HUDSON COUNTY
BOARD OF CHOSEN FREEHOLDERS

RE:

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

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OPEN SESSION

Hudson County
Administration Building,
Freeholders Chambers
567 Pavonia Avenue
Jersey City, New Jersey
Thursday, February 27, 2014
6:00 p.m.

BEFORE:

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

ALSO PRESENT:

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

Job No. NJ1798426
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 chambers. O'Dea.
10 FREEHOLDER O'DEA: Here.
11 THE CLERK: Dublin.
12 FREEHOLDER DUBLIN: Yes.
13 THE CLERK: DiDomenico.
14 FREEHOLDER DiDOMENICO: Yes.
15 THE CLERK: Liggio.
16 FREEHOLDER LIGGIO: Yes.
17 THE CLERK: Maldonado.
18 FREEHOLDER MALDONADO: Yes.
19 THE CLERK: Chairman Munoz.
20 FREEHOLDER MUNOZ: Here.
21 THE CLERK: Please stand for the Pledge of Allegiance.
22 (Flag Salute.)
23 THE CLERK: Adequate notice of this meeting has been provided as follows:
24 1. Posting notice of Resolution No. 8-1-2014 on the Freeholder's Bulletin Board, Third Floor, Administration Building Annex, Jersey City, New Jersey.
25 2. Copies of the above mentioned resolution have been sent to the County Clerk and the editors of the Jersey Journal and the Star Ledger.
26 Mr. Chairman, may I have a motion to approve the minutes of the following meetings:
27 January 7th Reorganization Meeting; January 9th, regular meeting --
28 FREEHOLDER O'DEA: Mr. Chairman, I'm going to make a motion that before that, we defer to Ordinance No. 2, which is an ordinance for Second Reading, and to make it the first item of the business on the agenda tonight.
29 FREEHOLDER MUNOZ: Yes.
30 THE CLERK: We have a motion. For the record Freeholder Cifelli is present. The motion is to take Ordinance No. 2, which is an ordinance for Second Reading, and to make it the first item of the business on the agenda tonight.
31 FREEHOLDER CIFELLI: Yes.
32 THE CLERK: DiDomenico.
33 FREEHOLDER DiDOMENICO: Yes.
34 THE CLERK: Dublin.
35 FREEHOLDER O'DEA: Yes.
36 FREEHOLDER MUNOZ: Yes.
37 THE CLERK: O'Dea.
38 FREEHOLDER MALDONADO: Yes.
39 THE CLERK: Rivas.
40 FREEHOLDER RIVAS: Yes.
41 THE CLERK: Freeholder Romano is present. On the motion --
42 FREEHOLDER ROMANO: Yes, yes, I heard.
43 THE CLERK: Chairman Munoz.
44 CHAIRMAN MUNOZ: Yes.
45 THE CLERK: The ordinance for seconding reading is entitled An ordinance amending Article 17 of the Hudson County Administrative Code to mandate minimum hourly rates of pay, vacation benefits and health insurance benefits for certain Non-County employees providing services to the County.
46 This is the time fixed for public hearing on this Ordinance, which was introduced at the meeting of February 14th, 2014, advertised as required by law together with the notice of Hearing for this time. It has been posted on the Freeholder's Bulletin Board and made available to the general public.
47 Are there any speakers on this ordinance?
48 MR. HALL: Mr. Chairman, my name is Charles Hall, Jr. I'm the chairman of Working Families United for New Jersey. It is an honor to be here to speak on behalf of this amendment. It is -- I can't say enough about you, gentleman, ladies and gentlemen, for putting forth such progressive legislation and recognizing that workers need help, first, for having a living wage; second,
for recognizing that you need to keep up with that
minimum wage by attaching the COLA to it is just
something that's leading the way. It's cutting
eedge.

And you, Commissioners, Freeholders and
the Chairman, you are way ahead of the curve. You
understand what is going on in the state of New
Jersey. You understand what is going on in America.
There seems to be great divide of welfare and people
on the bottom struggling to make it. This
cost-of-living that will put more than $500 in the
do
cocket of families will go a long way. It will keep
the buying power as you know of your living wage.
And I hope, I can only hope across the
state that other counties will follow your
leadership and understand that people need to live
in a state that the cost of living is 30 percent
higher than anywhere else in the nation, and you're
ahead the curve. You're setting the pace. You're
doing the right thing by work families, and our
organization commends you as we put into effect a
minimum wage increase also with a COLA tied to it,
and now we're at 8.25 in the state, and there with a
raise in the general minimum wage next January.
Once again, I commend you guys. This is a
real County with real leadership. We thank you.
MR. BUSACCA: Good evening,
everybody. My name is Pete Busacca. I am the
president of the Hudson County Central Labor
Council, also a resident of Jersey City. Again, I
want to echo Charlie Hall's comments about how we're
ahead of the curve. However, we have to do a
history, and it's January 28th, 1999, when this
Freeholder Board passed the first living wage here
in Hudson county, and we've had a couple of
iterations since then.
And Hudson County, you are my friends.
You are friends to working folks here in Hudson
County. I just want to let you know we're certainly
appreciative of it, and I certainly want to let you
know that Hudson County Central Labor Council will
continue to fight for those folks here in Hudson,
and Bill, again, you're always there for us. He was
there for us in 1999. Was anyone else here in 1999?
Oh, Cifelli, yes, yes. I certainly appreciate it.
Thank you very much.
FREEHOLDER O'DEA: I just want to say
one thing to Pete. Pete, I want to thank you, and I
want to recognize back in '99, you were here with
our late, great, dear friend, Ed Pulver, who was one
of the impetuses to support and adopt and push that
ordinance. The only plaque that we have in this
chamber on the outside is a plaque that you and
Eddie presented to us after we did the first one. I
think you recognizes how important has been and will
always be to this Board.

