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HUDSON COUNTY
BOARD OF CHOSEN FREEHOLDERS

RE:

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

O P E N S E S S I O N

Hudson County
Administration Building,
Freeholders Chambers
567 Pavonia Avenue
Jersey City, New Jersey
Monday, December 23, 2013
4:00 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

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

CARMEN E. MENDIOLA, ESQ., Board Counsel
DONATO J. BATTISTA, Hudson County Counsel
ABRAHAM ANTUN, County Administrator
ALBERTO G. SANTOS, County Clerk

Job No. NJ1588881

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1 THE CLERK: Freeholder Cifelli.
 2 FREEHOLDER CIFELLI: Here.
 3 THE CLERK: DiDomenico.
 4 FREEHOLDER DiDOMENICO: Here.
 5 THE CLERK: Dublin.
 6 FREEHOLDER DUBLIN: Here.
 7 THE CLERK: Liggio.
 8 FREEHOLDER LIGGIO: Here.
 9 THE CLERK: Maldonado.
 10 FREEHOLDER MALDONADO: Here.
 11 THE CLERK: Munoz.
 12 FREEHOLDER MUNOZ: Here.
 13 THE CLERK: O'Dea.
 14 FREEHOLDER O'DEA: Here.
 15 THE CLERK: Rivas, absent. Chairman
 16 Romano.
 17 CHAIRMAN ROMANO: Here.
 18 THE CLERK: Please stand for the
 19 Pledge of Allegiance.
 20 (Flag Salute. Moment of Silence.)
 21 THE CLERK: Adequate notice of this
 22 meeting has been provided as follows:
 23 1. Posting notice of Resolution No.
 24 8-1-2013 on the Freeholder's Bulletin Board, Third
 25 Floor, Administration Building Annex, Jersey City,

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1 New Jersey.
 2 2. Copies of the above mentioned
 3 resolution have been sent to the County Clerk and
 4 the editors of the Jersey Journal and the Star
 5 Ledger.
 6 Mr. Chairman, the first order of business
 7 is a laudatory. The first laudatory, L-1, is
 8 entitled to commend and honor Alexander J. Diaz,
 9 graduate of St. Peters Prep and senior at Harvard
 10 University, who has been awarded the prestigious
 11 Rhodes Scholarship and who will attend Oxford
 12 University for post-graduate study as one of only 32
 13 American students selected nationally as a 2014
 14 Rhodes Scholar.
 15 Is there a sponsor?
 16 CHAIRMAN ROMANO: Board as a whole.
 17 THE CLERK: Roll call?
 18 CHAIRMAN ROMANO: Yes.
 19 THE CLERK: Freeholder Cifelli.
 20 FREEHOLDER CIFELLI: I won't
 21 embarrass myself, I will simply vote aye.
 22 THE CLERK: DiDomenico.
 23 FREEHOLDER DiDOMENICO: I vote the
 24 same thing Al says.
 25 THE CLERK: Dublin.

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1 FREEHOLDER DUBLIN: Aye.
 2 THE CLERK: Liggio.
 3 FREEHOLDER LIGGIO: Aye.
 4 THE CLERK: Maldonado.
 5 FREEHOLDER MALDONADO: Yes. I vote
 6 aye. I would like to congratulate the young man.
 7 I'll tell you he is a scholar of education, being a
 8 leader of the community, I am hoping you will serve
 9 as a role model for the future, Anthony, for years
 10 to come. Aye.
 11 THE CLERK: Freeholder Munoz.
 12 FREEHOLDER MUNOZ: Aye.
 13 THE CLERK: Freeholder O'Dea.
 14 FREEHOLDER O'DEA: Freeholder Romano
 15 and my Alma Mater, St. Peter's Prep, continues to
 16 turn out the best of the best. I vote aye.
 17 THE CLERK: Chairman Romano.
 18 CHAIRMAN ROMANO: Yes, and this is
 19 the future Bill O'Dea.
 20 FREEHOLDER O'DEA: God help you.
 21 (Photo. Applause.)
 22 MR. DIAZ: Born and raised in the
 23 County. I'm getting two masters at Oxford, and when
 24 I come back, hopefully, I plan to practice law. I
 25 just want to say thank you so much from the bottom

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1 of my heart. Words can't really express accurately
 2 how it feels to receive this honor and to receive
 3 the recognition for years of hard work, and this
 4 isn't about me, it's about my family and where I
 5 grew up, and it's right in Hudson County. This is
 6 where the little kids growing up can think they can
 7 do it themselves as well. Thank you so much, and
 8 I'm hoping to make you guys proud.
 9 CHAIRMAN ROMANO: Mr. Clerk.
 10 THE CLERK: The next item is L-2,
 11 expressing the gratitude of the County of Hudson to
 12 Cosi Bakery Cafe, 30 Hudson Street, Jersey City, New
 13 Jersey, for its dedication to our Armed Services
 14 Veterans.
 15 Board as a whole?
 16 CHAIRMAN ROMANO: Yes.
 17 THE CLERK: On L-2, Freeholder
 18 Cifelli.
 19 FREEHOLDER CIFELLI: Yes.
 20 THE CLERK: 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: Yes.
 3 THE CLERK: Munoz.
 4 FREEHOLDER MUNOZ: Yes.
 5 THE CLERK: O'Dea.
 6 FREEHOLDER O'DEA: Yes.
 7 THE CLERK: Chairman Romano.
 8 CHAIRMAN ROMANO: Yes.
 9 THE CLERK: The next item on the
 10 agenda is additional discussion on today's agenda.
 11 MR. GAUGHAN: If I might, the
 12 recipient of that award is not here presently. He
 13 was scheduled to be here, and he's probably running
 14 late. If we do something later, it would be
 15 appreciated.
 16 THE CLERK: Mr. Chairman, we're at
 17 additional discussion on today's agenda.
 18 MR. ANTUN: Mr. Chairman, I don't
 19 have any additional items. I just want to clarify
 20 something that I said at the caucus. The contract
 21 that was a change order for Plaza Auto Body, that's
 22 not the vendor that does the body work. It's
 23 Diamond Auto. The report that requested by
 24 Freeholder O'Dea, it will come from Diamond Auto,
 25 not for this vendor. I just wanted to clarify that.

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1 FREEHOLDER O'DEA: I still want that
 2 information.
 3 MR. ANTUN: Yes, yes. The one that
 4 is on this agenda, he does auto repairs, not the
 5 body work. But I will still, as Freeholder O'Dea
 6 requested, I will still provide the information. I
 7 just wanted to clarify.
 8 FREEHOLDER O'DEA: Here is what else
 9 I would like. It would appear that a lot of that, a
 10 lot of those are paid through the insurance company,
 11 a lot of the vehicular damage?
 12 MR. ANTUN: Yeah.
 13 FREEHOLDER O'DEA: That's body work.
 14 That's what I would like to find out. Why do we
 15 have a contract, and does the insurance commission
 16 have a separate contract?
 17 MR. ANTUN: I don't believe so. I'll
 18 defer to Director Fuller.
 19 DIRECTOR FULLER: Freeholder, I will
 20 look into it, but the insurance fund commission
 21 deals with third-party claims against the County for
 22 damage that we may have done for their vehicles. I
 23 believe, if that was the case, we would send a
 24 contractor to get the bills paid.
 25 FREEHOLDER O'DEA: Director Fuller,

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1 do we have a policy, do we have an insurance policy
 2 as it relates to damages to our vehicles?
 3 DIRECTOR FULLER: Cheryl Fuller,
 4 Director of Finance and Administration. We do.
 5 It's the property, but most of the damage falls
 6 under the self-insurance. Where there was Sandy
 7 damage, a lot of that fell under our self-insurance.
 8 That's why we didn't get a lot reimbursement for
 9 those vehicles.
 10 FREEHOLDER O'DEA: If a County
 11 employee crashes a car, okay.
 12 DIRECTOR FULLER: Do we send to the
 13 insurance fund? If a County employee crashes a car,
 14 I guess it depends whether they crashed the car or
 15 hit somebody.
 16 FREEHOLDER O'DEA: They hit a wall.
 17 They hit a wall. They hit a divider. There is no
 18 bodily injury. There was no bodily injury, but
 19 there is significant damage to the vehicle.
 20 DIRECTOR FULLER: You really have to
 21 check with Kevin Barry or Public Resources for that.
 22 If it doesn't have anything to do with an insurance
 23 matter, it would go their that department first.
 24 FREEHOLDER O'DEA: That would go to
 25 Buddy Demellier?

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1 DIRECTOR FULLER: It would go to him.
 2 MR. BATTISTA: I believe it's not
 3 directly to through the insurance fund, but the
 4 Office of Emergency Management, a report is filed
 5 with them so that they would have a record there was
 6 damage to the vehicle.
 7 FREEHOLDER O'DEA: Mr. Chairman, if
 8 there is damage to any public vehicle, you have to
 9 file a police report?
 10 MR. ANTUN: You have to file a police
 11 report.
 12 FREEHOLDER O'DEA: You have to file a
 13 police report, report to risk management. Where is
 14 the Kevin Barry? Kevin, what would happen?
 15 MR. BARRY: After a police report is
 16 filed?
 17 FREEHOLDER O'DEA: I guess a police
 18 report is the first thing you did. A car gets
 19 crashed, you file the police report. Then what
 20 happens?
 21 MR. BARRY: What we do is we notify
 22 risk management. If the vehicle has to be towed, we
 23 call the tow company. It's sent in to get an
 24 estimate for the repairs, once the repairs are
 25 authorized, repairs are made.

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1 FREEHOLDER O'DEA: Who verifies the
 2 estimate?
 3 MR. BARRY: Inventory reviews it, he
 4 submits it to Buddy, and Buddy signs off on it.
 5 FREEHOLDER O'DEA: Are you sure there
 6 is not an outside adjusting firm somewhere in this
 7 process out of maybe Princeton, New Jersey? I'm
 8 telling you, I remember this past year seeing a
 9 letter from them on different claims and what they
 10 actually paid. These are claims related to damage
 11 to the vehicle, not an injury for an individual.
 12 MR. BATTISTA: If there's damage to
 13 someone's office property --
 14 FREEHOLDER O'DEA: Damage to our
 15 property?
 16 MR. BARRY: I can't say.
 17 FREEHOLDER O'DEA: Who is the risk
 18 manager.
 19 MR. BARRY: Ed DeTorro.
 20 FREEHOLDER O'DEA: Can we check? I
 21 thought there was a part of that process that check.
 22 I wish I remember the name. I thought that they
 23 were out of Princeton.
 24 MR. BATTISTA: That was our former
 25 third-party administrator, who would handle those

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1 kind of claims. I thought there was. I think
 2 you're right. That's what I think it is. That's
 3 exactly what I think it is. I think you're
 4 absolutely right.
 5 FREEHOLDER MALDONADO: I have a
 6 question. When it's reported, there is no internal
 7 memorandum or no incident report on the part of the
 8 employee that was involved from their perspective to
 9 you as a supervisor or their immediate supervisor or
 10 anybody?
 11 MR. BARRY: I believe risk management
 12 conducts the investigation. I'm not aware that a
 13 department director would conduct the investigation.
 14 FREEHOLDER MALDONADO: At the
 15 Improvement Authority, the HCIA enforcement officer
 16 goes out and there's a report filed. Then they have
 17 to file an incident report to their supervisor in
 18 terms of how the police report is very limited
 19 information that they put in. The incident report
 20 goes through specifics as to how and why.
 21 MR. BARRY: Freeholder, if I told you
 22 I knew, I would be lying. I'm not aware of that.
 23 FREEHOLDER O'DEA: What if an
 24 accident occurred off hours, what occurs then?
 25 MR. BARRY: My understanding is that

