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HUDSON COUNTY
BOARD OF CHOSEN FREEHOLDERS

RE:

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

O P E N S E S S I O N

Hudson County
Administration Building,
Freeholders Chambers
567 Pavonia Avenue
Jersey City, New Jersey
Thursday, June 27, 2013
6:00 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:

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

Job No. NJ1588831

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1 THE CLERK: Freeholder Cifelli.
 2 FREEHOLDER O'DEA: Absent.
 3 THE CLERK: DiDomenico.
 4 FREEHOLDER DiDOMENICO: I think she's
 5 in the committee meeting.
 6 THE CLERK: Absent from the chamber.
 7 Dublin.
 8 FREEHOLDER DUBLIN: Here.
 9 CHAIRMAN ROMANO: Freeholder
 10 DiDomenico has entered the chamber.
 11 THE CLERK: So noted. Freeholder
 12 Liggio.
 13 FREEHOLDER LIGGIO: Here.
 14 THE CLERK: Munoz.
 15 FREEHOLDER MUNOZ: Here.
 16 THE CLERK: O'Dea.
 17 FREEHOLDER O'DEA: Here.
 18 THE CLERK: Rivas.
 19 FREEHOLDER RIVAS: Here.
 20 THE CLERK: Rivera, absent. Chairman
 21 Romano.
 22 CHAIRMAN ROMANO: Here.
 23 THE CLERK: Please stand for the
 24 Pledge of Allegiance.
 25 (Flag Salute.)

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1 THE CLERK: Adequate notice of this
 2 meeting has been provided as follows:
 3 1. Posting notice of Resolution No.
 4 8-1-2013 on the Freeholder's Bulletin Board, Third
 5 Floor, Administration Building Annex, Jersey City,
 6 New Jersey.
 7 2. Copies of the above mentioned
 8 resolution have been sent to the County Clerk and
 9 the editors of the Jersey Journal and the Star
 10 Ledger.
 11 Mr. Chair, may I have a motion to approve
 12 the Minutes of the following meetings: Closed
 13 Session of May 6, 2013; Regular Meeting, May 7th,
 14 2013; Regular Meeting, May 23rd, 2013; Department
 15 Budget Review Special Meeting, May 29th, 2013; and
 16 Department Budget Review Special Meeting, May 30th,
 17 2013.
 18 FREEHOLDER DUBLIN: Motion.
 19 FREEHOLDER LIGGIO: Liggio.
 20 THE CLERK: Freeholder Cifelli is not
 21 here. Freeholder DiDomenico.
 22 FREEHOLDER DiDOMENICO: I abstain on
 23 Budget Review Special Meeting, May 29th, aye on the
 24 rest.
 25 THE CLERK: Freeholder Dublin.

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1 FREEHOLDER DUBLIN: Aye.
 2 THE CLERK: Freeholder Liggio.
 3 FREEHOLDER LIGGIO: Aye.
 4 THE CLERK: Munoz.
 5 FREEHOLDER MUNOZ: Aye.
 6 THE CLERK: O'Dea.
 7 FREEHOLDER O'DEA: Aye.
 8 THE CLERK: Rivas.
 9 FREEHOLDER RIVAS: Aye.
 10 THE CLERK: Chairman Romano.
 11 CHAIRMAN ROMANO: Aye.
 12 THE CLERK: Mr. Chair, the next order
 13 of business is additional discussion. There is a
 14 laudatory to honor an employee who is retiring. Do
 15 we want to do that first?
 16 CHAIRMAN ROMANO: We would like to
 17 bring that up first.
 18 THE CLERK: The resolution is
 19 entitled To Honor Mallory James Whiting on the
 20 Occasion of His Retirement After Over Three Decades
 21 of Public Service. Is there a sponsor? Board as a
 22 whole?
 23 CHAIRMAN ROMANO: Yes.
 24 THE CLERK: Whereas, Mallory James
 25 Whiting has announced his retirement after a

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1 distinguished career in the service of the public
 2 starting some thirty-five years ago, marked by
 3 integrity, professionalism and commitment to
 4 residents of not only Hudson County, but to the
 5 state of New Jersey; and
 6 Whereas, Mallory graduated from Metuchen
 7 High School in 1969, and almost contemporaneously
 8 was awarded the distinction of being named an Eagle
 9 Scout, an early indication of his lifelong personal
 10 commitment "to be trustworthy, loyal, helpful,
 11 friendly, courteous, kind, obedient, cheerful,
 12 thrifty, brave, clean and reverent," the Boy Scout
 13 Law; and.
 14 Whereas, upon receiving his Bachelor of
 15 Science Degree from Drexel University in Accounting;
 16 Mallory went on Seton Hall University, where in
 17 1967, he was awarded his Master's in Business
 18 Administration/Finance; and
 19 Whereas, after beginning a promising
 20 management career in private industry Englehard
 21 Corporation, Mallory in 1978, accepted an
 22 appointment as a principal accountant at Middlesex
 23 County where among the myriad of duties, he was
 24 responsible for installation of the new accounting
 25 system, budget preparation and all "Special

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1 Projects," which actually meant all the financial
 2 problems which others could not resolve; and
 3 Whereas, in 1987, Mallory's financial
 4 talents and acumen were sought by the New Jersey
 5 Department of Community Affairs Division of Local
 6 Government Services, where he served as a program
 7 monitor "Distressed Cities Program" and was assigned
 8 to such locations as Hamilton and Plainfield; and
 9 Whereas, due to his unparalleled
 10 dedication and work ethic and ability to attain
 11 timely results, in February of 1988, the DCA
 12 assigned Mallory to assist Hudson County in
 13 installing a new computer-based budget program to
 14 assist in budget preparation; and
 15 Whereas, recognizing his unique analytical
 16 talent and his ability to accurately forecast and
 17 plan for the financial future, Mallory was employed
 18 by the County and between all of his public
 19 positions, including the Middlesex County Board of
 20 Social Services, Mallory has completed 36 County
 21 budgets and Welfare budget; and
 22 Whereas, throughout his career he has
 23 consistently demonstrated a keen understanding of
 24 the complexities of modern public finance, and in
 25 large measure was the architect of new procedures

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1 taking County government safely and confidently into
 2 unchartered territory; and
 3 Whereas, Mallory is entering a new phase
 4 of his life, one he will enjoy with his lovely wife,
 5 JoAnne; children, Michael, Robert and Breanne;
 6 mother-in-law, Mary; and of course, Turbo, Torque
 7 and China, the family's beloved dogs.
 8 Now, therefore, be it resolved by the
 9 Board of Chosen Freeholders of the County of Hudson
 10 that the above recitals are incorporated herein as
 11 though fully set forth at length, that this Board
 12 joins Thomas A. DeGise, County Executive, in
 13 extending its highest commendation and appreciation
 14 to Mallory "Mal" Whiting for his tireless dedication
 15 to the County of Hudson, and wishes this Eagle Scout
 16 and his family health, happiness and many, many
 17 happy trails, and this resolution shall take effect
 18 immediately.
 19 Freeholder DiDomenico.
 20 FREEHOLDER DiDOMENICO: Yes. Thank
 21 you, Mallory, for all your service to the County of
 22 Hudson.
 23 THE CLERK: Dublin.
 24 FREEHOLDER DUBLIN: Thank you,
 25 Mallory, for all your long-night budget reviews. We

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1 appreciate everything you did for the County. We
 2 wish you a great retirement to enjoy your family and
 3 three precious dogs.
 4 THE CLERK: Freeholder Liggio.
 5 FREEHOLDER LIGGIO: Yes. Mallory, I
 6 just want to take the opportunity to thank you for
 7 all the hard work you gave us when in the budget
 8 reviews in the previous years I've been the Chairman
 9 of the Finance Committee. I really do appreciate
 10 all the time you gave us, and have a happy
 11 retirement. Enjoy.
 12 THE CLERK: Freeholder Munoz.
 13 FREEHOLDER MUNOZ: I just want to say
 14 congratulations on your retirement.
 15 THE CLERK: O'Dea.
 16 FREEHOLDER O'DEA: Yes. Certainly,
 17 we wish you well on your retirement, and again,
 18 spearheading the process in this County was not an
 19 easy job for anyone. I don't know who is going to
 20 take your place. It's a tough job. Hopefully,
 21 you're still available.
 22 THE CLERK: Freeholder Rivas.
 23 FREEHOLDER RIVAS: Good luck on your
 24 retirement.
 25 THE CLERK: And Chairman Romano.