MR. BUSACCA: Especially to you,
Bill. You're the driving force.

MR. KUSHNER: Good evening,
Freeholder Board. My name is Barry Kushner. I'm
with the Hudson County Central Labor Council, and
the New Jersey Turnpike Authority Union. I'm a
44-year, lifetime resident of Hudson County. While
other people have certain things to say about Hudson
County, I always speak in a positive light because
of things like this that are going on this evening.
Your progressive policies, which are
helping out working families and people who have
struggled in a poor economy, it makes me proud that
I have spent my entire life down here, especially
the under the leadership of our Freeholder
DiDomenico, and friends like Bill O'Dea of Jersey
City and Stick Romano from Hoboken, and everyone
else on this Board, I can only say thank you on
behalf of all the people that are going to benefit
from this, as well as the businesses that are going
to benefit from this as well. Thank you.
THE CLERK: Additional speakers on
this ordinance?
Motion to close the hearing Freeholder
O'Dea. Seconded by Romano. All in favor? Opposed?
(The Board votes unanimously to close
the Hearing.)
The Hearing is closed. On final adoption,
Freeholder Cifelli.
FREEHOLDER CIFELLI: Yes.
THE CLERK: DiDomenico.
FREEHOLDER DiDOMENICO: Yes.
THE CLERK: Dublin.
FREEHOLDER DUBLIN: Yes.
THE CLERK: Liggio.
FREEHOLDER LIGGIO: Yes.
THE CLERK: Maldonado.
FREEHOLDER MALDONADO: Yes.
THE CLERK: O'Dea.
FREEHOLDER O'DEA: I just want to say
briefly, to thank all the leaders of labor who came
together to support this, Pete Busacca from the
Central Labor Council, also we have loyal support
for the Hudson County Building Trades, Charlie
...
Wowkaneech, President of AFL CIO, felt the issue well enough to come here today. I hope we're the first of many counties and cities that will adopt a cost-of-living increase on the living wage law. I think it's that important.

As I said when I started and proposed this, I was very much inspired by the effort last year of all of the labor groups when they came together to not only raise the minimum wage, but to put a cost-of-living increase on the minimum wage, and that very much is what inspired what was initiated by this Board. So I proudly vote aye.

FREEHOLDER DUBLIN: Yes.
FREEHOLDER O'DEA: Mr. Chairman, what we asked since this ordinance has equally strong support from the executive branch of government as from the legislative branch from its inception, we asked the County Executive to stay so we can get the ordinance signed. So if we can get a copy of the ordinance and bring up all the labor leaders that are here.
FREEHOLDER O'DEA: Mr. Chairman, I am going to move that in addition to that resolution we have, I guess it would be a No. 4, change 4 to 5, No. 4 would say, we, the County Executive and the Board, strongly urges the NJTPA to rescind its support of New Jersey Transit application for funding to acquire the site. I make that as a motion.
FREEHOLDER MALDONADO: Second.
FREEHOLDER ROMANO: Board as a whole.
FREEHOLDER ROMANO: Yes.
FREEHOLDER O'DEA: Mr. Chairman, I am going to move that in addition to that resolution we have, I would to add, I guess it would be a No. 4, change 4 to 5, No. 4 would say, we, the County Executive and the Board, strongly urges the NJTPA to rescind its support of New Jersey Transit application for funding to acquire the site. I make that as a motion.
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FREEHOLDER MALDONADO: Motion was made by Freeholder O'Dea, seconded by Freeholder Maldonado.
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FREEHOLDER MALDONADO: Second. 
Executive and the Board strongly urge NJTPA to rescind its resolution of support for the New Jersey Transit application for federal funding to acquire the Koppers Coke site.

FREEHOLDER CIFELLI: As I understood the motion as amended, as far as this Board is taking the position by the resolution that we would oppose any action by any agency that would seek to buy the County's share of the Koppers site and development. We don't want to say that this Board is against the grant as a grant because the purpose of the grant is for the redundancy of New Jersey Transit for Superstorm Sandy. I don't think that's a bad idea, but my objection is strong. Freeholder O'Dea, we are strongly against the grant being used to acquire our Koppers site.