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1 a police report is filed. A report is then
 2 submitted the following morning. If the cars has to
 3 get towed, they will call the Sheriff's office. The
 4 Sheriff's office would call the tower. The car
 5 would be towed, Ed DeTorro would take over from
 6 there and report the incident to risk management.
 7 FREEHOLDER O'DEA: Junior is right.
 8 If the accident occurs one o'clock in the morning,
 9 you file a police report that night, and it probably
 10 says very little at one a.m. Wouldn't you want to
 11 know why we have somebody driving our vehicle at one
 12 o'clock in the morning?
 13 MR. BARRY: If the employee worked
 14 for us in our department, I think we would. I
 15 really don't get involved in the operation of the --
 16 FREEHOLDER O'DEA: Would you notify
 17 my director and say, whatever, you may want to look
 18 into this?
 19 MR. BARRY: Freeholder, that's a good
 20 point. I really don't know if that's the protocol.
 21 FREEHOLDER O'DEA: Can we find out
 22 what policy we have?
 23 MR. BARRY: Okay. Sure.
 24 THE CLERK: Public participation?
 25 According to the policy set by the Board of

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1 Freeholders, members of the public are asked to
 2 limit their comments to 15 minutes when discussing
 3 agenda items and five minutes at the conclusion of
 4 the meeting when discussing matters of public
 5 interest.
 6 At this time the public may address the
 7 Board on any item on the agenda only. Please keep
 8 your comments limited to 15 minutes. Are there any
 9 speakers on agenda items only? State your name.
 10 MR. HEDGEBETH: Hello, Mr. Chairman,
 11 Freeholders. My name is Jeremiah Hedgebeth, and the
 12 item number is 9. I just want to go back to earlier
 13 what was mentioned about Item No. 9. I had a
 14 question that I wanted to ask. If there is limited
 15 funding, if there is no outcome data, and why are
 16 the same agencies continuing funded in programs and
 17 not the one that I work at in Union City, which is a
 18 new license by individual addiction services and
 19 substance abuse program located in Union City. We
 20 are being denied funding and not given an
 21 opportunity to provide services. That's the
 22 question that I want to ask.
 23 FREEHOLDER O'DEA: What is the name
 24 of your program?
 25 MR. HEDGEBETH: Victorious Health

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1 Care, and I'm not trying to give nobody else a
 2 suggestion or any other providers, but we have a
 3 situation where we were funded, we would have come
 4 down here and given you guys update and a progress
 5 report on what we would be doing. We were denied
 6 because we told that there wasn't any funding. So
 7 there is no progress reports going to you guys about
 8 the agencies that's already getting the money, I
 9 have to right to something. It is not right.
 10 If the services are not adequate, why are
 11 you pushing somebody else out, give it to somebody
 12 else new. Like Freeholder O'Dea said, this is a new
 13 day, so let people get in that can be accountable
 14 and held accountable for the service that we are
 15 providing.
 16 FREEHOLDER MALDONADO: We have to
 17 clarify the fact that we have to no progress report
 18 included with the resolution. That doesn't mean
 19 there is no progress being made. It's that we want
 20 to be able to get the information to identify that
 21 and make a decision for the next round of funding.
 22 If they're not complying and it's not producing and
 23 progressing, I think we need to look at alternatives
 24 throughout.
 25 FREEHOLDER O'DEA: Under which

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1 categories did you apply, prevention, education?
 2 MR. HEDGEBETH: Addition services and
 3 mental health, and we were also told to put a file
 4 in for the juveniles as well, which we did. I
 5 understand what you're saying, but like Mr. O'Dea
 6 said, for the last three years, they haven't been
 7 doing reports. If they're still working on them,
 8 they would know by now, that's definitely by now
 9 going into 2014.
 10 I have to been here. I have been here to
 11 these meetings when I heard some of the residents
 12 come down here and complain about certain programs.
 13 I've worked in certain programs that the
 14 reintegration clients go to, and I've pretty much
 15 got a good idea what is going on. The only thing
 16 I'm saying, I don't want to make any enemies or
 17 anything like that, I'm trying to say like give
 18 someone that's new an opportunity.
 19 If they do find inadequate service, how
 20 did you a deny somebody else when you don't have a
 21 report on anybody as of right now? I'm not saying
 22 they're not doing it, but as of right now. As of
 23 right now, we are being denied, and we serve the
 24 Latino population of Union City. We have got
 25 bilingual staff and doctors and psychiatrists. If

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1 we don't come here and ask for the opportunity,
 2 nobody else is going to give us an opportunity.
 3 Thank you.
 4 FREEHOLDER O'DEA: Susan Mearns.
 5 MS. MEARNS: Yes. Susan Mearns,
 6 Health and Human Services. To clarify, this was not
 7 an application that was denied by the Department of
 8 Health and Human Services. I believe, sir, you made
 9 an application to Family Services, relating to their
 10 reintegration efforts, so I would defer to Ben
 11 Lopez, and we look forward to working with you in
 12 future.
 13 MR. HEDGEBETH: We did both of them.
 14 MS. MEARNS: It wasn't the Department
 15 of Health and Human Services. It was the Department
 16 of Family Services, and I believe the Department of
 17 Corrections, just for the record.
 18 FREEHOLDER O'DEA: And I guess the
 19 point is, I guess the point on this one is mental
 20 healthy and addiction services is a service that
 21 they provide. I don't know whether they were
 22 notified of that and given an opportunity to submit
 23 a proposal.
 24 MR. HEDGEBETH: We were, sir. We
 25 were given an opportunity to submit a proposal for

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1 the reintegration program, and we were denied. We
 2 were denied based on inadequate funds, and my
 3 question as it relates to the Hudson County
 4 Reintegration program, there is no progress report
 5 going one that you guys know as well as that
 6 program.
 7 MS. MEARNS: I will defer to my
 8 colleague, Director Lopez, for the response to him.
 9 FREEHOLDER O'DEA: I would like to
 10 know, were you aware you could register?
 11 MR. HEDGEBETH: No, I wasn't. I
 12 wasn't aware.
 13 FREEHOLDER O'DEA: You can go down
 14 and register, and we try to identify vendors
 15 throughout the County.
 16 MS. MEARNS: Again, that particular
 17 grant is at the end of the grant cycle. It will be
 18 going out to bid in the new year.
 19 FREEHOLDER O'DEA: Maybe you should
 20 exchange contact information.
 21 MS. MEARNS: Absolutely. It's a
 22 three-year grant cycle ending now in 2014. So
 23 probably I would say in next three months, we will
 24 start the RFP process again in anticipation of the
 25 new grant cycle, but I want to be clear that you

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1 were looking for reintegration dollars, and that was
 2 not part of what this department is handles.
 3 MR. HEDGEBETH: I looked at the
 4 letter that I had.
 5 MS. MEARNS: There's a few
 6 departments, so we're doing some of the same work
 7 but. Thank you.
 8 FREEHOLDER O'DEA: This particular
 9 one is the location of the facilities, except for
 10 the one, North Hudson CAP, I don't know if any of
 11 them are located north of Jersey City, out of a
 12 million dollars in funding. So I think, Susan, that
 13 in itself raises an issue whether this particular
 14 vendor or other service providers on some of these,
 15 if you live in North Hudson, you have got to come
 16 here. There is no facility to the north.
 17 MS. MEARNS: Freeholder, I can't
 18 speak before the RFP is out for distribution. We
 19 certainly would look to see.
 20 FREEHOLDER O'DEA: It should be a
 21 factor.
 22 MS. MEARNS: In terms of outset, I
 23 think it was more off-site treatment centers. I
 24 would have to look. Certainly, we could --
 25 certainly, we should consider the County is bigger

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1 than Jersey City. We can certainly consider that.
 2 I can't speak to the requirement for specific grant.
 3 FREEHOLDER O'DEA: We should find
 4 that out.
 5 MS. MEARNS: Thank you.
 6 MR. HEDGEBETH: I thank you for your
 7 time. We're located at 533 36th Street. You can
 8 come by unannounced at any time you'd like. Thank
 9 you for your time. Merry Christmas and Happy New
 10 Year.
 11 DIRECTOR LOPEZ: Benjamin Lopez,
 12 Director of the Department of Family Services. We
 13 had extended applicants, so we had basically a
 14 limited amount of funding. We told him that's why
 15 he wasn't chosen. We kept the services that we have
 16 in place. We do receive our reports monthly. We do
 17 monitor them very strenuously. You are already very
 18 much aware of the programs that make up.
 19 FREEHOLDER O'DEA: How many of them
 20 are located in North Hudson?
 21 DIRECTOR LOPEZ: I know the ones we
 22 funded --
 23 FREEHOLDER DUBLIN: Catholic
 24 Charities, we didn't fund them.
 25 DIRECTOR LOPEZ: That's a different

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1 service that we're funding them for, that's for what
 2 they submitted for. The last RFP we issues was for
 3 reintegration service.
 4 FREEHOLDER O'DEA: Was there a
 5 scoring?
 6 DIRECTOR LOPEZ: Yes.
 7 FREEHOLDER O'DEA: Can you provide
 8 that for us?
 9 DIRECTOR LOPEZ: Sure. Yes.
 10 FREEHOLDER O'DEA: And what the
 11 scoring was based on.
 12 DIRECTOR LOPEZ: We have it.
 13 THE CLERK: Additional speakers on
 14 agenda items only.
 15 MS. WAITERS: Patricia Waiters, 1233
 16 Park. In regards to 9, if you look at the agenda
 17 for the caucus, 9, 10, 11 and 12. I forward all of
 18 those. He's saying the same thing. He don't got
 19 the right language. He don't understand the way
 20 it's written. If he knew where he can apply, he
 21 would apply for all of them. That's the first thing
 22 I asked, did he apply to all of them. He didn't
 23 understand and just like he stood up an said there's
 24 a total of funds that were available. So funds was
 25 available, he would have took the initiative to

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1 apply for what was available. It wasn't given to
 2 him. He wasn't provided the right information.
 3 MS. MEARNS: And that was for three
 4 year. It's am existing contract.
 5 MS. WAITERS: We I'm saying is the
 6 three years are almost up, he would have took the
 7 initiative to apply. He did apply for one that he
 8 knew of, but there is a lot of things he don't know
 9 of. He's learning now, and he's reading off the
 10 paper that was available. It's not to step on
 11 anybody's toes or Departments of Human Services,
 12 because he asked me what is the difference between
 13 Human Services versus the other services like the
 14 Department of Human Services, the Department of
 15 correction. He don't simply know.
 16 All he's asking is to understand the
 17 language so he can apply. It's not to go to
 18 Mr. Lopez and put him down. Now Mr. Lopez said
 19 there was other people that applied. You don't tell
 20 me how many people applied for the RFP, and he was
 21 to just told there no funds. What he's trying to
 22 say is, if you was go to the person that already has
 23 the contract, if it wasn't successful, there was no
 24 type of language nowhere to see what their ratings,
 25 to check the statistics to see how well it was

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1 going. He wasn't saying Mr. Maldonado that there
 2 wasn't no progress, he saying there isn't data to
 3 read to see if there is progress.
 4 FREEHOLDER MALDONADO: That wasn't
 5 the question that he posed, Patricia.
 6 MS. WAITERS: That's what he was
 7 trying to say.
 8 FREEHOLDER MALDONADO: And all I did
 9 was clarify that. I was saying that it doesn't mean
 10 there is no progress being made. It could mean
 11 that, but it doesn't mean that. Until we review it,
 12 we won't know that.
 13 MS. WAITERS: I agree with you.
 14 That's what I'm saying. There is no data that was
 15 present that we can compare to the statistics.
 16 According to him, he feels like he could do a better
 17 job.
 18 FREEHOLDER MALDONADO: Great.
 19 MS. WAITERS: Is there a way you can
 20 make that available for the public to review.
 21 FREEHOLDER O'DEA: As soon as we get
 22 it, it's available to you.
 23 MS. WAITERS: Thank you so much.
 24 THE CLERK: Additional speaker on
 25 agenda items. Freeholder Munoz has a couple item

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1 the agenda, is he returning.
 2 FREEHOLDER O'DEA: He's here. I had
 3 a question for the Sheriff's Department, Item No.
 4 24, Undersheriff Conti, tell me what that is.
 5 UNDERSHERIFF CONTI: The item that
 6 the Freeholder is referring to is, I'm sorry?
 7 FREEHOLDER O'DEA: Yes, 24, it's the
 8 shared services, right?
 9 UNDERSHERIFF CONTI: That's with
 10 Jersey City, yes. They'll be able to monitor us and
 11 we'll be able to monitor them and communicate back
 12 and forth, which we currently don't have at the
 13 moment.
 14 FREEHOLDER O'DEA: So currently what
 15 would you do if you needed them to respond?
 16 UNDERSHERIFF CONTI: Do it by phone,
 17 get them on alert. That's our system that's been
 18 monitored, and we would have to definitely call them
 19 by phone.
 20 FREEHOLDER O'DEA: How would you
 21 monitoring something that came on and say, Is there
 22 any Sheriff's officers, I need Sheriff's officers,
 23 somebody at Lincoln Park, there's a fight and say
 24 there's a unit in Lincoln Park, and you could also
 25 dispatch a unit?

