was
 19 introduced to me as the gentleman who takes care of
 20 the permits.
 21 We subsequently had another meeting on
 22 July 29th at 7:30 at the Gallo Building in Lincoln
 23 Park, where he stated that the County, and this is
 24 how he referred to it several times and never named
 25 anybody, that the County was concerned about the

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1 running of the program. We currently run it with a
 2 board of directors, a president and vice president
 3 and so on. He stated that according to him, the
 4 County told him that we needed to reorganize or we
 5 would not continue to get funding from the
 6 Freeholders. That's a quote. He also stated that
 7 because we were not a 501(c)(3), that they were not
 8 allowed to collect any money and allocate it to the
 9 referees.
 10 The meeting went on for about two hours.
 11 I guess I had five minutes. My number one question
 12 would be, how did the gentleman that was identified
 13 by Joe Chickini, the Park Director, as the permit
 14 gentleman so I can apply to play in the parks, get
 15 the authority to, one, call us in and then state
 16 that we need reorganize and then subsequently the
 17 end result to state that he would now be the
 18 commissioner, that's what he called it, the
 19 commissioner of our league and run our organization?
 20 FREEHOLDER MUNOZ: How much did we --
 21 because we never had a discussion about that at the
 22 Freeholder Board, how much have we provided your
 23 organization?
 24 MR. WILLIAMS: Last year you guys
 25 provided \$12,000, and from my understanding, it's

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1 been that way.
 2 FREEHOLDER DUBLIN: We have no issue.
 3 No one approached me about it. It usually comes
 4 around this time the year. I mean we always vote on
 5 it. We never had a conversation. I don't believe
 6 we have an issue.
 7 CHAIRMAN ROMANO: Freeholder Cifelli.
 8 FREEHOLDER CIFELLI: Sir, so I'm
 9 clear, you spoke to Mr. Ascolese?
 10 MR. WILLIAMS: Correct.
 11 FREEHOLDER CIFELLI: You spoke to
 12 him, and he said he was the commissioner. You took
 13 that to be governance of your board, as opposed to
 14 scheduling or the running the games?
 15 MR. WILLIAMS: That's correct.
 16 FREEHOLDER CIFELLI: It wasn't the
 17 physical activities, it's the internal workings?
 18 MR. WILLIAMS: Correct, he made
 19 several statements to that matter.
 20 CHAIRMAN ROMANO: Did he say what
 21 specific problem he had with it?
 22 MR. WILLIAMS: You know, I have a
 23 several of his quotes. Basically, he just said one
 24 was that we were not a 501(c)(3), and specifically
 25 we had need to be a 501(c)(3), that's the only way

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1 the County will do funding. That's a quote. That's
2 why I'm here.
3 FREEHOLDER CIFELLI: That's another
4 issue. That's a different issue. I would not think
5 a softball game in the park depends on the IRS
6 status. What makes the connection between your
7 internal governance status and getting a permit?
8 CHAIRMAN ROMANO: Director
9 Richardson, who is in charge of getting out the
10 permits.
11 DIRECTOR RICHARDSON: Michelle
12 Richardson, Director of Parks and Community
13 Services. Mr. Chickini is the division chief. In
14 the division, Mr. Ascolese is, in fact, responsible
15 for the permitting process. So he is responsible.
16 FREEHOLDER O'DEA: If I may, what is
17 his title?
18 DIRECTOR RICHARDSON: I don't know
19 what is his title.
20 FREEHOLDER O'DEA: Come on, what is
21 his title?
22 DIRECTOR RICHARDSON: Freeholder, I
23 don't know exactly.
24 FREEHOLDER O'DEA: Is he a
25 confidential aide, yes or no? It's a simple

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1 question.
2 DIRECTOR RICHARDSON: Freeholder, I
3 don't know his title. I'm not certain.
4 FREEHOLDER O'DEA: Could you make a
5 call? I don't think that finding out a title of an
6 employee of the County is something that should take
7 more than a minute or two to find.
8 FREEHOLDER MUNOZ: What is the
9 process for providing permits?
10 CHAIRMAN ROMANO: Freeholder Munoz's
11 question is directed toward Director Richardson.
12 While she's doing that --
13 THE CLERK: Mr. Chairman, five
14 minutes have just expired.
15 FREEHOLDER MUNOZ: If I want to get a
16 permit, what is the condition of getting a permit
17 from the County?
18 DIRECTOR RICHARDSON: Availability of
19 facilities, insurance.
20 FREEHOLDER MUNOZ: Do you have
21 insurance?
22 MR. WILLIAMS: Correct. If I could
23 answer that in two seconds, every year when I write
24 a letter to the Director of Hudson County Parks, and
25 since 2005, it was Tom McCann, he since retired.

