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HUDSON COUNTY  
BOARD OF CHOSEN FREEHOLDERS

RE:

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

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O P E N S E S S I O N

Hudson County  
Administration Building,  
Freeholders Chambers  
567 Pavonia Avenue  
Jersey City, New Jersey  
Thursday, July 11, 2013  
1:00 p.m.

B E F O R E:

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

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

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

Job No. NJ1588836

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

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1 2. Copies of the above mentioned  
 2 resolution have been sent to the County Clerk and  
 3 the editors of the Jersey Journal and the Star  
 4 Ledger.  
 5 The first order of business today is  
 6 additional discussion on today's agenda.  
 7 CHAIRMAN ROMANO: Mr. Administrator.  
 8 MR. ANTUN: Mr. Chairman, if I may,  
 9 there was some additional information that was  
 10 requested from the Clerk and also an opinion  
 11 requested from County Counsel regarding the  
 12 elections that are being distributed.  
 13 CHAIRMAN ROMANO: Freeholder Dublin  
 14 is on the scene. Mr. Administrator, are you going  
 15 to have the Board of Elections?  
 16 MR. ANTUN: They're here to answer  
 17 any questions, but I wasn't going to ask them to  
 18 come to the podium unless there is a question. Then  
 19 they can come to the podium.  
 20 CHAIRMAN ROMANO: Any Freeholders  
 21 have any questions?  
 22 THE CLERK: For the record Freeholder  
 23 Munoz is present.  
 24 CHAIRMAN ROMANO: Freeholder O'Dea.  
 25 FREEHOLDER O'DEA: Yeah, all I would

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1 say is I don't know, maybe it's too late to do this.  
 2 I guess it's certainly too late for the special  
 3 primary. I don't know why it's too late for the  
 4 special general election. I know we talked about us  
 5 filing a lawsuit for payment, but what would occur  
 6 if we simply said that we don't have the money to  
 7 pay for the other election and told the State, Look,  
 8 based on that we can't conduct it, if they want to  
 9 come in and take over running the election and/or  
 10 provide us the money to do it, the October election.  
 11 Obviously, it's too late to do it for August.  
 12 MR. ANTUN: Right, right. When I  
 13 come to the Board probably at the September meeting  
 14 we'll have to enact an emergency. If there weren't  
 15 enough votes for the emergency, you need six votes  
 16 for the emergency, that pretty much would indicate  
 17 what the Board's position is, which would compel  
 18 that perhaps because we will not have -- we will not  
 19 be able to authorize the clerk, the board or the  
 20 superintendent to expend any money and/or engage any  
 21 of their vendors to conduct the election.  
 22 FREEHOLDER O'DEA: Does it make sense  
 23 to do that in August as opposed to September?  
 24 MR. ANTUN: You can, certainly.  
 25 FREEHOLDER O'DEA: If we do that in

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1 August to start the process and raise the issue  
 2 sooner rather than later.  
 3 MR. ANTUN: Sure.  
 4 FREEHOLDER O'DEA: You come to us in  
 5 August. We reject it. You then would have no  
 6 choice but to notify the State of New Jersey of the  
 7 fact that there is no -- the Board refused to do  
 8 that and ask the State to give you the money or  
 9 allow the State themselves to take over the  
 10 operation and pay for it from their own pocket,  
 11 unless they take us to court, the State at this  
 12 point, and say they could compel us.  
 13 FREEHOLDER CIFELLI: That could be an  
 14 option to us. I agree with Freeholder O'Dea, and  
 15 they would have to if there was a refusal by this  
 16 Board to fund it.  
 17 MR. ANTUN: That's correct.  
 18 FREEHOLDER CIFELLI: There's no  
 19 controversy allowed.  
 20 FREEHOLDER O'DEA: That's why I'm  
 21 suggesting.  
 22 MR. ANTUN: Freeholder Cifelli,  
 23 you're absolutely correct. We would come in August  
 24 for the emergency funds. If the Board rejects it,  
 25 then that triggers what Freeholder O'Dea just said.

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1 MR. BATTISTA: I would just ask that  
 2 maybe we should go into closed session if we want to  
 3 discuss that today. We need to discuss all of the  
 4 ramifications and implications.  
 5 FREEHOLDER DUBLIN: We can do that at  
 6 the end. I just want to say that I spoke with NJAC,  
 7 and they said that we're going to have a conference  
 8 call on 18th at ten o'clock. NJAC is ready to do a  
 9 class action suit against the State, all 21  
 10 counties. Regardless of that, we're going to take  
 11 some action also making sure.  
 12 FREEHOLDER O'DEA: And I would say,  
 13 Look, I think we should go into closed session at  
 14 the end of the meeting, Mr. Battista. We want to go  
 15 to closed session with you or without you because at  
 16 the end of the day, you have a position you have to  
 17 take, and we'll have the position that we have to  
 18 take. I'm not sure if we have you in our meeting to  
 19 discuss that, someone will not question us or  
 20 call -- potentially call our motives into question.  
 21 It may not be the worst thing in the world  
 22 for this Board to go into closed session and to  
 23 discuss it and ask our counsel to go and conduct  
 24 that research because you have a different  
 25 obligation, which we are not asking you not to

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1 comply with. We as elected representatives have our  
 2 own obligations. In this case we are different  
 3 branches of government which you may take different  
 4 positions. I'm trying to make sure I'm not looking  
 5 like I'm being a bad guy.  
 6 MR. ANTUN: I don't think it will  
 7 come to that. Like Freeholder O'Dea said, it will  
 8 probably be a court order.  
 9 FREEHOLDER O'DEA: You better approve  
 10 this within 48 hours or else you go to jail. I had  
 11 one of those once in my political career. Six other  
 12 people blinked.  
 13 MR. ANTUN: Something that County  
 14 Counsel just mentioned to me, again, that's for you  
 15 to talk internally, but if you fail to do that,  
 16 there may be multiple suits, not just from the  
 17 State, but the County Clerk as a constitution  
 18 officer. She may have to join in that action  
 19 against the Board.  
 20 FREEHOLDER O'DEA: Which is why I  
 21 believe we have to go to closed session with our  
 22 Board.  
 23 MR. ANTUN: Exactly, exactly,  
 24 exactly.  
 25 CHAIRMAN ROMANO: Okay. Any other

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1 questions for the Board of Elections? Thank you.  
 2 Continue, Mr. Administrator.  
 3 MR. ANTUN: Mr. Chairman, the other  
 4 additional information that I have, we have revised  
 5 the resolution regarding the Medical Center to  
 6 reflect a one-month contract. That would be  
 7 replacing --  
 8 THE CLERK: Mr. Chair, I'm going to  
 9 add this as 29 at the end of the agenda.  
 10 MR. ANTUN: Oh, 29, yeah. In other  
 11 words the other one --  
 12 CHAIRMAN ROMANO: Right, never made  
 13 it.  
 14 MR. ANTUN: Correct.  
 15 THE CLERK: This is entitled  
 16 authorizing a one-month contract for professional  
 17 services contract with the Jersey City Medical  
 18 Center, a New Jersey not-for-profit corporation,  
 19 \$52,000.  
 20 CHAIRMAN ROMANO: Sponsored by  
 21 Freeholder O'Dea. Seconded by Freeholder Munoz, 29.  
 22 MR. ANTUN: Mr. Chairman, the only  
 23 other thing that I have is a request was made for a  
 24 copy of the letter that the County Executive sent to  
 25 the regional administrator of the United States

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1 Environmental Protection Agency regarding the  
 2 cleanup of the Passaic River.  
 3 FREEHOLDER O'DEA: It's a revised  
 4 letter based on the discussion that we had.  
 5 MR. ANTUN: This is basically the  
 6 letter that was sent, the letter dated January 25th,  
 7 the Executive sent.  
 8 CHAIRMAN ROMANO: Okay. Continue,  
 9 Mr. Clerk.  
 10 MR. ANTUN: County Counsel wants to  
 11 say something.  
 12 MR. BATTISTA: Yes. At Tuesday's  
 13 caucus, Director Aviles, unfortunately, took  
 14 responsibility for an error that was made on my part  
 15 and my office's part regarding the cable contract.  
 16 I have been reviewing some of the e-mails. It  
 17 appears that we were made aware of the nature of the  
 18 contract only by way of explanation about the  
 19 events. Me and other people in my office, we  
 20 focused in on what the yearly amount was,  
 21 recognizing we knew at the time it was an error.  
 22 The Pay to Play requires a resolution for  
 23 whatever the total amount of the contract or  
 24 whatever it's into. This should have been a  
 25 resolution, not for public contract law purposes but