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1 CHAIRMAN ROMANO: Yes. Lastly is
 2 thank you for all your assistance. You are not only
 3 knowledgable in your profession, but you're a true
 4 gentleman, and we have for you an autographed
 5 photograph of Richard Turner in the back. Also, we
 6 would like to present Bill O'Dea with one for
 7 Christmas.
 8 (Applause.)
 9 MR. WHITING: Just so know,
 10 Freeholder, I think you will appreciate this very
 11 much. February 9, 1988, was my birthday, and DCA,
 12 you'll never guess who brought Cheryl Fuller and
 13 myself on loan from DCA to Hudson County. None
 14 other than your favorite mayor, Richard Turner. So
 15 Richard Turner got 25 years out of me. I guess in
 16 my final year, unfortunately for Richard Turner, I
 17 got even. I felt bad for the citizens of Hoboken
 18 and Secaucus.
 19 And another thing I would like to say,
 20 Tom, I appreciated the time at North Bergen. I also
 21 was on loan from the DCA in North Bergen as chief
 22 financial officer. Tom was very kind about not
 23 retaliating. I was a great time, Tom. I appreciate
 24 that. I know you hated that point in time in my
 25 career.

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1 Again, working with all of you was a
 2 wonderful experience in most cases. Freeholder, one
 3 of the things have kept me busy was special
 4 projects, analysis that I had never dreamed of in
 5 certain points in my career. I couldn't have
 6 anticipated all of them. I wish everyone well going
 7 forward. It will be challenging in my mind for the
 8 next several years, if not further into the future
 9 when the economy will turn, and that will be the
 10 salvation for government and you in the County level
 11 that we need and also for the state of New Jersey.
 12 I would like to thank all of you for your
 13 support in the budget process, and ultimately,
 14 obviously acting like adults for passing the budget.
 15 FREEHOLDER O'DEA: I guess you're not
 16 thanking me.
 17 MR. WHITING: I must thank you for
 18 when you were Chairman. You did vote for that one.
 19 FREEHOLDER O'DEA: Once in 17.
 20 MR. WHITING: One for 17, I batted
 21 one for 17, Freeholder. I've done very well with
 22 some Freeholders. I'm still working on it. Thank
 23 you, all of you. I wish Hudson County, all the
 24 taxpayers and all the people, a well-deserved
 25 future, and hopefully, everything will work out over

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1 the years. Thank you.
 2 CHAIRMAN ROMANO: Mr. Clerk,
 3 continue.
 4 THE CLERK: The next order of
 5 business is additional discussion on today's agenda.
 6 DEPUTY ADMINISTRATOR COTTER: Mr.
 7 Chairman, we have a replacement for Item No. 11,
 8 that had a typo on it.
 9 THE CLERK: It's already distributed.
 10 DEPUTY ADMINISTRATOR COTTER: We have
 11 a couple of late items for your consideration. One
 12 is the resolution endorsing the concept of the
 13 partnership that was presented by Ms. Warren.
 14 CHAIRMAN ROMANO: Sponsored by
 15 Freeholder Dublin. Seconded by Freeholder
 16 DiDomenico.
 17 THE CLERK: This item would be No. 33
 18 on the consent agenda. It's entitled Endorsing the
 19 concept espoused by the Hudson Partnership CMO, an
 20 IRS 501(c)(3), not-for-profit care management
 21 organization, entitled the Jersey City Juvenile
 22 Family Partnership Support Program.
 23 DEPUTY ADMINISTRATOR COTTER: Mr.
 24 Chairman, the next item I have for your
 25 consideration is a late-starter for the application

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1 of acceptance of a grant for the Hudson County
 2 Ambulatory Tuberculosis Program. The grant deadline
 3 is July 12th, so we would like the resolution
 4 considered. The notice of award just came in
 5 earlier this week.
 6 CHAIRMAN ROMANO: Sponsored by
 7 Freeholder DiDomenico. Seconded by Freeholder
 8 Dublin.
 9 THE CLERK: This will be No. 34 on
 10 the consent agenda entitled Authorizing an
 11 application to and acceptance of funds, if awarded,
 12 from the New Jersey of Department of Health and
 13 Senior Services for the Hudson County Ambulatory
 14 Tuberculosis Care Program, July 1, 2013 through June
 15 30, '14, \$302,780.
 16 DEPUTY ADMINISTRATOR COTTER: Mr.
 17 Chairman, the next item for your consideration is
 18 the resolution urging the New Jersey Legislature and
 19 the Governor to restore funding or guarantee funding
 20 for the disabled and senior citizen transportation
 21 program, known here as the TRANSCEND program.
 22 CHAIRMAN ROMANO: Board as a whole.
 23 THE CLERK: This will be No. 35 on
 24 the consent agenda, urging the New Jersey
 25 Legislature and Governor of the State of New Jersey

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1 to take every measure, legislative, administrative
 2 or otherwise, to restore or otherwise guarantee full
 3 funding of disabled, senior and other eligible
 4 clients' transportation programs undertaken by
 5 TRANSCEND transportation, heretofore funded in large
 6 measure by the New Jersey Casino Revenue Fund.
 7 DEPUTY ADMINISTRATOR COTTER:
 8 Finally, Mr. Chairman, I would ask that the Board
 9 reconsider the item on the agenda, No. 22, which
 10 extends a thirty-day contract extension to the
 11 Jersey City Medical Center for the Hudson County
 12 Correctional Center.
 13 CHAIRMAN ROMANO: Sponsored by
 14 Freeholder Dublin. Seconded by Freeholder
 15 DiDomenico.
 16 THE CLERK: We will include this item
 17 as 36, since it's being added, and it's entitled --
 18 it will be same item that had been proposed at the
 19 caucus, which is entitled --
 20 CHAIRMAN ROMANO: It now becomes 36?
 21 THE CLERK: Previously 22, now 36,
 22 authorizing a one-month extension to a professional
 23 services contact with the Jersey City Medical
 24 Center, a New Jersey not-for-profit corporation,
 25 \$52,000.

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1 CHAIRMAN ROMANO: Ms. Administrator.
 2 DEPUTY ADMINISTRATOR COTTER: Mr.
 3 Chairman, that's all I have.
 4 MR. BATTISTA: Freeholder O'Dea asked
 5 me about the weigh stations. Based on the
 6 information that was given to my office, it's
 7 operated by the State Police. I believe there is a
 8 private entity there to maintain the weigh station.
 9 CHAIRMAN ROMANO: You can check and
 10 see about those entities.
 11 FREEHOLDER O'DEA: Can we get, since
 12 the potential to generate a lot of revenue for the
 13 County from the operating of such a station, even
 14 through a shared services agreement with the State
 15 Police exists, can we convene a meeting as soon as
 16 possible with someone from the State Police with
 17 someone from the Department of Transportation to
 18 look at how we can do it, how we can share in the
 19 revenue?
 20 As I said there was a time we operated
 21 one. It generated a lot of revenue. More
 22 importantly than generating a lot of revenue, which
 23 isn't borne by the taxpayers of this County, it does
 24 two other things. All freight from Port Newark,
 25 Port Elizabeth, Bayonne, flows to New York City

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1 through Hudson County. There is no other way of
 2 getting there. It's the quickest, cheapest way to
 3 go. It wears and tears on our roads to the point we
 4 have to pave them.
 5 Additionally, in a post-9/11 world, the
 6 risk of a dirty bomb or some other item could be
 7 shipped from the port. If you've ever watched any
 8 of the shows of how they snuck stuff in here to
 9 prove it isn't that difficult to do, again, will
 10 come through Hudson County to go to New York. It
 11 generates revenue. It helps us, it helps us with
 12 our road improvements, and it should be part of
 13 Homeland Security.
 14 I think that we could easily identify the
 15 best area to have such -- have such a weight station
 16 in order to generate revenue for us and the state
 17 and address the other issues. I would ask that we
 18 reach out to DOT, we reach out to the State Police,
 19 we involve whoever we need from the County, even our
 20 legislators. Let's get our legislators involved.
 21 Let's just get started. It's money for us. It
 22 makes sense.
 23 There are other weigh stations on like a
 24 highway. I think there is one on the Parkway. But
 25 where is the stuff coming from? The stuff is all

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1 coming from there. So much freight, so much
 2 trucking comes in and out of New York City that if
 3 you think about it, if you come out of the Port of
 4 New York to go -- a lot of it is going to come over
 5 here too. I just ask that we make that a priority.
 6 MR. BATTISTA: We will discuss that.
 7 I already wrote to the engineer involved.
 8 THE CLERK: Public Participation, Mr.
 9 Chair?
 10 CHAIRMAN ROMANO: Yes.
 11 THE CLERK: According to the policy
 12 set by the Board of Freeholders, members of the
 13 public are asked to limit their comments to 15
 14 minutes when discussing agenda items and five
 15 minutes at the conclusion of the meeting when
 16 discussing matters of public interest.
 17 At this time the public may address the
 18 Board on any item on the agenda only. Please keep
 19 your comments limited to 15 minutes. Are there any
 20 speakers on agenda items only?
 21 There appears to be none, Mr. Chairman.
 22 The consent agenda now includes Items 33, 34, 35 and
 23 36. May I have a motion to approve all items listed
 24 on the consent agenda?
 25 CHAIRMAN ROMANO: Motion by