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1 Joe Chickini sent me a letter. I had stipulated in
2 that letters the dates, the times and days, and then
3 I supply a schedule of football games, and I supply
4 our insurance to the County.
5 MS. COTTER: Mr. Williams, have you
6 been denied permits, is that what you're saying?
7 MR. WILLIAMS: No, ma'am. We haven't
8 even gotten to that point. What I'm saying is I'm
9 trying to question the gentleman, question why I
10 went from the gentleman being permit gentleman to
11 guy calling a meeting of the County teams that are
12 involved in this league and stating that we needed
13 to reorganize, and he was going to be placed as the
14 commissioner of the league and run our league.
15 FREEHOLDER DUBLIN: You think that
16 you're going in for a permit, and there is another
17 discussion about the funding and a takeover of the
18 organization?
19 MR. BATTISTA: Can I raise a point?
20 I understand the gentleman's complaint. I know the
21 Administrator is looking into those issues. I
22 really don't want to get into what Mr. Ascolese did
23 or didn't in terms of his job performance. There
24 are issues where he has a right to be noticed if
25 we're going to have that discussion. I understand

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1 the gentleman's complaint, and the Deputy
2 Administrator is aware of it, probably had a meeting
3 about it. We are looking into that. But to start
4 discussing Mr. Ascolese, what he did, what he
5 discussed with you, discussing his job performance
6 particularly, we have to Rice him.
7 FREEHOLDER DUBLIN: I didn't mention
8 nobody's name.
9 FREEHOLDER O'DEA: I have a question.
10 The money that was appropriated annually for
11 referees, is done by a resolution of this Board,
12 correct?
13 MR. FLORIO: As I understand it, yes.
14 FREEHOLDER O'DEA: When does that
15 generally get done? I would assume that the season
16 starts in September, correct?
17 MR. WILLIAMS: Right.
18 FREEHOLDER O'DEA: What is the
19 current status of the resolution appropriating the
20 money to pay for the referees?
21 MS. COTTER: Mr. Chairman, I can
22 answer that question. The County is in support of
23 funding referees for this Hudson County Youth
24 Football. Currently, our problem is we don't know
25 who to write the check to.

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1 CHAIRMAN ROMANO: Who was it last
2 year?
3 MS. COTTER: Last year it was the
4 Jersey City PLA.
5 FREEHOLDER O'DEA: Which is a
6 not-for-profit.
7 MS. COTTER: Which is a
8 not-for-profit, but because the board is
9 reorganizing --
10 FREEHOLDER O'DEA: The PAL board?
11 MS. COTTER: No, the Hudson County
12 Youth Football.
13 FREEHOLDER O'DEA: Who is
14 reorganizing? What constitutes the board of the
15 Hudson County Youth Football League?
16 MR. WILLIAMS: I serve as the
17 president. I'm from Jersey City. Vice president
18 is, Emil Fuda with North Bergen. The sergeant at
19 arms is Tom Witt from Kearny, and the treasurer is
20 Javier Rodriguez from Passaic.
21 CHAIRMAN ROMANO: They are involved
22 in the league.
23 FREEHOLDER O'DEA: How many teams are
24 in the league.
25 MR. WILLIAMS: We have nine. Since

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1 this occurred, Paterson dropped out. We're down to
2 eight.
3 CHAIRMAN ROMANO: Paterson is in
4 Passaic County.
5 FREEHOLDER O'DEA: We have always
6 understood that. We have always understood this
7 league is not only Hudson County teams. We've
8 funded this many, many, many, many years. The
9 entity that runs the league is called what? Is it
10 an actual entity or just the teams themselves?
11 CHAIRMAN ROMANO: Freeholder Cifelli.
12 FREEHOLDER CIFELLI: That is the
13 separate issue, is it a corporation, LLC? What is
14 the Hudson County Youth Football League?
15 MR. WILLIAMS: It is my understanding
16 it never has been.
17 FREEHOLDER CIFELLI: And so it's an
18 association of these eight teams.
19 MR. WILLIAMS: It's a member
20 organization with rules and regulated by our bylaws.
21 We have a treasurer. Last year was our first year
22 as an organization with a president and vice
23 president. In the past it was one just person, Mr.
24 Miller, who worked for the County as a Commissioner,
25 and we never received it.

