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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
Thursday, February 27, 2014
6:00 p.m.

B E F O R E:

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

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

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

Job No. NJ1798426

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1 THE CLERK: Freeholder Cifelli.
 2 FREEHOLDER O'DEA: Absent.
 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, not in the
 10 chambers. O'Dea.
 11 FREEHOLDER O'DEA: Here.
 12 THE CLERK: Rivas.
 13 FREEHOLDER RIVAS: Here.
 14 THE CLERK: Maldonado.
 15 FREEHOLDER MALDONADO: Here.
 16 THE CLERK: Romano.
 17 FREEHOLDER O'DEA: Absent.
 18 THE CLERK: Chairman Munoz.
 19 CHAIRMAN MUNOZ: Here.
 20 THE CLERK: Please stand for the
 21 Pledge of Allegiance.
 22 (Flag Salute.)
 23 THE CLERK: Adequate notice of this
 24 meeting has been provided as follows:
 25 1. Posting notice of Resolution No.

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1 8-1-2014 on the Freeholder's Bulletin Board, Third
 2 Floor, Administration Building Annex, Jersey City,
 3 New Jersey.
 4 2. Copies of the above mentioned
 5 resolution have been sent to the County Clerk and
 6 the editors of the Jersey Journal and the Star
 7 Ledger.
 8 Mr. Chairman, may I have a motion to
 9 approve the minutes of the following meetings:
 10 January 7th Reorganization Meeting; January 9th,
 11 regular meeting --
 12 FREEHOLDER O'DEA: Mr. Chairman, I'm
 13 going to make a motion that before that, we defer to
 14 Ordinance No. 2, an ordinance amending Article 17 of
 15 the Hudson County Administrative Code to mandate
 16 minimum hourly rates of pay, vacation benefits and
 17 health insurance benefits for certain Non-County
 18 employees providing services to the County. I moved
 19 that we defer to that item.
 20 FREEHOLDER MALDONADO: I second.
 21 CHAIRMAN MUNOZ: We have a motion on
 22 the table.
 23 THE CLERK: Mr. Chair, do we need a
 24 motion to take the ordinance out of order?
 25 MR. FLORIO: It's at the discretion

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1 of the chair.
 2 THE CLERK: We have a motion. For
 3 the record Freeholder Cifelli is present. The
 4 motion is to take Ordinance No. 2, which is an
 5 ordinance for Second Reading, and to make it the
 6 first item of the business on the agenda tonight.
 7 On that motion, Freeholder Cifelli.
 8 FREEHOLDER CIFELLI: Yes.
 9 THE CLERK: DiDomenico.
 10 FREEHOLDER DiDOMENICO: Yes.
 11 THE CLERK: Dublin.
 12 FREEHOLDER DUBLIN: Yes.
 13 THE CLERK: Liggio.
 14 FREEHOLDER LIGGIO: Yes.
 15 THE CLERK: Maldonado.
 16 FREEHOLDER MALDONADO: Yes.
 17 THE CLERK: O'Dea.
 18 FREEHOLDER O'DEA: Yes.
 19 THE CLERK: Rivas.
 20 FREEHOLDER RIVAS: Yes.
 21 THE CLERK: Freeholder Romano is
 22 present. On the motion --
 23 FREEHOLDER ROMANO: Yes, yes, I
 24 heard.
 25 THE CLERK: Chairman Munoz.

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1 CHAIRMAN MUNOZ: Yes.
 2 THE CLERK: The ordinance for
 3 seconding reading is entitled An ordinance amending
 4 Article 17 of the Hudson County Administrative Code
 5 to mandate minimum hourly rates of pay, vacation
 6 benefits and health insurance benefits for certain
 7 Non-County employees providing services to the
 8 County.
 9 This is the time fixed for public hearing
 10 on this Ordinance, which was introduced at the
 11 meeting of February 14th, 2014, advertised as
 12 required by law together with the notice of Hearing
 13 for this time. It has been posted on the
 14 Freeholder's Bulletin Board and made available to
 15 the general public.
 16 Are there any speakers on this ordinance?
 17 Please state your name, sir.
 18 MR. HALL: Mr. Chairman, my name is
 19 Charles Hall, Jr. I'm the chairman of Working
 20 Families United for New Jersey. It is an honor to
 21 be here to speak on behalf of this amendment. It
 22 is -- I can't say enough about you, gentleman,
 23 ladies and gentlemen, for putting forth such
 24 progressive legislation and recognizing that workers
 25 need help, first, for having a living wage; second,

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1 for recognizing that you need to keep up with that
 2 minimum wage by attaching the COLA to it is just
 3 something that's leading the way. It's cutting
 4 edge.
 5 And you, Commissioners, Freeholders and
 6 the Chairman, you are way ahead of the curve. You
 7 understand what is going on in the state of New
 8 Jersey. You understand what is going on in America.
 9 There seems to be great divide of welfare and people
 10 on the bottom struggling to make it. This
 11 cost-of-living that will put more than \$500 in the
 12 pocket of families will go a long way. It will keep
 13 the buying power as you know of your living wage.
 14 And I hope, I can only hope across the
 15 state that other counties will follow your
 16 leadership and understand that people need to live
 17 in a state that the cost of living is 30 percent
 18 higher than anywhere else in the nation, and you're
 19 ahead the curve. You're setting the pace. You're
 20 doing the right thing by work families, and our
 21 organization commends you as we put into effect a
 22 minimum wage increase also with a COLA tied to it,
 23 and now we're at 8.25 in the state, and there with a
 24 raise in the general minimum wage next January.
 25 Once again, I commend you guys. This is a

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1 real County with real leadership. We thank you.
 2 MR. BUSACCA: Good evening,
 3 everybody. My name is Pete Busacca. I am the
 4 president of the Hudson County Central Labor
 5 Council, also a resident of Jersey City. Again, I
 6 want to echo Charlie Hall's comments about how we're
 7 ahead of the curve. However, we have to do a
 8 history, and it's January 28th, 1999, when this
 9 Freeholder Board passed the first living wage here
 10 in Hudson county, and we've had a couple of
 11 iterations since then.
 12 And Hudson County, you are my friends.
 13 You are friends to working folks here in Hudson
 14 County. I just want to let you know we're certainly
 15 appreciative of it, and I certainly want to let you
 16 know that Hudson County Central Labor Council will
 17 continue to fight for those folks here in Hudson,
 18 and Bill, again, you're always there for us. He was
 19 there for us in 1999. Was anyone else here in 1999?
 20 Oh, Cifelli, yes, yes. I certainly appreciate it.
 21 Thank you very much.
 22 FREEHOLDER O'DEA: I just want to say
 23 one thing to Pete. Pete, I want to thank you, and I
 24 want to recognize back in '99, you were here with
 25 our late, great, dear friend, Ed Pulver, who was one