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1 for Pay to Play purposes. It was not brought before  
 2 you. That was an error on my part, not Director  
 3 Aviles' part because we advised him.  
 4 FREEHOLDER O'DEA: That was raised in  
 5 the committee. That wasn't raised in the meeting.  
 6 MR. BATTISTA: Anyway, that's what it  
 7 is.  
 8 CHAIRMAN ROMANO: Director Aviles  
 9 will get an apology from Freeholder O'Dea.  
 10 FREEHOLDER O'DEA: An apology from  
 11 me?  
 12 CHAIRMAN ROMANO: That would be a  
 13 joke.  
 14 FREEHOLDER O'DEA: I raised an issue.  
 15 MR. ANTUN: He's joking.  
 16 FREEHOLDER O'DEA: Oh, man. I know.  
 17 I'm just messing around. Come on, how many  
 18 meetings? For the record, Director Aviles, how many  
 19 meetings has it been? Please come to the podium.  
 20 DIRECTOR AVILES: Oscar Aviles,  
 21 Department of Corrections. Freeholder, I want to  
 22 apologize to you for not returning your call  
 23 yesterday.  
 24 FREEHOLDER O'DEA: This is a simple  
 25 question. How many meetings has it been since I've

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1 taken you to task, since I've taken you to task?  
 2 DIRECTOR AVILES: I would say at  
 3 least three.  
 4 FREEHOLDER O'DEA: Thank you. That's  
 5 all I have. Three.  
 6 MR. ANTUN: Mr. Chairman, I have  
 7 nothing further.  
 8 CHAIRMAN ROMANO: Mr. Clerk.  
 9 THE CLERK: According to the policy  
 10 set by the Board of Freeholders, members of the  
 11 public are asked to limit their comments to 15  
 12 minutes when discussing agenda items and five  
 13 minutes at the conclusion of the meeting when  
 14 discussing matters of public interest.  
 15 At this time the public may address the  
 16 Board on any item on the agenda only. Please keep  
 17 your comments limited to 15 minutes. Are there any  
 18 speakers on agenda items only?  
 19 MR. ANTUN: Excuse me, Mr. Chairman.  
 20 I'm sorry. I forgot about this. I shouldn't have  
 21 forgotten. We have Les Paschall from CFG here. We  
 22 have a resolution that we have on the agenda because  
 23 CFG has gotten us the accreditation. We have asked  
 24 them to come. I would ask if the Board entertain  
 25 that matter first. It's No. 2 on the agenda.

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1 FREEHOLDER O'DEA: I make a motion  
 2 that we defer from the regular agenda to consider  
 3 Item No. 2.  
 4 THE CLERK: All in favor.  
 5 (The Board votes unanimously to  
 6 consider Item No. 2.)  
 7 THE CLERK: There was motion made to  
 8 defer from the regular portion of the meeting.  
 9 They've adopted that motion. They can have a  
 10 presentation now. That's the presentation they  
 11 wanted, right?  
 12 FREEHOLDER DUBLIN: We just had a  
 13 motion to close the public portion.  
 14 THE CLERK: We'll get back to the  
 15 public speakers.  
 16 FREEHOLDER O'DEA: Do you need a  
 17 presentation on this.  
 18 MR. ANTUN: Maybe I could ask  
 19 Director Aviles to come up for a few minutes so that  
 20 he can explain the significance of this  
 21 accreditation and the efforts CFG have made.  
 22 FREEHOLDER O'DEA: Let him spend a  
 23 few minutes. I have no objection to spend a few  
 24 minutes.  
 25 MR. ANTUN: I think this is a

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1 significant achievement for the correctional center.  
 2 DIRECTOR AVILES: Oscar Aviles,  
 3 Department of Corrections. Freeholders, the County  
 4 Administrator and the Chair, I think if resolution  
 5 is read on the record, it pretty much would indicate  
 6 exactly we're what trying to do here.  
 7 MR. ANTUN: If you read the  
 8 resolution, the resolution will state.  
 9 THE CLERK: Resolution recognizing  
 10 the efforts of CFG Health System in assisting the  
 11 Hudson County Department of Corrections Adult  
 12 Facility in receiving accreditation from the  
 13 National Commission of Correctional Health Care.  
 14 Whereas, the National Commission of  
 15 Correctional Health Care is recognized throughout  
 16 the country for setting standards relative to  
 17 sustaining and improving the quality of health care  
 18 in correctional and detention facilities; and  
 19 Whereas, NCCHC developed nationally  
 20 recognized and accepted standards for services in  
 21 such facilities established by leaders in the fields  
 22 of health, law and corrections, and those standards  
 23 cover areas of care and treatment, health records,  
 24 administration, personnel and medical legal issues  
 25 and are an essential resource for correctional

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1 detention facilities in their efforts to improve the  
 2 health of inmates, and in so doing, the communities  
 3 to which they return; and  
 4       Whereas, NCCHC's standard also increases  
 5 the efficiency of health service delivery and  
 6 strengthen organizational effectiveness.  
 7       Whereas, NCCHC maintains rigorous  
 8 Accreditation and Certification Programs for  
 9 institutions and individual professionals in fields  
 10 related to the operation of health systems in  
 11 correctional and detention environments, which  
 12 programs include on-site inspections and surveys as  
 13 well as individual examinations; and  
 14       Whereas, the Hudson County Department of  
 15 Corrections Adult Division, comprised of CFG Health  
 16 Systems, LLC, staff, and the Department's own  
 17 Nursing staff were audited and subjected to the  
 18 scrutiny of the NCCHC Accreditation Committee and  
 19 passed all measures, having achieved one hundred  
 20 percent compliance with all standards; and  
 21       Whereas, in February 2013, CFG Health  
 22 Systems passed the administration of NCCHC's  
 23 Certified Correctional Health Profession (CCHP)  
 24 Examination for the County staff, and the Hudson  
 25 County Department of Correction is now the first

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1 such department in the State of New Jersey to have  
 2 nursing and custody members awarded CCHP  
 3 certificates; and  
 4       Now, therefore, be it resolved by the  
 5 Board of Freeholder of the County of Hudson, that:  
 6       1. The above recitals are hereby  
 7 incorporated herein as though fully set forth at  
 8 length herein.  
 9       2. This Board joins County Executive  
 10 Thomas A. DeGise in congratulating CFG Health  
 11 Systems, LLC, and the Hudson County Department of  
 12 Corrections Adult Division as well as the County's  
 13 professional staff in successfully being awarded  
 14 National Commission of Correctional Health Care  
 15 Accreditation, and individually becoming Certified  
 16 Correctional Health Professionals.  
 17       3. It is recognized that these  
 18 accomplishments were met during the devastation  
 19 caused by Superstorm Sandy and its aftermath, and it  
 20 is further noted that during the height of the  
 21 storm's catastrophic flooding, CFG staff and the  
 22 County personnel remained on site provide much  
 23 needed health care to inmates and to detainees at  
 24 their own peril, in one instance to a person  
 25 experiencing severe chest pain.

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1       4. The Clerk shall transmit certified  
 2 copies of this resolution to the offices of CFG  
 3 Health Systems, LLC, the National Commission on  
 4 Correctional Health Care and the Commissioner of the  
 5 New Jersey Department of Corrections.  
 6       5. This resolution shall take effect  
 7 immediately.  
 8       Roll call on this item now, Mr. Chair?  
 9       CHAIRMAN ROMANO: Yeah, sure.  
 10       THE CLERK: 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: Munoz.  
 19       FREEHOLDER MUNOZ: Yes.  
 20       THE CLERK: O'Dea.  
 21       FREEHOLDER O'DEA: Yes.  
 22       THE CLERK: Rivas.  
 23       FREEHOLDER RIVAS: Yes.  
 24       THE CLERK: Chairman Romano.  
 25       CHAIRMAN ROMANO: Yes.

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1       THE CLERK: The item is approved.  
 2       FREEHOLDER O'DEA: Do we send copies  
 3 to like all the administrators at the jail, the  
 4 former administrators?  
 5       MR. PASCHALL: I'm Les Paschall. I'm  
 6 the CEO of CFG Health Systems. I want to personally  
 7 thank you for this award and acknowledgment and  
 8 resolution. It will definitely go up on our offices  
 9 and our web site, but it's -- I would be remiss if I  
 10 didn't say what this represents.  
 11       This represents an incredible team effort.  
 12 It begins with the Freeholder Board, continues with  
 13 the Administrator, continues with Director Aviles,  
 14 who by the way, is the first director or slash  
 15 warden in the state to receive the Certified  
 16 Corrections Health Care Professional Award. That  
 17 actually was in part a collaboration between another  
 18 person who should be recognized, Denise Rahman, who  
 19 is an instructor and helped bring the nursing staff  
 20 of the County to receive that certification.  
 21       But back to the four-letter word "team,"  
 22 this is a significant, a significant team effort.  
 23 When the surveyor did the exit interview, she was  
 24 very surprised that we were collectively able to  
 25 pull this certification off with no deficiencies.