I don't think that we need to change the language. So it's clear, it's not the intention of this Board to be contrary to the grant, the power of the grant. Our intention is to make sure that from the grant, they are not acquiring our site. That is as long as it's not contingent for New Jersey Transit to acquire the Koppers site.

FREEHOLDER O'DEA: I think the way I worded is that they would rescind the support for the application for funding as it would relate to the Koppers site.

FREEHOLDER O'DEA: That's right.

CHAIRMAN MUNOZ: We have a motion.

FREEHOLDER O'DEA: I would say in any of it.

THE CLERK: In any of the Koppers site.

FREEHOLDER O'DEA: Any of that fund to acquire any of the Koppers site. We clearly don't want them to use any grant money to acquire any portion of it.

THE CLERK: Roll call on the motion to amend?

FREEHOLDER CIFELLI: Yes.

FREEHOLDER DIDOMENICO: Yes.

FREEHOLDER DUBLIN: Yes.

FREEHOLDER LIGGIO: Yes.

FREEHOLDER MALDONADO: Yes.

FREEHOLDER O'DEA: Yes.

MR. BATTISTA: Okay. What was the language? It's changed a couple time, but we have a new Paragraph 4, which states the County Executive and the Board of Freeholders strongly urge the NJTPA to rescind its resolution in support of the New Jersey Transit application for federal funding as it would relate to the use of that funding to acquire the Koppers site.

THE CLERK: Rivas.

FREEHOLDER RIVAS: Yes.

THE CLERK: Romano.

FREEHOLDER ROMANO: Yes.

THE CLERK: Chairman Munoz.

CHAIRMAN MUNOZ: Yes.

THE CLERK: No. 30 has been added to the consent agenda as amended.

Mr. Chair, we are still on additional discussion.

CHAIRMAN MUNOZ: Is there any questions from the Freeholders on the agenda?

MR. ANTUN: Mr. Chairman, I do not have any additional items. What I do have is information that the Board requested, and I would like to distribute. The first item that I have is something I did not give to the Board. The first item that I have is a memo from Susan Mearns regarding the status the SHRAP program. If you recall I sent an e-mail yesterday, and I'm handing it out formally to apprise the Board of the information.

I know that a request was made for the Administration to consider adding additional BEOF,
but we believe at this time that the amount of
200,000 that’s before the Board will take it through
the end of May. We believe at the end of May, and
we believe that should be sufficient for now, and if
not, we will obviously come back to the Board.
CHAIRMAN MUNOZ: Okay.
THE CLERK: Call for public participation?
MR. ANTUN: Not yet, Mr. Chairman,
I'm sorry. I still have more information. Again,
it's just information there is no -- the other item
I have is a memo that I have from Susan Mearns. The
Board asked what was the purpose of the unlocated in
the Ryan White. The reason why we have unallocated
funds in both Ryan White resolutions is because we
wanted to set aside a reserve in the event that we
do not get all of our funding or new priorities
identified by the Planning Council.
FREEHOLDER O'DEA: Mr. Chairman, go
back to the last item on the SHRAP funding. I have
a serious concern over what I think is a lack of
outreach into the North Hudson community. If you
look at this, literally more people in North Bergen
have gotten money than Union City, Weehawken and
West New York combined, I don't know, and it's one
of the reasons why I looked at the BEOF to put an
office up north. If not, I don't know whether
Catholic Charities is the right one to do it. I
know North Hudson Cap didn't want the money in the
first round. The reality is that we have a limited
time to get these dollars out.
I'm looking at this. We've got three
cities that have had one person each only, you know,
getting funding. You can take Union City and West New
York together they have over a hundred thousand
people. It's hard to believe out of a hundred
thousand people, that more than that didn't have
insurance or some other realm got in trouble with
their rent or mortgage, their utility bills or lost
items they haven't been able to replace yet because
of the storm.
They lost power. There is a lot of things
that I just think that those areas need to be
covered. You know, to the credit of BEOF, they've
done a great job with Bayonne. They got 41 people
already get funding. Jersey City only had 17.
Nobody has done a great job there. There hasn't
been a great job. There are areas of the city that
got severely, severely impacted. Four people only
in Hoboken, another city that was severely impacted.

I really think that we're approving this
for another couple months, we're putting it in the
hands of County Welfare. What is County Welfare
going to do to reach out, especially to those towns
that are in the north and haven't had almost
anything? What meetings have you held with the
mayors of those towns even get their offices
engaged?
I know Mayor Stack well enough, if you
give the applications to him, he probably has a list
of everyone behind on rent, behind on utilities.
When people have problems they go right to his
office. I think it's critical to engage one of
these agencies or someone else to get involved as it
relates to a particular area.

FREEHOLDER O'DEA: Did you call Mayor
Stack and ask him?
DIRECTOR LOPEZ: We called Mark.
FREEHOLDER O'DEA: Did you meet with
Mark?
DIRECTOR LOPEZ: Not yet. We're
going to do to reach out, especially to those towns
mayors in the different municipalities?
DIRECTOR LOPEZ: We will be able to
cover that and the other municipalities, those areas
for with individual.
CHAIRMAN MUNOZ: The way you said it
before, you only had sent letters.
DIRECTOR LOPEZ: We sent letters. We
sent e-mails, everything. We've done quite a bit of
outreach; in the papers, you know.
FREEHOLDER O'DEA: Did you put it in
the Dispatch?
FREEHOLDER ROMANO: And in the
Hoboken Reporter.