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1 FREEHOLDER CIFELLI: So PAL received
2 the check?
3 MS. COTTER: They have in the past.
4 FREEHOLDER CIFELLI: And who writes
5 checks for the organization?
6 MS. WAITERS: Out of the Hudson
7 County Youth, we created a Hudson County Youth
8 Football League account. I have the checking
9 account right here.
10 FREEHOLDER CIFELLI: They couldn't
11 set up an account unless you have tax ID number, so
12 that's probably not accurate, but I'm just trying to
13 get to the bottom of it. The County writes a check
14 to the Jersey City PAL. The PAL writes a check to
15 them or some other organization?
16 MR. WILLIAMS: I deposit the check in
17 the Hudson County Youth Football account.
18 FREEHOLDER CIFELLI: How did you get
19 that account for the Jersey City PAL?
20 MR. WILLIAMS: Because I'm allowed to
21 use my 501. When you see the check, it says Police
22 Athletic League on top, legally in separate
23 accounts.
24 FREEHOLDER DUBLIN: What is the
25 problem? Who picks the board? Who picks?

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1 MR. WILLIAMS: We're elected amongst
2 the membership.
3 FREEHOLDER O'DEA: I would assume
4 each team has a rep, and then those teams elect a
5 president, a vice president, a treasurer, secretary.
6 MR. WILLIAMS: That is correct.
7 FREEHOLDER DUBLIN: Who notified them
8 that they were to reorganize?
9 MS. COTTER: Mr. Williams spoke to me
10 about it.
11 FREEHOLDER DUBLIN: Is their
12 reorganization over?
13 MR. WILLIAMS: This is my question.
14 I didn't call for a reorganization. We have
15 elections going on next year. We're being told by
16 this gentleman, I forgot the name, that we are to
17 reorganize, and if we do not reorganize, this is a
18 direct quote, we will not be funded.
19 MS. COTTER: Freeholder, you're
20 assuming that's the case.
21 FREEHOLDER O'DEA: Sergeant, could
22 you demonstrate, for instance, if we requested it,
23 that the \$12,000 that was appropriate last year, in
24 fact, went to pay referees?
25 MR. WILLIAMS: Absolutely.

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1 CHAIRMAN ROMANO: There was no
 2 salaries being paid with County money?
 3 MR. WILLIAMS: That's correct. Not
 4 one penny from County.
 5 FREEHOLDER O'DEA: Can you provide
 6 that to our Clerk at your earliest convenience?
 7 MR. WILLIAMS: Absolutely, I will
 8 provide it now.
 9 CHAIRMAN ROMANO: Make copies.
 10 FREEHOLDER O'DEA: Can we ask that,
 11 you know, subject to that and review of that we then
 12 get ready to see how we can fund the referees for
 13 the next season? I don't want to find out that we
 14 don't have this league and then Kearny and the PAL
 15 can't be playing games because we didn't appropriate
 16 money that as long as I've been on this Board, we've
 17 always appropriated that money, maybe at our next
 18 meeting. When does your season start?
 19 MR. WILLIAMS: Second week of
 20 September.
 21 FREEHOLDER O'DEA: We're literally
 22 running up against --
 23 MS. COTTER: I understand.
 24 FREEHOLDER O'DEA: What else do you
 25 do with your membership fees? I guess you charge

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1 per player?
 2 MR. WILLIAMS: Well, each is allotted
 3 now according to, again, what we've done is equally
 4 divided to pay for the refs, and then after that we
 5 divided the rest of the costs equally amongst all
 6 the teams that were involved.
 7 FREEHOLDER O'DEA: To purchase
 8 equipment?
 9 MR. WILLIAMS: No, the referees' fees
 10 are pretty astronomical. You can see the numbers.
 11 When you guys have allotted the \$12,000 in the past,
 12 the referee fees were \$40. Now they're up to \$60.
 13 That's \$180 times three in one day, \$2,700 times
 14 five games. Right there you can see your \$12,000
 15 just went.
 16 CHAIRMAN ROMANO: I would ask that
 17 Freeholder Liggio is going to be our advising
 18 representative, and that you keep him in the loop.
 19 FREEHOLDER O'DEA: I would ask you,
 20 absent Mr. Ascolese or someone presenting to us
 21 impropriety, which no one has done to date, I'm not
 22 sure why that other discussion even took place.
 23 FREEHOLDER MUNOZ: Mr. Chairman, if
 24 there was an issue, who would be the person to speak
 25 to from the Administration? Who would be the person