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1 This is the first time out. Almost everyone has  
 2 deficiencies. She was shocked when she saw the  
 3 video of how this was done during Sandy, when we had  
 4 no electricity and four feet of water in the medical  
 5 unit and records were destroyed as a result of that.  
 6 Yet, everyone persevered and they could  
 7 have said let's postpone this and wait because we  
 8 may have difficulties, but everybody pulled together  
 9 and continued and received the award. I also want  
 10 acknowledge Dr. Neals, Dr. Park and some people that  
 11 could not attend today, Sandra Barbas, Al Campana  
 12 and Lisa Jarvis, the administrator. So on behalf of  
 13 all of us, I want to thank you very much for  
 14 acknowledging this and passing this resolution.  
 15 Thank you very, very much.  
 16 FREEHOLDER O'DEA: The issue of the  
 17 health care provider at the correctional center has  
 18 at times in my tenure on this Board been contentious  
 19 over the years, and we grappled with a number of  
 20 issues. There were a number of us who fought. It  
 21 wasn't an easy fight. It took a number of years to  
 22 create a fair, open, transparent process, to create  
 23 competition for who would be allowed to submit  
 24 proposals to provide services. I think that from  
 25 that perspective, we're happy now to see all the

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1 progress that has taken place and congratulate CFG,  
 2 Director Aviles and everyone involved.  
 3 We appreciate that, but we will always  
 4 remain ever vigilant as it relates to ensuring that  
 5 those that are housed in that facility, we always  
 6 make sure they get the type of quality health care  
 7 that they should be provided.  
 8 CHAIRMAN ROMANO: On behalf of the  
 9 Board, congratulations. Also, Director Aviles, you  
 10 see what happens when Bill O'Dea leaves you alone?  
 11 Mr. Clerk.  
 12 THE CLERK: Mr. Chairman, at this  
 13 point, we will resume the portion of the meeting  
 14 where members of the public may address the Board on  
 15 any item on the agenda only. Please keep your  
 16 comments limited to 15 minutes. Are there any  
 17 speakers on agenda items only?  
 18 Please state your name.  
 19 MR. HALLANAN: John Hallanan. I'm  
 20 here to speak on Agenda Item 5, referencing the  
 21 resolution authorizing extension of time for the  
 22 programming of Hudson Open Space Recreation and  
 23 Historic Preservation Trust Fund in the City of  
 24 Jersey City in the amount of \$25,000.  
 25 I'm president of Jersey City Landmarks

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1 Conservancy, and we've been working with the City on  
 2 this matter. This relates to the bringing the Peter  
 3 Stuyvesant statue back to Bergen Square and  
 4 reconstructing the original base and pedestal. The  
 5 monument, as some of you may have read in the last  
 6 few days, we did get the foundation built so that  
 7 money has been for the most part spent. I think  
 8 that's the transition, obviously, the new mayor and  
 9 different administration, the old DPW director has  
 10 been replaced, and there's some paperwork being  
 11 filed, but this is money well-spent and the vouchers  
 12 are being submitted right now.  
 13 I just encourage you to vote to extend  
 14 this for an additional few months. I believe the  
 15 six months was looking at what the resolution  
 16 requires and that will be sufficient time to get the  
 17 paperwork in and all the final details hammered out.  
 18 So I just want to encourage you to vote in the  
 19 affirmative on that.  
 20 As an aside, the conservancy on behalf of  
 21 the city will be applying for additional funding  
 22 when the letters of intent are due at the end of  
 23 August. I thought I would take this opportunity to  
 24 say that given the increase in the cost of granite,  
 25 which honestly if I had known that before I got

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1 involved in this, I probably would have invested in  
 2 granite as opposed to anything else in the stock  
 3 market. It is going up in price so the bids that we  
 4 had before are going to be coming up as outdated by  
 5 the time the letters of intent are given. If there  
 6 is any way, I don't know that there is, but if there  
 7 is any way to expedite the process of viewing the  
 8 grant applications, that would be certainly  
 9 appreciated by the city and the conservancy.  
 10 FREEHOLDER O'DEA: John, have you had  
 11 to delay the project because you mentioned the price  
 12 is going to change, we delayed?  
 13 MR. HALLANAN: I was under the  
 14 impression that the applications, the letters of  
 15 intent would be due for these monies months ago.  
 16 That kept getting pushed back, and the original bids  
 17 that we got are no longer valid. We got a new round  
 18 of bids, but it looks like those prices only hold  
 19 until early September. So even if we could get the  
 20 letters of intent by August 30th, my understanding  
 21 is they'll have to be reviewed. Probably we will  
 22 have to get new bids by that point.  
 23 FREEHOLDER O'DEA: So  
 24 Mr. Administrator, this is another example of  
 25 instead trying to support shovel-ready, we're

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1 penalizing the shovel-ready. I think we need to  
 2 find a way to deal with those instances. There is  
 3 another example that because of that delay, they're  
 4 is an applicant who will probably have to increase  
 5 the amount of their request simply because we  
 6 delayed the process. It's very frustrating.  
 7 FREEHOLDER MUNOZ: Let me ask you a  
 8 question. Is anything done to protect something  
 9 like that?  
 10 MR. HALLANAN: Well, what I did, this  
 11 is only in reference to Jersey City, I'm on the  
 12 Historic Preservation Commission in Jersey City, and  
 13 we compiled a list of all the statuary and monuments  
 14 and plaques and things like that that are within the  
 15 confines of Jersey City, to place them on the  
 16 Municipal Register of Landmarks so that sort of  
 17 thing doesn't happen again.  
 18 How it happened in the first place, I'm  
 19 still not entirely clear about, but having an  
 20 additional set of eyes that are specifically cast  
 21 for the purpose of making sure that these things are  
 22 viewed, and if there is any effort to restore, for  
 23 example, that's happened elsewhere that DPW has  
 24 decided to quote-unquote restore a monument, and  
 25 that restoration consisted of gold spray paint on a

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1 plaque, which is not really what should be done. It  
 2 seems like right now it's scattershot how people go  
 3 about restoring these thing or going about fixing  
 4 them or in this case even just maintaining them.  
 5 So if there had been steps taken to  
 6 prevent that, as you know, it's one thing to put a  
 7 law in place, and making sure it gets enforced  
 8 according is another thing entirely. So I can tell  
 9 you that we have taken steps to do that, and once  
 10 the monument gets rebuilt, it will be really just a  
 11 world class piece of art for Jersey City, Hudson  
 12 County and the entire state of New Jersey because  
 13 what it commemorates is the founding of the first  
 14 permanent settlement in New Jersey, and New Jersey  
 15 is celebrating its 350th anniversary this coming  
 16 year. I hope that answers your question.  
 17 CHAIRMAN ROMANO: I read in the paper  
 18 that we have to replace that base.  
 19 MR. HALLANAN: Well, all we have left  
 20 is the bronze statue of Peter Stuyvesant. The  
 21 granite pedestal that it was standing as on of 2010,  
 22 it's gone.  
 23 CHAIRMAN ROMANO: How are you able to  
 24 reproduce it?  
 25 MR. HALLANAN: Well, the conservancy

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1 got an architect. We have pictures of the original.  
 2 We have a lot of pictures of the original base and  
 3 pedestal. We are basing it off of the black and  
 4 white photographs we have. We can get very close  
 5 approximations of its size. We have the original  
 6 program from when the statue was dedicated in 1913.  
 7 It's just a matter of recreating what  
 8 we've lost, but a lot of people forget how big the  
 9 statue was. The statue of Peter Stuyvesant himself  
 10 is nine and a half feet tall and weighs 2,000  
 11 pounds. So people seem to recall it being almost  
 12 life size. It's a large sculpture. So getting  
 13 enough granite to support something that large and  
 14 be in a scale with the statue itself, you figure a  
 15 tombstone might cost a few thousand dollars on its  
 16 own, something this big will be a costly endeavor.  
 17 And I had gotten different bids trying to  
 18 find out how much it would cost with a granite  
 19 veneer, but then we have issues of maintenance with  
 20 veneers. Obviously, you have to repoint them and  
 21 things like that. We looked at the possibility of  
 22 cast stone, but cast stone has maintenance issues as  
 23 well that seem to be not the ideal material to use.  
 24 So we will have to recreate the base and pedestal  
 25 from scratch.

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1 CHAIRMAN ROMANO: Thank you. Good  
 2 luck.  
 3 FREEHOLDER O'DEA: Mr. Chairman, here  
 4 is a concern. John, the original was dedicated in  
 5 what year?  
 6 MR. HALLANAN: It was October 18th,  
 7 1913. So we're coming up on the one hundredth  
 8 anniversary.  
 9 FREEHOLDER O'DEA: Mr. Administrator,  
 10 we, what I mean "we," obviously this "we" is the  
 11 County College not this Board. The County and the  
 12 Board of Ed's mistake that needs to be corrected  
 13 should have been able to be corrected in a manner to  
 14 at least coincide with the hundredth anniversary of  
 15 the statue. Now it looks like unless we can figure  
 16 another quick solution -- let me ask you a question.  
 17 If funds were found, how quickly is the turnaround?  
 18 MR. HALLANAN: Well, you know, this  
 19 type of granite would have to come from either  
 20 Georgia or Vermont, so however long it takes to  
 21 quarry. It is large to transfer. I would think it  
 22 probably takes about four or five months if we sign  
 23 contracts. You quarry it and transport it down  
 24 here, and then it has to be shaped and sculpted.  
 25 FREEHOLDER O'DEA: So we couldn't