FREEHOLDER O'DEA: We did a lot. So
tomorrow I will be seeing both the Mayor and Mark and reiterate our request.

FREEHOLDER DUBLIN: It's important to have Union City. Give it to most of the municipalities up there. Have a day.

CHAIRMAN MUNOZ: We have to find a not-for-profit in North Hudson that could come and take over these and do the application, so people could go there because I'll bet if you go to Welfare now, they're getting calls for people that are looking for rent assistance, people that are -- those people you could help them through this grant if there was any issue, no? These people may have issues, and certainly, there were businesses that have issues with Sandy.

DIRECTOR LOPEZ: Not for businesses.

CHAIRMAN MUNOZ: You have to find a not-for-profit that would take over this, and we're doing all this outreach. You haven't been able to find any not-for-profit in North Hudson.

DIRECTOR LOPEZ: No. I am outreaching to the public officials, and we are -- I don't deal with the public, and the only agency we dealt with entities is North Hudson Cap. As Freeholder O'Dea mentioned, they did not want to do it.

FREEHOLDER O'DEA: The proof in the pudding here, Bayonne has 41. The proof is if you have an active organization going to out to do really rolling-up-your-sleeve work, you're going to find the people that are eligible. That's what we need in North Hudson. If we need to provide resources to the mayors, Mayor Stack and others up there, let's do it. Meet with Mark tomorrow. Show him what they did in Bayonne to get so many people to sign up, you know, how they did the boxes and things like, all of the stuff we discussed when we had the committee meeting. Otherwise, the State is going to take the money away and ship it down to the south.

CHAIRMAN MUNOZ: Let me ask you, did we do a press release about it?

DIRECTOR LOPEZ: Yes. We sent it to the media.

CHAIRMAN MUNOZ: Can we get a copy of the press release that was done?

DIRECTOR LOPEZ: I believe we sent it to you.

FREEHOLDER ROMANO: We got it. We got it.

FREEHOLDER MALDONADO: Mr. Chairman, let me ask a question. Excuse my naivety but looking at this, it says 81 households that had received funding, but on top in the breakdown for units provided, you have 56 for rental assistance and 105 for mortgage assistance. I don't understand. That's like 161, but the numbers down there equate to 80 or so. Can you explain the difference?

MS. MEARNS: Yes, I can. Susan Mearns, Health and Human Services. Freeholder, one month's rent is considered one unit of assistance, and so that's how we did that.

FREEHOLDER MALDONADO: If you have one household with two or three months of mortgage?

MS. MEARNS: Rents or utilities, mortgage payment and in some instances, household items.

FREEHOLDER MALDONADO: Thank you.

FREEHOLDER ROMANO: Mr. Chairman, please also contact Dan Bryan in the Hoboken Mayor's office. Dan Bryan is the Mayor's chief of staff.

DIRECTOR LOPEZ: Got you.

CHAIRMAN MUNOZ: The question that comes here is, you're asking for us for allocation. We have the money. What happens if we don't spend the money? We're going to look really bad with the community if this money is not used, and we have to give it back.

MS. MEARNS: I would like to respond to that. This money runs to September 30 of 2015. How this was established, when the department first came to this Board, this money was received for a period of six months. I believe the intention was to go out to bid for the service when the contract period of January through June 30th ended. So I anticipate that the department will go back out to bid on to see if we could get more parties to provide the service.

Right now, what we were advised by the State, they want to know the existing providers. We didn't have the time. They wanted us to roll it out quickly. We went to the providers, and they just weren't able to move forward. That is when, as Freeholders know, North Hudson Community Action Council and the Hoboken shelter refused this money.

It was this Board who determined how to reapportion those funds to the existing providers and what would come here is, you're asking for us for allocation.

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

FREEHOLDER ROMANO: Is there any reason for that?

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

Also, we have to be mindful of the fact that, and I am seeing this in much of the Sandy funding that is rolling to us now, there is a storm that occurred 15 months ago, and people just aren't still hurting. This particular funding is payment of rental payments that were made, only Sandy-related; mortgage payment not made, only Sandy-related, and you have to prove that. That becomes a challenge because people, as would I, would want my mortgage paid before I did anything, and unfortunately, this is not a reimbursable expense. You have to prove that that loss is still sitting there.

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

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

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

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

MS. MEARNS: Right.

FREEHOLDER O’DEA: In there, I think a lies a large group, especially of renters, because we know people don't have renter insurance. A lot of people don't have renter insurance because quite
MS. MEARNS: I can tell you that down in Secaucus, they did on the first go-round, and they were planning on do it again, especially with the weather being as bad as it's been, they're doing a targeted door-to-door flyer drop into areas that --

FREEHOLDER O'DEA: They're not my district anymore. I represented Country Village. I went door to door in Country Village.