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1 in the Administration to speak to if there was an
 2 issue? Who would be the person assigned to speak
 3 representing the County?
 4 MS. COTTER: I would think that it
 5 would start out with the Parks Division, but I would
 6 like to say that it's an ongoing -- how do I put
 7 this? It's an ongoing review. There appears to be
 8 internal turmoil within there.
 9 CHAIRMAN ROMANO: There are in a lot
 10 of leagues.
 11 FREEHOLDER O'DEA: If we spent our
 12 lives with every little league that we give \$1,000
 13 or every other league that we give some to try to
 14 micromanage their management, we wouldn't have time
 15 to deal with the larger, more pressing issues that
 16 we have in this government.
 17 MS. COTTER: I understand that.
 18 Nobody is looking to micromanage.
 19 FREEHOLDER O'DEA: Mr. Ascolese
 20 might. Again, he's not here, but he allegedly
 21 proclaimed himself the new commissioner.
 22 FREEHOLDER DUBLIN: And allegedly, he
 23 became our spokesperson. We never said anything to,
 24 you know, say that.
 25 MR. BATTISTA: Mr. Ascolese is not

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1 here to defend himself.
 2 FREEHOLDER O'DEA: I'm not saying --
 3 MR. BATTISTA: It's still a public
 4 record and the accusation is being made, and the
 5 gentleman is entitled to defend himself. If the
 6 Board wishes to question, there would be a certain
 7 notice.
 8 FREEHOLDER O'DEA: We would like him
 9 to attend the next caucus. I would like to request
 10 Michael Ascolese attend the next caucus meeting.
 11 Legal counsel has to do a notice.
 12 CHAIRMAN ROMANO: Freeholder
 13 Maldonado.
 14 FREEHOLDER MALDONADO: At this
 15 juncture, have you done everything else, have you
 16 submitted everything that you need to submit?
 17 MR. WILLIAMS: Well, right now I'm
 18 just waiting on it.
 19 CHAIRMAN ROMANO: I have one question
 20 too. Obviously, with regard youth football and
 21 sports in general, the folks involved are supposed
 22 to go through checks, background checks. I'm
 23 assuming that you wear the uniform you are
 24 considered, and I suggest that everyone is above
 25 reproach that is a recipient of the funds that we

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1 submit.

2 FREEHOLDER MALDONADO: All the

3 letters have been submitted, and you're waiting on

4 the permit allocations?

5 MR. WILLIAMS: That's correct. I

6 don't see an issue. I've done this since 2005.

7 Everything is done. The only thing we're going to

8 be changing out is the schedule. I have to resubmit

9 because one team dropped out.

10 FREEHOLDER O'DEA: Can you keep us

11 posted?

12 MR. WILLIAMS: Absolutely.

13 FREEHOLDER O'DEA: I'll give you my

14 e-mail, as the Chair of the Public Resources. You

15 could e-mail me, W-O-R-E-D, the number one at

16 Yahoo.com.

17 CHAIRMAN ROMANO: Freeholder Liggio.

18 FREEHOLDER LIGGIO: The permits that

19 the sergeant's talking, they refer to your

20 organization you're talking about?

21 MR. WILLIAMS: That's correct.

22 FREEHOLDER LIGGIO: You play I guess

23 in Lincoln park. You play all the other teams in

24 there, there are no permits anywhere else? It's

25 where they're based.

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1 FREEHOLDER O'DEA: We've been giving

2 permits to them every other year for X amount of

3 games for the whole PAL. They play in Lincoln Park.

4 FREEHOLDER LIGGIO: I know the boys.

5 It's something to consider when the sergeant was

6 calculating the cost of referees where the fee

7 schedule was \$12,000 for eight teams, it really is

8 very small.