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1 solve it if we wanted to. If we gave you a check  
 2 today, we couldn't get that.  
 3 FREEHOLDER MUNOZ: You said the  
 4 statue is at the college, right?  
 5 MR. HALLANAN: It's actually in the  
 6 DPW garage.  
 7 FREEHOLDER O'DEA: It's going back  
 8 where it was.  
 9 MR. HALLANAN: It's on the sidewalk.  
 10 If you go to Bergen Square right now in front of  
 11 PS11, you'll see where they just completed a  
 12 reinforced concrete pad. So it's on the corner of  
 13 Bergen Academy, up against the -- there is a fence  
 14 line that's delineating the school board property.  
 15 It's up against there.  
 16 Now, the plaza was reconfigured.  
 17 Obviously, in 1913, there was a different school  
 18 there. That burned down in the 1960s. The Plaza  
 19 has been somewhat reconfigured since the 1960s. So  
 20 the exact location where it stood in 1913, that's no  
 21 longer feasible, but it's about five feet back from  
 22 there.  
 23 CHAIRMAN ROMANO: Thank you.  
 24 Mr. Clerk.  
 25 THE CLERK: Are there any additional

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1 speakers on any matter of public interest? There  
 2 appear to be none.  
 3 Mr. Chairman, we'll proceed with the  
 4 consent agenda; 29 has been added. No. 2 has  
 5 already been acted upon. May I have a motion to  
 6 approve all items on the consent agenda?  
 7 CHAIRMAN ROMANO: Motion by  
 8 Freeholder Munoz. Second by Freeholder Liggio.  
 9 THE CLERK: Freeholder Cifelli.  
 10 FREEHOLDER CIFELLI: Yes.  
 11 THE CLERK: DiDomenico.  
 12 FREEHOLDER DiDOMENICO: Yes.  
 13 THE CLERK: Dublin.  
 14 FREEHOLDER DUBLIN: Yes.  
 15 THE CLERK: Liggio.  
 16 FREEHOLDER LIGGIO: Yes.  
 17 THE CLERK: Munoz.  
 18 FREEHOLDER MUNOZ: Yes.  
 19 THE CLERK: O'Dea.  
 20 FREEHOLDER O'DEA: Abstain on 10A.  
 21 Aye on the rest.  
 22 THE CLERK: Freeholder Rivas.  
 23 FREEHOLDER RIVAS: Yes.  
 24 THE CLERK: Chairman Romano.  
 25 CHAIRMAN ROMANO: Yes.

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1 THE CLERK: All items are approved.  
 2 We have no ordinances for introduction. We have no  
 3 ordinances for second reading. That concludes the  
 4 items of business on today's agenda. Are there any  
 5 comments from the Freeholder on the business of the  
 6 Board?  
 7 CHAIRMAN ROMANO: Mr. Administrator,  
 8 for the next meeting, I would like to have an update  
 9 not from the administrator, from the director of  
 10 nursing at the hospital with regards to overtime.  
 11 Sheriff Schillari and Warden Aviles kept us up to  
 12 speed on what they've done, their per diem hires  
 13 because per diem only has to be paid regular and not  
 14 an overtime rate.  
 15 MR. ANTUN: You're speaking of the  
 16 psychiatric hospital?  
 17 CHAIRMAN ROMANO: Yes. And again,  
 18 not from the administrator, from the director of  
 19 nursing. Thank you.  
 20 THE CLERK: Are there any comments  
 21 from the Chief of Staff to the County Executive?  
 22 MR. GAUGHAN: Mr. Chairman, I want to  
 23 take the opportunity to update the Board on the  
 24 Hudson County Summer Youth Employment Program for  
 25 2013. The original mailing was sent out; 984 TANF

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1 applications were mailed out April 2013. As of  
 2 June 1st, 250 TANF applications were mailed up to  
 3 the agency.  
 4 As of July 8th, 121 TANF participants are  
 5 qualified and have to be put on payroll with some  
 6 more applications pending. As of May 13th, the  
 7 applications became available at the County  
 8 Executive's office, and as of July 9th, we have 98  
 9 private participants on the payroll, and we have  
 10 still pending some funding as of July 9th. We have  
 11 112 work sites throughout Hudson County, and we're  
 12 utilizing 107 of them. Thank you.  
 13 FREEHOLDER O'DEA: Yes. I don't know  
 14 whether this is directed to Bill or Ben, the  
 15 disparity between 264 applications and 112. It just  
 16 seems like a lot. It seems like more than 50  
 17 percent. I'm just curious why 264 applied and a  
 18 little less than half actually work. I thought you  
 19 had enough money to deal with as many as of those as  
 20 there were.  
 21 DIRECTOR LOPEZ: Benjamin Lopez. We  
 22 did get 260 applications back, but not all of the  
 23 kids showed up. So we've been able to so far place  
 24 121. But other youth showed up.  
 25 FREEHOLDER O'DEA: So you could have

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1 placed up to 260?

2 DIRECTOR LOPEZ: Yes.

3 FREEHOLDER O'DEA: I'm just curious

4 why they didn't all do it. I thought you had an

5 operation or something.

6 THE CLERK: I think the Chief of

7 Staff has completed his comment, Mr. Chairman, do

8 you want to go to public participation?

9 CHAIRMAN ROMANO: Go ahead.

10 THE CLERK: This is the time for

11 anyone present to address the Board on any matter of

12 public interest. Please remember to limit your

13 comments to five minutes.

14 Ms. Patricia Waiters.

15 Are there any speakers on any matter of

16 public interest? Please state your name.

17 MS. MAGILVAY: My name is Kay

18 Magilvay. I'm the president of Temple Beth El,

19 which is located in Jersey City on Kennedy

20 Boulevard. Members of the Board, Mr. Chair, I would

21 like to give a little background to a situation

22 that's before the congregation about the building

23 because we have a request for the Board to make,

24 probably not until a future date, but I would like

25 to give some background.

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1 The congregation was formed in Jersey City

2 in 1864, so we're about to observe our 150th

3 anniversary. The building that it's in, which is a

4 beautiful moorish structure brick building, was

5 congregated in 1926. The congregation has

6 maintained it 33 years through its own efforts.

7 In July of 2011, all of the copper from

8 the roof was stolen from the congregation, and we

9 have had some insurance help to fix that, but the

10 patching of it is not sufficient to continue to keep

11 the rain out. We've had a number of efforts to

12 make, other ways to repair the roof, but the

13 situation with the roof now, with every additional

14 rainstorm, we're starting to see more and more

15 damage to the internal structure of the building.

16 The congregation has been in place as a

17 public building for, as I say, more than 80 years.

18 We have members of the congregation who live in

19 every district of the County. We have had -- we

20 have tried many ways to accomplish and repair the

21 roof, and we finally reached the point where we felt

22 we had to sell off the rest of our property to

23 develop a senior residence in order to gain funds to

24 repair the roof and keep damage from taking this

25 beautiful building out of operation.

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1 That effort went forward. We met

2 significant resistance from the neighborhood since

3 it included affordable housing, so we had to step

4 back from that plan. We're now facing a situation

5 where we're coming into another rainy season. We

6 are afraid of losing a significant portion of that

7 roof of that building. So we are applying, now that

8 we have received a letter of intent for Historic

9 Preservation funding to help us to complete the

10 repair and replacement of parts of the roof and

11 repointing of the building in time hopefully to beat

12 the most serious rain.

13 After the theft of the copper, which

14 occurred three weeks before Hurricane Irene, we had

15 substantial damage internally, and so we are hoping

16 that with this timing to be able to request some

17 assistance from the County to approach these

18 repairs. So my request for you is to have

19 background. I would be happy to take any questions

20 and leave you some information, but again, because

21 the letter of intent has become available to us just

22 recently, completed by the 30th and entering into a

23 bid process at that time may put us in a situation

24 we will not see an award until close to December or

25 January.

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1 I request that when the application comes

2 before you, if there is an expedited process

3 available, we most definitely ask you to consider

4 it. Bill is our -- Mr. O'Dea is the Freeholder for

5 that district.

6 FREEHOLDER O'DEA: Mr. Chairman, I

7 mentioned this to the Administration on Tuesday.

8 This is an example of, I think, what we would

9 qualify as an exigent circumstance. We actually had

10 a meeting yesterday, and I believe as a result of

11 the meeting, someone from the synagogue was also

12 reaching out to the County Exec's office. Did that

13 occur?