MS. MEARNS: And that's what Secaucus did when the funding was first announced, to do it again, they will be strategically placed, and they will be starting on that over the next few weeks.

FREEHOLDER MALDONADO: I just have a few points. With energy assistance, we should ask organizations like P.A.C.O. that has a program to assist individuals with energy assistance. They probably have a list of individuals that might have been affected that particular year or and still affected as result that may be able to qualify for the program.

The second thing I would recommend, I know you sent out the press release because I saw them, but we have a whole bunch of radio stations locally, English and Spanish-speaking stations and television stations that I'm sure if you sent in a PSA, they would be more than glad to give us that kind of advertising to put that kind of information on their program. All of those web sites that you can link up the information for SHRAP program, ask them if they would put it on their web site to be able to link up.

The one thing I had asked at the meeting was for somebody to do the information as a Facebook page that I could be tagged in that could forward to all my friends on Facebook that I have. I would recommend that somebody consider doing that.

CHAIRMAN MUNOZ: Freeholder, actually, I have to say we have started a Facebook page for the Freeholders. We're go to start advertising on the different type of internet media for the month. I saw the County did a web site and information page on the web site. One of the issues with the information is, one, they didn't have a copy of the application. They have information about the grant, that they could go pick up a copy, but it didn't say where you can pick up the copy from. We had it on the web site, but we didn't have a copy of the application, and they have to send it.

FREEHOLDER ROMANO: It's in your package.

CHAIRMAN MUNOZ: It's in your package but not on the internet, but no internet. We posted because I saw it. There was a web site for the County on the Hudson County web site, it's a page talking about this program. It doesn't have a copy of the application. It doesn't have -- information is very vague. It doesn't say much. We have to update that page.

We have a Facebook page now on the Freeholders. We could add in there where people can take the application and send them to an address where you can pick up the application and sent it, reply back for approval. So we have social media. We have different ways that we could inexpensively reach the population. We have to do something.

What I see now, this responsibility falls on Welfare right now to do it.

MS. MEARNS: Well, I believe it falls down in Secaucus, they did on the first go-round, again, they will be strategically placed, and they have been affected that particular year or and still advertising to put that kind of information on their web site. One of the issues pre-application is your package. I don't know who handles that here.

FREEHOLDER ROMANO: It's in your address.

CHAIRMAN MUNOZ: Let me ask you a question. If I go to Welfare right now, do we have a flyer there explaining? The flyer is there and copies of the application that you can pick up?

DIRECTOR LOPEZ: Absolutely. We sent to every municipality stacks of pre-applications.

9 (Pages 30 - 33)
We sent them to churches. Yesterday, we communicated with someone from the archdiocese so they can do another communication with the churches. What we do is work that we've gotten in the last two weeks from Jersey City, but in the process of evaluating them, if they qualify, they'll get the money that we will utilize from our programs. That's the way we do it.

Again, we need your help, and we need to, you know, get the other legislators' help. I think Freeholder O'Dea is correct. The mayors' offices can do a lot. At this point I want to support what Susan said, the only mayor that I've seen communicating and doing something is Mayor Gonnelli. Hopefully tomorrow in my meeting in North Hudson, I would be able to at least get some kind of action up there. Thank you.

FREEHOLDER MALDONADO: Director, if I may, I have to say that I've seen a couple of the other recommendations, but haven't seen implemented where they came out that they are having the flyer information included with County employees' paychecks where they receive the package. The other recommendations talking to the mayors about sending a notice with the taxes, the quarterly taxes that would go out to residents and homeowners.

DIRECTOR LOPEZ: Yeah, we did communicate with them about, and I think mayors communicate to us that those taxes have already gone out in the first quarter. We did communicate.

FREEHOLDER MALDONADO: I understand that we have 15 months left.

DIRECTOR LOPEZ: That's the Finance and Administration office.

FREEHOLDER O'DEA: I'm going to ask that we do another committee meeting, and we have each department involved make a presentation, both in writing and verbally to the committee.

Mr. Chairman, and we share that with the presentation to each Member of the Board at the next caucus meeting.

CHAIRMAN MUNOZ: Okay. Thank you.

MR. ANTUN: Mr. Chairman, another item that was requested is the information regarding the lighting program.

Mr. Chairman, the next item that I have, it's not a presentation, but it's a response to the Board. I was asked to find out how much labor was spent on the emergency for the hot water heater. The amount of labor that was charged to the County contract and not included in the emergency was $28,612.50.

The final item that I have is a report from Director Fuller regarding the impact of the County increase on the living wage regarding the COLA. This is information that we already discussed verbally. It's a written report that pretty much substantiates the previous discussion. It's already been distributed.

FREEHOLDER ROMANO: It's not on the agenda?

MR. ANTUN: Yes, that's off the agenda, that's correct. Mr. Chairman, that's all the items that I have.

THE CLERK: We're going to public participation. According to the policy set by the Board of Freeholders, members of the public are asked to limit their comments to 15 minutes when discussing agenda items and five minutes at the conclusion of the meeting when discussing matters of public interest.