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1 UNDERSHERIFF CONTI: Yes, we could
 2 also hear if they're dispatching their cars to a
 3 shots fired call, and we might have a car a half a
 4 block away, and we could do give our people a heads
 5 up and vice versa. I believe it's a \$900 charge.
 6 FREEHOLDER O'DEA: And the issue on
 7 the 29G, for the upgrades, is that a proprietary?
 8 UNDERSHERIFF CONTI: That was -- that
 9 is a link in our communication center that would
 10 allow to communicate with police departments across
 11 the state, State Police, Prosecutor's office has it,
 12 OEM has it. It's able to send photographs to a live
 13 feed. Schools and hospitals have capabilities with
 14 the link-up. If there is an active shooting, we
 15 could actively be on a live video link with the
 16 hospital, the school or the police department, and
 17 what I believe happened is the warrantee has
 18 expired, and this is a yearly service contract to
 19 keep equipment up and running.
 20 FREEHOLDER O'DEA: Are all the
 21 cameras we have linked up?
 22 UNDERSHERIFF CONTI: I don't believe
 23 the cameras in the parks. No, I don't believe so.
 24 That's separate.
 25 FREEHOLDER O'DEA: For instance, how

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1 do you know where the feeds are?
 2 UNDERSHERIFF CONTI: Well, the feeds
 3 would be in the location that's linked in this
 4 shared service. We don't particularly have one, but
 5 it would take me 30 seconds to make a phone call to
 6 a tech guy to find out if the cameras in Lincoln
 7 Park are. I think it's a different monitor that
 8 this goes to, and other agencies have same service,
 9 and we also go back and forth to each other, not
 10 just something that will link into everything.
 11 FREEHOLDER O'DEA: I would like to
 12 find out if all of the cameras we have in our own
 13 buildings and in our parks, say there's a hostage
 14 situation in Lincoln Park, we have cameras on the
 15 playgrounds, you would want to a link into all law
 16 enforcement?
 17 UNDERSHERIFF CONTI: Well, but I
 18 think that just -- it's not generic. I think that's
 19 a feed that comes into the administrative of the
 20 County that could monitor it. I recall the facility
 21 in the tennis court. I think it's just our own.
 22 It's not part of this other system that's here. I
 23 will find out.
 24 FREEHOLDER O'DEA: Would it make
 25 sense that we could link into other people's?

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1 UNDERSHERIFF CONTI: We link into
2 other people because we might be the responding
3 agency for assist sentence.
4 FREEHOLDER O'DEA: What do we do when
5 they respond to us?
6 UNDERSHERIFF CONTI: We just give
7 them the information. They could come directly. I
8 can make a phone call and find out.
9 FREEHOLDER O'DEA: That's all the
10 questions.
11 UNDERSHERIFF CONTI: I will make a
12 phone call and I'll find out.
13 THE CLERK: Mr. Chairman, may I have
14 a motion to approve all items listed on the consent
15 agenda.
16 CHAIRMAN ROMANO: Motion by
17 Freeholder DiDomenico. Second by Freeholder
18 Maldonado.
19 THE CLERK: Freeholder Cifelli.
20 FREEHOLDER CIFELLI: Yes.
21 THE CLERK: DiDomenico.
22 FREEHOLDER DiDOMENICO: Yes.
23 THE CLERK: Dublin.
24 FREEHOLDER DUBLIN: Yes.
25 THE CLERK: Liggio.

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1 FREEHOLDER LIGGIO: Yes.
2 THE CLERK: Maldonado.
3 FREEHOLDER MALDONADO: Yes.
4 THE CLERK: Munoz.
5 FREEHOLDER MUNOZ: Yes.
6 THE CLERK: O'Dea.
7 FREEHOLDER O'DEA: Abstain on 17, aye
8 on the rest.
9 THE CLERK: Chairman Romano.
10 CHAIRMAN ROMANO: Aye.
11 FREEHOLDER DUBLIN: I'm going to
12 abstain on 17.
13 THE CLERK: Aye on the other items,
14 Freeholder?
15 FREEHOLDER DUBLIN: Yes.
16 THE CLERK: All items are approved.
17 We no ordinances for introduction. We have no
18 ordinances for second reading. That concludes the
19 item of business on today's agenda. Are there any
20 comments from the Freeholders on the business of the
21 Board.
22 FREEHOLDER DiDOMENICO: Mr. Chair, I
23 know there's a reorganization meeting. Obviously,
24 this is your last meeting. Thank you for the
25 successful year and providing leadership as the

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1 Chairperson of this Board, and you have been a
2 wonderful leader to us all year as Chairperson, and
3 I would also like to wish everyone a happy and
4 healthy holiday.
5 FREEHOLDER DUBLIN: Mr. Chairman, I
6 would like to say the same to you. It's been a
7 pleasure working over the year. You really have
8 shown great leadership to the Board, and I
9 appreciate all of the hard work. Also, too, I just
10 want to thank the County staff and Administration
11 for their hard work this past year, and I would like
12 to wish all your families a Merry Christmas and
13 Happy New Year. Thank you.
14 FREEHOLDER MALDONADO: I would like
15 to say, Mr. Chairman, thank you for everything since
16 I've been on Board, for your leadership and
17 mentoring. It's much appreciated. Thank you to the
18 County staff and the County Administrator and all
19 our law enforcement and military each and every day
20 protecting America. I wish everyone a Merry
21 Christmas and Happy New Year and a happy holiday.
22 Thank you.
23 CHAIRMAN ROMANO: I just want to say
24 thank you to my colleagues for making this enjoyable
25 and fun. I thank you as a group and individually,

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1 and thank you to the directors. We have a support,
2 from the people that clean the buildings, to the
3 Clerk to the Law Department, Administrator. It's
4 been a wonderful learning experience. It was a
5 pleasure interacting and working to a common goal
6 for the betterment of the County, and with that
7 being said, I wish everyone a Merry Christmas, and a
8 healthy, prosperous New Year. Thank you for the
9 bottom of my heart for everything.
10 THE CLERK: Are there any comments
11 from the Chief of Staff to the County Executive?
12 MR. GAUGHAN: Mr. Chairman,
13 Freeholders, just a few items to clear up the end of
14 the year. First of all, I'd like to take the
15 opportunity to thank you for voting on the laudatory
16 regarding the armed service by Mr. Cosi, and it's a
17 project that the County Executive and I have been
18 involved with her for at least the last twenty years
19 regarding the waterfront and the observation of
20 Pearl Harbor.
21 Just as a background, you have to
22 understand that Hudson County is the second longest
23 group that has provided a service on Pearl Harbor,
24 the first group being from pearl Harbor itself. The
25 laudatory went to the Cosi Bakery and Cafe for the

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1 years that they have taken the opportunity to
 2 provide coffee and rolls to our veterans and the
 3 students that appear for that event. You have to
 4 realize that Saturday morning, there was a
 5 tremendous turn out with the Chairman and the County
 6 Executive being present there, and he opened his
 7 shop at the Cosi Cafe on a Saturday morning, no
 8 opportunity to do any business other than the
 9 service he was providing us and the veterans.
 10 There were two veterans that were there
 11 who were survivors of Pearl Harbor, and as a result
 12 of that, we had military school students involved,
 13 and unfortunately, Mr. Cosi isn't here today to get
 14 the laudatory, but the County Executive will make
 15 sure that it's provided to him.
 16 The second item, I want to take the
 17 opportunity from the County Executive and our staff
 18 to wish all of you a very Merry Christmas and
 19 blessed holiday. And to the Chairman, it's been a
 20 great year, 2013, and County Executive wants to wish
 21 you the best in the oncoming to all the Freeholder.
 22 The County Exec is very please. It has been a great
 23 year. Your cooperation went above and beyond. We
 24 look forward to more and more cooperation, and it's
 25 great getting together for the year 2014. I would

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1 also like to wish all of you a very happy and
 2 blessed New Year and God Bless you all. Thank you.
 3 FREEHOLDER O'DEA: Mr. Administrator,
 4 the Berlin Wall?
 5 MR. ANTUN: If you recall, we did
 6 find a place, but then there were concerns with
 7 that. Then we did an open space allocation for it,
 8 and then that kind of withered away because it got
 9 used to fund other properties that you voted for.
 10 FREEHOLDER O'DEA: Mr. Antun, that's
 11 nonresponsive. The question was where is it? Are
 12 there any plans to do anything with it? Is it going
 13 to stay in the crate somewhere?
 14 MR. ANTUN: We have to find a
 15 location for it.
 16 FREEHOLDER MALDONADO: It was 77.
 17 MR. ANTUN: It's not there. I think
 18 it's in one of the parks. It's in one of parks.
 19 It's huge. It's huge. It was shipped in pieces and
 20 it's crated in pieces. I think it's in one of the
 21 parks. We need to find a location. The original
 22 location didn't work out for us. We have to find
 23 another location. I don't think anyone is activity
 24 looking for it?
 25 THE CLERK: Kearny is out.

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1 FREEHOLDER O'DEA: Where is it
 2 located?
 3 DIRECTOR RICHARDSON: Michelle
 4 Richardson, Director of the Department of Parks and
 5 Human Service. Freeholders, the Berlin Wall
 6 continues to be stored in Laurel Hill Park. That's
 7 where it's been.
 8 FREEHOLDER O'DEA: Where in Laurel
 9 Hill Park?
 10 DIRECTOR RICHARDSON: Freeholder, it
 11 is in an area, a maintenance areas where it is not
 12 accessibility to the public, and that's an area
 13 where it will not be disturbed.
 14 FREEHOLDER DUBLIN: We can put it in
 15 the dinosaur park.
 16 FREEHOLDER O'DEA: Seriously, I mean
 17 seriously, we accepted we planned to put it
 18 somewhere, Tommy, how many years ago?
 19 FREEHOLDER LIGGIO: When I was
 20 Chairman seven or six years ago.
 21 FREEHOLDER O'DEA: And Peter
 22 Stuyvesant is sitting in the chamber. He's being
 23 destroyed. And one thing, the one thing you can
 24 thank on my Chairmanship for was ending Freeholders
 25 being able to travel overseas on ambassador and

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1 goodwill missions. I ruined that for everyone
 2 forever.
 3 FREEHOLDER MALDONADO: We can talk to
 4 Jersey City.
 5 UNDERSHERIFF CONTI: It can be linked
 6 from the County system into that mutual link. All
 7 the police departments have it, fire.
 8 FREEHOLDER MUNOZ: Abe, one idea if
 9 the Freeholders agree and the Administration,
 10 perhaps we plans to put it in Lincoln Park. I think
 11 that would be the type of thing to bring tourism.
 12 FREEHOLDER MALDONADO: They have that
 13 big monument.
 14 FREEHOLDER MUNOZ: It brings people
 15 to Hudson County. We should put it in a place where
 16 the people appreciate it.
 17 MR. ANTUN: Freeholder, that was
 18 place that we thought of at the time. It was
 19 rejected. It was rejected. We thought of that.
 20 That was, in fact, our first choice.
 21 CHAIRMAN ROMANO: Mr. Clerk.
 22 THE CLERK: This is the time for
 23 anyone present to address the Board on any matter of
 24 public interest. Please remember to limit your
 25 comments to five minutes.