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1 of the impetuses to support and adopt and push that
 2 ordinance. The only plaque that we have in this
 3 chamber on the outside is a plaque that you and
 4 Eddie presented to us after we did the first one. I
 5 think you recognizes how important has been and will
 6 always be to this Board.
 7 MR. BUSACCA: Especially to you,
 8 Bill. You're the driving force.
 9 MR. KUSHNER: Good evening,
 10 Freeholder Board. My name is Barry Kushner. I'm
 11 with the Hudson County Central Labor Council, and
 12 the New Jersey Turnpike Authority Union. I'm a
 13 44-year, lifetime resident of Hudson County. While
 14 other people have certain things to say about Hudson
 15 County, I always speak in a positive light because
 16 of things like this that are going on this evening.
 17 Your progressive policies, which are
 18 helping out working families and people who have
 19 struggled in a poor economy, it makes me proud that
 20 I have spent my entire life down here, especially
 21 the under the leadership of our Freeholder
 22 DiDomenico, and friends like Bill O'Dea of Jersey
 23 City and Stick Romano from Hoboken, and everyone
 24 else on this Board, I can only say thank you on
 25 behalf of all the people that are going to benefit

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1 from this, as well as the businesses that are going
 2 to benefit from this as well. Thank you.
 3 THE CLERK: Additional speakers on
 4 this ordinance?
 5 Motion to close the hearing Freeholder
 6 O'Dea. Seconded by Romano. All in favor? Opposed?
 7 (The Board votes unanimously to close
 8 the Hearing.)
 9 The Hearing is closed. On final adoption,
 10 Freeholder Cifelli.
 11 FREEHOLDER CIFELLI: Yes.
 12 THE CLERK: DiDomenico.
 13 FREEHOLDER DiDOMENICO: Yes.
 14 THE CLERK: Dublin.
 15 FREEHOLDER DUBLIN: Yes.
 16 THE CLERK: Liggio.
 17 FREEHOLDER LIGGIO: Yes.
 18 THE CLERK: Maldonado.
 19 FREEHOLDER MALDONADO: Yes.
 20 THE CLERK: O'Dea.
 21 FREEHOLDER O'DEA: I just want to say
 22 briefly, to thank all the leaders of labor who came
 23 together to support this, Pete Busacca from the
 24 Central Labor Council, also we have loyal support
 25 for the Hudson County Building Trades, Charlie

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1 Wowkanech, President of AFL CIO, felt the issue well
 2 enough to come here today. I hope we're the first
 3 of many counties and cities that will adopt a
 4 cost-of-living increase on the living wage law. I
 5 think it's that important.
 6 As I said when I started and proposed
 7 this, I was very much inspired by the effort last
 8 year of all of the labor groups when they came
 9 together to not only raise the minimum wage, but to
 10 put a cost-of-living increase on the minimum wage,
 11 and that very much is what inspired what was
 12 initiated by this Board. So I proudly vote aye.
 13 THE CLERK: Freeholder Rivas.
 14 FREEHOLDER RIVAS: Yes.
 15 THE CLERK: Romano.
 16 FREEHOLDER ROMANO: I just concur. I
 17 would like recognize Sue, who also has plan, who is
 18 a recipient of our COLA being taking away, and I
 19 would like to thank this Board and the progressive
 20 labor union for fighting to keep that. I look back
 21 on my profession, I retired many years ago. Now
 22 members are being denied their COLA, which is just
 23 wrong. I think that's a great thing. Thank you.
 24 THE CLERK: Chairman Munoz.
 25 CHAIRMAN MUNOZ: Yes.

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1 THE CLERK: The ordinance is adopted.
 2 (Applause.)
 3 FREEHOLDER O'DEA: Mr. Chairman, what
 4 we asked since this ordinance has equally strong
 5 support from the executive branch of government as
 6 from the legislative branch from its inception, we
 7 asked the County Executive to stay so we can get the
 8 ordinance signed. So if we can get a copy of the
 9 ordinance and bring up all the labor leaders that
 10 are here.
 11 (The Ordinance is signed by the
 12 County Executive.)
 13 THE CLERK: Mr. Chairman, we will
 14 resume with the approval of the minutes, the minutes
 15 of the January 7th Reorganization Meeting, the
 16 January 9th Regular Meeting, the January 23 Regular
 17 Meeting and the January 23rd Closed Session.
 18 FREEHOLDER MALDONADO: So moved.
 19 FREEHOLDER CIFELLI: Second.
 20 THE CLERK: On the minutes,
 21 Freeholder Cifelli.
 22 FREEHOLDER CIFELLI: Yes.
 23 THE CLERK: DiDomenico.
 24 FREEHOLDER DiDOMENICO: Yes.
 25 THE CLERK: Dublin.

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1 FREEHOLDER DUBLIN: Yes.
 2 THE CLERK: Liggio.
 3 FREEHOLDER LIGGIO: I abstain on
 4 January 23rd.
 5 THE CLERK: Maldonado.
 6 FREEHOLDER MALDONADO: Aye on all of
 7 them.
 8 THE CLERK: O'Dea.
 9 FREEHOLDER O'DEA: Yes.
 10 THE CLERK: Rivas.
 11 FREEHOLDER RIVAS: Yes.
 12 THE CLERK: Romano.
 13 FREEHOLDER ROMANO: Yes.
 14 THE CLERK: Chairman Munoz.
 15 CHAIRMAN MUNOZ: Yes.
 16 THE CLERK: The next order of
 17 business is additional discussion on today's agenda.
 18 CHAIRMAN MUNOZ: Freeholders, any
 19 questions? Discussion.
 20 MR. ANTUN: Mr. Chairman.
 21 CHAIRMAN MUNOZ: Mr. Administrator.
 22 MR. ANTUN: Thank you. Mr. Chairman,
 23 I have one item that I would like to bring to the
 24 Board's attention, and it is a resolution of the
 25 Board of Chosen Freeholders of the Hudson of County,

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1 State of New Jersey, protesting action proposed to
 2 be taken by the New Jersey Transit Corporation
 3 concerning Koppers Seaport Site located in Kearny,
 4 New Jersey.
 5 FREEHOLDER ROMANO: Board as a whole.
 6 THE CLERK: This will be No. 30 on
 7 the consent agenda.
 8 FREEHOLDER O'DEA: Mr. Chairman, I am
 9 going to move that in addition to that resolution we
 10 have, I would to add, I guess it would be a No. 4,
 11 change 4 to 5, No. 4 would say, we, the County
 12 Executive and the Board, strongly urges the NJTPA to
 13 rescind its support of New Jersey Transit
 14 application for funding to acquire the site. I make
 15 that as a motion.
 16 FREEHOLDER MALDONADO: Second.
 17 CHAIRMAN MUNOZ: We have a motion.
 18 THE CLERK: Motion was made by
 19 Freeholder O'Dea, seconded by Freeholder Maldonado.
 20 CHAIRMAN MUNOZ: It was moved by
 21 Freeholder O'Dea, seconded by Freeholder Maldonado.
 22 THE CLERK: It was a motion for
 23 Paragraph 4 to become 5, and 5 to become 6, new
 24 Paragraph 4, which will state?
 25 FREEHOLDER O'DEA: The County