9 FREEHOLDER O'DEA: It's always been

10 the case quite frankly that we recognize that not

11 every team is from Hudson County. That's why we

12 never provided a hundred percent of those dollars.

13 We understand you can charge fees to the players

14 like every little league and every other league. I

15 don't know why we are overly getting involved in

16 this.

17 CHAIRMAN ROMANO: My concern is the

18 background and salaries, no salaries paid out of any

19 of our money, okay? Other than that, we don't have

20 any problem.

21 FREEHOLDER LIGGIO: I think that the

22 league should basically operate separate from the

23 County government.

24 CHAIRMAN ROMANO: If you keep the

25 committee informed, Freeholder Liggio and O'Dea and

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1 Dublin will be a committee.

2 MR. WILLIAMS: Thank you. I

3 appreciate it.

4 THE CLERK: Carol McNichol.

5 MS. McNICHOL: Thank you for having

6 me here today. I appreciate it. My name is Carol

7 McNichol. I live in Jersey City. I am the

8 president and founder of Companion Animal Trust,

9 which is a 501(c)(3) nonprofit. The organization is

10 hoping to re-home homeless cats and dogs in Hudson

11 County.

12 In 2009, I began a program called

13 Neighborhood Dog Cat Initiative to offer practical

14 solutions to address the free-roaming feral cat

15 populations that live on our streets in Hudson

16 County. There could be as many as 40,000 cats in

17 our streets that are unneutered. Under two percent

18 of them are neutered. The rest are not. I get

19 grant money from different charities. I get grant

20 money from the ASPCA. I get money from the John and

21 Wendy Zoo Foundation to enable me to do good work to

22 help these cats to reduce the population of the

23 colonies.

24 I am very well respected in this regard.

25 We're now in our fifth year of doing this. I came

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1 here to discuss a change of policy in Lincoln Park

2 concerning a cat colony in the maintenance compound.

3 The colony of cats have been living there for years.

4 It is their home. They deserve to stay there. I do

5 recognize and accept that there is a problem right

6 now. The policy change is very misguided in trying

7 to address the fleas. The change in policy involves

8 the removal the cats.

9 The removal of feral cat is not a

10 nationally recognized model to use because they're

11 territorial, meaning you take them to another

12 location, you take them to a park in North Bergen,

13 they will leave that park and try to find Lincoln

14 Park. In the process they can get very sick because

15 they can't feed themselves. They're not very good

16 at hunting and they could die. It's not humane to

17 take them and relocate them.

18 Relocating a feral colony is not endorsed

19 by any national humane organization. I just

20 mentioned a few of them. This colony in Lincoln

21 Park, I have a vested interest. I have been

22 standing with them. In 2009, I went into Lincoln

23 Park because a Jersey City animal control officer

24 brought a cat called Daisy to Lincoln Park, a stray

25 cat he picked up, and he thought the cat was feral.

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1 So he took the cat to the park.
2 We started wondering how many house cats
3 are in Lincoln Park. Was this being done over and
4 over the years? I rallied my troops together. We
5 got permission from the County through Tom McCann
6 and others. We went in there and trapped. In one
7 day in one hour I trapped 20 cats, of which seven
8 were friendly enough to keep out of the park and
9 re-home. The remainder were feral. They had to be
10 put back in the park. "Feral" by the way means
11 they're living in a wild state. The state of New
12 Jersey -- all cats are domestic under the State of
13 New Jersey.
14 FREEHOLDER CIFELLI: How do you have
15 knowledge whether the cat is feral?
16 MS. McNICHOL: It's studied.
17 Obviously, it's been studied at the ASPCA because we
18 know cats can be scared, the scaredy cat syndrome.
19 Cats can act feral. So a friendly house cat can act
20 feral. So that why this ACO probably put the cat in
21 the park, maybe he was a really feral cat. That was
22 reasonable. You take a feral cat to the shelter and
23 they're killed.
24 So how do you determine if a cat is feral?
25 They are antisocial with people. You can't get near