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1 Patricia Waiters.
 2 MS. WAITERS: Patricia Waiters,
 3 Hoboken, New Jersey. I just wanted one final
 4 picture to close out the New Year just in case some
 5 of you don't make it when you run next year.
 6 Okay. With that being said, I don't stand
 7 to here as like I said for the past three years,
 8 every year at this time before I stand at this very
 9 same mic, I'm not looking for sympathy. I don't
 10 want nobody to feel sorry for me. I've still got
 11 good things going on in my family. I'm proud of my
 12 son for graduating. I have the same morals that you
 13 have for your family members.
 14 I stand here tonight proud or to say one
 15 thing, I'm now advocating for the whole Hudson
 16 County. I took my case, and I want not for revenge
 17 but to help other people in the same that I was
 18 impacted from. With that being said, I started
 19 going to church in Jersey City, I've got a few in my
 20 pocket here, and I made a vow for this elections,
 21 I'm going to churches, I'm going to North Bergen,
 22 and visiting pastors and minsters, and they are
 23 agreeing with me.
 24 One lady said to me, a pastor at one
 25 particular church said to me Patricia, if my

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1 Councilwoman was to come here and the offer my a
 2 million dollars, I couldn't even identify them. I
 3 said, There is only one way we could stop that.
 4 This is our opportunity now to show them who is in
 5 charge. I went up to a higher authority and I know
 6 God has got my back. I could stand tonight and say
 7 I'm praying every day, like people say maybe God put
 8 you here, and that may be when I stood here before
 9 all of these same Freeholders and preached this
 10 story to each and everyone of you.
 11 I do want to thank you. Whether it's good
 12 or bad tell me how you really feel, just tell me
 13 because you have to family and you know my family is
 14 impacted by this. It's not about Pat Waiters. It's
 15 about justice. So when I go out and advocate for
 16 people, it's not to get revenge. It's not to hurt
 17 anyone. It's to make sure that what happened to me
 18 should never happen to anyone else. One pastor said
 19 to me, You're Pat Waiters, we read about you on
 20 YouTube, we read about you on MySpace. With the
 21 internet you know people have are watching.
 22 I'm still saying next year, if you plan on
 23 running for office, please run on a different
 24 campaign. Run independent like I do in Hoboken. I
 25 don't worry what politic buddy with power got my

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1 back because at the end of the day, even a man with
 2 power can end up behind bars. When I advocate like
 3 this young man pulling me aside tonight, Mr.
 4 Jeremiah Hedgebeth, he said, Could you review this
 5 with me? I didn't say no. I answer everybody,
 6 black, white, Hispanic, it doesn't matter if the
 7 Latinos are going to get ahead. African-American
 8 suffered for years.
 9 I help everybody. I don't have to name a
 10 nationality. I don't have to advocate Latino,
 11 African-American, Mexican. I'm here to help
 12 everybody and serve the County of Hudson, and I want
 13 to wish all of you a happy holiday. I've got God.
 14 I've got faith and a roof over my head. I've got a
 15 lot to be thankful for, but I just wanted to let you
 16 know there's another new year, and you've got
 17 another Pat Waiters for 2014.
 18 I'm not going anywhere. I'm your worst
 19 nightmare until this matter gets solved, and when my
 20 situation gets solved there for other people, I will
 21 be there. If you see me show up at hearings, when
 22 people are waiting they like me to show up as moral
 23 support or an advocate, I'm going to be there. It's
 24 nothing personal. I want you to know there's
 25 nothing personal. That's their constitutional

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1 right, and I need to educate the people to make sure
 2 that what I was impacted with never happens another
 3 citizen of Hudson County. Shame on our government
 4 officials not to even pay them any attention, taking
 5 no disregard after they win four years. It's like
 6 this give up hope. So it's a New Year, we're
 7 picking up petition. I'll be in line with you guys,
 8 and I wish all if you good luck and Happy Holidays.
 9 Thank you.
 10 CHAIRMAN ROMANO: Thank you, Pat.
 11 THE CLERK: Additional speakers on
 12 any matter of public interest.
 13 MS. MAGILAVY: Chair Romano, honored
 14 Members of the Board of Freeholders, and Director
 15 Richardson. My name is Kay Magilavy. I'm the
 16 president of Temple Beth El, which is located on
 17 Kennedy Boulevard near Communipaw in Jersey City.
 18 The temple us 150 years old this year. This is one
 19 of the oldest Jewish congregations that have
 20 continuously worshiped together in the County.
 21 We had a disaster occur to us in 2011,
 22 which I think I described to you in August when I
 23 appeared before you. We had all of the copper
 24 stolen off our roof. That was approximately two
 25 weeks before Hurricane Irene. So the interior of

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1 the building had suffered great damage, but the
2 biggest difficulty was the amount of water that came
3 through where there wasn't any roof anymore and
4 began to saturate our beautiful dome in that
5 sanctuary.
6 We have a couple of different ways to try
7 to come up with the funding to replace the roof,
8 which we desperately need, and the one that we had
9 the highest hopes for was the application to the
10 County Open Space Trust Fund, the historical
11 preservation grant. We worked very hard to submit
12 our application on time. We have had many
13 discussions with the Planning Office since that
14 time, and up to the very last e-mail that we
15 received from them, we pretty much thought we were
16 in good shape, and we provided everything that they
17 had asked for.
18 On Monday last we received a letter from
19 the Planning Department telling us our letter of
20 intent would not be allowed to go to the application
21 stage, and it cites a contention that the \$60,000
22 that we had listed as matching funds was somehow
23 they were already spent on something and that we
24 didn't have match money. So I responded in writing
25 and on the phone and explained that this was

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1 incorrect. The \$60,000 was sitting there, waiting
2 to be spent on roof replacement as it has been since
3 the beginning of the year.
4 We have not received back an answer on
5 that. I was told several other answers on the
6 phone, but none of them jive with my understanding
7 of the process. So I would like to ask the Board of
8 Freeholders if this decision is based in error, it
9 is your Planning staff's misunderstanding of our
10 situation or our failure to somehow meet the
11 requirement, although it's been a very, very
12 difficult application for us this year because of
13 the lateness of the development of the application,
14 that we're somehow not communicating.
15 I urgently ask if there's some way to
16 reinstate us in this process. We would very much
17 like to know what to do next. The clock has run out
18 for us. The further delay will mean irreparable
19 loss of the plaster ceiling; the type of rain we had
20 last week, three more new cracks in the plaster.
21 We've spent \$8,000 trying do a ceiling to keep it
22 up. It won't last the season. If this is a final
23 decision, then I request the courtesy of a clear
24 explanation, the reason for exclusion from this
25 process so that maybe that knowledge can help us in

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1 the future. I truly don't know what we're going to
2 do next. Thank you very much.
3 DIRECTOR RICHARDSON: Freeholders, we
4 have, in fact, been in communication and contact
5 with the temple. There have been recent e-mail
6 exchanges. In terms of historic designation,
7 Freeholders, Kay and I talked about this before, and
8 I have been in meetings where the requirement to
9 evidence the historic designation has been
10 discussed.
11 I know from not only personally saying it
12 but hearing it. When we discussed with all the
13 applicants, Kay was at one of those hearings. I was
14 in attendance at meetings with the temple earlier
15 with the Planning staff. At every step we have
16 discussed the requirement with regard to historic
17 preservation. We have been very, very consistent on
18 that.
19 FREEHOLDER O'DEA: I would tell you
20 that I was at a meeting that you were not in
21 attendance where other individuals that work for the
22 County were in attendance that they represented that
23 where this site was located and other designations
24 that have been given to that would given them the
25 ability to meet the threshold requirement. I just

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1 have that position.
2 MS. MAGILAVY: What we have received
3 from the Planning office most recently after we were
4 served, a link to a SHPO application form for a
5 certificate of eligibility for historical status.
6 We acted upon that immediately. We contact SHPO.
7 They sent us things. We've been working on that as
8 rapidly as we could, but at no time did anyone say
9 that we would not be able to move to the application
10 phase because we have not completed a certificate of
11 eligibility. I have nothing in writing that says
12 that. All I have is the \$60,000 letter.
13 MS. FERRARA: Planning Division
14 Chief, Massiel Ferrara. At the very first meeting
15 that we had with the temple on May 30th, we did
16 provided a sample of a copy of our 2012 program, and
17 made the temple aware that the program rules that we
18 were operating were the 2012, and the 2013 funding
19 rules were adopted, and those were the rules that
20 were on the books.
21 In those rules from 2005 to 2012, we have
22 always stated that the historic designation was
23 required, whether the property strictly needs to be
24 recognized on the national level or the state level
25 or they need to include a letter certificate of

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1 eligibility from the State organization. As
2 Director Richardson has said, we've had plenty of
3 meetings, many meetings with the temple where once
4 again, we discussed designation.
5 And we provided Kay and her representative
6 links to the SHPO office. We went even as far to
7 contact the SHPO office on behalf of the temple to
8 get it specific information like to try to expedite
9 the application. Those are the links that we sent
10 after we found out that there was no action being
11 taken. So from May to October 1st, when Kay started
12 to say that they were unaware of the process, we
13 tried our best to help with that to the point where
14 the SHPO office even said as the grantor, we can't
15 advocate on behalf of the temple. The temple has to
16 do the application. That's one point.
17 The other important item to note is that
18 in order to receive funding from historic
19 preservation, you have to have rehab or preservation
20 prepared by a certified architect. That plan was
21 promised to us in September. We have yet to receive
22 it according to our records, and the way the letter
23 of intent process works is that we would receive a
24 proposal, but there are certain things that are
25 required items, and we will try to work with you.

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1 There are things that may be missing or are not
2 detailed enough or need further explanation. We
3 give you time to get that information to us.
4 But something as important as a
5 certificate of eligibility or preservation plan that
6 looks to say this is exactly how this should be
7 funded has not been submitted to us and regardless
8 of the \$60,000, our records reflect that that
9 information was conveyed, that that money was spent,
10 and no other ledgers or letter from an account or
11 anything was provided to us, but we can rectify
12 that. We can take that into consideration that the
13 local match is still eligible.
14 But we can't, we can't move this
15 application further because there are two important
16 items that are very, very important to become a
17 historic property. You have to be a historic
18 property recognized by the State, and you also have
19 to have a historic plan prepared by a certified
20 architect because that we do not have.
21 To say that we will definitely continue to
22 work with the temple, I think most of you received
23 copies of the letters, and all of the letters state
24 that those who were non-recommended for full
25 allocation, we are going to continue to work with

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1 them. We have been working very closely with the
2 temple. We have met, and we will continue to work
3 with them as we've been doing. We want help them if
4 that is the road they want to take, historic
5 preservation. Thank you.
6 FREEHOLDER O'DEA: My understanding
7 is in order to qualify, all they needed was that
8 letter, which is a certificate of eligibility. They
9 don't have to be designated. You don't agree with
10 that? Charlene in the back is the person that
11 attended the meeting with me prior to May that
12 pointed that out, that that threshold issue was not
13 that you have to get a historic designation.
14 Let's be practical. Once you get historic
15 designation, everything that you do on that property
16 will suddenly go to another level of review and
17 cost, additional cost of which we're ready to make a
18 multi-multi-year commitment of funds to. I wouldn't
19 recommend that they go beyond getting a certificate
20 of eligibility. That's all I would recommend.
21 MS. FERRARA: I understand that,
22 Freeholder. You have to understand that there's a
23 State ordinance that governs the trust fund that
24 says that taxpayer money is to be used to preserve
25 historic properties. We cannot -- those are the

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1 rules that guide the trust fund. Those are also,
2 Freeholder, on top of that, we have rules that say
3 the same thing. You have to be registered with the
4 State or the national registry or have been
5 evaluated that your property is eligible for the
6 register, and that's all we asking for.
7 FREEHOLDER O'DEA: That's the letter,
8 that last, that last determination is the
9 determination which I would call minimum threshold
10 was always represented to me that we believed that
11 we should pursue. Like you just said, they are
12 eligible to be on the register.
13 MS. FERRARA: That's correct.
14 FREEHOLDER O'DEA: I don't know where
15 they are. I don't know now off the top of my head
16 how long it may take to get that now. If it's not a
17 long process to do that, then I would suggest along
18 with other applicants that you give them time to
19 meet some of this, that they be given, you know, you
20 have X amount of time to satisfy that or otherwise
21 if you submit your application, but you don't meet
22 requirement by December 31st, I don't know, I'm
23 using that arbitrary date, obviously that's not the
24 real date, then at that point in time your
25 application will be disqualified for that. That's

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1 how I would do it.
2 If you would let me finish, Mr. Chairman.
3 So that's how I would address that particular issue.
4 On the issue of a plan and the certification of the
5 entity that submitted the plan, I would have to
6 defer to the temple to better understand who the
7 architect was and what background or certification
8 they had. I do remember that being a discussion
9 topic. I would ask for your thought.
10 MS. MAGILAVY: When we had our
11 one-on-one meeting in your offices in October, we
12 left thinking that you have reviewed everything we
13 have turned in, and at that time, we were told that
14 we do need to pursue the certificate of eligibility,
15 and it was committed to send us something that we
16 could get started on that. There was more than six
17 weeks between that meeting and the time that we
18 received that e-mail that said, Here is the link to
19 SHPO.
20 So the day we got the SHPO, I called and
21 spoke with the person down there, and they indicated
22 they could expedite our application if we need it.
23 I haven't heard that I need it before the
24 application is due, but we filled out the
25 application and we haven't submitted it yet.