14 MS. MAGILVAY: Yes.

15 FREEHOLDER O'DEA: So what I believe

16 the request, the request has the support not only of

17 the synagogue but all of the neighboring community

18 groups around it, is that they be allowed to submit

19 an application based on what I would call a health

20 and safety concern and exigency of the situation to

21 have their application considered for review now in

22 an expedited manner to be considered from either the

23 fall of 2012, or as I pointed out the other day,

24 there are dollars have been allocated for several

25 years that we could temporarily reallocate some

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1 funding, assuming they went through the process and  
 2 met the approvals, and they reallocate those dollars  
 3 from the 2012 dollars to those particular projects  
 4 by allowing us to move forward.  
 5 My concern is, you know, for the record,  
 6 we have undertaken a process that has delayed the  
 7 application process for open space funding for this  
 8 year by anywhere from six to nine months. Had the  
 9 normal timing process been in place, the temple  
 10 would have been able to undergo through that normal  
 11 process an application that would have been done,  
 12 considered, approved or not approved, in a timely  
 13 manner as to afford them the opportunity to be able  
 14 to get the work done before what seemingly now is  
 15 the inevitable October surprise. We're not talking  
 16 about elections anymore.  
 17 Our failure at that to allow them to do  
 18 that, if that inevitable October surprise occurs,  
 19 could result in irreparable damage to that facility,  
 20 far in excess of a couple hundred thousand dollar  
 21 request that the roof and the repainting of the  
 22 building might take place, which would mean they may  
 23 have to come here for a million dollar request two  
 24 months later, which seemingly would defy logic.  
 25 So I don't know why we would penalize

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1 someone who is shovel-ready because we've delayed a  
 2 process because we want to make projects  
 3 shovel-ready be the priority for funding. What I  
 4 asked informally on Tuesday and I would ask formally  
 5 today is that the Administration, the County Exec,  
 6 appropriate individuals, look at the unique  
 7 circumstances here, look at the exigent situation  
 8 and the damage that could be caused by not allowing  
 9 them to proceed and put an application under the  
 10 prior rules for consideration.  
 11 So if they, in fact, met all of the  
 12 requirements, scored high enough on having the  
 13 application done under the former scoring. Any  
 14 changes, I have no idea what they are. Again, we  
 15 are basing on what we were told the other day three  
 16 months ago, they're either in the hands of the  
 17 Executive, or they're soon to be turned over to the  
 18 Executive. The Executive takes anywhere from two  
 19 weeks to four weeks to review them, decides if he  
 20 fully supports those recommendations or if he feels  
 21 there should be modifications to them.  
 22 Then they come to this Board. We then get  
 23 them. We have the same process. Do we adopt those  
 24 recommendations as originally proposed? If the  
 25 County Exec modifies them, do we adopt them as

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1 recommended in the modifications with the County  
 2 Exec, or do we further modify those recommendations,  
 3 and then not until all of that stuff occurs, and  
 4 there is a public hearing requirement, Director  
 5 Richardson, correct, as part of that process, that  
 6 that causes that time frame to run another 20 or 30  
 7 days, irregardless of how quickly the County  
 8 Executive wants to act, and after we get it, how  
 9 quickly we may want to act?  
 10 That then creates a time frame where the  
 11 earliest I've understood we can even consider  
 12 applications would be sometime in November, more  
 13 likely in December, if not January. So for all  
 14 those reasons, I would ask if there is any reason  
 15 why it couldn't be, somebody explain to me the legal  
 16 reason why we couldn't consider the application.  
 17 CHAIRMAN ROMANO: Freeholder Cifelli.  
 18 FREEHOLDER CIFELLI: Yes. Freeholder  
 19 O'Dea said the procedure timing of it and process is  
 20 all based on the direct original question. How much  
 21 money are you looking for?  
 22 MS. MAGILVAY: The amount of the  
 23 request is approximately 300,000.  
 24 FREEHOLDER CIFELLI: And the other  
 25 question would be for the Administration. I guess

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1 this request may fall under historic preservation?  
 2 MR. ANTUN: No, no. The open space  
 3 has several categories. Under the Open Space Trust,  
 4 there is a category for the preservation of historic  
 5 structures.  
 6 FREEHOLDER CIFELLI: Without getting  
 7 into the words on the application, is there a --  
 8 does the application have to be designated historic,  
 9 or is it not necessary to show that the structure  
 10 has been designated by other another entity?  
 11 MR. ANTUN: I would ask Massiel  
 12 Ferrara to address that, but as long as the  
 13 structure is eligible for historic.  
 14 FREEHOLDER O'DEA: Well, they've  
 15 actually gone through the process to determine that  
 16 this structure meets that threshold. They have had  
 17 meetings with Massiel. There was actually a tour of  
 18 the building. So they meet the threshold  
 19 requirement.  
 20 MS. MAGILVAY: How it was explained  
 21 to me, we just need to demonstrate that we are on a  
 22 preservation track, that the intention of all of our  
 23 work is to preserve the integrity of the building  
 24 and the structure within. The designation of a  
 25 historical building is not required, but the intent

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1 to preserve and maintain is what they're looking  
 2 for.

3 MS. FERRARA: Good afternoon.  
 4 Massiel Ferrara, Division Chief of Planning. We,  
 5 according to our historic preservation guidelines  
 6 and rules, we model those rules after the Secretary  
 7 of Interior standards for rehabilitation of historic  
 8 structures. Those rules say that structures that  
 9 want to receive historic preservation designation or  
 10 funding need to pursue a rehabilitation that is  
 11 consistent with replacing the historic elements that  
 12 were once there before.

13 I mentioned to the temple representative  
 14 that we will endorse with them if they want to  
 15 pursue the rehab of the building in the historic  
 16 preservation manner. Currently, they're not in the  
 17 historic district in Jersey City, and the building  
 18 itself is not on the State historic list or national  
 19 list.

20 FREEHOLDER CIFELLI: That does not  
 21 prevent them from seeking historic designation?

22 MS. FERRARA: No, we encourage the  
 23 temple to pursue historic designation and inclusion  
 24 in the historic district in Jersey City.

25 FREEHOLDER CIFELLI: And getting into

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1 the sense of what the process is, and my concern is  
 2 an applicant where time is essential for them, and I  
 3 would think as we've done across the street, when  
 4 you are involved in a historic preservation, it  
 5 could be a bottomless pit.

6 MS. FERRARA: We have encouraged and  
 7 we will continue to work with the temple because we  
 8 would like to meet with the Jersey City Historic  
 9 Preservation officer, who is the real expert in  
 10 weigh and educating ourselves in the pros and cons  
 11 of going the historic preservation. It may be cost  
 12 prohibitive for them.

13 FREEHOLDER O'DEA: But let me ask you  
 14 a question. Are they eligible to apply for funding  
 15 based on their position of pursuing that track at  
 16 this point? That's the simple question.

17 MS. FERRARA: If they meet the  
 18 Secretary of Interior guidelines.

19 FREEHOLDER O'DEA: So if the work  
 20 they're proposing to do meets those standards just  
 21 as it relates to this particular application?

22 MS. FERRARA: That's correct.

23 FREEHOLDER O'DEA: It only relates to  
 24 this application at that point.

25 MS. FERRARA: No, this is a bigger

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1 project. Our trust fund is governed by a State  
 2 statute that says funds must be used for the  
 3 historic preservation of the site based on the  
 4 federal standards. They are different things. Our  
 5 trust fund, if you're not on the State or National  
 6 register, it doesn't mean you're not eligible. We  
 7 encourage for properties to pursue that designation  
 8 as well as they need to have an architect who is  
 9 well versed in historic preservation plan to  
 10 replace. When we've spoken to the temple, right now  
 11 they're not sure if they want to replace the copper.  
 12 I don't think if you replace it with anything but  
 13 copper, it will qualify as historic preservation.

14 FREEHOLDER O'DEA: That's not true.  
 15 I've done. I've done historic preservation.

16 MS. FERRARA: What I'm saying we have  
 17 to review. If they have an architect or historic  
 18 preservation expert, we will look at alternative  
 19 materials. We're not saying they have to use  
 20 copper.

21 FREEHOLDER O'DEA: I've done projects  
 22 that required as part of the funding that they  
 23 received and age of the building not only SHPA  
 24 approval, but actually talking about approval,  
 25 approval by the Secretary of the Interior and on

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1 those projects were able to use materials that were  
 2 not the original material, but the look of them met  
 3 the requirement of what that would be, which is why,  
 4 you're right, you want a historic architect or an  
 5 architect that does historic to be the entity that  
 6 would sign on or certify that to you?

7 MS. FERRARA: Exactly.

8 FREEHOLDER O'DEA: So I guess the  
 9 question still is does anything preclude them, if  
 10 your application was open today, would anything  
 11 preclude them from submitting an application?

12 MS. FERRARA: No, we have encouraged  
 13 them to submit the letter of intent and start the  
 14 process of review because they have to submit a  
 15 plan, surveys and an estimate of what it would cost  
 16 to preserve the building.

17 FREEHOLDER O'DEA: And let me ask you  
 18 what, if anything, within the law would preclude  
 19 their submittal of an application review in an  
 20 expedited manner outside of your normal time frame?

21 You're not an attorney, and if you don't feel  
 22 comfortable answering the question, I respect that.  
 23 I would ask an attorney to answer the question for  
 24 me.