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1 Freeholder Rivas. Second by Freeholder DiDomenico.
 2 FREEHOLDER O'DEA: I just have a
 3 question. Did we get the backup information on the
 4 bid rejection?
 5 CHAIRMAN ROMANO: Mr. Barry.
 6 FREEHOLDER O'DEA: We asked for -- I
 7 spoke to Director Demellier today. We had ask for
 8 actual information that should have been provided.
 9 DEPUTY DIRECTOR BARRY: Kevin Barry,
 10 Roads and Public Property. Freeholder, the Director
 11 asked me to give you these.
 12 FREEHOLDER O'DEA: If you could just
 13 run through this.
 14 DEPUTY DIRECTOR BARRY: Sure. What
 15 that indicates is the low bidder for the electric
 16 has a flat rate, an hourly rate for regular time at
 17 79.36, it's in the first column, and their overtime
 18 rate is two times the regular time rate. The other
 19 two bidders, the second one was higher, slightly
 20 higher, have rates that are time and a half for
 21 overtime.
 22 So the Director is concerned that if there
 23 are unforeseen emergencies that require us to call
 24 in the electrical vendor on nights, weekends, with
 25 unforeseen hours of about 15 hours per year over

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1 what we anticipate, then the low bidder will no
 2 longer be the low bidder, and it would be
 3 advantageous to take the second bidder.
 4 FREEHOLDER O'DEA: We had 50 hours
 5 roughly for each of the previous years for overtime.
 6 DEPUTY DIRECTOR BARRY: That's what
 7 this bid is based on, 50 hours of overtime in the
 8 first year of the contract and another fifty hours
 9 in the second year.
 10 CHAIRMAN ROMANO: Freeholder Munoz.
 11 FREEHOLDER MUNOZ: Previously, when
 12 we put this out for bid, what were we paying for for
 13 overtime?
 14 FREEHOLDER O'DEA: Under the current
 15 contract with the entity that is the low bidder,
 16 what is their hourly rate for overtime now?
 17 DEPUTY DIRECTOR BARRY: On the
 18 current contract, it's also double.
 19 FREEHOLDER MUNOZ: So if we had it
 20 double, why didn't we look at it before in the bid
 21 specifications?
 22 DEPUTY DIRECTOR BARRY: I don't have
 23 an answer for that, Freeholder.
 24 FREEHOLDER MUNOZ: We just print it
 25 out of the computer, put it in for the bid, and

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1 someone saw it now after they bid, and they said
 2 these are the numbers we are going to look at? At
 3 the end, the lowest bidder, even if you put the
 4 overtime with the hourly rate compared to the other
 5 two bidders.
 6 DEPUTY DIRECTOR BARRY: The second
 7 lowest bidder --
 8 FREEHOLDER MUNOZ: So now the change,
 9 what are you going to have? The change would be the
 10 overtime rate?
 11 DEPUTY DIRECTOR BARRY: We've
 12 proposed to revise the specifications to require
 13 that the overtime rate be set at 1.5 times, time and
 14 a half.
 15 FREEHOLDER MUNOZ: What is the
 16 industry? What is the norm when it comes to that?
 17 DEPUTY DIRECTOR BARRY: The norm for
 18 overtime rate is time and a half. That is actually
 19 what prevailing wage requires.
 20 FREEHOLDER O'DEA: The nights and
 21 weekends are often more than time and a half.
 22 DEPUTY DIRECTOR BARRY: On prevailing
 23 wage that requires double time for Sundays and
 24 holidays.
 25 FREEHOLDER O'DEA: Sundays and

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1 holidays, how much of those 50 hours are overtime,
 2 and how many of those 50 hours are Sundays and
 3 holidays, and overtime wouldn't be a night or even a
 4 Saturday. I don't know how you define that.
 5 Overtime is generally defined that you have to have
 6 the electrician more than eight hours at a given
 7 time, then overtime would kick in or I guess 40
 8 hours, right?
 9 DEPUTY DIRECTOR BARRY: The way the
 10 contract is structured, that any time regular hours
 11 are from eight a.m. to four-thirty. If they
 12 reported to the job at two o'clock in the afternoon,
 13 from two to four-thirty is straight time, but any
 14 time after four-thirty is overtime.
 15 FREEHOLDER O'DEA: Any time they work
 16 after four-thirty, it goes to overtime. Here is my
 17 concern, this was bid two years ago, correct?
 18 DEPUTY DIRECTOR BARRY: Correct.
 19 FREEHOLDER O'DEA: At the time that
 20 you bid this two years ago, I don't know whether you
 21 did a similar analysis, and I don't know had you
 22 done a similar analysis, if the rates were the same
 23 and you didn't reject the bid, how you don't beg
 24 this bidder to go to court and say, Whoa, time out.
 25 The history of the County was such, my contract was

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1 awarded as such, this is the historical data on the
 2 overtime, and now, after they did it again, they now
 3 want to reject the bid when my hourly rate has
 4 already been put out there. I don't know what the
 5 hourly rates were. Do you know what the hourly rate
 6 was prior bid over the current bid?
 7 DEPUTY DIRECTOR BARRY: September
 8 22nd, 2011, the bid that came from Vanore Electric
 9 was \$112.43 an hour. The overtime rate was double
 10 that.
 11 FREEHOLDER O'DEA: What was the next
 12 bid?
 13 DEPUTY DIRECTOR BARRY: Next bidder,
 14 there were two other bidders, and they were both
 15 tied, hourly rates were tied at \$130 regular time.
 16 FREEHOLDER O'DEA: Here is my one
 17 concern, right? You told me two years ago they bid
 18 a rate of \$112 an hour. The rate in this bid is
 19 \$79.38, correct?
 20 DEPUTY DIRECTOR BARRY: Correct.
 21 FREEHOLDER O'DEA: Which is \$35 or
 22 \$33 lower. We are running the risk if we put this
 23 thing out to bid, what happens if the bids go back
 24 up to \$110 an hour? We're going to look foolish.
 25 DEPUTY DIRECTOR BARRY: Well, there

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1 is no reason to think they would go that high. The
2 second lowest bidder is 87.
3 FREEHOLDER O'DEA: The second lowest
4 bidder is at 87. The third lowest bidder is at 110.
5 Two things can happen. One, if the second lowest
6 bidder is at the lowest number possible, the 79 guy
7 can go to 86 and automatically still win the bid.
8 It's almost -- here is my concern, Kevin. I didn't
9 know when I spoke the Director earlier, I didn't
10 know how much lower this bid is than it was two
11 years ago. You risk potential good things. One is
12 they competed with each other and 79 or goes to 76
13 or 74. That's a risk that's positive, and we save
14 money on the overtime.
15 However, one may argue that the gentleman
16 that bid this low, there is no way he's going to go
17 that low again because he has the contract. He
18 historically knows how much he made on weekends,
19 holidays, whatever, so he's now got to take that
20 into account, and his rate may go up. His rate may
21 go up to 86, the other one goes to 87, we're still
22 going to wind up spending more.
23 If the hourly rate was comparable or more
24 than what it was two years ago, it would be an easy
25 decision to reject the bid. But when the hourly

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1 rate is a third lower, why run the risk of even --
2 unless we have some astronomical amount of overtime,
3 and overtime, because double time is still Sundays
4 and holidays, correct, under either circumstance?
5 DEPUTY DIRECTOR BARRY: Prevailing
6 wage rates require double time.
7 FREEHOLDER O'DEA: Yeah, under any
8 circumstances. So the only risk we run is the 50
9 hours. Is the 50 hours defined as only the overtime
10 and not the weekend or Sunday and holidays?
11 DEPUTY DIRECTOR BARRY: That's one of
12 the flaws of this specification because it doesn't
13 break down.
14 FREEHOLDER O'DEA: So you don't know?
15 You don't know. You don't know which is which,
16 right?
17 DEPUTY DIRECTOR BARRY: Right.
18 FREEHOLDER O'DEA: So it doesn't
19 break it down except -- let me ask you a question.
20 If it doesn't break it down, right, in one case it's
21 \$130.50 and the other one is \$158, right? So how
22 did the individual, the individual that put \$130 is
23 saying that all of that is going to be overtime and
24 not Sundays or holidays? Now, hold on, assuming all
25 of that, there is not one hour of Sunday or holiday,