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1 Executive and the Board strongly urge NJTPA to
 2 rescind its resolution of support for the New Jersey
 3 Transit application for federal funding to acquire
 4 the Koppers Coke site.
 5 FREEHOLDER CIFELLI: As I understood
 6 the motion as amended, as far as this Board is
 7 taking the position by the resolution that we would
 8 oppose any action by any agency that would seek to
 9 buy the County's share of the Koppers site and
 10 development. We don't want to say that this Board
 11 is against the grant as a grant because the purpose
 12 of the grant is for the redundancy of New Jersey
 13 Transit for Superstorm Sandy. I don't think that's
 14 a bad idea, but my objection is strong. Freeholder
 15 O'Dea, we are strongly against the grant being used
 16 to acquire our Koppers site.
 17 I don't think that we need to change the
 18 language. So it's clear, it's not the intention of
 19 this Board to be contrary to the grant, the power of
 20 the grant. Our intention is to make sure that from
 21 the grant, they are not acquiring our site. That is
 22 for the NJTPA, we are very supportive of the grant,
 23 as long as it's not contingent for New Jersey
 24 Transit to acquire the Koppers site.
 25 FREEHOLDER O'DEA: I think the way I

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1 worded is that they would rescind the support for
 2 the application for funding as it would relate to
 3 using that funding to acquire the Koppers site.
 4 FREEHOLDER CIFELLI: There wasn't any
 5 objection to the language. So the record is clear,
 6 it's not the entire grant. It is our intention to
 7 not be contingent on acquiring the Koppers site.
 8 FREEHOLDER O'DEA: There are other
 9 sites. This is a site that can create two to 3,000
 10 jobs. The NJTPA can clearly rescind or rectify an
 11 action its already taken by simply passing another
 12 action that notes in it while they may support an
 13 application, they would not support the application
 14 as it would relate to inclusion within it of the
 15 Koppers Coke site as a potential site to acquire,
 16 using money to acquire that location.
 17 MR. BATTISTA: Okay. What was
 18 language?
 19 THE CLERK: It's changed a couple
 20 time, but we have a new Paragraph 4, which states
 21 the County Executive and the Board of Freeholders
 22 strongly urge the NJTPA to rescind its resolution in
 23 support of the New Jersey Transit application for
 24 federal funding as it would relate to the use of
 25 that funding to acquire the Koppers site.

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1 FREEHOLDER O'DEA: That's right.
 2 CHAIRMAN MUNOZ: We have a motion.
 3 FREEHOLDER O'DEA: I would say in any
 4 of it.
 5 THE CLERK: In any of the Koppers
 6 site.
 7 FREEHOLDER O'DEA: Any of that fund
 8 to acquire any of the Koppers site. We clearly
 9 don't want them to use any grant money to acquire
 10 any portion of it.
 11 THE CLERK: Roll call on the motion
 12 to amend?
 13 CHAIRMAN MUNOZ: Please.
 14 THE CLERK: Freeholder Cifelli.
 15 FREEHOLDER CIFELLI: Yes.
 16 THE CLERK: DiDomenico.
 17 FREEHOLDER DiDOMENICO: Yes.
 18 THE CLERK: Dublin.
 19 FREEHOLDER DUBLIN: Yes.
 20 THE CLERK: Liggio.
 21 FREEHOLDER LIGGIO: Yes.
 22 THE CLERK: Maldonado.
 23 FREEHOLDER MALDONADO: Yes.
 24 THE CLERK: O'Dea.
 25 FREEHOLDER O'DEA: Yes.

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1 THE CLERK: Rivas.
 2 FREEHOLDER RIVAS: Yes.
 3 THE CLERK: Romano.
 4 FREEHOLDER ROMANO: Yes.
 5 THE CLERK: Chairman Munoz.
 6 CHAIRMAN MUNOZ: Yes.
 7 THE CLERK: No. 30 has been added to
 8 the consent agenda as amended.
 9 Mr. Chair, we are still on additional
 10 discussion.
 11 CHAIRMAN MUNOZ: Is there any
 12 questions from the Freeholders on the agenda?
 13 Mr. Administrator.
 14 MR. ANTUN: Mr. Chairman, I do not
 15 have any additional items. What I do have is
 16 information that the Board requested, and I would
 17 like to distribute. The first item that I have is
 18 something I did not give to the Board. The first
 19 item that I have is a memo from Susan Mearns
 20 regarding the status the SHRAP program. If you
 21 recall I sent an e-mail yesterday, and I'm handing
 22 it out formally to apprise the Board of the
 23 information.
 24 I know that a request was made for the
 25 Administration to consider adding additional BEOF,

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1 but we believe at this time that the amount of
 2 200,000 that's before the Board will take it through
 3 the end of May. We believe at the end of May, and
 4 we believe that should be sufficient for now, and if
 5 not, we will obviously come back to the Board.
 6 CHAIRMAN MUNOZ: Okay.
 7 THE CLERK: Call for public
 8 participation?
 9 MR. ANTUN: Not yet, Mr. Chairman,
 10 I'm sorry. I still have more information. Again,
 11 it's just information there is no -- the other item
 12 I have is a memo that I have from Susan Mearns. The
 13 Board asked what was the purpose of the unlocated in
 14 the Ryan White. The reason why we have unallocated
 15 funds in both Ryan White resolutions is because we
 16 wanted to set aside a reserve in the event that we
 17 do not get all of our funding or new priorities
 18 identified by the Planning Council.
 19 FREEHOLDER O'DEA: Mr. Chairman, go
 20 back to the last item on the SHRAP funding. I have
 21 a serious concern over what I think is a lack of
 22 outreach into the North Hudson community. If you
 23 look at this, literally more people in North Bergen
 24 have gotten money than Union City, Weehawken and
 25 West New York combined, I don't know, and it's one

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1 of the reasons why I looked at the BEOF to put an
 2 office up north. If not, I don't know whether
 3 Catholic Charities is the right one to do it. I
 4 know North Hudson Cap didn't want the money in the
 5 first round. The reality is that we have a limited
 6 time to get these dollars out.
 7 I'm looking at this. We've got three
 8 cities that have had one person each only, you know,
 9 get funding. You can take Union City and West New
 10 York together they have over a hundred thousand
 11 people. It's hard to believe out of a hundred
 12 thousand people, that more than that didn't have
 13 insurance or some other realm got in trouble with
 14 their rent or mortgage, their utility bills or lost
 15 items they haven't been able to replace yet because
 16 of the storm.
 17 They lost power. There is a lot of things
 18 that I just think that those areas need to be
 19 covered. You know, to the credit of BEOF, they've
 20 done a great job with Bayonne. They got 41 people
 21 already get funding. Jersey City only had 17.
 22 Nobody has done a great job there. There hasn't
 23 been a great job. There are areas of the city that
 24 got severely, severely impacted. Four people only
 25 in Hoboken, another city that was severely impacted.