25 MS. FERRARA: The State Statute has

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1 regulations. The State does require a public  
 2 hearing, and it does require once you do have a  
 3 public hearing, only at that point can the governing  
 4 body 45 days after can they review the funding  
 5 recommendation and vote up or down. There are  
 6 protocols within that State statute that governs our  
 7 trust fund that we must adhere to. I don't -- I  
 8 would defer to Mr. Battista, but I would say that we  
 9 do have to follow the protocols as to the statute.  
 10 FREEHOLDER O'DEA: That's fine.  
 11 Within those protocols does anything preclude  
 12 considering an application outside the normal once a  
 13 year that you do?  
 14 MS. FERRARA: I can't answer that.  
 15 MR. ANTUN: She shouldn't be  
 16 answering that.  
 17 FREEHOLDER O'DEA: I think that's the  
 18 question.  
 19 MR. BATTISTA: I'm not prepared to  
 20 answer the question. My concern is that the statute  
 21 provides for a process which applications are  
 22 solicited, the applications are reviewed, the  
 23 process is followed. If what I'm hearing is that  
 24 this will not follow the process, and this will only  
 25 be an application that will be considered for only

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1 this applicant, then I question it. I will look at  
 2 whether or not we're following the statute in making  
 3 the award. The statute lays out how the awards are  
 4 made, and that's not what we're doing because we're  
 5 not accepting competing applications for other  
 6 applicants. We're only reviewing this one to see  
 7 whether they fall within the statute. It gives me  
 8 pause.  
 9 FREEHOLDER O'DEA: That's a  
 10 legitimate question. Then the next question I would  
 11 have is, is there anything in the statute to  
 12 preclude an entity proceeding at their own risk  
 13 because of a health or safety issue and because of a  
 14 timing which frankly was not their fault but caused  
 15 by our own decision, allow them to proceed at their  
 16 own risk to undertake work, put an application in,  
 17 and then be -- if they meet, if they score, if  
 18 they're approved, get funded.  
 19 MR. ANTUN: In essence you're asking  
 20 for a reimbursement? I'm not versed. Massiel may  
 21 be able to answer that.  
 22 CHAIRMAN ROMANO: I also have a  
 23 question. Massiel said that none of this stuff was  
 24 submitted yet, correct?  
 25 MS. FERRARA: We haven't received.

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1 CHAIRMAN ROMANO: How can they  
 2 decide?  
 3 FREEHOLDER O'DEA: It's because they  
 4 couldn't submit everything, right? Anthony, here is  
 5 what happened. In the normal course of action, the  
 6 applications would have been received early in the  
 7 year, late last year. What would have been the  
 8 normal time?  
 9 MS. FERRARA: Sometime in October or  
 10 November.  
 11 FREEHOLDER O'DEA: So in the normal  
 12 time frame on October of 2012, applications would  
 13 have been received for the 2012 money. This is  
 14 still 2012 money, correct? So the normal process,  
 15 applications should have been in October of 2012.  
 16 What occurred was because the agency determined or  
 17 Planning determined there was a need to review the  
 18 standards, rules, requirements, et cetera, there was  
 19 a request that -- not even a request. They hired an  
 20 outside consultant to -- did we hire an outside?  
 21 MS. FERRARA: No. We received the  
 22 grant in late May. We decided --  
 23 FREEHOLDER O'DEA: Late May of 2012?  
 24 MS. FERRARA: 2012. We decided to do  
 25 the reexamination report and review of the program

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1 guidelines in house. We did hire graduate interns  
 2 with background in environmental planning and  
 3 landscape architecture to assist with that, but the  
 4 plan has been prepared, approximately 300 pages. We  
 5 did an extensive stakeholder outreach. We did  
 6 prepare the plan. We presented it to the County.  
 7 We started in August of 2012. We completed the plan  
 8 in June of this year. So we did complete the plan.  
 9 FREEHOLDER O'DEA: So but, but,  
 10 because of that process, the normal timing for 2012  
 11 applications has been delayed from you said October  
 12 up 2012, until not only today, we're not even there  
 13 yet because you still haven't gotten it back from  
 14 the County Exec, correct?  
 15 MS. FERRARA: Correct.  
 16 FREEHOLDER O'DEA: After you get it  
 17 back from the County Exec, it comes to us, correct?  
 18 MS. FERRARA: Yes.  
 19 FREEHOLDER O'DEA: There is a public  
 20 comment period. It goes to the County Planning  
 21 Board?  
 22 MS. FERRARA: We're going to have a  
 23 public hearing.  
 24 FREEHOLDER O'DEA: There's a public  
 25 hearing at the County Planning Board. There is a

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1 comment period, which will bring the application  
2 period from October of 2012 to best-case scenario,  
3 September of 2013, is that fair, for receipt of  
4 applications?  
5 MS. FERRARA: Yes, but I want to say  
6 simply that the letter of intent, everything that is  
7 required for the letter of intent is what is  
8 required of the application. The reason we're  
9 actually doing a letter of intent, the step, we  
10 found it's actually very helpful particularly for  
11 nonprofits or 501(c)(3)s to have that one-on-one  
12 assistance rather than just have an application that  
13 they fill out incorrectly. So we are working with  
14 them, and everything that's due from the letter of  
15 intent is what is due for the applications.  
16 FREEHOLDER O'DEA: When are the  
17 letters of intent supposed to be received?  
18 MS. FERRARA: We have a deadline of  
19 August 30th. We encourage people to actually get  
20 your letter of intent to us earlier.  
21 FREEHOLDER O'DEA: If they submit a  
22 letter of intent to you two weeks from now?  
23 MS. FERRARA: We actually encourage  
24 them to submit it as soon as possible.  
25 FREEHOLDER O'DEA: So next week they

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1 could submit it to you. Irregardless of that fact,  
2 under the normal circumstances, and we can't call it  
3 anything else but the delay when the rescheduling of  
4 the application period, the notification for people  
5 to submit letters of intent, they will not be able  
6 to have an application considered for review until  
7 September, isn't that a fair assumption?  
8 MS. FERRARA: That is a fair  
9 assessment, but that is because we believe by  
10 September, the new rules and regulations would have  
11 passed the public comment period and adoption by  
12 this Board.  
13 FREEHOLDER O'DEA: Understood.  
14 MS. FERRARA: That's why --  
15 FREEHOLDER O'DEA: Understood.  
16 MS. FERRARA: In light of the fact we  
17 knew that there was still time needed to review the  
18 plans and the program statement, that's why we  
19 decided to start the letter of intent early. We  
20 want to review all of their information, as well as  
21 have site visits and presentations. We're going to  
22 actually try to cut that time down.  
23 FREEHOLDER O'DEA: So if they are  
24 faced with a decision where the work must be  
25 performed by the end of September, there is no way

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1 under that time frame that you have that that could  
2 occur under the normal process. Isn't that a fair  
3 statement?  
4 MS. FERRARA: Yes, because once we  
5 make a recommendation for funding, even a funding  
6 recommendation still requires a public comment  
7 period, and then 45 days after that, you are  
8 empowered to review by this Board.  
9 FREEHOLDER O'DEA: So applications  
10 best scenario, I think my scenario is probably an  
11 aggressive time frame, applications received in  
12 September, applications reviewed by your committee,  
13 correct?  
14 MS. FERRARA: Correct.  
15 FREEHOLDER O'DEA: After that, the  
16 normal course of action, applications reviewed by  
17 your committee are then by your rules forwarded to  
18 the County Exec, correct?  
19 MS. FERRARA: Correct.  
20 FREEHOLDER O'DEA: The County  
21 Executive has the ability to sign off on them and  
22 change them, as there have been change made in the  
23 past, correct?  
24 MS. FERRARA: Correct. Right now we  
25 don't recommend what should be funded. We just say

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1 this project meets the program statement.  
2 FREEHOLDER O'DEA: You score them.  
3 MS. FERRARA: We score them. We  
4 don't --  
5 FREEHOLDER O'DEA: They are scored by  
6 points, et cetera, et cetera. Then those results  
7 from the County Exec to this Board, and then this  
8 Board either enacts them, rejects them. I don't  
9 know if we've ever -- I think we did change at least  
10 one. I remember we changed one with Liberty State  
11 Park one year with Sam Pesin, funding for a picnic  
12 area. We have that authority. It would appear we  
13 have the authority to further modify the  
14 recommendations that would be made by the County  
15 under the statute. You're not an attorney. I'm not  
16 asking you. All that takes us into November, best  
17 scenario?  
18 MS. FERRARA: Correct.  
19 FREEHOLDER O'DEA: In November your  
20 Board meets, they review it. They score it. It's  
21 October. They give it to the County Executive. He  
22 goes over it. He reviews them, 45 days before we  
23 vote on it, now we're already into November. In  
24 that case, in that normal scenario, there's no way a  
25 situation like that could possibly occur.

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1           FREEHOLDER CIFELLI: I believe it's  
2 up to the applicant, the potential applicant for  
3 review on an aggressive time line. If you really  
4 want to get this thing going, you're really making a  
5 huge assumption that this application is going to be  
6 complete in two weeks or two months even. Our  
7 experience with the projects across the street is  
8 you have to get a historic architect. That's an  
9 extremely expensive process. It's an extremely time  
10 consuming process before you even get to consider  
11 that application.

12           I don't know how the congregation could  
13 say that. This is an extraordinary project, and  
14 it's a terrible situation that that particular house  
15 of worship find itself. I've been past there. It  
16 is a beautiful building, but again, to be fair to  
17 the applicant, everything or a lot of it is in terms  
18 of the application, and unfortunately, you're not  
19 ready for an application.

20           FREEHOLDER O'DEA: What is your time  
21 frame to be able to provide the client what the  
22 Planning Office would request?