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1 this one is still lower.
2 So not you, but whoever did this analyzed
3 this in the best possible light for Sal Electric and
4 in analyzing that, still they were higher.
5 DEPUTY DIRECTOR BARRY: It is what it
6 is. I don't think anybody analyzed it.
7 FREEHOLDER O'DEA: Whoa, it is what
8 it is only in this case. If 20 of these 50 hours
9 are on a Sunday or a holiday, the first bidder is
10 exactly the same price because they're double under
11 either circumstance.
12 DEPUTY DIRECTOR BARRY: He's covering
13 his worst-case scenario.
14 FREEHOLDER O'DEA: However, in the
15 case of Sal Electric and the other vendor, if 20
16 hours are on the Sunday or holiday, you can add an
17 extra \$43 an hour, times 20 hours, another \$900 to
18 this price, and their price goes up to 40,400; is
19 that correct?
20 DEPUTY DIRECTOR BARRY: No, that's
21 not correct.
22 FREEHOLDER O'DEA: Why isn't it
23 correct?
24 DEPUTY DIRECTOR BARRY: Because we
25 wouldn't pay more than double time because they bid

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1 at time and a half.
2 FREEHOLDER O'DEA: I thought they are
3 required to do that?
4 DEPUTY DIRECTOR BARRY: They are
5 required to pay that. We are only required to pay
6 what they bid.
7 FREEHOLDER O'DEA: So even though
8 this says "overtime rate," this is not only overtime
9 rate, this is overtime rate and Sunday and holiday
10 rate, correct?
11 DEPUTY DIRECTOR BARRY: Correct.
12 FREEHOLDER O'DEA: You're sure about
13 that?
14 DEPUTY DIRECTOR BARRY: I am sure.
15 FREEHOLDER O'DEA: You're sure that
16 they have no right to bill us at the higher rate if,
17 in fact, they do work on a Sunday or holiday?
18 DEPUTY DIRECTOR BARRY: Absolutely.
19 FREEHOLDER O'DEA: Ms. Gallagher,
20 could you confirm that?
21 MS. GALLAGHER: Deborah Gallagher,
22 Purchase Agent. Yes, I can. We will only pay them
23 their bid price, but they're required to pay their
24 worker prevailing wage.
25 FREEHOLDER O'DEA: So is Sunday and

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1 holiday considered overtime, or is it considered
 2 Sunday and holiday?
 3 MS. GALLAGHER: It's prevailing wage,
 4 Sundays and holidays would be double, but they're
 5 not allowed to charge us.
 6 FREEHOLDER O'DEA: So in your bid
 7 spec, they bill at this thing called an overtime
 8 rate for overtime, Sundays and holidays?
 9 MS. GALLAGHER: The current bids were
 10 revised.
 11 FREEHOLDER O'DEA: This bid, the bid
 12 that is in front of us today.
 13 MS. GALLAGHER: If you award the
 14 contract.
 15 FREEHOLDER O'DEA: That's how it's
 16 been done historically?
 17 MS. GALLAGHER: Yeah.
 18 FREEHOLDER O'DEA: My concern is
 19 this. We're rolling the dice. We rolling the dice
 20 that if we go out to bid again, if we go to out to
 21 bid again, and either, if Vanore or Sal Electric
 22 finds out one of them is not going to bid, and the
 23 only other option is the Longo, the difference
 24 between Vanore and Longo is \$40 an hour.
 25 CHAIRMAN ROMANO: Freeholder Liggio.

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1 FREEHOLDER LIGGIO: I tend to agree
 2 with Freeholder O'Dea. The total cost is what we
 3 should be looking at, and that's the lowest cost,
 4 the lowest bid cost. Even, you know, considering
 5 the regular time and overtime, it comes to a lower.
 6 I don't know what the problem is. What's the reason
 7 that you are trying to reject this bid, on what
 8 basis?
 9 DEPUTY DIRECTOR BARRY: It's based on
 10 the formula, Freeholder, that's using an electrician
 11 for 150 hours for regular time and 50 hours for
 12 overtime. Those are just estimates. If we, God
 13 forbid, had some major emergency across the street
 14 in the administration building, you're not allowed
 15 to do any electrical work in the building during the
 16 day because you can't disrupt the courts. So the
 17 work would have to be done at night.
 18 FREEHOLDER LIGGIO: Is that contract
 19 basically patterned after the previous contracts,
 20 150 hours and 50 hours overtime?
 21 DEPUTY DIRECTOR BARRY: Yes, actually
 22 larger. The previous contracts had even larger
 23 numbers, but we scaled them down for both, for both.
 24 FREEHOLDER LIGGIO: But the
 25 percentage was basically the same, the ratio?

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1 DEPUTY DIRECTOR BARRY: Yes.
 2 FREEHOLDER LIGGIO: Did we ever
 3 exceed the ratio for overtime in the previous
 4 contract?
 5 DEPUTY DIRECTOR BARRY: No.
 6 FREEHOLDER O'DEA: How do you know
 7 we're going to exceed it in this contract?
 8 DEPUTY DIRECTOR BARRY: Freeholder, I
 9 am presenting information.
 10 FREEHOLDER LIGGIO: It's a roll of
 11 the dice. I think the numbers speak for themselves,
 12 and we could get into if we reject this bid and go
 13 out to bid again for the reasons Freeholder O'Dea
 14 gave, they can come in with higher prices, and this
 15 Vanore would probably have a good case to sue us.
 16 DEPUTY DIRECTOR BARRY: We discussed
 17 it with the Law Department and Purchasing Agent, and
 18 they both told us that we are within our right to
 19 withdraw the bid if we had substantial modifications
 20 to the specifications.
 21 CHAIRMAN ROMANO: Freeholder Munoz.
 22 FREEHOLDER MUNOZ: When we had the
 23 emergency last year, did we use -- when we declared
 24 the emergency, we used Sal Electric, right?
 25 DEPUTY DIRECTOR BARRY: For Hurricane

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1 Sandy emergencies, we used Sal Electric on Election
 2 Day for powering the polling places.
 3 FREEHOLDER MUNOZ: If we had these
 4 electricians, why did we go with Sal Electric?
 5 DEPUTY DIRECTOR BARRY: We use
 6 Vanore, the current vendor, for the other work at
 7 the jail, in the parks, very substantial repairs.
 8 FREEHOLDER MUNOZ: How much did we
 9 pay Sal Electric for the emergency? What type of
 10 rate did we pay them?
 11 DEPUTY DIRECTOR BARRY: I think it
 12 was 45,000.
 13 FREEHOLDER O'DEA: Whatever it was,
 14 when it came here, I raised an issued, and I got it
 15 lowered. I pointed out, I know they didn't have
 16 that many people that many hours, and it came back
 17 8,000 lower.
 18 I just think that now having this number
 19 in front of me, now knowing that currently if we
 20 award this bid today, we started saving \$34 an hour,
 21 per hour, for every regular hour that they do work.
 22 Otherwise, you continue to work on the other
 23 contract that's paying them \$112 an hour? What does
 24 a bid take, 45 days; 45 days, plus when is our
 25 meeting, two months? So for two months, we're

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1 automatically going to pay \$112 an hour and
 2 \$160-something an hour for overtime automatically.
 3 There is no ands, ifs, or buts about it.
 4 By awarding this now, all that time, we
 5 save \$34 an hour, okay, and if you manage, this is
 6 all about you managing what you do. This is about
 7 you managing as a director limiting bringing the
 8 vendor in after hours or on a Sunday or a holiday
 9 unless it's a dire emergency. That's really what
 10 this is about. Even if you do, even if that's what
 11 you did, you're still better than their rate now at
 12 \$158 for those periods of time. It's better than a
 13 time and a half, a time and a half rate on \$112 an
 14 hour.
 15 So, you know, there are so many ways that
 16 this is about you managing something. This isn't
 17 about us handicapping if it's 70 hours of that.
 18 Oops, you know, you created the matrix.
 19 FREEHOLDER MUNOZ: The other issue
 20 you have, the reason that you want to make a change
 21 is if there is an emergency, you don't want to run
 22 into the overtime, and it costs a lot of money to
 23 taxpayers. When there was an emergency in the past,
 24 you go with another electrician because one couldn't
 25 handle it alone. So at the end of the day, you paid

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1 double. You paid two companies, one on an emergency
 2 basis, and the other one at the same time, so you
 3 didn't save anything.
 4 So at least in the future, you're going to
 5 be using these people, and when there's an
 6 emergency, you're going to have to use the other
 7 people, right?
 8 DEPUTY DIRECTOR BARRY: Right.
 9 FREEHOLDER MUNOZ: At the end of the
 10 day, I mean I think the issue is deciding a
 11 different way to take one electrician that's going
 12 to do overtime to work and one electrician, if there
 13 is an emergency, there is a rate, a specific rate.
 14 DEPUTY DIRECTOR BARRY: Freeholder,
 15 we discussed that option. Logistically, it's just
 16 impossible to have two separate vendors working on
 17 one project. For instance, I gave you an example
 18 before. If an emergency begins at two o'clock in
 19 the afternoon, and the vendor is working until
 20 four-thirty, it's not feasible to bring in a second
 21 company to start working.
 22 FREEHOLDER MUNOZ: We can't have that
 23 anywhere in Hudson County?
 24 DEPUTY DIRECTOR BARRY: No, no, we
 25 never said that.