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1 I really think that we're approving this
 2 for another couple months, we're putting it in the
 3 hands of County Welfare. What is County Welfare
 4 going to do to reach out, especially to those towns
 5 that are in the north and haven't had almost
 6 anything? What meetings have you held with the
 7 mayors of those towns even get their offices
 8 engaged?
 9 I know Mayor Stack well enough, if you
 10 give the applications to him, he probably has a list
 11 of everyone behind on rent, behind on utilities.
 12 When people have problems they go right to his
 13 office. I think it's critical to engage one of
 14 these agencies or someone else to get involved as it
 15 relates to a particular area.
 16 CHAIRMAN MUNOZ: Director Lopez.
 17 DIRECTOR LOPEZ: Benjamin Lopez,
 18 Director of the Department of Family Services.
 19 Freeholder, we have done quite a bit of -- we have
 20 done quite a bit of sending out information. Not
 21 only have we sent out various times to
 22 municipalities and mayors' office, but also to
 23 churches, to all of the organizations that are in
 24 every municipality. The last thing we did is last
 25 week, we sent a letter and communicated with the

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1 mayors' offices requesting that they give us a spot
 2 in city hall where we would place an employee with
 3 literature and applications.
 4 FREEHOLDER O'DEA: Did you call Mayor
 5 Stack and ask him?
 6 DIRECTOR LOPEZ: We called Mark.
 7 FREEHOLDER O'DEA: Did you meet with
 8 Mark?
 9 DIRECTOR LOPEZ: Not yet. We're
 10 going to meet with him tomorrow morning.
 11 CHAIRMAN MUNOZ: What about other the
 12 mayors in the different municipalities?
 13 DIRECTOR LOPEZ: We will be able to
 14 cover that and the other municipalities, those areas
 15 for with individual.
 16 CHAIRMAN MUNOZ: The way you said it
 17 before, you only had sent letters.
 18 DIRECTOR LOPEZ: We sent letters. We
 19 sent e-mails, everything. We've done quite a bit of
 20 outreach; in the papers, you know.
 21 FREEHOLDER O'DEA: Did you put it in
 22 the Dispatch?
 23 FREEHOLDER ROMANO: And in the
 24 Hoboken Reporter.
 25 DIRECTOR LOPEZ: We did a lot. So

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1 tomorrow I will be seeing both the Mayor and Mark
 2 and reiterate our request.
 3 FREEHOLDER DUBLIN: It's important to
 4 have Union City. Give it to most of the
 5 municipalities up there. Have a day.
 6 CHAIRMAN MUNOZ: We have to find a
 7 not-for-profit in North Hudson that could come and
 8 take over these and do the application, so people
 9 could go there because I'll bet if you go to Welfare
 10 now, they're getting calls for people that are
 11 looking for rent assistance, people that are --
 12 those people you could help them through this grant
 13 if there was any issue, no? These people may have
 14 issues, and certainly, there were businesses that
 15 have issues with Sandy.
 16 DIRECTOR LOPEZ: Not for businesses.
 17 CHAIRMAN MUNOZ: You have to find a
 18 not-for-profit that would take over this, and we're
 19 doing all this outreach. You haven't been able to
 20 find any not-for-profit in North Hudson.
 21 DIRECTOR LOPEZ: No. I am
 22 outreaching to the public officials, and we are -- I
 23 don't deal with the public, and the only agency we
 24 dealt with entities is North Hudson Cap. As
 25 Freeholder O'Dea mentioned, they did not want to do

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1 it.
 2 FREEHOLDER O'DEA: The proof in the
 3 pudding here, Bayonne has 41. The proof is if you
 4 have an active organization going to out to do
 5 really rolling-up-your-sleeve work, you're going to
 6 find the people that are eligible. That's what we
 7 need in North Hudson. If we need to provide
 8 resources to the mayors, Mayor Stack and others up
 9 there, let's do it. Meet with Mark tomorrow. Show
 10 him what they did in Bayonne to get so many people
 11 to sign up, you know, how they did the boxes and
 12 things like, all of the stuff we discussed when we
 13 had the committee meeting. Otherwise, the State is
 14 going to take the money away and ship it down to the
 15 south.
 16 CHAIRMAN MUNOZ: Let me ask you, did
 17 do a press release about it?
 18 DIRECTOR LOPEZ: Yes. We sent it to
 19 the media.
 20 CHAIRMAN MUNOZ: Can we get a copy of
 21 the press release that was done?
 22 DIRECTOR LOPEZ: I believe we sent it
 23 to you.
 24 FREEHOLDER ROMANO: We got it. We
 25 got it.

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1 FREEHOLDER MALDONADO: Mr. Chairman,
 2 let me ask a question. Excuse my naivety but
 3 looking at this, it says 81 households that had
 4 received funding, but on top in the breakdown for
 5 units provided, you have 56 for rental assistance
 6 and 105 for mortgage assistance. I don't
 7 understand. That's like 161, but the numbers down
 8 there equate to 80 or so. Can you explain the
 9 difference?
 10 MS. MEARNS: Yes, I can. Susan
 11 Mearns, Health and Human Services. Freeholder, one
 12 month's rent is considered one unit of assistance,
 13 and so that's how we did that.
 14 FREEHOLDER MALDONADO: If you have
 15 one household with two or three months of mortgage?
 16 MS. MEARNS: Rents or utilities,
 17 mortgage payment and in some instances, household
 18 items.
 19 FREEHOLDER MALDONADO: Thank you.
 20 FREEHOLDER ROMANO: Mr. Chairman,
 21 please also contact Dan Bryan in the Hoboken Mayor's
 22 office. Dan Bryan is the Mayor's chief of staff.
 23 DIRECTOR LOPEZ: Got you.
 24 CHAIRMAN MUNOZ: The question that
 25 comes here is, you're asking for us for allocation.