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1 them. You can't touch them. They have never been
2 socialized to people. The first three months of a
3 kitten's life is the critical time of socialization.
4 By three months old, a kitten acting feral runs away
5 from you, hides, you can't touch them. You can't
6 adopt these cats out. They're not candidates for
7 adoption. There are house cats that are borderline
8 feral. There's various degrees of this, but in
9 reality, these cats are a considered domestic by the
10 state.
11 The cats outside are not wildlife.
12 They're not squirrels or raccoons. They are
13 domestic, and they are covered and protected by the
14 animal cruelty laws of New Jersey. So you cannot
15 abandon your pet outside and not feed it and take
16 care of it. You're violating that statute. What is
17 occurring in Lincoln Park right now --
18 THE CLERK: Mr. Chairman, five
19 minutes.
20 MS. McNICHOL: We understand that.
21 It's a misguide approach to think you can relocate
22 the colony to further abate future problems because
23 these cats, people do abandon their cats in the
24 park. More cats will show up and take over the
25 territory. That's called the vacuum effect. The

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1 national model for cat colonies is trap, neuter,
2 return. Let the colony live in its territory, keep
3 other cats as they arrive and over time through
4 attrition the colony should subside.
5 CHAIRMAN ROMANO: Could you wrap it
6 up?
7 MS. McNICHOL: So I'm here to say
8 right now that the policy that's put out that you've
9 told workers in the park to stop feeding the cats,
10 three weeks now, the cats haven't been fed, and that
11 there is a plan in place to remove them. So I'm
12 just looking to you to work with my organization and
13 also the Lawyers in Defense of Animals to come up
14 with a common ground solution to help these cats
15 stay where they are, and also to mitigate any flea
16 problems. I put forth a plan already to the
17 Director. I am really looking to do that.
18 FREEHOLDER O'DEA: Director
19 Richardson, can you respond?
20 MR. BATTISTA: I had a conversation
21 with Ms. McNichol last week. I understand the point
22 of view. I think what she originally thought was
23 going to happen is not happening, and there was some
24 issues with what we were originally planning. I did
25 have a conversation with Isabella Strauss, who is an

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1 attorney who also is president of Lawyers in Defense
2 of Animals, and the conversation that I had with Ms.
3 Strauss was we provided her with whatever she wishes
4 to bring to a meeting. Ms. Strauss is getting back
5 to me hopefully by tomorrow. We will be meeting
6 with Lawyers in Defense of Animals. I could
7 certainly invite Ms. McNichol if she wishes to come.
8 FREEHOLDER O'DEA: I would like to
9 attend that meeting since Lincoln Park is in my
10 district.
11 MR. BATTISTA: I will let you know
12 when that is. We have also been trying to address
13 the flea problem, but the professionals are telling
14 us we need to address the cat issue. I'm trying to
15 do it -- I hate using the term realistically but
16 covering all of the concerns of the parks. We will
17 hopefully have a meeting in the next day or two.
18 MS. McNICHOL: Thank you very much.
19 FREEHOLDER O'DEA: I think County
20 Counsel is trying to approach this in a reasonable,
21 thought-out manner, which is what he said.
22 MS. McNICHOL: Right, and we want him
23 to use us as much as you can.
24 FREEHOLDER O'DEA: We would like you
25 to give us your availability.

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1 MS. McNICHOL: I thank you.
 2 FREEHOLDER MALDONADO: Thank you for
 3 giving us that education. Thank you.
 4 FREEHOLDER O'DEA: I've often been
 5 called the feral Freeholder.
 6 Director Richardson, on the job title.
 7 DIRECTOR RICHARDSON: Mr. Ascolese's
 8 function is coordinating various recreational
 9 facilities as well as organizations and functional
 10 coordinating. His civil service title is monitor,
 11 his civil service title.
 12 CHAIRMAN ROMANO: Next speaker.
 13 THE CLERK: Additional speakers on
 14 any matter of public interest.
 15 MS. WAITERS: Patricia Waiters, 1233
 16 Park, Hoboken, New Jersey. Mr. Maldonado,
 17 Mr. Junior Maldonado, I'm speaking tonight. When
 18 you're appointed, I wasn't here Tuesday, but I
 19 learned from a few other people in my organization
 20 had stated that you were appointed, I learned the
 21 process. I'm here to say that not only -- I'm not
 22 saying I was disappointed. I want to stand here and
 23 say congratulations. I hope that you when you run
 24 for office, that if you plan on running, I know you
 25 were appointed to this position from the --