At this time the public may address the Board on any item on the agenda only. Please keep your comments limited to 15 minutes. Are there any speakers on agenda items only?

There appear to be none. The consent agenda now includes an amended No. 30. May I have a motion to approve all items listed on the consent agenda.

CHAIRMAN MUNOZ: Motion by Freeholder Maldonado. Second by Freeholder Romano.

FREEHOLDER CIFELLI: Yes.

THE CLERK: Freeholder CiFelli.

FREEHOLDER DiDOMENICO: Yes.

THE CLERK: DiDomenico.

FREEHOLDER DiDOMENICO: Yes.

THE CLERK: Dublin.

FREEHOLDER DUBLIN: Yes.

FREEHOLDER LIGGIO: Yes.

THE CLERK: Liggio.

FREEHOLDER LIGGIO: Yes.

THE CLERK: Maldonado.

FREEHOLDER MALDONADO: Yes.

FREEHOLDER O'DEA: Abstain on 16.

Rivas.

FREEHOLDER RIVAS: Yes.

THE CLERK: Rivas.

FREEHOLDER ROMANO: Yes.

THE CLERK: Chairman Munoz.

FREEHOLDER ROMANO: Yes.
THE CLERK: We have no ordinances for introduction. There is one remaining ordinance for second reading. It's entitled An ordinance rescinding Ordinance No. 362-9-2005, and amending Chapter 200, Article 8.11 of the Administrative Code to eliminate the reserved handicap parking space at 1515 Union Turnpike, North Bergen for Lorenzo Brito due to a change of address. This is the time fixed for public hearing on this Ordinance, which was introduced at the meeting of February 13th, 2014, advertised as required by law together with the notice of Hearing for this time. It has been posted on the Freeholder's Bulletin Board and made available to the general public.

Are there any speakers on this ordinance?

There appear to be no speakers. Motion to close the hearing by Maldonado.

CHAIRMAN MUNOZ: Second by Freeholder Cifelli.

THE CLERK: All in favor?

(The Board votes unanimously to close the Hearing.)

The Hearing is closed. On final adoption, Freeholder Cifelli.

FREEHOLDER CIFELLI: Yes.

THE CLERK: DiDomenico.

FREEHOLDER DiDOMENICO: Yes.

THE CLERK: Dublin.

FREEHOLDER DUBLIN: Yes.

THE CLERK: Liggio.

FREEHOLDER LIGGIO: Yes.

THE CLERK: Maldonado.

FREEHOLDER MALDONADO: Yes.

THE CLERK: O'Dea.

FREEHOLDER O'DEA: Yes.

THE CLERK: Rivas.

FREEHOLDER RIVAS: Yes.

THE CLERK: Romano.

FREEHOLDER ROMANO: Yes.

THE CLERK: Chairman Munoz.

CHAIRMAN MUNOZ: Yes.

THE CLERK: That concludes the items of business on today's agenda. Are there any comments from the Freeholders on the business of Board?

CHAIRMAN MUNOZ: Freeholder O'Dea.

FREEHOLDER O'DEA: I know that there's a meeting. I believe that Director Mears won't be there so I wanted to --
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
towing. I know there was a memorandum given out to
the Board saying that we, in fact, lied on our
application, and it says that -- the biggest thing
it says the RFQ, which I have, violated on the first
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
companies for this purpose, and that's one of the
reasons why we were disqualified. If you go to the
actual RFQ, and which you'll see, it should be a
yellow tab. Everybody open up to the yellow tab on
your paper. It says, Important, it is the intention
of the County, it is the intention of the County
that only one company owns or controlled by an
individual shall be eligible. It says "intention." It does not say it forbids us.
10 On the last one, the last RFQ that we
submitted, we submitted five different companies
because it says it is the intention that the County
would choose one. It doesn't say that you forbid us
from entering more than one RFQ. That's obviously,
that's misleading the Board. This letter that was
given to the Board from the County Counsel is
misleading because there's nowhere in the language
that it's forbidden from us putting more than one
RFQ in.
20 It also, if you go back to the first page,
it says the company has exhibited a disregard for
honestly 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
predatory towing. We've been in business now for
about 37 years, and not once have we ever been
charged with any type of predatory towing, even
though predatory towing is only out for the last
couple years. That is a blatant false statement.
3 There is couple of other things. You'll
see I put in what the definition of "forbid" is.
4 Forbid is a command telling you not to do something.
5 I put in the definition of "intent," where I intend
9 to go to the movie doesn't mean I'm not going to --
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
here. I think that the Board should review all of
these contracts and should sit down and look at the
contracts that I submitted because at no time when
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
exactly who would be working for them, showed
exactly where our insurance was. There was nothing
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
THE CLERK: Five minutes, Mr. Chairman.

CHAIRMAN MUNOZ: Thank you. We have to follow the instruction of counsel on this issue and County Counsel.

FREEHOLDER O'DEA: Mr. Chairman, I would assume that any company that does not need to not be included in this has the right to go file an action in court saying that they feel they should have.