23           MS. FERRARA: We met with  
24 Ms. Maglivay's staff, and they were going to send us  
25 the letter of intent, which we haven't received yet.

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1           FREEHOLDER O'DEA: Is the architect  
2 that you use one that has historic experience?

3           MS. MAGILVAY: As a matter of fact,  
4 the organization that we have hired already separate  
5 from this to give us an overall approval of the  
6 conditions of the roof as a historic repair, we may  
7 be able to meet them to do this letter of intent.

8           FREEHOLDER O'DEA: How quickly would  
9 you be able turn around and provide the letter?

10          MS. MAGILVAY: We've been preparing  
11 the letter of intent. I believe the letter of  
12 intent was sent last week. I apologize to the  
13 council that the Administrator did not receive it,  
14 but we gave them a letter of intent in addition to  
15 historic preservation resources and links I did  
16 mention.

17          FREEHOLDER O'DEA: Can we get a copy  
18 today? Can said you e-mail it?

19          MS. FERRARA: Yes. I also wanted to  
20 let the Board knew that in addition to that we are  
21 assisting them. There are other ideas. At  
22 yesterday's meeting we did do a lot of  
23 brainstorming. We did come up with alternative  
24 ideas that may be faster. We'll look into solar  
25 panels on the roof. There some programs, clean

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1 energy programs that do offer some roof  
2 stabilization in parts of the roof to so.

3           FREEHOLDER O'DEA: From historic  
4 preservation to solar panels, we're traveling from  
5 one galaxy to another galaxy. It's almost like a  
6 Star Trek episode.

7           MS. FERRARA: We're trying to think  
8 out of box because we know there's leaks, and we're  
9 thinking of things that can assist in a more quicker  
10 fashion.

11          CHAIRMAN ROMANO: May I also make a  
12 suggestion too? The United Synagogue in Hoboken had  
13 a similar experience that you have. The Rabbi may  
14 be a good resource. You can see what he learned  
15 from his experience.

16          MS. MAGILVAY: Thank you. We  
17 appreciate that. He's a good friend to us.

18          FREEHOLDER O'DEA: So can we -- can  
19 we set what would be enough time for you to get this  
20 information and ascertain from the time frame how  
21 quickly you can be willing to comply with what we  
22 need to comply with? Can a week be enough time,  
23 Mr. Battista, to research whatever legal opinion?

24          MR. BATTISTA: Sure.

25          FREEHOLDER O'DEA: We'll set a date

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1 at the end of the meeting to meet, myself, the  
2 County Exec or whoever from his office, someone from  
3 the Law Department, Director Richardson, yourself  
4 and whoever else to have a discussion as to what the  
5 options are?

6           MR. BATTISTA: We have a special  
7 meeting on the 18th.

8           FREEHOLDER O'DEA: Can we meet at  
9 twelve? What time is the meeting?

10          CHAIRMAN ROMANO: I think it's five.  
11 Is that five?

12          THE CLERK: It's at five o'clock.  
13 It's at five o'clock.

14          FREEHOLDER O'DEA: So could we meet  
15 at four, not the whole Board. Can we meet at four  
16 o'clock?

17          THE CLERK: Mr. Chairman, the  
18 speaker's time of five minutes has elapsed.  
19 Freeholder O'Dea has had the balance.

20          FREEHOLDER O'DEA: So could we agree  
21 to meet on July 18th at four p.m.? Would that give  
22 you substantive time? You can provide those  
23 documents? Obviously, you have my number if you  
24 need to speak to me earlier. Mr. Gaughan, can you  
25 meet with us? The County Exec's office is an

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1 integral component in trying to especially address  
 2 this on a short, expedited basis?  
 3 MR. GAUGHAN: We can received a call  
 4 at 9:30 this morning that indicated the necessity of  
 5 the County Executive being aware of the situation.  
 6 So I took an hour this morning after speaking about  
 7 40 minutes or so to inform the County Executive all  
 8 of the details of what their plight is, and he is  
 9 well aware of it, and he is willing to do what we  
 10 can do for them.  
 11 FREEHOLDER O'DEA: Director  
 12 Richardson, are you available?  
 13 DIRECTOR RICHARDSON: No.  
 14 FREEHOLDER O'DEA: Are you on  
 15 vacation? Your representative, Mr. DeLeo, would he  
 16 be available?  
 17 DIRECTOR RICHARDSON: Yes.  
 18 CHAIRMAN ROMANO: Thank you. Next  
 19 speaker.  
 20 FREEHOLDER O'DEA: Massiel, you're  
 21 going to be at that meeting too?  
 22 MS. FERRARA: Yes.  
 23 THE CLERK: Mr. Chairman, I  
 24 believe Ms. Waiters is in the chamber now.  
 25 MS. WAITERS: Good evening,

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1 Freeholders. Patricia Waiters, 1233 Park Avenue in  
 2 Hoboken. Are we speaking on agenda items?  
 3 THE CLERK: On the public portion.  
 4 MS. WAITERS: All right. I have  
 5 before me today a resolution, but a few things was  
 6 just brought to my attention that I'm going to ask  
 7 this Board of Freeholders to consider, but I want to  
 8 put some more factual details about it, and I'll  
 9 have it presented next August at the next August  
 10 meeting for review. That's all I have to say. So I  
 11 just want to amend this.  
 12 CHAIRMAN ROMANO: Submit it to the  
 13 Clerk.  
 14 MS. WAITERS: It's kind of raggy.  
 15 FREEHOLDER O'DEA: When you make the  
 16 changes, give it.  
 17 CHAIRMAN ROMANO: When you're  
 18 satisfied with what you want.  
 19 MS. WAITERS: Now? I'll have it  
 20 ready for August.  
 21 FREEHOLDER O'DEA: Have it ready for  
 22 August. If you have it beforehand, get it to us so  
 23 we can understand it. I wouldn't wait until the day  
 24 of the meeting to do it. Make your changes, get it  
 25 to him in a day or two.

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1 FREEHOLDER DUBLIN: Give it to the  
 2 Clerk.  
 3 MS. WAITERS: Thank you so much.  
 4 THE CLERK: Additional speakers on  
 5 any matter of public interest?  
 6 Mr. Chairman, there appear to be none. Is  
 7 there a closed session?  
 8 FREEHOLDER O'DEA: I make a motion.  
 9 FREEHOLDER DUBLIN: I just want to  
 10 ask the Chairman of the Public Safety Committee to  
 11 sometime in the next week to have a special Public  
 12 Safety meeting. Yesterday, I went to Lexington  
 13 Avenue. There has been several shootings in Jersey  
 14 City, Greenville, Bergen-Lafayette area.  
 15 And I want the Public Safety Committee to  
 16 invite the Jersey City Police Chief and Sheriff  
 17 Schillari to talk about adding or maybe to getting  
 18 some help from the Sheriff in some of these areas  
 19 that's heavily overburdened in crime. We lost 52  
 20 police officers in the Jersey City Police  
 21 Department. I just want to have a meeting to have  
 22 some dialogue to talk about it. I talked briefly  
 23 yesterday with the police chief, and he was open to  
 24 it. I know last time we had a meeting with Chief  
 25 Comey, it wasn't it -- he can handle it if new

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1 police chief needs help in some of these.  
 2 CHAIRMAN ROMANO: I have no problem  
 3 with it. I see a lot problems in that area. The  
 4 chief met with the chief that's in place now, the  
 5 acting chief. We're not going authorize overtime.  
 6 We went through this.  
 7 FREEHOLDER DUBLIN: Listen, I'm not  
 8 hear to argue. I'm saying that the neighborhood  
 9 that I represent and part of the area that Bill  
 10 O'Dea represents has been constant problem, and  
 11 Jersey City can't handle it, and the residents are  
 12 crying out for their elected officials to do  
 13 something about it. All I'm saying is that maybe we  
 14 can come up with a solution. I'm not saying that we  
 15 make any commitments and come up with a solution.  
 16 CHAIRMAN ROMANO: I hear what you  
 17 said. I object to the phraseology that the Jersey  
 18 City Police cannot handle it.  
 19 FREEHOLDER DUBLIN: Right now we're  
 20 undermanned so I thought the Sheriff's Department,  
 21 if a municipality asks for some help, we sit down  
 22 and see what we can do to try to help them out.  
 23 They're asking for some help.  
 24 FREEHOLDER O'DEA: Yeah, I would  
 25 support doing that. I don't only want the Sheriff

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1 there. I want the prosecutor here and somebody from  
2 the New Jersey State Police. Those areas need a  
3 multi-jurisdictional strategy, task force and  
4 strategy, to address the problems there. To echo  
5 one thing that the Chairman said, our Sheriff's  
6 Department is being inundated by the Assignment  
7 Judge pulling Sheriff's officers out of patrol off  
8 the street and putting them in the courts.  
9 The Department is already under siege. I  
10 got a call today saying they may eliminate patrol  
11 all together. There may no longer be any patrol  
12 because of the demands within the court system. So  
13 we need to see, we need to have that as part of the  
14 conversation. Maybe we need to have the Assignment  
15 Judge invited to the meeting because the Assignment  
16 Judge at the end of the day is somewhere those who  
17 are not deterred from crimes ultimately will wind  
18 up, in our court system.  
19 We need a multi-jurisdictional strategy to  
20 address hot spot areas within Jersey City and other  
21 places. We also besides multi-jurisdictional law  
22 enforcement, we need the other parts of law  
23 enforcement, which is prosecution and judicial as  
24 well. We can't just take an approach of putting a  
25 lot more police out on the street, Sheriff and State