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1 FREEHOLDER MUNOZ: Then you used
 2 another company in the emergency because they
 3 couldn't handle the load.
 4 DEPUTY DIRECTOR BARRY: I did not
 5 call the other company in during Election Day, so I
 6 can't address exactly for the Election Day
 7 preparation.
 8 FREEHOLDER MUNOZ: For Election Day?
 9 DEPUTY DIRECTOR BARRY: Yes, to bring
 10 emergency generators.
 11 FREEHOLDER MUNOZ: So why did they
 12 call Sal Electric?
 13 DEPUTY DIRECTOR BARRY: I wasn't
 14 involved in that process. I can't answer that
 15 question.
 16 FREEHOLDER O'DEA: Mr. Chairman,
 17 Mr. Chairman, here is the other issue, okay, how you
 18 also can better manage this. You also have the
 19 option, I was in a meeting discussing this today,
 20 and it's being looked at either by the Parks now, to
 21 directly contract or come to a direct agreement with
 22 the trades. So you bring in, eliminate the
 23 middleman. You could go and have an agreement with
 24 the electrical union and bring in those union
 25 electricians, and make that agreement that you're

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1 going to prioritize bringing in union electricians
 2 that live in the County directly when there is a
 3 situation.
 4 It's one more reason to think that you
 5 have another option, as Freeholder Munoz brought up.
 6 You've got this building and this building, there is
 7 plenty of ways to control it. I think the hours
 8 here were created by you. Not "you," meaning you
 9 personally, by your department. The rate is so much
 10 lower than it was two years ago that the risk
 11 benefit I don't think is worth us rejecting a bid,
 12 risking a lawsuit, risking a higher bid price.
 13 There are just so many things that could go wrong.
 14 This is my position. After looking at the
 15 document and asking the questions, that we accept
 16 the bid, and in speaking to the Director, I think he
 17 said if that's the wishes of the Board, so be it.
 18 DEPUTY DIRECTOR BARRY: Absolutely.
 19 Our only concern is that we felt paying double time
 20 for overtime, which is usually time and a half rate,
 21 was excessive.
 22 FREEHOLDER O'DEA: Kevin, I agree.
 23 We've been paying for a long time. I don't know how
 24 long you've been paying for it. It appears you
 25 might have been paying it for a number of years. I

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1 didn't ask you go back ten years to find out. I
 2 know you've been paying it for two years. All of a
 3 sudden it became an issue.
 4 FREEHOLDER MUNOZ: We have the
 5 contract for two years, right?
 6 DEPUTY DIRECTOR BARRY: Two years.
 7 FREEHOLDER MUNOZ: So for the next
 8 two years, review the specs and make all the changes
 9 that we have to do.
 10 CHAIRMAN ROMANO: Obviously, changes
 11 can be made.
 12 FREEHOLDER O'DEA: Mr. Clerk, what do
 13 we need to do to --
 14 DEPUTY ADMINISTRATOR COTTER: That's
 15 Item 25G.
 16 FREEHOLDER O'DEA: It's 24G.
 17 DEPUTY ADMINISTRATOR COTTER: Sorry.
 18 FREEHOLDER O'DEA: What do we need to
 19 do to accept the bid as opposed to reject it?
 20 Mr. Florio, they recommend that we reject the bid,
 21 even though the number is low. We don't want to
 22 reject the bid. What do we have to do? We know we
 23 have to affirmatively approve it. It's not enough
 24 to reject their request for rejection.
 25 MR. BATTISTA: In my opinion that's

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1 all you need to do is.
 2 MR. FLORIO: I think, Freeholder,
 3 hypothetically, if you vote no on 24G, effectively
 4 all you're doing is denying the recommendation to
 5 reject the bid, but it is not an acceptance or an
 6 award of the contract.
 7 FREEHOLDER O'DEA: So they have to
 8 come back again?
 9 MR. FLORIO: Correct.
 10 FREEHOLDER O'DEA: So then whatever
 11 happens from now to July 11th, we're going to pay
 12 \$112 an hour for anything, and if it happens on a
 13 Sunday or whatever, we're going to pay \$224, instead
 14 of 79 or \$150. Someone should have brought both
 15 alternatives to the Board today.
 16 FREEHOLDER MUNOZ: We made a motion
 17 to approve the bid. That motion is in the
 18 affirmative. Why wait?
 19 MR. FLORIO: That option has not been
 20 presented to the Board. The only thing before the
 21 Board now is the Administration's recommendation to
 22 reject the bid.
 23 FREEHOLDER DUBLIN: So the
 24 Administration at the meeting, they'll bring --
 25 MR. FLORIO: If you vote no on this

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1 tonight, this goes away and it has to come back.
 2 FREEHOLDER O'DEA: When does the
 3 contract expire?
 4 DEPUTY ADMINISTRATOR COTTER: Mr.
 5 Chairman, if it pleases the Board, we can change our
 6 recommendation.
 7 MR. FLORIO: Effectively, what is the
 8 recommendation of the Administration?
 9 MR. BATTISTA: The motion to amend
 10 what's currently before the Board is to award the
 11 contract, correct? That would be the motion that
 12 would be made -- that would be the proposal made by
 13 the Administration, which then requires action on
 14 the part of the Board.
 15 MR. FLORIO: In order to bring about
 16 that vote, there must be a motion from the Board to
 17 award this contract, to award the bid.
 18 FREEHOLDER O'DEA: Wouldn't it be a
 19 motion to act on the request of the Administration
 20 to award the bid since counsel said we don't have
 21 unilateral authority to do that, only they have the
 22 authority to?
 23 MR. FLORIO: Correct. So the motion
 24 is to amend 25G --
 25 FREEHOLDER O'DEA: 24G.

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1 MR. FLORIO: To amend 24G so as to
 2 award the contract to the lower bidder on the
 3 recommendation of the Administration.
 4 FREEHOLDER O'DEA: For an amount not
 5 to exceed whatever that amount.
 6 THE CLERK: So should that be stated
 7 for the record?
 8 MR. BATTISTA: Yes. The Purchasing
 9 Agent can tell us if this is the two-year total.
 10 FREEHOLDER O'DEA: For a two-year
 11 period for an amount not to exceed \$39,680.
 12 MS. GALLAGHER: The contract being
 13 proposed?
 14 DEPUTY DIRECTOR BARRY: Our approval
 15 was for an amount of \$146,200, for a two-year
 16 contract.
 17 FREEHOLDER DUBLIN: Repeat that.
 18 DEPUTY DIRECTOR BARRY: I'm sorry.
 19 Our approval was for a total amount of \$146,400 for
 20 a two-year period. The reason it's larger is
 21 because the bid only covers the hourly wages. The
 22 component for parts are marked up to ten percent.
 23 FREEHOLDER LIGGIO: How does the
 24 number that appears on the sheet -- what is the full
 25 cost of the contract?