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1 We have the money. What happens if we don't spend
 2 the money? We're going to look really bad with the
 3 community if this money is not used, and we have to
 4 give it back.
 5 MS. MEARNS: I would like to respond
 6 to that. This money runs to September 30 of 2015.
 7 How this was established, when the department first
 8 came to this Board, this money was received for a
 9 period of six months. I believe the intention was
 10 to go out to bid for the service when the contract
 11 period of January through June 30th ended. So I
 12 anticipate that the department will go back out to
 13 bid on to see if we could get more parties to
 14 provide the service.
 15 Right now, what we were advised by the
 16 State, they want to know the existing providers. We
 17 didn't have the time. They wanted us to roll it out
 18 quickly. We went to the providers, and they just
 19 weren't able to move forward. That is when, as
 20 Freeholders know, North Hudson Community Action
 21 Council and the Hoboken shelter refused this money.
 22 It was this Board who determined how to reapportion
 23 those funds to the existing providers and what would
 24 they do with the funding.
 25 There is no representation in North Hudson

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1 because geographical distribution of this should be
 2 something. However, right now the agencies that are
 3 active, all three agencies quite frankly are in
 4 South Hudson. There is a hope, and we have been
 5 reaching out to see who may be interested in the
 6 business, and that's where we'll start with. Both
 7 North Hudson Cap and the Hoboken shelter will not
 8 distribute funding.

9 FREEHOLDER ROMANO: Is there any
 10 reason for that?

11 MS. MEARNS: I believe they feel it's
 12 a challenge because they are looking at, first of
 13 all, it's work, certainly more work. There's not a
 14 lot of administrative dollars. Unfortunately, with
 15 a lot of the Sandy funding, there is minimum
 16 administrative dollar, and it takes a lot of work.
 17 You verify income. You verify loss. We have to
 18 verify whether they received FEMA or insurance
 19 benefits.

20 Also, we have to be mindful of the fact
 21 that, and I am seeing this in much of the Sandy
 22 funding that is rolling to us now, there is a storm
 23 that occurred 15 months ago, and people just aren't
 24 still hurting. This particular funding is payment
 25 of rental payments that were made, only

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1 Sandy-related; mortgage payment not made, only
 2 Sandy-related, and you have to prove that. That
 3 becomes a challenge because people, as would I,
 4 would want my mortgage paid before I did anything,
 5 and unfortunately, this is not a reimbursable
 6 expense. You have to prove that that loss is still
 7 sitting there.

8 I think the design is poor. I want go on
 9 the record that the design is poor because I think
 10 the need is there still for affordable housing we
 11 don't have any longer and affordable housing that's
 12 been cut, and we're dealing with what we were given,
 13 so we are trying to do the best we can.

14 FREEHOLDER O'DEA: You're right with
 15 some of it, but loss of household items, you're
 16 correct. I want to make sure I don't lose my house
 17 so I try to keep my mortgage going. However, if the
 18 bank doesn't foreclose on that for three months
 19 behind, and since Sandy, I was fighting to stay only
 20 a month or two behind, I'm eligible. It doesn't
 21 matter that I'm still a month or two behind. I can
 22 demonstrate that that month or two behind is
 23 traceable to Superstorm Sandy in the fact that I was
 24 out of work for three or four weeks.

25 That's my understanding. I would be

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1 eligible. I could a month or two behind. It
 2 doesn't matter that, well, you paid October or
 3 November's mortgage. Yeah, but paid that, and I
 4 couldn't catch up in order to pay them, and I
 5 continue to be a month or two behind, same as if it
 6 was related to rent. But I'm sure there a lot of
 7 people with utility bills that continue to be, you
 8 know, \$100 or \$150 behind because they lost time
 9 from work, or they usually get overtime, and for a
 10 month or so, they didn't get overtime. We just have
 11 to identify them.

12 As it relates to household items, that's
 13 the last thing people, you're right, I've got to pay
 14 my mortgage or I lose my house. I've got to pay my
 15 rent or I can get evicted. If I get too far behind
 16 on my utility bills, they shut my power off. If I
 17 have do that and I have linens that got wiped out or
 18 a couch that was taken out or a refrigerator that
 19 got soaked and I can't use, I probably haven't
 20 replaced that.

21 MS. MEARNS: Right.

22 FREEHOLDER O'DEA: In there, I think
 23 a lies a large group, especially of renters, because
 24 we know people don't have renter insurance. A lot
 25 of people don't have renter insurance because quite

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1 often people as you said that live month-to-month
 2 and that can't afford the few hundred dollars for
 3 the cost of renter insurance, especially being that
 4 I live and go back to some of the towns in North
 5 Hudson, there was flooding in plenty of places just
 6 from this and some places were worse than other.
 7 It's the last thing that you would do.

8 We know even in Jersey City, I believe we
 9 need to be advocates. There are probably people
 10 that live in what would normally be illegal basement
 11 apartments, but that doesn't preclude those
 12 individuals from getting their household items
 13 replaced. They live there. They pay rent. If that
 14 apartment is a two-family unit, and the owner has it
 15 as a three, it's not fault of the tenant that lives
 16 there. The tenant doesn't have a responsibility to
 17 go to the building department where they're moving
 18 in and say there's an apartment there.

19 There are a lot of people out there. It's
 20 just a matter of finding a way to do the proper
 21 advocacy. Some of the mayors are really, really
 22 good at that. I think we need to get them more
 23 engaged and let them get the word out; and areas
 24 that haven't been covered, let's get those areas
 25 covered.

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1 MS. MEARNS: I can tell you that
 2 down in Secaucus, they did on the first go-round,
 3 and they were planning on do it again, especially
 4 with the weather being as bad as it's been, they're
 5 doing a targeted door-to-door flyer drop into areas
 6 that --
 7 FREEHOLDER O'DEA: They're not my
 8 district anymore. I represented Country Village. I
 9 went door to door in Country Village.
 10 MS. MEARNS: And that's what Secaucus
 11 did when the funding was first announced, to do it
 12 again, they will be strategically placed, and they
 13 will be starting on that over the next few weeks.
 14 FREEHOLDER MALDONADO: I just have a
 15 few points. With energy assistance, we should ask
 16 organizations like P.A.C.O. that has a program to
 17 assist individuals with energy assistance. They
 18 probably have a list of individuals that might have
 19 been affected that particular year or and still
 20 affected as result that may be able to qualify for
 21 the program.
 22 The second thing I would recommend, I know
 23 you sent out the press release because I saw them,
 24 but we have a whole bunch of radio stations locally,
 25 English and Spanish-speaking stations and television