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1 But nonetheless, this question of the role
2 of the architect's report, which we did do a draft,
3 it arrived this morning, has never been related as
4 something that was a requirement for funding because
5 frankly, now that I've seen some of the architect's
6 recommendations on the building, it may be more than
7 we can ever possibly hope to put together to put on
8 this building or to commission the building.
9 MS. FERRARA: Let me correct the
10 record. I have a copy of the e-mail that was sent
11 July 17th, of all the links that would be helpful
12 for historic preservation. We started to send them
13 the information. We provided the information at the
14 May 30th meeting, once again when we met with Jersey
15 City. We talked about contacting -- we had a
16 recommended that you contact Dan Reardon from the
17 Jersey City management group, and then in addition
18 to that, we continued to reiterate as well
19 July 17th. We e-mailed you all the links to
20 Historic Preservation.
21 MS. MAGILAVY: That's the projects
22 for acquisition. That's why we wanted the
23 one-on-one meeting about what else do they want.
24 CHAIRMAN ROMANO: Massiel, it seems
25 that you went above and beyond what you're supposed

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1 to. I'm confused. The stuff started in July, you
2 were getting this back in July, right?
3 MS. FERRARA: In May.
4 FREEHOLDER O'DEA: So what's
5 confusing to me, Mr. Chairman, is that I'm the one
6 who raised this issue originally, and then at no
7 time did you notify me of any of these issues, or
8 did you, Director Richardson, notify me that any of
9 the issues were outstanding and had not been in any
10 way addressed, they were still out there, there's
11 still an application for consideration being done
12 here. Was I ever copied on that July e-mail?
13 MS. FERRARA: No, you were not.
14 FREEHOLDER O'DEA: Was I copied on
15 the November e-mail?
16 MS. FERRARA: No, you were not.
17 FREEHOLDER O'DEA: Thank you. So
18 Mr. Administrator --
19 MS. FERRARA: If I may, Freeholder.
20 FREEHOLDER O'DEA: Let me ask the
21 Administrator, and then you can gladly speak up.
22 Mr. Administrator, I'm the individual who
23 asked the temple to come here many months ago. I'm
24 the individual who continued to work with up and
25 including individuals that work with Tommy's own

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1 office, Joey Drill. I'm the elected representative.
2 I went to the community meetings and that quite
3 frankly neither Massiel or Director Richardson were
4 at, who knew of the importance of this issue to me.
5 I never got copied on any e-mails.
6 Director Richardson, we meet every two weeks. In
7 fact, I had everyone in there before a Freeholder
8 meeting. Nobody bothered to let me know what was
9 happening or that there were any issues. I take
10 that personally. I have a personal problem with
11 that, Mr. Chairman, and had that been your district
12 on a project in your district, I think you would
13 take the same position I'm taking.
14 CHAIRMAN ROMANO: Were any progress
15 reports sent to the Freeholder?
16 MS. FERRARA: No, no, the process
17 that was -- the process was we usually give updates
18 of where we are with the LOI. I remember when I had
19 my one-on-one with all of you, I did talk about
20 these projects that were proposed and the ones that
21 were going to get funded in your district, as well
22 as projects that were proposed for this year's
23 funding cycle. Whatever the projects were at the
24 time, I did provide you with it. Also, some of
25 those we did not get to until August 30th.

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1 I do want to note that we did have a
2 meeting on July 11th, which you did come, and we did
3 go over the procedure, and not only did we discuss
4 other issues with this type of projects, we did take
5 the opportunity to go over the temple draft letter
6 of intent, and in that meeting according to my
7 meeting notes, Deputy Director DeLeo was at that
8 meeting also, we did state that the COE is missing,
9 and at the bare minimum, the COE was expired, so
10 that was the time frame that I have where we
11 mentioned the COE, and Charlene was present, I was
12 present, Kay Magilavy was present, as well as Deputy
13 Director DeLeo. That's our recollection. We
14 discussed that they need to have this property
15 designated. If the temple chooses, if the temple
16 does not want designation, that's that.

17 FREEHOLDER O'DEA: You used the term
18 "designation." What they have to get is a
19 certificate of eligibility. Please, please, stop
20 using that because there is a huge difference, and
21 you know that there's a huge difference between
22 getting a certificate of eligibility and a
23 designation. A designation means for the rest of
24 your life, you don't own a historic building, do
25 you?

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1 MS. FERRARA: I do not.
2 FREEHOLDER O'DEA: You know that a
3 designation means for the rest of your life,
4 everything you do on that building, if you've got to
5 fix a window, if you've got to fix a window sill,
6 anything you do on that building has to go through
7 levels of bureaucracy and approvals that will incur,
8 you as a developer, 50-percent increase in cost.

9 We understood that, and Charlene, feel
10 free to jump up and correct me any time. People
11 said, Maybe you should get designation. We were
12 clear to say. We have an emergent situation. We
13 have a roof that needs to be fixed. You want to try
14 to find a way to make the project eligible so we get
15 the repairs done to the roof, and after that, let's
16 see if it makes sense beyond that for what else
17 might be available, whatever the cost benefit may
18 be.

19 Director Mearns knows that. She worked on
20 historic designations. She knows the cost
21 differential for designated properties. We've
22 always understood that. We always understood this
23 was an emergent health and safety issue related to a
24 building, and where we understood that we needed to
25 meet the minimum that we needed to meet.

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1 I don't have the notes of the July meeting
2 in front of me right now. I know I didn't get any
3 follow-up e-mails after that meeting. I didn't get,
4 what do you call it, verifying or memorializing that
5 that's what took place. There is no record of what
6 was sent there except your quote-unquote minutes.
7 You could have sent me the minutes. You already
8 admitted that you never sent me those minutes. I
9 never received anything after that.

10 Only until I have the same temple coming
11 to me and saying, Oh, we were going to try to so
12 hard. Yoo remember one time we were trying to find
13 funding we can get from dollars we already had, and
14 that was shut down. We decided that let's pursue
15 the normal course of events to do it, and it's not
16 acceptable from my perspective that I find out about
17 it when they get denied, and all of these other
18 issues. If somebody says they haven't done this,
19 they haven't done this, et cetera, et cetera, and I
20 would have been on top of this.

21 If you told me this had to be done by that
22 point in time, I met with them as recently as a few
23 weeks ago. I would have said, Hey, have you done
24 this yet? Oh, no, I didn't get this or that, I
25 would have reached out to you. I would have reached

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1 out to Director Richardson. I would have said, Hey,
2 let's take a day, I'll take time off from work,
3 we'll come to the office. What do they need do to
4 at least get a certificate of eligibility, same with
5 the architect.

6 Quite frankly, look, what I'm looking at
7 is, is this the first issue? I haven't seen your
8 draft report. I don't know whether you should be
9 frightened about other things that needed to be
10 done, but I think at this point, we were on the
11 mindset on both sides of the street that we were
12 trying to find a way to get the dollars to deal with
13 the roof. We're not talking about a million
14 dollars. It's \$70,000.

15 Mr. Administrator, what else can be done?
16 MR. ANTUN: I don't think there are
17 any, Freeholder. The letters went out. They
18 provided the information to the Planning office, and
19 we have to move on. I think it was sent to you.

20 MS. MAGILAVY: The letter that I have
21 says we were denied because we had spent \$60,000,
22 which we didn't spend. If there are some other
23 reasons, they should tell us.

24 MR. ANTUN: I think Massiel stated
25 the reasons. If you want that in writing, we'll put

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1 it in writing. I thought that had been communicated
2 to you.
3 MS. MAGILAVY: No.
4 FREEHOLDER O'DEA: It was not
5 communicated in writing. Right now, their position
6 is simply they do have the money, and they are
7 compliant with it so their application should be
8 reconsidered. They should be allow to submit an
9 application.
10 MR. ANTUN: Freeholder.
11 FREEHOLDER O'DEA: They're submitting
12 their application that they're required to have a
13 certificate of eligibility and a copy of the
14 architect's report, and that should be put in, and
15 if they can't submit that, at that point you can
16 deny their application.
17 I'm not quite sure. I'm not quite sure --
18 I would like a letter telling me what is the
19 regulations that allowed you to determine that you
20 deny, why you don't allow someone to submit an
21 application, or you decide that in this case, I'm
22 going to let them submit, but they have to give me A
23 and B as part of it, but in this case, no, they
24 can't submit an application. I would like to know
25 what the legal rules and regulations are in each

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1 case.
2 We're working on the stuff we need. We
3 not only decided, certificate of eligibility and the
4 architect report, and I'm going to over each and
5 every one of them. I would like to see to make sure
6 that there's an equal, fair treatment and that some
7 potential applicants haven't been treated
8 differently than others in this case. There are
9 obviously probably other avenues.
10 A certificate of eligibility by its nature
11 of where it is, its location, it's eligible to be on
12 the list, but a destination and placement on it puts
13 on it, it's a done deal, and anything related to
14 that building, renovation work, et cetera, et
15 cetera, goes through a different process.
16 FREEHOLDER CIFELLI: I know what
17 you're saying. So you need one of those two
18 documents?
19 MS. FERRARA: Correct, you have to
20 either be designated or listed on the State or
21 national or have received a certificate of
22 eligibility letter from the State Historic
23 Preservation that you are.
24 FREEHOLDER CIFELLI: And then what is
25 done typically after that?

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1 MS. FERRARA: Typically, when you get
2 your COE, you're moving forward. That's the first
3 step towards historic. You have the SHPO office
4 reviewing your property, coming in, making site
5 visits and taking a look at it, and they have a
6 Board that meets, and they then issue a letter.
7 FREEHOLDER CIFELLI: So that is the
8 first step. In order for them to be eligible, they
9 have to be reviewed, okay, but do you have to after
10 having been looked at for the certificate of
11 eligibility and submitting an application for the
12 project, complete the designation?
13 FREEHOLDER O'DEA: Is that true?
14 Hold on.
15 FREEHOLDER CIFELLI: That's what I'm
16 asking.
17 FREEHOLDER O'DEA: I would defer to
18 Charlene Burke. We meet with Charlene who works for
19 the County, she told us that wasn't the case. I'm
20 going to defer to her, Massiel.
21 FREEHOLDER CIFELLI: The point is
22 that's an additional question for the applicant
23 because once you're designated, there's a lot of
24 visits, there's a lot of verification for the
25 building, as I understood. If you filed for a

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1 certificate of eligibility, that's only the
2 assessment to proceed with that. Once you made that
3 decision, there is no turning back. If you took the
4 money from us, you can't say I don't want the
5 designation.
6 MS. FERRARA: What actually ties you
7 in is the fact that you have a renovation plan by a
8 certified architect that shows adherence to the
9 Secretary of Interior's design. That's the second
10 part of it. So we are looking to invest in
11 properties, give money to property that the property
12 owner is looking to continue to preserve this
13 property and have it designated and repair and rehab
14 this property to the historic significance of what
15 it was built.
16 The proposals that have been submitted to
17 us by the temple to date does not call to have the
18 original or even a copper lookalike to be put back
19 on the dome. It's to repair the roof, and that's
20 not the mission of the trust fund.
21 FREEHOLDER CIFELLI: As part of the
22 eligibility, you're telling me, I just want to know,
23 so if I file for a certificate of eligibility, why
24 do I have to have this preservation as part of that
25 application?