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1 FREEHOLDER O'DEA: Maybe this was per
 2 year. It says two years. You estimate the parts
 3 are going to be over \$100,000?
 4 DEPUTY DIRECTOR BARRY: That's what
 5 we had budgeted. Typically, what we do is cover and
 6 spend up to what we had budgeted. We don't always
 7 spend that much.
 8 FREEHOLDER MUNOZ: We should go to a
 9 not-to-exceed amount.
 10 FREEHOLDER LIGGIO: The number is the
 11 same in each contract. That's the number that they
 12 were given to work with. That's not a number the
 13 vendors arrived at?
 14 DEPUTY DIRECTOR BARRY: The vendor,
 15 the vendor has no role in quantifying the cost of
 16 parts. We don't even give them that, no. If the
 17 specification is required, then they mark up the
 18 cost of parts and material not more than ten
 19 percent.
 20 FREEHOLDER O'DEA: So they get
 21 ten percent overage on the parts and material?
 22 DEPUTY DIRECTOR BARRY: Correct.
 23 FREEHOLDER O'DEA: So you made a
 24 bigger argument as to minimize this and directly
 25 contract with the trades whatever you can because

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1 you buy the parts, and nobody marks the parts up.
 2 So one, you're not paying the middleman for overhead
 3 and profit on an hourly rate, and two, you're not
 4 paying somebody a ten-percent markup for the parts
 5 that we need anyway. We just buy the parts
 6 ourselves. I wonder if he pays taxes when he buys
 7 the parts, or do we make sure he's exempt from sales
 8 tax because he's buying for a government use? We
 9 get raped on three different avenues on that one.
 10 FREEHOLDER DUBLIN: Why is there a
 11 markup? I mean, the contracts you get, I mean
 12 they're making their money on the labor part of it
 13 and raping us on the overtime, and we're still
 14 giving them ten percent more on top of it.
 15 DEPUTY DIRECTOR BARRY: They're
 16 raping you on overtime. It's standard every service
 17 contract is ten-percent markup.
 18 FREEHOLDER DUBLIN: I would have to
 19 agree with Bill O'Dea. We have a labor union.
 20 MR. BATTISTA: Just so you know, we
 21 are meeting with representatives of the union as to
 22 how we could craft a way for union labor. I would
 23 prefer to discuss in closed session.
 24 FREEHOLDER O'DEA: So maybe we can go
 25 to closed session later. Why do we need -- so your

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1 \$146,000, is that based on what you historically
 2 spend on parts for a two-year period?
 3 DEPUTY DIRECTOR BARRY: Yes.
 4 FREEHOLDER O'DEA: So for the last
 5 two years, you spent over \$100,000 in parts?
 6 DEPUTY DIRECTOR BARRY: I'll say
 7 this. It's based on what was approved in our
 8 budget. During our budget hearings, we go through
 9 the previous years' expenditures and come up with
 10 how much we can spend, and that's how our budget is
 11 set.
 12 FREEHOLDER O'DEA: Kev, look, this is
 13 what is mind-boggling and why we need to discuss
 14 this other issue. Under this contract in two years,
 15 this is your number, not my number, you're proposing
 16 that we spend approximately, I'm rounding, \$40,000
 17 on labor. We're going to spend \$100,000 on parts,
 18 which is two and a half times.
 19 On the labor side, assuming, assuming a
 20 high number, a high industry standard of labor which
 21 is ten-percent overhead and ten-percent profit, high
 22 number, it should be less. The vendor is going to
 23 make \$8,000 off of our labor. The same vendor for
 24 just buying parts we could buy ourselves is going to
 25 make \$10,000. It's insane.

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1 DEPUTY ADMINISTRATOR COTTER: Mr.
 2 Chairman, given this new information, would you
 3 rather go to back to the bid rejection?
 4 FREEHOLDER O'DEA: No, no, I would
 5 rather not because we control the process. We
 6 control the process, and we control the process in
 7 this regard, because I don't want to go out and bid
 8 it again and pay more money. What I want to do is
 9 award the low bid, and after awarding the low bid,
 10 as quickly as humanly possible, put in place an
 11 agreement with the trades, eliminate the overhead
 12 and profit on the hourly rate for labor, and not
 13 have to pay ten percent to a contractor, who simply
 14 does nothing more than make money on the ten percent
 15 on the parts that we can buy ourselves.
 16 DEPUTY ADMINISTRATOR COTTER: Then
 17 for confirmation, what is the amount of the award?
 18 DEPUTY DIRECTOR BARRY: Not to
 19 exceed, not to exceed \$146,400.
 20 FREEHOLDER O'DEA: So we have the
 21 ability to lower that and have you come back if you
 22 need more money?
 23 DEPUTY DIRECTOR BARRY: It's not for
 24 me to answer.
 25 FREEHOLDER O'DEA: Mr. Florio?

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1 MR. FLORIO: My position would be
 2 that the Board has the authority to vote on the
 3 contract or bid that is presented to it for its
 4 consideration, and without the cooperation of the
 5 Administration, is not in a position to renegotiate.
 6 FREEHOLDER O'DEA: Would the
 7 Administration support reducing the amount from
 8 146,000 to \$100,000? That way we can look at these
 9 other avenues, and if it costs more, you obviously
 10 just come back to us, and we amend. We do an
 11 amendment to the contract.
 12 DEPUTY ADMINISTRATOR COTTER: Mr.
 13 Chairman, it depends on whether the bids went out
 14 for a two-year contract or a one-year contract with
 15 the -- it was two-year contract. So in order to
 16 award the bid, it has to be done as a two-year
 17 contract. However, there is a clause in every
 18 contract, correct?
 19 MR. FLORIO: There is a 30-day
 20 clause.
 21 FREEHOLDER O'DEA: All I'm asking,
 22 would you reduce the amount?
 23 DEPUTY ADMINISTRATOR COTTER: No.
 24 FREEHOLDER O'DEA: Why can't you
 25 reduce the amount -- oh, reduce the award to

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1 \$100,000. Still, it's a two-year contract with an
 2 amount not to exceed \$100,000.
 3 DEPUTY ADMINISTRATOR COTTER: We can
 4 do that.
 5 FREEHOLDER O'DEA: So then make that
 6 the recommendation.
 7 MR. FLORIO: So the not-to-exceed
 8 number now is \$100,000, two years, not exceed
 9 \$100,000, and just recap. There presently is a
 10 motion, a sponsor and second on the consent agenda
 11 that is before the vote as a motion to amend 24G to
 12 award the contract for a period of two years, not to
 13 exceed \$100,000, Vanore Electric, the low bidder.
 14 We have a motion by Freeholder Dublin.
 15 FREEHOLDER O'DEA: I think they have
 16 to make it now that it's changed.
 17 MR. FLORIO: Withdraw the
 18 sponsorship.
 19 FREEHOLDER DUBLIN: I withdraw.
 20 MR. FLORIO: And second.
 21 FREEHOLDER LIGGIO: Yes.
 22 MR. FLORIO: For the record the
 23 sponsor and second have been withdrawn. On the
 24 motion not to exceed \$100,000, we need a sponsor and
 25 second.

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1 CHAIRMAN ROMANO: Sponsored by
 2 Freeholder Dublin. Second by Freeholder Liggio to
 3 lower the amount.
 4 THE CLERK: Roll call on the motion
 5 to amend 24G. Freeholder DiDomenico.
 6 FREEHOLDER DiDOMENICO: Yes.
 7 THE CLERK: Dublin.
 8 FREEHOLDER DUBLIN: Yes.
 9 THE CLERK: Liggio.
 10 FREEHOLDER LIGGIO: Yes.
 11 THE CLERK: Munoz.
 12 FREEHOLDER MUNOZ: Yes.
 13 THE CLERK: O'Dea.
 14 FREEHOLDER O'DEA: Yes.
 15 THE CLERK: Rivas.
 16 FREEHOLDER RIVAS: Yes.
 17 THE CLERK: Chairman Romano.
 18 CHAIRMAN ROMANO: Yes.
 19 THE CLERK: The consent agenda is
 20 amended.
 21 FREEHOLDER MUNOZ: Mr. Chairman, the
 22 other things we had to do is for the next two years,
 23 this bid, they bid on the amount for one year and
 24 another amount for another year. The company that
 25 won the bid the same amount for four years. For Sal

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1 Electric, the second year rate went to \$93.
 2 DEPUTY DIRECTOR BARRY: It's true.
 3 FREEHOLDER MUNOZ: So perhaps there
 4 is a way of asking for the same amount for two
 5 years.
 6 FREEHOLDER O'DEA: You can't. You
 7 can't do it.
 8 FREEHOLDER MUNOZ: So they have to?
 9 FREEHOLDER O'DEA: It's up to them to
 10 decide whether it's worth the same amount for both
 11 years, and that's why they have to go calculate it
 12 based on the matrix that they created themselves.
 13 They create the matrix, not us, and not the bidder.
 14 THE CLERK: On the consent agenda as
 15 amended, Freeholder DiDomenico.
 16 FREEHOLDER DiDOMENICO: Yes.
 17 THE CLERK: Dublin.
 18 FREEHOLDER DUBLIN: Yes.
 19 THE CLERK: Liggio.
 20 FREEHOLDER LIGGIO: Yes.
 21 THE CLERK: Munoz.
 22 FREEHOLDER MUNOZ: Abstain on 36.
 23 Yes on the rest.
 24 THE CLERK: O'Dea.
 25 FREEHOLDER O'DEA: No on 36. Aye on

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1 the rest.