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1 stations that I'm sure if you sent in a PSA, they
 2 would be more than glad to give us that kind of
 3 advertising to put that kind of information on their
 4 program. All of those web sites that you can link
 5 up the information for SHRAP program, ask them if
 6 they would put it on their web site to be able to
 7 link up.
 8 The one thing I had asked at the meeting
 9 was for somebody to do the information as a Facebook
 10 page that I could be tagged in that could forward to
 11 all my friends on Facebook that I have. I would
 12 recommend that somebody consider doing that.
 13 CHAIRMAN MUNOZ: Freeholder,
 14 actually, I have to say we have started a Facebook
 15 page for the Freeholders. We're go to start
 16 advertising on the different type of internet media
 17 for the month. I saw the County did a web site and
 18 information page on the web site. One of the issues
 19 with the information is, one, they didn't have a
 20 copy of the application. They have information
 21 about the grant, that they could go pick up a copy,
 22 but it didn't say where you can pick up the copy
 23 from. We had it on the web site, but we didn't have
 24 a copy of the application, and they have to send it.
 25 FREEHOLDER ROMANO: It's in your

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1 package.
 2 CHAIRMAN MUNOZ: It's in your package
 3 but not on the internet, but no internet. We posted
 4 because I saw it. There was a web site for the
 5 County on the Hudson County web site, it's a page
 6 talking about this program. It doesn't have a copy
 7 of the application. It doesn't have -- information
 8 is very vague. It doesn't say much. We have to
 9 update that page.
 10 We have a Facebook page now on the
 11 Freeholders. We could add in there where people can
 12 take the application and send them to an address
 13 where you can pick up the application and sent it,
 14 reply back for approval. So we have social media.
 15 We have different ways that we could inexpensively
 16 reach the population. We have to do something.
 17 What I see now, this responsibility falls on Welfare
 18 right now to do it.
 19 MS. MEARNS: Well, I believe it falls
 20 on all of us to make it work.
 21 CHAIRMAN MUNOZ: We have to make one
 22 person responsible for this.
 23 MS. MEARNS: There as well is a
 24 process. We are granting it to Welfare as one of
 25 the providers under SSH. I certainly would be

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1 remiss if I didn't say my department was as
 2 responsible for at least encouraging this outreach.
 3 There may be a gap in outreach and how you go about
 4 getting out these dollars. What's going to be most
 5 important is to encourage other agencies come in and
 6 want to participate so that there is better
 7 geographic distribution. There is no group that we
 8 can't engage in the North Hudson agencies. I think
 9 North Hudson should have as much access as people in
 10 South Hudson. I take responsibility for my
 11 department, and I'll let Director Lopez take
 12 responsibility for his directly.
 13 DIRECTOR LOPEZ: What I was saying
 14 before is that with respect to the County web site
 15 or page, we'll communicate with Mr. Gimelli with
 16 respect to the application. With respect to the
 17 Freeholders, if you can post because the
 18 pre-application is your package. I don't know who
 19 handles that here.
 20 CHAIRMAN MUNOZ: Let me ask you a
 21 question. If I go to Welfare right now, do we have
 22 a flyer there explaining? The flyer is there and
 23 copies of the application that you can pick up?
 24 DIRECTOR LOPEZ: Absolutely. We sent
 25 to every municipality stacks of pre-applications.

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1 We sent them to churches. Yesterday, we
 2 communicated with someone from the archdiocese so
 3 they can do another communication with the churches.
 4 What we do is work that we've gotten in the last two
 5 weeks from Jersey City, but in the process of
 6 evaluating them, if they qualify, they'll get the
 7 money that we will utilize from our programs.
 8 That's the way we do it.
 9 Again, we need your help, and we need to,
 10 you know, get the other legislators' help. I think
 11 Freeholder O'Dea is correct. The mayors' offices
 12 can do a lot. At this point I want to support what
 13 Susan said, the only mayor that I've seen
 14 communicating and doing something is Mayor Gonnelli.
 15 Hopefully tomorrow in my meeting in North Hudson, I
 16 would be able to at least get some kind of action up
 17 there. Thank you.
 18 FREEHOLDER MALDONADO: Director, if I
 19 may, I have to say that I've seen a couple of the
 20 other recommendations, but haven't seen implemented
 21 where they came out that they are having the flyer
 22 information included with County employees'
 23 paychecks where they receive the package. The other
 24 recommendations talking to the mayors about sending
 25 a notice with the taxes, the quarterly taxes that

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1 would go out to residents and homeowners.
 2 DIRECTOR LOPEZ: Yeah, we did
 3 communicate with them about, and I think mayors
 4 communicate to us that those taxes have already gone
 5 out in the first quarter. We did communicate.
 6 FREEHOLDER MALDONADO: I understand
 7 that we have 15 months left.
 8 DIRECTOR LOPEZ: That's the Finance
 9 and Administration office.
 10 FREEHOLDER O'DEA: I'm going to ask
 11 that we do another committee meeting, and we have
 12 each department involved make a presentation, both
 13 in writing and verbally to the committee,
 14 Mr. Chairman, and we share that with the
 15 presentation to each Member of the Board at the next
 16 caucus meeting.
 17 CHAIRMAN MUNOZ: Okay. Thank you.
 18 MR. ANTUN: Mr. Chairman, another
 19 item that was requested is the information regarding
 20 the lighting program.
 21 Mr. Chairman, the next item that I have,
 22 it's not a presentation, but it's a response to the
 23 Board. I was asked to find out how much labor was
 24 spent on the emergency for the hot water heater.
 25 The amount of labor that was charged to the County

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1 contract and not included in the emergency was
 2 \$28,612.50.
 3 The final item that I have is a report
 4 from Director Fuller regarding the impact of the
 5 County increase on the living wage regarding the
 6 COLA. This is information that we already discussed
 7 verbally. It's a written report that pretty much
 8 substantiates the previous discussion. It's already
 9 been distributed.
 10 FREEHOLDER ROMANO: It's not on the
 11 agenda?
 12 MR. ANTUN: Yes, that's off the
 13 agenda, that's correct. Mr. Chairman, that's all
 14 the items that I have.
 15 THE CLERK: We're going to public
 16 participation. According to the policy set by the
 17 Board of Freeholders, members of the public are
 18 asked to limit their comments to 15 minutes when
 19 discussing agenda items and five minutes at the
 20 conclusion of the meeting when discussing matters of
 21 public interest.
 22 At this time the public may address the
 23 Board on any item on the agenda only. Please keep
 24 your comments limited to 15 minutes. Are there any
 25 speakers on agenda items only?

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1 There appear to be none. The consent
 2 agenda now includes an amended No. 30. May I have a
 3 motion to approve all items listed on the consent
 4 agenda.
 5 CHAIRMAN MUNOZ: Motion by Freeholder
 6 Maldonado. Second by Freeholder Romano.
 7 THE CLERK: Freeholder Cifelli.
 8 FREEHOLDER CIFELLI: Yes.
 9 THE CLERK: DiDomenico.
 10 FREEHOLDER DiDOMENICO: Yes.
 11 THE CLERK: Dublin.
 12 FREEHOLDER DUBLIN: Yes.
 13 THE CLERK: Liggio.
 14 FREEHOLDER LIGGIO: Yes.
 15 THE CLERK: Maldonado.
 16 FREEHOLDER MALDONADO: Yes.
 17 THE CLERK: O'Dea.
 18 FREEHOLDER O'DEA: Abstain on 16.
 19 Aye on the rest.
 20 THE CLERK: Rivas.
 21 FREEHOLDER RIVAS: Yes.
 22 THE CLERK: Romano.
 23 FREEHOLDER ROMANO: Yes.
 24 THE CLERK: Chairman Munoz.
 25 CHAIRMAN MUNOZ: Yes.