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1 FREEHOLDER MALDONADO: I was
 2 appointed by the County Committee.
 3 MS. WAITERS: Through the County as a
 4 hold-over until November, am I correct, is it the
 5 upcoming November election? I want to say
 6 congratulations, and I hope your goal as a
 7 Freeholder is to enforce policy, be a good, clean
 8 government official, and like I said before, lately
 9 people do have the political machine behind you, but
 10 you're doing it for the love of it, but if you're a
 11 government official with the political machine
 12 behind you, the focus seems to get the publicity in
 13 the papers.
 14 So I hope that's not the case with you.
 15 If it's not the case with you, I'm going to stand
 16 here today and congratulate you and hope that you
 17 could maintain an ability and integrity and control,
 18 not political control, but control and respect for
 19 the members of the public and people until the
 20 appointment -- I mean your election to the
 21 Freeholders as a Freeholder, and with that said
 22 congratulations, and good luck in November.
 23 And last night, this was on the agenda in
 24 Hoboken, and they told me it was a County issue.
 25 From Newark Street and Paterson Plank Road, is that

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1 a County road? Is that a County road? It is a
 2 County road because there's some construction going
 3 on there, and PSE&G was spoke to about heavy weight
 4 trucks come down Park Avenue, and I just thought I'd
 5 bring this to your attention because they're saying
 6 it's a Freeholder and County issue.
 7 CHAIRMAN ROMANO: What trucks, Pat?
 8 MR. BATTISTA: They're saying they're
 9 going to be coming from early in the morning. I've
 10 got the resolution here.
 11 CHAIRMAN ROMANO: It's on Park
 12 Avenue?
 13 MS. WAITERS: Yeah, what they were
 14 saying they were leaving it up to you guys.
 15 CHAIRMAN ROMANO: It's already
 16 prohibited. They're not allowed to have trucks on
 17 Park Avenue.
 18 MS. WAITERS: Right. They brought
 19 their people last night that tried to go through the
 20 process that and they were told, it's Resolution No.
 21 89, I have it right here, and it's about they're
 22 going to be carrying coil and stuff like that, and
 23 they were trying to convince, they were trying to
 24 convince the Council that they will try to be out of
 25 there by three and in there by nine, but it's still

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1 going to back up, and I don't want Park Avenue with
 2 no trucks coming down there.
 3 CHAIRMAN ROMANO: That's the
 4 remediation of the most contaminated site in
 5 Hoboken, correct? I went to Rich Dwyer. We did a
 6 site survey and with the company that's going to do
 7 that. It necessitates some different special items
 8 that I'm sure that the engineer can follow up and
 9 tell you.
 10 MS. WAITERS: Sure. This is going to
 11 very well affect us.
 12 CHAIRMAN ROMANO: It is going to be
 13 very professional and accountable and responsible.
 14 MS. WAITERS: And it won't affect the
 15 kids crossing the street and the noise in the
 16 morning because I really can't take that?
 17 CHAIRMAN ROMANO: The gentleman, I
 18 will give you Rich's phone number. He's going to be
 19 on-site and creating these. He's going to very
 20 accountable, very credible, and he intends to be
 21 have an on-site presence constantly. They have
 22 already gone to all condominiums and apartment
 23 complexes in the area. The land has to be
 24 remediated. It's going to as of this point start, I
 25 think is going to be sometime toward the end of

1 year.
 2 MS. WAITERS: Thank you so much.
 3 That's good to hear.
 4 THE CLERK: Additional speaker on any
 5 matter of public interest. There appear to be no
 6 additional speakers, Mr. Chairman.
 7 CHAIRMAN ROMANO: Motion to adjourn.
 8 THE CLERK: Is there a second?
 9 Seconded by Freeholder Rivas. All in favor. The
 10 meeting is adjourned.
 11 (Whereupon the proceeding is then
 12 concluded at 3:04 p.m.)
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1 CERTIFICATION
 2
 3 I, SHARI CATHEY, CCR, RPR, License No.
 4 30XI00234700, and Notary Public of the State of New
 5 Jersey, hereby certify that the proceedings herein
 6 are from the notes taken by me of a Regular Meeting
 7 of the Hudson County Board of Chosen Freeholders,
 8 held on Thursday, August 8, 2013; and that this is a
 9 correct transcript of the same.
 10
 11
 12
 13 _____
 14 SHARI CATHEY, CCR, RPR
 15 A NOTARY PUBLIC of the
 16 State of New Jersey
 17 I.D. No. 2283786
 18 Commission Expires 2/4/17
 19
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