2 THE CLERK: Rivas.

3 FREEHOLDER RIVAS: Yes.

4 THE CLERK: Chairman Romano.

5 CHAIRMAN ROMANO: Yes.

6 THE CLERK: All items are approved.

7 FREEHOLDER DUBLIN: Mr. Chairman, may

8 I be excused?

9 FREEHOLDER O'DEA: We have one more

10 ordinance.

11 THE CLERK: We have no ordinances for

12 introduction. We have one ordinance for second

13 reading. The ordinance is entitled Bond ordinance

14 providing for the undertaking of capital projects

15 for Fiscal Year 2014, by and for the Hudson County

16 Community College, located within the County of

17 Hudson, State of New Jersey, appropriating

18 \$4,250,000 therefor, and authorizing the issuance of

19 \$4,250,000 bonds or notes of the County of Hudson,

20 State of New Jersey, for financing such

21 appropriation, the principal of and interest on the

22 aggregate principal amount of which will be entitled

23 to State aid pursuant to Chapter 12 of the Laws of

24 New Jersey of 1971.

25 This is the time fixed for public hearing

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1 on this Ordinance, which was introduced at the

2 meeting of June 13th, 2013, advertised as required

3 by law together with the notice of Hearing for this

4 time. It has been posted on the Freeholder's

5 Bulletin Board and made available to the general

6 public.

7 Are there any speakers on this ordinance?

8 There appears to be none. Is there a motion to

9 close the hearing?

10 CHAIRMAN ROMANO: Motion by Dublin.

11 Second by Liggio.

12 THE CLERK: All in favor?

13 (The Board votes unanimously to close

14 the Hearing.)

15 The Hearing is closed. On final adoption,

16 Freeholder DiDomenico.

17 FREEHOLDER DiDOMENICO: Yes.

18 THE CLERK: Dublin.

19 FREEHOLDER DUBLIN: Yes.

20 THE CLERK: Liggio.

21 FREEHOLDER LIGGIO: Yes.

22 THE CLERK: Munoz.

23 FREEHOLDER MUNOZ: Yes.

24 THE CLERK: O'Dea.

25 FREEHOLDER O'DEA: Yes.

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1 THE CLERK: Rivas.

2 FREEHOLDER RIVAS: Yes.

3 THE CLERK: Chairman Romano.

4 CHAIRMAN ROMANO: Yes.

5 THE CLERK: That concludes the items

6 of business on today's agenda. Are there any

7 comments from the Freeholders on the business of the

8 Board?

9 FREEHOLDER DiDOMENICO: Mr. Chair, I

10 have a quick committee report. As you know the

11 Department of Health and Human Services, at our last

12 meeting, Director Wilson said that they were

13 awaiting to hear about Ryan White funding, and we

14 had proposed possibly putting a resolution on

15 tonight to urge them to expedite that process, but

16 we did get it. The awards were given.

17 There were some cuts, not as drastic as we

18 had anticipated, but cuts nonetheless, and the

19 Department of Human Services has been working hard

20 to figure out how to continue the best possible

21 services for our AIDS community with the priority on

22 primary health care, and a priority identifying and

23 reaching out to unidentified Hudson County residents

24 who may be HIV infected. I want to thank them for

25 that.

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1 Also, on Tuesday, the committee met with

2 the Office of Minority Women's Business Affairs, and

3 I would just like to bring your attention to the

4 summary that the office prepared for us that were

5 left the dais. On Tuesday, certainly you can review

6 it yourselves, but the main thrust the office has

7 been working on for the past year has been

8 partnerships. They partnered with the New Jersey

9 City University Women's Development Center, and that

10 has resulted in increased participation in their

11 seminars, and they partnered with Corporate Concepts

12 and Solutions to do funding for small non-profit

13 businesses.

14 They sponsored a seminar with Port

15 Authority to help businesses get certified for work

16 on the Bayonne Bridge project. They're looking into

17 future partnership with Hudson County Community

18 College Center for Business and Industry, with a

19 specific focus on scaling up the workers, and

20 they're also looking to begin more partnerships with

21 the banking community. There's a roundtable coming

22 up in July matching up the banking community with

23 small businesses.

24 Certainly, if you have any questions after

25 you review this, you can direct them to Director

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1 Richardson. Thank you.

2 FREEHOLDER O'DEA: Mr. Chair, just

3 for Director Lopez's edification, I know that we

4 have an SAT prep program in the summer. I know it's

5 probably too late to do anything this summer, but

6 I've been able to get some -- these are books for

7 individuals that would be interested in going into a

8 trade as opposed to college. It is a prep program

9 to prep them for the apprenticeship test they may

10 have to take as an electrician and plumber. As we

11 know, not everyone is looking to go to college,

12 especially, since we have a lot of TANF youth who

13 may want to go into a trade as opposed to college, I

14 would recommend that we -- I'll get you copies so

15 that we can look to do this for next summer. It

16 creates opportunities, other opportunities for other

17 people.

18 THE CLERK: Are there any comments

19 from the Chief of Staff of the County Executive?

20 MR. GAUGHAN: No, thank you.

21 THE CLERK: This is the time for

22 anyone present to address the Board on any matter of

23 public interest. Please remember to limits your

24 comments to five minutes. Are there any speakers?

25 Please state your name.

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1 MS. BALCER: Yvonne Balcer. As

2 you're aware, a few weeks ago I came here, and I

3 asked you for a copy of Chico Ramchal's work record

4 on education, and I have to say that Anthony, the

5 Business Manager, did call me two days ago, and he

6 said you'll be getting the information shortly.

7 So I received an e-mail. It's not what I

8 really expected, but in the e-mail I received a note

9 from Mr. Neil Carroll saying what was listed on his

10 work record. I really would have preferred like a

11 copy. But I'm going to accept this in the way comes

12 on the information form, and Bayonne High School,

13 accepting their information. So I want to say thank

14 you for the information. I did ask for the copy of

15 addresses for people in the 31st, 32nd, 33rd

16 district, and I was just want to say thank you very

17 much for responding to my request.

18 The other request I do have, which has

19 nothing to do with the Board. I read recently in

20 the paper that Fulop planned to cancel the reval,

21 and I would like to know what does the Hudson County

22 Board of Taxation feel about this? Will it be

23 canceled, or do they have oversight on that? Does

24 anyone know about this?

25 MR. BATTISTA: That's a matter, my

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1 office is not involved in representing the Board of

2 Taxation.

3 FREEHOLDER O'DEA: I would ask that

4 we have them come to the next caucus and address the

5 speaker.

6 MS. BALCER: I'm curious because as

7 you said before in the previous meeting we had,

8 people are paying 20 percent. I can understand why

9 it's hard. I know what I pay in taxes. I also

10 understand places like Secaucus that pay so much

11 money because Jersey City has, I don't know, all the

12 abatements which really lower the city's ratable

13 base. I'm curious what would really happen.

14 FREEHOLDER O'DEA: Could we ask that

15 Mr. Kenny attend the next caucus meeting on July

16 9th, and be in a position to address, what position,

17 if any position, the board or he would take on a

18 request to cancel the reval in Jersey City?

19 MS. BALCER: The comment I do have is

20 that it was a budget hearing we had last week, what

21 does every town pay proportionate to the budget? I

22 realize the budget was approximately half a

23 million --

24 FREEHOLDER O'DEA: A half a billion.

25 MS. BALCER: Half a billion, and I

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1 know 395 maybe comes from local taxpayers. I would

2 like the exact amount of how much does each town pay

3 proportionately to its population really. I know

4 Secaucus pays an awful lot, but I would like to hear

5 what is be paid for the County services, and my

6 opinion is, it should be more.

7 FREEHOLDER O'DEA: We can get you --

8 I don't have it with me. I would have had it two

9 weeks ago, but we could mail you the document that

10 was given to us, which gives each city and the

11 actual dollar amount they paid to the County taxes,

12 and obviously, it doesn't break it down per

13 population. Then you can just extrapolate the

14 populations of the towns.

15 MS. BALCER: I can do that myself. I

16 basically want to know what each --

17 FREEHOLDER O'DEA: If you give the

18 Clerk a mailing address or e-mail address, we can

19 get that to you right away.

20 MS. BALCER: Thank you very much.

21 THE CLERK: Additional speakers on

22 any matter of public interest? Please state your

23 name for the record.

24 MR. WAHID: Riaz Wahid. I want to

25 thank the Board for the funding for beginning the

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1 work in Hoboken. Thank you for this.

2 I also want know, I believe that 24B,

3 there could be a spelling error, misspelling. I

4 think it's Holmdel.

5 FREEHOLDER O'DEA: What number is

6 that?

7 MR. WAHID: 24B.

8 FREEHOLDER O'DEA: Which the Holmdel,

9 that's it, H-o-l-m-d-e-l. What is the address?