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1 THE CLERK: We have no ordinances for
 2 introduction. There is one remaining ordinance for
 3 second reading. It's entitled An ordinance
 4 rescinding Ordinance No. 362-9-2005, and amending
 5 Chapter 200, Article 8.11 of the Administrative Code
 6 to eliminate the reserved handicap parking space at
 7 1515 Union Turnpike, North Bergen for Lorezo Brito
 8 due to a change of address.
 9 This is the time fixed for public hearing
 10 on this Ordinance, which was introduced at the
 11 meeting of February 13th, 2014, advertised as
 12 required by law together with the notice of Hearing
 13 for this time. It has been posted on the
 14 Freeholder's Bulletin Board and made available to
 15 the general public.
 16 Are there any speakers on this ordinance?
 17 There appear to be no speakers. Motion to close the
 18 hearing by Maldonado.
 19 CHAIRMAN MUNOZ: Second by Freeholder
 20 Cifelli.
 21 THE CLERK: All in favor?
 22 (The Board votes unanimously to close
 23 the Hearing.)
 24 The Hearing is closed. On final adoption,
 25 Freeholder Cifelli.

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1 FREEHOLDER CIFELLI: Yes.
 2 THE CLERK: DiDomenico.
 3 FREEHOLDER DiDOMENICO: Yes.
 4 THE CLERK: Dublin.
 5 FREEHOLDER DUBLIN: Yes.
 6 THE CLERK: Liggio.
 7 FREEHOLDER LIGGIO: Yes.
 8 THE CLERK: Maldonado.
 9 FREEHOLDER MALDONADO: Yes.
 10 THE CLERK: O'Dea.
 11 FREEHOLDER O'DEA: Yes.
 12 THE CLERK: Rivas.
 13 FREEHOLDER RIVAS: Yes.
 14 THE CLERK: Romano.
 15 FREEHOLDER ROMANO: Yes.
 16 THE CLERK: Chairman Munoz.
 17 CHAIRMAN MUNOZ: Yes.
 18 THE CLERK: That concludes the items
 19 of business on today's agenda. Are there any
 20 comments from the Freeholders on the business of
 21 Board?
 22 CHAIRMAN MUNOZ: Freeholder O'Dea.
 23 FREEHOLDER O'DEA: I know that
 24 there's a meeting. I believe that Director Mearns
 25 won't be there so I wanted to --

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1 MS. MEARNS: I'm still with you,
 2 Freeholder. I won't leave you yet, May 1st. You've
 3 got plenty of time, Freeholder.
 4 FREEHOLDER O'DEA: I want a
 5 resolution drafted asking the State of New Jersey
 6 not to accept any retirement. I just wanted to make
 7 sure it was something special.
 8 The only other thing is, Freeholder
 9 Cifelli, we need to pick a day in the next couple of
 10 weeks to do a contract committee meeting about some
 11 more stuff to make sure about the living wage.
 12 THE CLERK: Are there any comments
 13 from the Chief of Staff to the County Executive?
 14 MR. GAUGHAN: No, thank you.
 15 THE CLERK: Proceed with public
 16 participation, Mr. Chairman?
 17 CHAIRMAN MUNOZ: I can't hear
 18 anything with the air.
 19 THE CLERK: Should I proceed with
 20 public participation?
 21 CHAIRMAN MUNOZ: Yes.
 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. Are there any speakers?

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1 You have to come to the microphone and state your
 2 name.
 3 MR. HEIZER: I don't know how this
 4 works. I want to make a comment on No. 18 for the
 5 towing.
 6 THE CLERK: State your name.
 7 MR. HEIZER: Robert Heizer, and I
 8 don't know how this works. I have a couple of
 9 comments. I have a letter that you're supposed to
 10 have a hearing on the award today, and that's from
 11 the Hudson County Counsel.
 12 FREEHOLDER O'DEA: Do you have a copy
 13 of the letter for us?
 14 MR. HEIZER: Yes. Can I just come
 15 up? I'm sorry. I just don't know how this works.
 16 FREEHOLDER O'DEA: You start your
 17 five minutes now.
 18 MR. BATTISTA: I would like to know
 19 by what authority the gentleman is representing the
 20 corporation?
 21 MR. HEIZER: I am Robert Heizer. I
 22 am the director of operations for John Main's Auto
 23 Body.
 24 MR. BATTISTA: There's still a
 25 question about legal representation before the

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1 Board.

2 FREEHOLDER O'DEA: It's the public

3 hearing. He can talk.

4 MR. BATTISTA: That's my point of

5 order. I believe he is talking about a hearing.

6 CHAIRMAN MUNOZ: Are you here in a

7 legal capacity or as a member of the public?

8 MR. HEIZER: I'm in the legal

9 capacity as director of operations.

10 CHAIRMAN MUNOZ: You can speak as a

11 member of the public and a citizen of Hudson County.

12 From a legal capacity, counsel for the County is

13 making an issue that you have to state you will be

14 speaking as a member of the public.

15 MR. HEIZER: I'll speaking as a

16 member of the public. Everyone has their papers in

17 front of them. John Main's Auto Body, we put in

18 several requests for the RFQ for the County for the

19 towing. I know there was a memorandum given out to

20 the Board saying that we, in fact, lied on our

21 application, and it says that -- the biggest thing

22 it says the RFQ, which I have, violated on the first

23 page, and this is from the attorney.

24 It says the RFQ says that it forbids

25 respondents from submitting more than one of its

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1 companies for this purpose, and that's one of the

2 reasons why we were disqualified. If you go to the

3 actual RFQ, and which you'll see, it should be a

4 yellow tab. Everybody open up to the yellow tab on

5 your paper. It says, Important, it is the intention

6 of the County, it is the intention of the County

7 that only one company own or controlled by an

8 individual shall be eligible. It says "intention."