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1 MS. FERRARA: In order to receive
 2 funding for them.
 3 FREEHOLDER CIFELLI: I'm talking to
 4 designation.
 5 MS. MAGILAVY: No, no, no, according
 6 to the forms I filled out for the certificate of
 7 eligibility, it did not ask for a designation plan.
 8 They are just looking for historical significance.
 9 FREEHOLDER CIFELLI: Here is the
 10 problem. You need the money right away. In order
 11 to jump start this process, you don't have to have
 12 designation. You fill out the application. You get
 13 \$100,000, \$87,000. You find that historic
 14 restorations costs many, many dollars. You don't
 15 have it. You fix it and move on, whatever it is,
 16 you're going to abandon that eligibility process.
 17 What does that do the applicant as part of our
 18 process? You needed that. How can I give you money
 19 and pull it back? I am confused by that. Is there
 20 a footnote in the process that allows me to say I
 21 need to get a certificate of eligibility, and okay,
 22 I'm done. That's good. The money is sent, we move
 23 on and the foundation, and they change their mind
 24 and say We don't want this historic preservation?
 25 FREEHOLDER O'DEA: We can't afford

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1 that. We now determine that we can't afford it.
 2 FREEHOLDER CIFELLI: What does that
 3 do to the integrity of our process? Our process was
 4 you have to have it. We relied on you telling us
 5 that you were getting it, then you didn't get it,
 6 and we gave you the money.
 7 FREEHOLDER O'DEA: I thought what we
 8 did is give money to a property that demonstrated by
 9 the certificate of eligibility that it was eligible
 10 to be on the register. That's what was told to me
 11 by a County employee back in the spring of this year
 12 and acting upon that recommendation, the temple has
 13 pursued for the eight months that course of action.
 14 MS. FERRARA: Just a point of
 15 clarification, those who have the COE and have a
 16 reparation plan prepared by a certified architect,
 17 as we have said before, that's the minimum
 18 threshold. That's the minimum requirement.
 19 Obviously, there are candidates or applicants that
 20 are listed on the register, have a reparation plan,
 21 have the local match, other grant money, letters of
 22 support, will in the process probably be recommended
 23 because it is a strong application.
 24 And then these recommendations go to the
 25 County Executive, and the County Executive and his

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1 policy team meet and discuss and decide which ones
 2 will be funded and at what amount. Right now, those
 3 decisions about what is funded and who should be
 4 chosen, who in the historic preservation process
 5 should be chosen for funding is not at the level of
 6 the Division of Planning or the Open Space Advisory
 7 Board.
 8 But what this Board and the Open Space
 9 Advisory Board has recommended many times, and
 10 that's why we included this letter of intent process
 11 is that we really started looking closely at
 12 applications that really get us -- that have met
 13 that minimum threshold. So that we're now
 14 discussing properties and proposals that really are
 15 very strong. Some of them are already listed on the
 16 register and have multiple sources of funding.
 17 FREEHOLDER O'DEA: Some of them like
 18 the Loew's Theater, eight years later is nowhere
 19 closer to spending the money that we gave them than
 20 it was then. The Apple Treehouse isn't done yet.
 21 For all this, where are they, whatever they are,
 22 where are their dollars, et cetera, et cetera.
 23 We've given hundreds of thousands if not millions of
 24 dollars to projects that still aren't done, that's
 25 sitting in the account not finished, nowhere.

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1 This is a project that no one ever
 2 portrayed this project as anything different than it
 3 was, meet the minimum requirement, meet the minimum
 4 eligibility, it's shovel-ready. Obviously, you're
 5 not putting a shovel on the roof. It's construction
 6 ready to get done long before the funding that's
 7 sitting in your account years and years later has
 8 yet to be spent. That's one of the things I thought
 9 that was also our priority.
 10 So are we putting our money -- look, at
 11 the end of the day, you're right. All I asked was
 12 allow them the opportunity, send them a letter, give
 13 them a drop dead date of getting the certificate of
 14 eligibility, give them a drop dead on providing the
 15 architectural plan that you require. That's it. If
 16 they can't get that by January 15th, then they're
 17 done. They have taken themselves out of the
 18 process. That's all that I ask.
 19 They met what your letter said, that
 20 they're -- I just ask for the other. The process is
 21 what it is. You may score them that high. You may
 22 not score them that high. I don't know what other
 23 applications you have that fall within those
 24 categories. I hope it's not some of the ones that I
 25 just mentioned because I'm going tell you, I've got

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1 a lot more institutional inside knowledge of some of
 2 those other projects than your committee does.
 3 I'm going to weigh in real strong on some
 4 of those other projects because I know what hasn't
 5 been done with money for the Loew's as well as some
 6 other buildings over the years. Then beyond it
 7 there, it goes to the County Exec, and then it comes
 8 to us. That's the process. Give them an
 9 opportunity to keep that application alive. That's
 10 all.
 11 Give them a reasonable -- give them two
 12 weeks. I don't know how long it takes them to get a
 13 certificate of eligibility quickly because it's
 14 nothing more than a certificate of eligibility. I
 15 think they claim that they have the draft already
 16 from their architect, so I think they could meet
 17 those requirement within two weeks.
 18 MS. MAGILAVY: I do want to add that
 19 the board hasn't reviewed this draft. It just
 20 arrived today. I have absolutely no confidence that
 21 our board will accept a plan like this because it's
 22 so far beyond our ability.
 23 FREEHOLDER O'DEA: I think at that
 24 point, you may have to take yourself out of the
 25 process.

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1 MS. MAGILAVY: We may have to.
 2 FREEHOLDER O'DEA: You may want at
 3 the end of the day to take yourself out of the
 4 process. All I'm going to do is afford you that
 5 opportunity.
 6 MS. MAGILAVY: At the end of the day
 7 after working on this for several months and
 8 spending a lot of hours, we suddenly have a
 9 requirement that this plan be part of our
 10 submission.
 11 FREEHOLDER O'DEA: Submitting is part
 12 of how you have to be required to meet all of the
 13 requirements. I'm not going to properly answer what
 14 that is. I think there are two issues, submitting
 15 it is one and what expectation or -- forget about
 16 expectations, requirements that you can fulfill all
 17 the obligations is probably is a second. I don't
 18 know the answer to that, nor do I want -- I have
 19 angry looks being shot at me so I don't want to
 20 belabor it any further.
 21 FREEHOLDER MALDONADO: If I may, I
 22 would like to add that if the letter that was sent
 23 to them, you said the letter only states that the
 24 \$70,000 sitting in an account?
 25 MS. MAGILAVY: They thought we had

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1 spent the monies for the matching grant.
 2 FREEHOLDER MALDONADO: And if they
 3 have the ability to review that in the letter, at
 4 least it gives you time and opportunity to review
 5 it, and it give a little time to get the two other
 6 assets on there and decide whether you want to go
 7 forward, the reasoning for being able to extend that
 8 without breaking any of your rules.
 9 CHAIRMAN ROMANO: The project in
 10 question started in May. Why would we be extending
 11 it? Correct me if I'm wrong. I'm getting confused
 12 by all this. You informed them that day in August.
 13 This didn't drop out of sky, correct?
 14 MS. FERRARA: No, and not only that,
 15 the letter says it failed to the meet the
 16 requirement. I don't have an actual of copy the
 17 letter.
 18 FREEHOLDER O'DEA: Let me see that.
 19 Can we make copies for everyone? Could you review
 20 that as our attorney? What are the reasons given?
 21 MS. FERRARA: It talks about the
 22 \$60,000, that's correct, and it also mentions that
 23 they need a current additional study by an
 24 architect, and it does say about the application --
 25 FREEHOLDER O'DEA: Okay. Can we get

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1 together a committee meeting? Make sure everything
 2 is forwarded.
 3 MS. MAGILAVY: We didn't fill out an
 4 application. We haven't been offered to fill out an
 5 application.
 6 MS. FERRARA: The way process the
 7 works, you submit a letter of intent, and in the
 8 letter of intent you submit a checklist. There's a
 9 checklist you're supposed to get, and I'm missing
 10 the survey of the property. There are things on
 11 that checklist in discussing with the temple
 12 representative since July, that are required. You
 13 have to have a survey. You have to have a plan.
 14 You have to have ownership of your property. For
 15 historic preservation, you have to be listed on the
 16 State or national register or have a certificate of
 17 eligibility. These are the things that are required
 18 items that we have discussed with the temple since.
 19 MS. MENDIOLA: The applicant has to
 20 provide that, not the County?
 21 MS. FERRARA: They had to provide
 22 this information. So we have to determine whether
 23 they should go forward with the full application.
 24 FREEHOLDER O'DEA: Your letter begins
 25 like this, we are not recommending you. Who are you

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1 recommending them to?

2 MS. FERRARA: The recommendation is

3 the County because we made a recommendation to the

4 County Executive's office. They accepted those

5 recommendations on who should submit a full

6 application.

7 FREEHOLDER O'DEA: So in my opinion,

8 Mr. Administrator, until the County Executive, based

9 on this letter, needs to notify all of these groups

10 that are not meeting or allowed to submit a full

11 application, that they don't. All this is, it says

12 we're recommending that you not be allowed to submit

13 a full application. This letter does not say you

14 are being denied the opportunity to submit a full

15 application.

16 So I would argue that you need to take

17 your case to across the street to the County

18 Executive because all that letter is right there,

19 please accept this letter regarding your recent

20 letter of intent you submitted. After a full review

21 and site inspection, the temple roof replacement

22 will not be recommended for a full application. It

23 doesn't say we've denied it.

24 So when you recommended, I think you

25 should first of all make it clear who you

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1 recommended it to, and then there should be a

2 process where whoever you recommended it to you,

3 that you say now is the County Executive, please

4 provide the part of ordinance that lays that out,

5 then approves or disapproves what your

6 recommendations are, how that process is followed,

7 and then that letter from the -- it's not a letter

8 from the County Executive, we have not, based on the

9 recommendation of Planning, you are not allowed to

10 submit a full application, and these are the reasons

11 why, and then whatever else you want to add. This

12 says we're recommending. It doesn't say you're

13 being denied the to right to submit an application;

14 is that correct?

15 MS. FERRARA: That's correct.

16 CHAIRMAN ROMANO: We're splitting

17 hairs here. Our legal counsel said the application

18 is not filed. That's because the criteria wasn't

19 met.

20 FREEHOLDER O'DEA: She didn't say

21 that though.

22 MS. MENDIOLA: No. The speaker said

23 earlier that she has not filed not the application.

24 FREEHOLDER O'DEA: That letter

25 doesn't even reference a certificate of eligibility.

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1 MS. MAGILAVY: We haven't been given

2 one because.

3 MS. MENDIOLA: It's online?

4 MS. MAGILAVY: No, the letter says

5 that we cannot move from the letter of intent phase

6 to the application phase, so we're not offered an

7 application.

8 CHAIRMAN ROMANO: You could probably,

9 correct me if I'm wrong, follow the criteria.

10 FREEHOLDER O'DEA: I think the

11 application that our attorney is referring to is you

12 said that you have not submitted the SHPO form

13 application.

14 MS. MAGILAVY: That's for the

15 certificate of eligibility, and we had the

16 one-on-one, and I explained with Massiel's staff in

17 her office, we completed that meeting, and they

18 said, you know, the only thing you need to have yet

19 and we'll send you this in writing is the COE, and

20 that was it. They said nothing at the time about

21 architect's report, and she said we will send and

22 let you know what you need.