10 THE CLERK: That's listed as

11 Englishtown. It's Englishtown on the resolution.

12 DEPUTY ADMINISTRATOR COTTER: The

13 address of the company?

14 FREEHOLDER O'DEA: It's 28 Harrison

15 Avenue, Englishtown, New Jersey. How is it spelled?

16 DEPUTY ADMINISTRATOR COTTER: H-o-l-d-

17 m-e-l.

18 THE CLERK: He wants it Holmdel.

19 FREEHOLDER O'DEA: Riaz, in the

20 resolution, it's spelled, H-o-l-m-d-e-l. On the

21 document in this resolution, which was submitted by

22 the Administration is spelled that way. Whoever

23 typed this misspelled it. You're correct that the

24 document here was spelled wrong, but the one that we

25 voted on was actually spelled correctly.

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1 MR. WAHID: On 23G, purchase of new

2 chair, is that one chair or more than one chair?

3 DEPUTY ADMINISTRATOR COTTER: One

4 chair.

5 MR. WAHID: One chair, \$429?

6 DEPUTY ADMINISTRATOR COTTER: Yes,

7 correct.

8 MR. WAHID: I mean, I'm surprised.

9 One chair for \$429?

10 FREEHOLDER O'DEA: Who is that chair

11 for?

12 DEPUTY ADMINISTRATOR COTTER: The

13 Exec himself.

14 FREEHOLDER O'DEA: If it was anybody

15 else, I would change my vote.

16 MR. WAHID: Thank you very much.

17 THE CLERK: Additional speakers on

18 any matter of public interest?

19 MR. HALLADAN: My name is John

20 Halladan. I came here for two items. One is to

21 give you an after-action report on the Lincoln

22 Highway. I was here in January. I brought this

23 sign. On the 22nd of June, about 80 people and 40

24 cars involved in a caravan that did not make one

25 long stream, they came in bits and pieces from

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1 Secaucus, 80 people and maybe 40 course car.

2 I spoke to the Sheriff and the Chief of

3 Police in Union City and Mayor Turner's office, and

4 we made some arrangements with the New York

5 Waterways and the group from around the neighboring

6 Pershing Road. It went very nicely. The route went

7 from Pershing Road to 48th Street to Kennedy

8 Boulevard, and along Kennedy Boulevard to Lincoln

9 Park and down to 1 & 9, approximately 40 cars, I

10 guess. People from the Lincoln Association were at

11 the Lincoln monument. They flagged them down and

12 took some pictures. We have a copy. We sent the

13 pictures by e-mail to these people who are going to

14 Kearney, Nebraska to have a hoedown or a jamboree

15 for the people coming from San Francisco.

16 Mr. LaRosa had the sign similar to this

17 posted on the Boulevard at certain intersections to

18 mark the trail. Maybe the next thing should be to

19 use the Lincoln Highway link for some tourism or

20 travel for the County. There will be another group

21 leaving San Francisco coming here. I don't know

22 when they'll get here, but we can find out what they

23 need. And they were very happy to be welcome in

24 Hudson County. When they have their jamboree and

25 have they're pictures out there, I'm sure they'll

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1 display us and have a good name for the County.

2 The second item was I understand the

3 Hudson County Open Space, do we have a date for the

4 application for those funds? It is not specified or

5 it's been postponed, or it's not there yet?

6 DEPUTY ADMINISTRATOR COTTER: That's

7 correct. There has been no date yet set for

8 submission of applications.

9 FREEHOLDER O'DEA: John, just for the

10 record on that one, I asked a number of meetings ago

11 when they told me they were looking at like a

12 September date, I thought that was unsatisfactory,

13 and that we needed to move the date up. They claim

14 they're trying to do this whole new report and

15 awarding the monies from last year that should now

16 be determined on this new study. Could we have the

17 Planning individual in charge of that come to the

18 next Caucus meeting?

19 MR. HALLADAN: There's two copies of

20 the pictures that were taken. One picture is a

21 group picture. Thank you.

22 FREEHOLDER O'DEA: Thank you, Jack.

23 THE CLERK: Additional speakers on

24 any matter of public interest? Please state your

25 name.

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1 MS. BURKE: Good evening. Charlotte
 2 Burke. Good evening, Freeholders. I'm here to talk
 3 a little bit on the traffic conditions on the
 4 Boulevard, which is our major artery going north and
 5 south in the County, and one of the things I
 6 encounter all the time particularly going through
 7 this corridor is a lot of the traffic in the
 8 intersections, specifically I have ten intersections
 9 that I've identified that I think I'm suggesting
 10 that perhaps the Freeholders might consider a Do Not
 11 Block the Box sign for these intersections.
 12 We have very inconsiderate drivers. We
 13 have people who are in a rush. They actually block
 14 all the traffic when that light is changing for the
 15 other direction in the cross direction and adds to
 16 our traffic flow at rush hour that we already have.
 17 So if we were to just institute a Do Not Block the
 18 Box and mark out these intersections whereby no cars
 19 should be going into the intersection if there is
 20 not a place for it other side, we would actually
 21 have a much better flow along the Boulevard.
 22 I recognize that people are just very
 23 frustrated. Then people behave even worse when
 24 they're sitting in traffic. That lends to
 25 accidents.

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1 FREEHOLDER O'DEA: Can you provide
 2 the list? I'll have our committee look at it.
 3 MS. BURKE: We'll go through them
 4 right here: Communipaw, Montgomery, Sip, Tonnelle.
 5 Newark Avenue, I give an asterisk there because that
 6 intersection is a perpetual, perpetual problem.
 7 Route 139 and Johnson Avenue and Secaucus Road,
 8 31st. I think that's one that goes down towards
 9 Route 3.
 10 FREEHOLDER O'DEA: That left is a
 11 hard one.
 12 MS. BURKE: I also would like if the
 13 Freeholders could address the U-turn in the center
 14 of Journal Square, the one that goes northbound, and
 15 you make the U-turn going southbound. In the
 16 evening time, you have the taxicabs that leave their
 17 stands and shoot right across both lanes, maybe
 18 always. They angle themselves and actually obstruct
 19 northbound traffic.
 20 FREEHOLDER O'DEA: That's an illegal
 21 U-turn. That is not a legal U-turn. Just so you
 22 know, that left turn was meant to turn into that
 23 parking deck, and those cab drivers have made that
 24 an illegal u-turn. I know exactly what you're
 25 talking about.

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1 MS. BURKE: They create a horror
 2 there, obviously, if we try to get across.
 3 CAPTAIN MARTINEZ: There is
 4 construction going on Summit, and it's tying up a
 5 lot of the Journal Square area.
 6 FREEHOLDER O'DEA: Edgar, Charlotte's
 7 point is this: They created a left turn for a
 8 single purpose. The single purpose is for vehicles
 9 to turn into a parking facility. There may be two
 10 percent of the vehicles do that; 98 percent of the
 11 vehicles, it's not only cabs, have made that into an
 12 illegal U-turn. We need to do something that
 13 they're never allowed to make a U-turn from a
 14 physical perspective or have enforcement there until
 15 enough people get tickets, and they get the point.
 16 CAPTAIN MARTINEZ: I'll take care of
 17 that.
 18 MS. BURKE: Thank you. It's just
 19 that these contribute even more to traffic, so if we
 20 could just resolve these, it would be much easier.
 21 FREEHOLDER O'DEA: Can you get us a
 22 list? I know you went through it.
 23 MS. BURKE: I absolutely will. Thank
 24 you.
 25 THE CLERK: Additional speakers on

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1 any matter of public interest?
 2 FREEHOLDER O'DEA: I make a motion to
 3 go into closed session.
 4 MR. BATTISTA: For the purpose of
 5 discussion potential contractual relationships.
 6 FREEHOLDER O'DEA: Whatever he just
 7 said.
 8 THE CLERK: There is a motion. All
 9 in favor.
 10 (The Board votes unanimously to move
 11 into Closed Session.)
 12 THE CLERK: Is there any motion to
 13 adjourn? Freeholder O'Dea.
 14 Is there a second? Seconded by Munoz.
 15 All in favor? The meeting is adjourn.
 16 (Whereupon the proceeding is then
 17 concluded at 7:45 p.m.)
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CERTIFICATION

I, SHARI CATHEY, CCR, RPR, License No. 30XI00234700, and Notary Public of the State of New Jersey, hereby certify that the proceedings herein are from the notes taken by me of a Regular Meeting of the Hudson County Board of Freeholders, held on Thursday, June 27, 2013; and that this is a correct transcript of the same.

SHARI CATHEY, CCR, RPR
A NOTARY PUBLIC of the
State of New Jersey
I.D. No. 2283786
Commission Expires 2/4/17

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