MR. BATTISTA: Just to clarify, this is addressing an action this Board took I believe December of last year or January of this year, when we disqualified the two members and three other companies that we felt were creating for no other reason than to increase the number of companies in a location.

I attached in the backup, a memo that was given to you last year. It should be pointed out that John Main's sued the County. Judge Schultz in Hudson County Superior Court determined that the action taken by the County was justified and correct, and a judgment was entered dismissing the lawsuit. That was probably back in March or April, and I attached a copy.

The basis for the recommendation made by my office to this Board, there is a concept in the law called responsible bidding or responsible proposal, where you can look to the integrity or the honesty of the company. I gave someone the analogy today, if last year, you brought in someone to look at the roof in your garage and you felt that they gave you not a fair treatment, would you consider them next year when the roof of your house was in need of repair?

The basis for the action recommended to you this evening was due to the fact that based upon their actions, we don't believe they were a responsible company. They did engage, in my opinion and I think it was sustained by Judge Schultz, an attempt to scam the County last year in an effort to get four spots on the rotation.

FREEHOLDER O'DEA: If they this year, they can back to court and say, that was then, this is now, now we feel what we did is okay, we should be qualified, then they can file an action in the court, and if the Court deems so, they can come back to us.

MR. HEIZER: Thank you.

FREEHOLDER MALDONADO: If I may point out about the hearing that you have in this letter, it was the public portion on agenda items, and you didn't stand up to speak at that juncture before we voted. Now we voted on the agenda.

MR. BATTISTA: Just to point out, we have something called a responsibility hearing. They didn't request it, but that's what it is.

CHAIRMAN MUNOZ: Freeholder Cifelli.

FREEHOLDER CIFELLI: The businesses in this particular proposal is not in the eyes of the County Administration deemed responsible, so that they should be precluded from putting in a proposal on this contract, as I understand your comments. The substantive argument or the facts underlying that were that you used the word "scam," that they tried to scam the County last year. What I'm gathering is that has nothing to do with the day-to-day operations. The County's conclusion is that there they tried to subterfuge and go and send in the applications, correct?

MR. BATTISTA: That's correct.

FREEHOLDER CIFELLI: And when the County took the action to reject them last year because of that, there was litigation, and Judge Shultz dismissed the company's claims. To me that's not responsive.

MR. BATTISTA: As you know as a lawyer, there's concept in the law, and the issue as to whether or not they engaged in the scam was my opinion.

FREEHOLDER CIFELLI: It's already been decided. We are you talking about is the same thing.

CHAIRMAN MUNOZ: Thank you. Any other member of the public?

THE CLERK: On any matter of public interest. There appears to be no one, Mr. Chair.

Motion to adjourn by Freeholder Maldonado. Second by Freeholder Dublin. All in favor. The meeting is adjourned.

(Whereupon the proceeding is then concluded at 7:15 p.m.)
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 of 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
approve 3:9 37:3
approving 20:1
april 46:25
archdiocese 34:2
area 20:15
areas 19:18,23
argument 44:17
48:17
article 3:14 5:4 38:5
aside 18:16
asked 11:4,7 18:13
31:8 35:23 36:18
asking 24:25 40:5
assist 30:17
assistance 22:11
24:5,6,12 30:15,17
assume 46:8
attached 46:19 47:1
attaching 6:2
attempt 47:17
attention 12:24
attorney 42:23
45:21
authority 8:12
41:19
auto 41:22 42:17
43:24
available 5:14 38:14
avenue 1:8
award 41:10
aye 10:12 12:6 37:19

b
b 1:11
back 7:24 10:20
18:5,20 25:4,12
29:4 32:14 43:20
46:25 47:20,23
backup 46:19
bad 14:14 25:2 30:4
bank 27:18
barry 8:10
based 47:13

basement 29:10
basis 47:2,12
battista 1:20 15:17
41:18,24 42:4 46:12
48:6,24 49:5
bayonne 19:20 23:3
23:10
behalf 5:21 8:25
believe 18:1,3,4
19:11 23:22 25:9
26:11 29:8 32:16
39:24 42:5 45:19
46:13 47:14
benefit 8:25 9:2
benefits 3:16,17 5:6
5:6 26:19
benjamin 20:17
beof 17:25 19:1,19
bergen 18:23 38:7
best 27:13
bet 22:9
better 33:6
bid 25:10,13
bidding 47:4
biggest 42:21 44:17
bill 7:18 8:8,22
bills 19:14 28:7,16
bit 20:19,20 21:19
blatant 44:4
board 1:1,4,19 3:1
5:14 7:9 8:6,10,24
9:7 10:12,19 12:25
13:5,12 14:1,6,10
14:19 15:21 16:1,17
17:18,22 18:2,5,13
25:8,22 35:15,23
36:17,23 38:14,22
39:21 40:23 42:1,20
43:15,16 44:18 45:8
45:18,23 46:13 47:3
50:8
board's 12:24
body 41:23 42:17
43:24
bottom 6:10
boxes 23:11
branch 11:5,6
breakdown 24:4
briefly 9:22
bring 11:9 12:23
brito 38:7
brought 47:7
bryan 24:21,22
building 1:7 3:2
9:25 29:17
bulletin 3:1 5:14
38:14
bunch 30:24
busacca 7:2,3 8:7
9:23
business 4:6 12:17
26:6 39:19,20 43:25
businesses 9:1 22:14
22:16 48:12
buy 14:9
buying 6:13