9 It does not say it forbids us.

10 On the last one, the last RFQ that we

11 submitted, we submitted five different companies

12 because it says it is the intention that the County

13 would choose one. It doesn't say that you forbid us

14 from entering more than one RFQ. That's obviously,

15 that's misleading the Board. This letter that was

16 given to the Board from the County Counsel is

17 misleading because there's nowhere in the language

18 that it's forbidden from us putting more than one

19 RFQ in.

20 It also, if you go back to the first page,

21 it says the company has exhibited a disregard for

22 honesty and truthfulness. It goes on to say, it is

23 to protect the County from predatory towers. John

24 Main's Auto Body was never, never cited for

25 predatory towing. We've been in business now for

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1 about 37 years, and not once have we ever been

2 charged with any type of predatory towing, even

3 though predatory towing is only out for the last

4 couple years. That is a blatant false statement.

5 There is couple of other things. You'll

6 see I put in what the definition of "forbid" is.

7 Forbid is a command telling you not to do something.

8 I put in the definition of "intent," where I intend

9 to go to the movie doesn't mean I'm not going to --

10 doesn't mean -- if I intend to go the movies doesn't

11 mean that I'm going to go. The County intends on

12 only submitting, allowing one company. That doesn't

13 mean that the County is going to say, Hey, I think

14 it's in our interest to take three of this guys'

15 companies as opposed to one of his companies.

16 The letter that was submitted to the

17 County is misleading. That's my biggest argument

18 here. I think that the Board should review all of

19 these contracts and should sit down and look at the

20 contracts that I submitted because at no time when

21 we submitted the contracts, did we ever lie. The

22 last time we did them, we submitted them as John

23 Appello or James Appello. Everything that we

24 submitted showed exactly who owned it, which showed

25 exactly who would be working for them, showed

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1 exactly where our insurance was. There was nothing

2 that was ever misleading in our applications.

3 CHAIRMAN MUNOZ: Okay. Are you

4 finished?

5 MR. HEIZER: Yes.

6 CHAIRMAN MUNOZ: Freeholder Counsel,

7 before any Freeholder, I would like you to advise

8 the Board. I don't think that we should discuss

9 committee meetings. It has been discussed with

10 County Counsel. He has come here as a member of the

11 public to speak on this issue. He made a statement

12 and put it on the record. We already voted on this,

13 so at this point, I would like to get...

14 MR. FLORIO: Chairman, the letter I'm

15 reading is dated February 21st, signed by County

16 Counsel, directing the Appello Law Firm if they wish

17 to participate in the hearing on the County towing

18 contract, to appear before this Board this evening.

19 Mr. Appello is not here. Therefore, I don't believe

20 that we can infer that the speaker is acting as

21 counsel. He is not an attorney. So he's speaking

22 as a member of the public. He's put his remarks on

23 the record. The Board has already acted, and my

24 recommendation would be to terminate the process at

25 this point, not to engage in any additional

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1 discussion.

2 THE CLERK: Five minutes, Mr.

3 Chairman.

4 CHAIRMAN MUNOZ: Thank you. We have

5 to follow the instruction of counsel on this issue

6 and County Counsel.

7 FREEHOLDER O'DEA: Mr. Chairman, I

8 would assume that any company that does not need to

9 not be included in this has the right to go file an

10 action in court saying that they feel they should

11 have.

12 MR. BATTISTA: Just to clarify, this

13 is addressing an action this Board took I believe

14 December of last year or January of this year, when

15 we disqualified the two members and three other

16 companies that we felt were creating for no other

17 reason than to increase the number of companies in a

18 location.

19 I attached in the backup, a memo that was

20 given to you last year. It should be pointed out

21 that John Main's sued the County. Judge Schultz in

22 Hudson County Superior Court determined that the

23 action taken by the County was justified and

24 correct, and a judgment was entered dismissing the

25 lawsuit. That was probably back in March or April,

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1 and I attached a copy.

2 The basis for the recommendation made by

3 my office to this Board, there is a concept in the

4 law called responsible bidding or responsible

5 proposal, where you can look to the integrity or the

6 honesty of the company. I gave someone the analogy

7 today, if last year, you brought in someone to look

8 at the roof in your garage and you felt that they

9 gave you not a fair treatment, would you consider

10 them next year when the roof of your house was in

11 need of repair?

12 The basis for the action recommended to

13 you this evening was due to the fact that based upon

14 their actions, we don't believe they were a

15 responsible company. They did engage, in my opinion

16 and I think it was sustained by Judge Schultz, an

17 attempt to scam the County last year in an effort to

18 get four spots on the rotation.

19 FREEHOLDER O'DEA: If they this year,

20 they can back to court and say, that was then, this

21 is now, now we feel what we did is okay, we should

22 be qualified, then they can file an action in the

23 court, and if the Court deems so, they can come back

24 to us.

25 MR. HEIZER: Thank you.

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1 FREEHOLDER MALDONADO: If I may point

2 out about the hearing that you have in this letter,

3 it was the public portion on agenda items, and you

4 didn't stand up to speak at that juncture before we

5 voted. Now we voted on the agenda.

6 MR. BATTISTA: Just to point out, we

7 have something called a responsibility hearing, and

8 we are obligated to give them a responsibility

9 hearing. They didn't request it, but that's what it

10 is.

11 CHAIRMAN MUNOZ: Freeholder Cifelli.

12 FREEHOLDER CIFELLI: The businesses

13 in this particular proposal is not in the eyes of

14 the County Administration deemed responsible, so

15 that they should be precluded from putting in a

16 proposal on this contract, as I understand your

17 comments. The substantive argument or the facts

18 underlying that were that you used the word "scam,"

19 that they tried to scam the County last year. What

20 I'm gathering is that has nothing to do with the

21 day-to-day operations. The County's conclusion is

22 that there they tried to subterfuge and go and send

23 in the applications, correct?

24 MR. BATTISTA: That's correct.

25 FREEHOLDER CIFELLI: And when the

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1 County took the action to reject them last year

2 because of that, there was litigation, and Judge

3 Shultz dismissed the company's claims. To me that's

4 not responsive.

5 MR. BATTISTA: As you know as a

6 lawyer, there's concept in the law, and the issue as

7 to whether or not they engaged in the scam was my

8 opinion.

9 FREEHOLDER CIFELLI: It's already

10 been decided. We are you talking about is the same

11 thing.

12 CHAIRMAN MUNOZ: Thank you. Any

13 other member of the public?

14 THE CLERK: On any matter of public

15 interest. There appears to be no one, Mr. Chair.

16 Motion to adjourn by Freeholder Maldonado. Second

17 by Freeholder Dublin. All in favor. The meeting is

18 adjourned.

19 (Whereupon the proceeding is then

20 concluded at 7:15 p.m.)

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CERTIFICATION

I, SHARI CATHEY, CCR, RPR, License No. 30XI00234700, and Notary Public of the State of New Jersey, hereby certify that the proceedings herein are from the notes taken by me of a Regular Meeting the Hudson County Board of Chosen Freeholders, held on Thursday, February 27, 2014; and that this is a correct transcript of the same.

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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