23 CHAIRMAN ROMANO: Massiel, is that

24 true or false?

25 FREEHOLDER MALDONADO: It says it

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1 right here.

2 CHAIRMAN ROMANO: Massiel, is that

3 true or false?

4 MS. FERRARA: It's false. We

5 recommended. We said --

6 FREEHOLDER O'DEA: And I'm going to

7 tell you what you guys don't understand, all right?

8 Requiring as a prerequisite to ever be allowed to

9 submit an application that somebody already gets a

10 certificate of eligibility is putting a major onus

11 on an individual as it relates to a piece of

12 property that they own, and I'm not sure I agree the

13 requirement is a prerequisite to being invited to

14 submit an application.

15 I would argue that in order for an

16 application to be deemed complete, to be considered

17 and scored, that that certificate of eligibility is

18 a requirement or a prerequisite of that actual

19 application. So we may be splitting hairs, but

20 these are pretty thick hairs that impact the

21 requirement and the responsibility of the entity.

22 My position is I don't know why they

23 couldn't have said, You're allowed to submit an

24 application, we're recommending you submit an

25 application, however, please be clear, in order for

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1 your application to be deemed complete, and in order
2 for your application to be considered, these are two
3 threshold issue: One, a certificate of eligibility
4 from SHPO; two, the submittal of whatever the
5 architect plan that is required. Then they
6 determine is it -- do I now want to go ahead with
7 these two things or do I not want to?
8 This letter does afford them the
9 opportunity, and I think they should be afforded
10 that opportunity. Mr. Administrator, I recommend
11 that the County Executive override this
12 recommendation and direct Planning to send another
13 letter out clarifying the issue of the 60,000, and
14 assuming it's clarified, allowing them to submit an
15 application and requiring as part of that
16 application, that in order for that application to
17 be deemed complete by whatever the time frame is
18 that these applications are due, that that
19 application must have two those threshold issues,
20 and then it's up to them. I believe they can get a
21 certificate of eligibility. I believe they can have
22 their board meet, make a determination, and they
23 have to talk to the attorney and the members of the
24 congregation to determine as to, well, we put this
25 plan in, we get the money and that's okay, what are

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1 we going to be required to do in the future? But
2 that's their decision.
3 Right now, I think, Mr. Administrator, we
4 have taken that option in ours hands. I think
5 that's unfair and unreasonable, and look, I just
6 ask, Bill and Abe, you do that. In lieu of that, if
7 I've got to review everybody else that's allowed to
8 submit an application, what stuff is recommended,
9 which is going to be complied with as part of the
10 application, and then get into a long questioning at
11 the next meeting as to, well, where is your policy
12 that says this is okay to make the application, but
13 this isn't. I'll leave that up to you.
14 I know there were other applications and
15 items that they haven't done yet that they can
16 submit as part of the application. I'm sure, I'm
17 sure many of them are related to applications that
18 say City of This, Township of That, City of
19 Whatever. That would be an interesting public
20 policy. So as a government, we have a different set
21 of rules, even though the government has a lot more
22 employees and consultants working for it, but if
23 it's a nonprofit, then we need -- we've got a
24 stringent requirement of what you need to have in
25 order to be allowed to submit an application.

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1 MS. MAGILAVY: Correct.
2 FREEHOLDER O'DEA: Can you convey
3 that message on my behalf, Mr. Administrator?
4 MR. ANTUN: Sure. I'm sure the Chief
5 of Staff will.
6 MR. GAUGHAN: I'll discuss it with
7 Tom.
8 FREEHOLDER O'DEA: I know the County
9 Exec is very sympathetic to this, even in meetings
10 you attended related to this going back many months.
11 Once you kick them out without affording them an
12 opportunity to say submit your application by
13 whatever, January 15th, please be advised that your
14 application requires upon submittal a certificate of
15 eligibility, submittal of plans, one of the things
16 they say they should submit in January, drawings,
17 bingo. If they don't do it, they take themselves
18 out of the game or they decide they're going to go
19 forward.
20 MR. ANTUN: Freeholder, I will say
21 that, and I believe the Planning Director stated
22 that, these letters that went out to these entities
23 that were recommended not to be part of the process,
24 they were reviewed with the County Exec. I recall
25 the discussion on this specifically, and it's what

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1 the Planning Director stated, the fact that, and
2 I'll be honest with you, the 60,000 issue wasn't
3 even discussed.
4 FREEHOLDER O'DEA: That's what the
5 letter says.
6 MR. ANTUN: No, no, wait. I'm not
7 disputing that. I'm saying that discussion with the
8 Exec didn't even mention the 60,000. It's
9 specifically related to the two issues that the
10 Planning Director stated, the fact that they did not
11 have a certificate of eligibility, and more
12 importantly or just as important, they didn't have
13 the architectural plan to make sure that it was
14 being restored to its original historic status, and
15 that was the basis for them not recommending them at
16 this round.
17 Now, I'm not sure how the Exec is going to
18 react to what you're asking us to do. We will
19 certainly discuss it with him. More importantly,
20 the speaker's indicated that they just got the
21 report, and perhaps she needs to meet with her board
22 because if her board isn't going to do it, why are
23 we going through this exercise?
24 MS. MAGILAVY: It's a question of
25 whether or not we were ever obligated to have a

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1 restoration plan in place, and that's the problem
2 because this was not raised, and I respectfully
3 disagree with Massiel. We had a long list of things
4 sent to us. We met with them several times and we
5 checked this you need to have, this you don't need
6 to have. We didn't need a site survey because this
7 is not an acquisition project. They told us exactly
8 what was needed.

9 We thought we were clearly on target with
10 what the Planning Department said for us to do. So
11 it was a shock to us when we weren't, and it was an
12 even greater shock the answer was, there's the
13 \$60,000, which is wrong. So I think --

14 FREEHOLDER O'DEA: I will tell you, I
15 was there. The certificate of eligibility was
16 raised. I remember it was. I don't remember the
17 rest. I don't remember the restoration plan. Quite
18 frankly, the way we discussed it was because we were
19 trying to get done, the expediency of this wasn't
20 kind of what was discussed. We talked about how to
21 get funding to fix the roof of the building.

22 MS. MAGILAVY: The clear
23 communication with the applicants leaves a lot to be
24 desired.

25 MR. ANTUN: You know, Miss, I can't

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1 address that. I was not part of that. I heard what
2 Massiel what said and what you said. I'm not going
3 to comment on that. Obviously, she say --

4 MS. MAGILAVY: My notes are
5 different.

6 MR. ANTUN: Exactly. I think what
7 the here and now is, you need to go back to your
8 board and indicate to us whether or not your board
9 is willing to accept that architectural plan that
10 was started. If your board says, No, we're not
11 going to go down that road, well, then, what is the
12 point of us going through the exercise? I think
13 that needs to happen.

14 MS. MAGILAVY: I'm happy do that, but
15 I still would like in writing what it is, the
16 requirements we're still missing. Because my
17 concern is I thought we were done and then now --

18 MR. ANTUN: I can assure you in the
19 discussion we had with the Exec, the 60,000 was
20 never mentioned. No one mentioned your 60,000.

21 MS. MAGILAVY: I once again just ask
22 in writing, these are the things you're missing. If
23 you want a site survey now, just get it on the list,
24 because I don't want to go back to my board twice
25 and say now they want this and now they want that.

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1 CHAIRMAN ROMANO: Massiel, was the
2 site survey requested ever?

3 MS. FERRARA: The survey was
4 requested to show ownership.

5 MS. MAGILAVY: We gave the ownership
6 related to that.

7 FREEHOLDER DUBLIN: Let her go back
8 to her board, see how they want to pursue this, and
9 then, you know, bring it back to the Planner. Bill
10 O'Dea, staying aggressive, will follow her step by
11 step. We'll have some knowledge of what's going on,
12 and it won't drag onto another day. I think the
13 best thing is to --

14 FREEHOLDER O'DEA: I have a question.
15 Has at any time an applicant entity been allowed to
16 submit an application under historic preservation
17 when they had yet as part of the pre-application not
18 submitted the full architectural plan for
19 restoration?

20 MS. FERRARA: Freeholder, as you
21 cited that there were, like you said, the Loew's
22 site. This division with the consent of the County
23 Executive's office spent a whole year revising the
24 program rules to ensure that things are in
25 accordance with the State ordinance.

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1 FREEHOLDER O'DEA: I agree. I agree.
2 I agree. I agree that you move forward in rounds
3 going forward where we have these discussions.

4 Prior to all -- I don't disagree with you as we look
5 at rounds going forward into the future, and I would
6 tell you, one of the things we were looking at in
7 2012, you want to look up the remarks about what the
8 criteria was you were using.

9 Based on that, Massiel, I would ask that
10 that be considered the way the Loew's and Apple
11 Treehouse. Going forward to next year and other
12 years, I don't think I have any grounds to argue
13 with you anymore, which is I think one of the
14 reasons why we tried to get this one potentially
15 funded now, and I think that's what exactly my issue
16 is, and it's why that process took as long as it
17 was, and it's why Director Richardson had those
18 meetings where our application might have kind of
19 got changed. I think you should reconsider it.

20 MS. FERRARA: We also remember that
21 we went through the process, we had hearings and
22 discussed all the changes. I met with every
23 individual Freeholder, mayor's office, as well as we
24 waited until those twenty guidelines were adopted by
25 this Board to send any of those letters out, because

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1 we were using the new funding guidelines that
2 specifically is saying you have to have a letter of
3 intent process.
4 That's because we were seeing applications
5 poorly submitted, and there was no opportunity to
6 fix it. We actually think the letter of intent
7 helps applicants because it gives them an
8 opportunity to revise and change their application,
9 and then we make a recommendation. We don't work in
10 a vacuum and make this recommendation to the County
11 Exec's office and to the Administrator's office.
12 And we have had discussions on it over and
13 over and over again about projects that were still
14 missing items, things that we were working on, and
15 at that point, the decision, the County Exec gave me
16 the green light and said, You know what, we can't
17 hold this funding up, let's move on with the
18 applicants that have met the minimum threshold and
19 started to discuss how we're fund those
20 applications.
21 FREEHOLDER O'DEA: The minimum
22 threshold based on what we adopted now, not under
23 the old minimum threshold. By your own admission,
24 the Apple Treehouse never would have met this. We
25 knew that was going to be the case, which is quite

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1 frankly why I believe you're right on the
2 certificate of the eligibility, Kay's right on the
3 architect restoration program, because she was
4 operating under the rules that were there before
5 2012, when you started your remarks, which we could
6 go back into the last 45 minutes into the record and
7 have you state that.
8 And I think that discretion is the better
9 part of valor, and that they should be allowed. Mr.
10 Administrator, you know that this application and
11 this situation predated any of the changes. There
12 are meetings that were held, presentations before
13 this Board, and it should be allowed to be held
14 under that standard. They're not asking for a
15 million dollars, they're not asking for \$5 million.
16 They're asking for \$70,000.
17 MS. MAGILAVY: 270.
18 FREEHOLDER O'DEA: \$270,000. You'll
19 never get everything you're asking for anyway.
20 MS. FERRARA: The Historic
21 Preservation Plan was also included in 2012.
22 FREEHOLDER O'DEA: How come the other
23 ones were allowed to do it without one?
24 MS. FERRARA: Freeholder, I cannot
25 speak to why certain projects were funded. I have

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1 to look at the rules now. We also updated and this
2 Board adopted it in November, and those are the
3 rules. We proposed those rules and adopted those
4 rules to make the program better because there was a
5 problem initially.
6 FREEHOLDER O'DEA: So this predated
7 you, you admit publicly for the record that we
8 funded other historic preservation projects in
9 violation of our own rules?
10 MS. FERRARA: No, I'm not speaking --
11 what I'm saying is that I'm not here to --
12 FREEHOLDER O'DEA: I asked you that
13 as a question, yes or no, you still oversee those
14 programs to know whether they provided to you as a
15 part of their application approval, it is a simple
16 yes-or-no question.
17 MS. FERRARA: We have 24 historic
18 properties, 22 have either -- are registered, listed
19 with the State or have the COE. The only two that
20 do not are cemeteries because they have a
21 quasi-public issue, and there have been problems,
22 and those were the only two that we have given very
23 minimal funding without their historic -- they have
24 recognized historic significance, but they are not
25 listed anywhere.