challenge 26:12
27:3
chamber 8:3
chambers 1:8 2:10
change 13:11 14:17
38:8
changed 15:19
chapter 38:5
charged 35:25 44:2
charities 19:3
charles 5:19
charlie 7:6 9:25
chief 24:22 40:13
choose 43:13
chosen 1:1,4 12:25
50:8
churches 20:23 34:1
34:3
cifelli 1:12 2:1 4:3,7
4:8 7:20 9:10,11
11:19,21,22 14:5
15:4 16:14,15 37:7
37:8 38:20,25 39:1
40:9 48:11,12,25
49:9
cio 10:1
cited 43:24
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| 26:24 27:1   |
| payments  26:25 |
| people  6:9,16 8:14 |
| 8:18,25 18:23 19:11 |
| 19:12,20,24 20:12 |
| 22:8,10,11,12,13 |
| 23:6,10 26:23 27:3 |
| 28:7,13,24,25 29:1 |
| 29:9,19 32:11 33:9 |
| percent  6:17  |
| period  25:9,11 |
| person  19:8 32:22 |
| pete  7:3,23,23 9:23 |
| pick  31:21,22 32:13 |
| 33:23 40:9   |
| place  21:2   |
| placed  30:12  |
| places  29:5,6 |
| plan  10:17  |
| planning  18:18 30:3 |
| plaque  8:2,3  |
| please  2:20 5:17 |
| 16:13 24:21 36:23 |
| 40:24       |
| pledge  2:21  |
| plenty  29:5 40:3 |
| pocket  6:12  |
| point  34:12 42:4 |
| 45:13,25 48:1,6 |
| pointed  46:20 |
| points  30:15  |
| policies  8:17 |
| policy  36:17 |
| poor  8:19 27:8,9 |
| population  32:16 |
| portion  16:10 48:3 |
| position  14:7 |
| positive  8:15 |
| post  33:17 |
| posted  5:13 32:3 |
| 38:13       |
| posting  2:25 |
| potential  15:15 |
| power  6:13 14:19 |
| 19:17 28:16 |
| pre  33:18,25 |
| preclude  29:11 |
| precluded  48:15 |
| predatory  43:23,25 |
| 44:2,3     |
| present  4:3,22 40:23 |
| presentation  35:12 |
| 35:15,22   |
| presented  8:4 |
| president  7:4 10:1 |
| press  23:17,21 30:23 |
| pretty  36:7  |
| previous  36:8  |
| priorities  18:17 |
| probably  20:10 |
| 28:19 29:9 30:18 |
| 46:25     |
| problems  20:12 |
| proceed  40:15,19 |
| proceeding  49:19 |
| proceedings  1:4 |
| 50:6       |
| process  32:24 34:5 |
| 45:24     |
| profession  10:21 |
| profit  22:7,18,20 |
| program  17:20 |
| 30:16,21 31:4,5 |
| 32:6 35:20 |
| programs  34:7 |
| progressive  5:24 |
| 8:17 10:19 |
| proof  23:2,3    |
| proper  29:20   |
| proposal  47:5 48:13 |
| 48:16     |
| proposed  10:6 13:1 |
| protect  43:23 |
| protesting  13:1 |
| proud  8:19    |
| proudly  10:12  |
| prove  27:2,6   |
| provide  23:7 25:14 |
| provided  2:24 24:5 |
| providers  25:16,18 |
| 25:23 32:25 |
| providing  3:18 5:7 |
| psa  31:1     |
| public  5:9,15 18:7 |
| 22:22,23 36:15,17 |
| 36:21,22 38:9,15 |
| 40:15,20,24 42:2,7 |
| 42:11,14,16 45:11 |
| 45:22 48:3 49:13,14 |
| 50:5,14   |
| pudding  23:3 |
| pulver  7:25 |
| purpose  14:11 18:13 |
| 43:1       |
| push  8:1    |
| put  6:11,21 10:10 |
| 19:1 21:21 31:3,6 |
| 42:17 44:6,8 45:12 |
| 45:22 |
| putting  5:23 20:2 |
| 43:18 48:15 |

| qualified  47:22 |
| qualify  30:20 34:6 |
| quarter  35:5 |
| quarterly  34:25 |
| question  24:2,24 |
| 33:21 41:25 |
| questions  12:19 |
| 17:12    |
| quickly  25:18 |
| quite  20:19,20 21:19 |
| 26:3 28:25 |

| r  |
| r  1:11,18 50:1 |
| radio  30:24 |
| raise  6:24 10:9 |
| rates  3:16 5:5 |
| reach  20:4 32:16 |
| reaching  26:5 |

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