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1 police, et cetera. We've got to address what else  
2 do we do for the individuals in those areas so they  
3 don't want to pursue gang activities or a life of  
4 crime or drugs or whatever.  
5 We need to know what the criminal justice  
6 system is going to do when they get involved in the  
7 criminal justice system from youth, which is  
8 juvenile through the criminal court and the  
9 prosecutor. It's got to be a very, very holistic  
10 approach. I welcome the opportunity to be part of  
11 it, but I also hope to get the Assignment Judge here  
12 because right now we're losing people every day from  
13 patrolling Lincoln Park, which is only six blocks,  
14 five blocks or less, if you take one part of it from  
15 this exact location where this was last night  
16 because they're being pulled in to go to make sure  
17 there's extra people on each floor in the  
18 courthouse.  
19 CHAIRMAN ROMANO: If I may make a  
20 recommendation, by statutory -- by statute, correct  
21 me, Captain Martinez, if you request, the Jersey  
22 State Police will bring you as many troopers as  
23 needed without losing any flexibility. The State  
24 Police will come in here with as many troopers as  
25 requested by committee or by the Jersey City Police

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1 Chief at no cost.  
2 FREEHOLDER O'DEA: That's why I  
3 suggested we have someone from the New Jersey State  
4 Police at the meeting to be part of the subject of  
5 the solution.  
6 FREEHOLDER DUBLIN: I know like  
7 July 23rd, Senator Cunningham requested all  
8 agencies, he requested the State Police, the  
9 Sheriff, Jersey City. He's reaching out to elected  
10 that represents Jersey City, Menendez, big meeting,  
11 nonprofit groups that deal with social behavior in  
12 the community, and so I would think it's getting out  
13 of hand. The other day when they were riding  
14 bicycles, pulling to the corner, expending 15  
15 shells. Lexington, there was like ten reports of  
16 shootings this past month. So the community that  
17 turned out at the Lexington meeting, the community  
18 is crying out for some help.  
19 The State Parole was there. I didn't see  
20 no parolees lining up. I don't know what was the  
21 thinking of the assembly person to say parole and  
22 not invite the Police State. I'm just saying these  
23 are things that need to be talked about. When a  
24 little girl, six years old, comes up to you and says  
25 she's afraid to walk to the corner store, she even

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1 can't come out and play; when a lady tells you she  
2 has a 13-year old teenager who's cooped up in the  
3 house because she's scared to let them come outside,  
4 there is need for us to sit down and try to do  
5 something.  
6 FREEHOLDER O'DEA: There is also a  
7 need because the City of Jersey City has spent a lot  
8 of money on cameras. I don't believe there is a  
9 camera on Bergen and Lexington. We all know that  
10 Bergen and Lexington has been a problem corner from  
11 the 1980s, at least 30 years, probably 40 years,  
12 that corner has been problematic, yet they lay  
13 cameras out all over the City. That would be a  
14 no-brainer to have a camera. At least that way you  
15 could monitor and have a record when issues take  
16 place and shootings take place.  
17 FREEHOLDER DUBLIN: The building that  
18 sits on the corner of Bergen and Lexington, the  
19 camera has been out for like ten years. What  
20 happens is you get these landlords who don't live in  
21 the city and come and collect the rent and doesn't  
22 do that much maintenance on the building to make  
23 sure the cameras are working. The other day we  
24 would have seen who shot two individuals on the  
25 corner. So yesterday, Sandy said that building

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1 federally -- did get federal dollars, and they can  
 2 come up with the State to make landlord take more  
 3 responsibility with the safety of building. If you  
 4 receive federal dollars, you have a big building,  
 5 you should be made to have some type of security  
 6 there.

7           FREEHOLDER O'DEA: There was an  
 8 ordinance passed when I was a Councilman that  
 9 required those buildings having more than a hundred  
 10 units to have a camera security. For all we know,  
 11 they're not in compliance with local ordinance.

12           CHAIRMAN ROMANO: We can have the  
 13 meeting the same day on the 18th as Bill.

14           FREEHOLDER O'DEA: The meeting on the  
 15 18th is not going to be more than ten or fifteen  
 16 minutes.

17           FREEHOLDER DUBLIN: Six o'clock. We  
 18 can contact the State.

19           FREEHOLDER O'DEA: To save time do it  
 20 at 5:30. The meeting, Mr. Clerk, the meeting on the  
 21 18th, how long should it take?

22           THE CLERK: It depends on the number  
 23 of speakers.

24           FREEHOLDER O'DEA: How many speaker  
 25 were there last time?

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1           THE CLERK: There were none.

2           FREEHOLDER O'DEA: How long did it  
 3 take?

4           THE CLERK: Five minutes.

5           CHAIRMAN ROMANO: Set this meeting  
 6 for 5:30, with a representative of the Sheriff's  
 7 Department, Prosecutor's Office, Corrections.

8           FREEHOLDER O'DEA: Director Aviles.  
 9 This here is one of the biggest issues that's been  
 10 brought to my attention. We should bring it the  
 11 public's attention. Offenders get released. Police  
 12 departments complain to me that we currently don't  
 13 provide information when offenders get released,  
 14 that we don't have in place the modern, best system  
 15 to let the police know.

16           This is not only the County Correction,  
 17 this is County and State corrections. When Bad Guy  
 18 A gets released from Rahway or from your facility,  
 19 we need to have a system in place. They tell me  
 20 they do it by fax sometimes. It's an outdated,  
 21 outmoded system. That's not the way it should be.  
 22 It came up in discussion as Mayor Fulop's  
 23 transition.

24           But the first thing you want to do is let  
 25 Jersey City know that Bad Guy A, who lived and hung

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1 out in Neighborhood X, is being released because  
 2 where there is a 95-percent likelihood that Bad Guy  
 3 A is going back to? Right where they came from, and  
 4 at least if you know they're going back there, the  
 5 officers that are patrolling in that area are going  
 6 to be looking right away, looking out for the  
 7 person. You know, in the movies, they're waiting  
 8 for them.

9           When you're watching a movie, they'll be  
 10 waiting right way. As soon as the bus came home,  
 11 they would be waiting. They let them know. They  
 12 don't. We don't know that because our communication  
 13 system is archaic, and we're faxing and the faxing  
 14 doesn't get to that corner. Those are the kinds of  
 15 things that should all be part of how would we look  
 16 at these different hot spot items.

17           FREEHOLDER DUBLIN: They found guns  
 18 on the roof. They found four guns or five guns on a  
 19 roof hiding on a roof. You know, they're able to do  
 20 a tip. They were potentially planted for a  
 21 potential shooting somewhere in the neighborhood.

22           CHAIRMAN ROMANO: Captain Martinez,  
 23 we would like to see you at that meeting also.

24           CAPTAIN MARTINEZ: I think the chief  
 25 and the deputy chief will answer all your questions

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1 about the Jersey City Police Department.

2           FREEHOLDER O'DEA: So should the west  
 3 command, focused on the west.

4           CAPTAIN MARTINEZ: I'll advise both  
 5 the chief and his deputy chief.

6           CHAIRMAN ROMANO: Mr. Clerk.

7           THE CLERK: There are no additional  
 8 speakers, Mr. Chairman, so a motion.

9           CHAIRMAN ROMANO: One second. We  
 10 would like those who made that presentation,  
 11 Director Aviles, those who made the presentation,  
 12 would they like to take a picture for the Board?

13           (At this point in the proceeding, a  
 14 brief recess is taken.)

15           FREEHOLDER O'DEA: I make a motion to  
 16 go into closed session to discuss potential  
 17 litigation related to the elections, special  
 18 elections funding for 2013.

19           THE CLERK: Is there a second?  
 20 DiDomenico. All in favor.

21           (Whereupon the Board moves to its  
 22 Executive Session.)

23           THE CLERK: Motion to adjourn by  
 24 Freeholder DiDomenico. Second by Liggio. All in  
 25 favor. The meeting is adjourned.

1 (Whereupon the proceeding is then  
 2 concluded at 2:56 p.m.)  
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1  
 2 CERTIFICATION  
 3  
 4 I, SHARI CATHEY, CCR, RPR, License No.  
 5 30XI00234700, and Notary Public of the State of New  
 6 Jersey, hereby certify that the proceedings herein  
 7 are from the notes taken by me of a Caucus Meeting  
 8 of the Hudson County Board of Chosen Freeholders,  
 9 held on Tuesday, July 9, 2013; and that this is a  
 10 correct transcript of the same.  
 11  
 12  
 13  
 14 \_\_\_\_\_  
 SHARI CATHEY, CCR, RPR  
 A NOTARY PUBLIC of the  
 15 State of New Jersey  
 I.D. No. 2283786  
 16 Commission Expires 2/4/17  
 17  
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