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1 FREEHOLDER O'DEA: I would ask for
2 the record that, would you provide to -- are you
3 stating that cemeteries are eligible for historic
4 designation?
5 MS. FERRARA: I am not stating that.
6 I am saying that those are issues with those two
7 cemeteries, ownership issues.
8 FREEHOLDER O'DEA: So you have
9 granted funding, historic funding to entities that
10 never got a certificate of eligibility or are not on
11 any list, is that true, yes or no?
12 MS. FERRARA: I can't say yes or no.
13 FREEHOLDER O'DEA: You just said it.
14 You said we funded 24, 22 of them either this, this
15 or this, cemeteries didn't.
16 CHAIRMAN ROMANO: What the unique
17 situation is because of ownership problems. I know
18 you came before the Board, it was about three or
19 four years, correct?
20 MS. FERRARA: There are issues with
21 cemeteries, but in this County, we have recognized
22 that they are of historic significance. It's a
23 difficult situation. I can't speak to the
24 particulars. I will get you more information on
25 that.

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1 FREEHOLDER O'DEA: How many of those
 2 did not at the time of the submittal of the
 3 application have the complete architect's plan that
 4 you were requiring of the temple?
 5 MS. FERRARA: None of them, because
 6 cemetery, the issues with the two cemeteries is that
 7 they don't have the historic designation. The
 8 studies that we funded was to assist them in getting
 9 that designation because of the nature and
 10 difficulties that cemeteries have in being
 11 designated. It is a part of a larger historic scope
 12 of work. But the actual property, properties that
 13 we have funded over the years, all of them have that
 14 they're on the State and national register or have
 15 their COE.
 16 FREEHOLDER O'DEA: Beyond that, they
 17 have their approved plan, yes?
 18 MS. FERRARA: I mean one we didn't
 19 fund that one year because they didn't have an
 20 approval plan by a certified architect. The
 21 following year they did provide that with their
 22 application and they were funded.
 23 FREEHOLDER O'DEA: So all of the
 24 funding that you approved for them, what have you
 25 done to ensure at that complete compliance with the

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1 approved plan?
 2 MS. FERRARA: When they get their
 3 award in this grant, there is a scope of work. We
 4 usually fund items that are listed in that
 5 preservation plan, and those are the only items that
 6 we reimburse them for.
 7 FREEHOLDER O'DEA: If the
 8 preservation plan called for a million dollars of
 9 work, and we fund \$200,000, what do you then do to
 10 ensure that other \$800,000 will be done?
 11 MS. FERRARA: That's part of the
 12 scenario if you focus on the Open Space Trust Fund.
 13 Obviously, we cannot fund, the County doesn't have
 14 the means to funds certain projects at a hundred
 15 percent, but what we want to do is we want to
 16 continue to work with the applicant and the
 17 nonprofits for dollars towards the funding. That's
 18 what we will continue to do.
 19 FREEHOLDER O'DEA: Up until now, what
 20 have you done, and I would like from the present
 21 going back.
 22 MS. FERRARA: Since coming back to
 23 the County, that has been a priority, looking at the
 24 stalled projects and figuring out ways that we can
 25 find alternative sources of funding, merge the

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1 projects with their local municipalities to get them
 2 moving forward, overcome some of the construction
 3 issues. Those are the things.
 4 FREEHOLDER O'DEA: Take the Loew's
 5 Theater as an example. Do you have any knowledge of
 6 that? We approve several hundred thousand dollars,
 7 knowing, knowing that completion of that restoration
 8 plan probably required an additional \$10 million, of
 9 which none of that money, none of that money was
 10 anywhere to be found, right, isn't that true?
 11 MS. FERRARA: Correct.
 12 FREEHOLDER O'DEA: Okay. So what
 13 have we done and what will we do to ensure that the
 14 Loew's Theater finishes the other \$10 million,
 15 assuming they have already spent a few hundred
 16 thousand there?
 17 MS. FERRARA: The first thing we did
 18 was we merged the Loew's Theater with the City of
 19 Jersey City. Jersey City is now the primary
 20 grantee, at least that is because at the bare
 21 minimum they overcome a lot of the bidding issues
 22 that they were having and the development of specs
 23 and rejecting them.
 24 FREEHOLDER O'DEA: How long did that
 25 take?

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1 MS. FERRARA: It took about a year
 2 and a half to work with the Jersey City Law
 3 Department, maybe a little less than that, to have
 4 all of Loew's agreement under Jersey City's
 5 departments. Now there is, we have to continue
 6 working with the Loew's Theater and Jersey City to
 7 seek alternatives as to funding.
 8 I can't say that we have some sort of
 9 plan, but what we intended there, we are go to
 10 continue to work. That's the whole thing. We know
 11 that we have limited means, and we have to work with
 12 the older projects. We have to look at all sources
 13 of funding, the County, the State, developers,
 14 whatever, whatever it may be. That's how we should
 15 go forward. The ones we can retroactively make
 16 changes to, that's what we have been doing.
 17 FREEHOLDER O'DEA: Can you provide me
 18 every, for the next meeting, every historic project
 19 that have been funded from the beginning. I want a
 20 copy of their restoration plan, and I want a report
 21 of the current status of the restoration, has it
 22 been fully restored, if it has not been fully
 23 restored, where are the dollars to do the
 24 restoration of it, and what is the time frame to
 25 complete the restoration, for all 24. I want that

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1 at the next caucus meeting on January 7th, okay?
 2 MS. FERRARA: Okay.
 3 THE CLERK: Additional speakers on
 4 any matter of public interest?
 5 MR. WHITE: Good evening. My name is
 6 Adonis White, and I am a landlord in Jersey City,
 7 and I leased a property to Friends of the Lifers for
 8 a ten-year lease. During the first four months, I
 9 had to take the Lifers group to court and sue them
 10 for payment. I had to also sue them in court again.
 11 I just evicted them out of the building, and it's
 12 not even our first year, and looking forward to them
 13 paying me for the last, I will say March of this
 14 years up until October.
 15 I just want to put on record to make it
 16 clear. I didn't know why I wasn't being paid for
 17 the services of the program, and the living quarters
 18 that was used for. And I had to reconstruct the
 19 property you make it livable to be inspected by the
 20 County to be accepted into the program, but that's
 21 why I'm here tonight. I just wanted to put it on
 22 the record.
 23 MR. BATTISTA: Can I ask what's the
 24 address of the property?
 25 MR. WHITE: 91 Myrtle Avenue Jersey

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1 City, Adonis White.
 2 MR. BATTISTA: Can you leave contact
 3 information, Mr. White?
 4 FREEHOLDER DUBLIN: What are we doing
 5 if they're not responding.
 6 DIRECTOR LOPEZ: We follow up
 7 basically, I think taxes, right?
 8 FREEHOLDER DUBLIN: Mr.
 9 Administrator, I think that we had enough meetings.
 10 I had talked to Ben, and I'm looking at the
 11 Freeholder meeting that we had with this. I just
 12 think what we're feeling with the prison reentry
 13 program, that there has to be some way that a
 14 landlord doesn't feel that we're preventing. We're
 15 having too many problems.
 16 We have to look into somewhere, somehow,
 17 changing that and having probably, you know, the
 18 landlord submit a voucher, and we pay that way. The
 19 housing is not being paid, and we're constantly
 20 having landlords, and it's been like three landlords
 21 or four landlords. It's a problem with different
 22 groups, you know, and they have a property they have
 23 to maintain so they go into this agreement, and the
 24 agreement is broken. They're not paid. So we have
 25 got to look to change and stop giving the money to

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1 the person initiating, and have the landlords submit
 2 the vouchers to program.
 3 DIRECTOR LOPEZ: I have to be guided
 4 by the Law Department. We required them to have a
 5 lease. Based on this lease, we pay the monthly
 6 service that they render, and unfortunately, we have
 7 tried to get Ms. Joiner to the table, and she was
 8 not keeping meeting. We understand that there is an
 9 issue. I believe that supposedly their funds that
 10 the landlord is due are supposed to be in there.
 11 She does have the funds. We can't ascertain why she
 12 hasn't paid him because she don't respond. We have
 13 no responsibility.
 14 MR. BATTISTA: I will check for
 15 Mr. White, and I know we placed over a year ago some
 16 form that were required for them to sign and the
 17 landlord to sign. I had a meeting a few months ago,
 18 not with Mr. White, but another piece of property,
 19 and I know the certification that we're requiring
 20 the vendor to submit to the landlord every time that
 21 they put in a voucher for payment. We could check
 22 on that.
 23 When that put into place, Freeholder, as
 24 we're sitting here right now, I can't. Mr. White,
 25 I'm assuming we're talking about March to October of

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1 this year, I'll find out. I may not be able to get
 2 back to before I meet with Mr. White, but I believe
 3 I can give you information.
 4 MR. WHITE: I appreciate it.
 5 FREEHOLDER DUBLIN: I mean, they fill
 6 out that form and everything, and at the end of day,
 7 it's still being laid out to that entity. We have
 8 to look at some way if that entity is going to be a
 9 part of the program, what's the sense of having the
 10 entity submit a voucher, sign for the voucher, and
 11 the county instead of giving it to the other entity.
 12 That's a big part of this program that we
 13 should institute. We've got too many landlords
 14 coming up here with the same problems. If it's not
 15 Friend of Lifers, it's the other group. We have to
 16 find a way to trying to alleviate that and going
 17 forward. They put a blight on a program which we
 18 work so hard to try to make it good for people in
 19 this County to become productive citizens, and you
 20 know, it's back and forth to court, and it creates
 21 negative press on the program. We have to sit down
 22 come up with a plan that is going to, you know, help
 23 them.
 24 DIRECTOR LOPEZ: What we did is we
 25 put out an RFP, request for proposal, and in fact,

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1 one of the vendors, they required them to provide
 2 all of the information that we had required prior as
 3 well as the affidavits that the Law Department has.
 4 We also when we get the voucher, the all of the
 5 vouchers have to be approved for all the.
 6 MR. BATTISTA: Worst case scenario,
 7 we will only be looking at approximately a month's
 8 worth of rent.
 9 DIRECTOR LOPEZ: But the gentleman is
 10 saying it's approximately six month.
 11 FREEHOLDER DUBLIN: So sit down with
 12 Been and look at some way for the vouchers from the
 13 Friends of Lifers, and the Friends of Lifers housing
 14 is given to the landlord, and whatever else is due
 15 to Friends of the Livers goes there.
 16 FREEHOLDER O'DEA: Make a check, you
 17 can do that a check with double endorsement. All of
 18 the Friends of Life can do, they can do give it to
 19 the landlord, and the landlord deposits it. That's
 20 a simple solution. We do that all the time. In
 21 lending, we do that all the time to make sure if
 22 somebody fixes a building, we loan money out if the
 23 building gets fixed. That's the simplest thing to
 24 immediately put that policy it in place.
 25 It's a standard practice. It's a standard

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1 practice in the industry to ensure that payments
 2 get.
 3 CHAIRMAN ROMANO: I want to wish
 4 everybody Merry Christmas.
 5 MS. MENDIOLA: Motion to adjourn.
 6 Any other speakers? May I have a motion to adjourn.
 7 CHAIRMAN ROMANO: Moved by Freeholder
 8 Maldonado, and second by Freeholder Dublin.
 9 (Whereupon the proceeding is then
 10 concluded at 6:18 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 Freeholders, held on
 8 Monday, December 23, 2013; and that this is a
 9 correct transcript of the same.
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SHARI CATHEY, CCR, RPR
 A NOTARY PUBLIC of the
 State of New Jersey
 I.D. No. 2283786
 Commission Expires 2/4/17

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