1 HUDSON COUNTY
BOARD OF CHOSEN FREEHOLDERS

2 RE:

ORIGINAL

3 REGULAR MEETING :
OF THE :
4 HUDSON COUNTY BOARD OF :
CHOSEN FREEHOLDERS :
5 :

TRANSCRIPT OF

PROCEEDINGS

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6 O P E N S E S S I O N
7 Hudson County
Administration Building,
8 Freeholders Chambers
567 Pavonia Avenue
9 Jersey City, New Jersey
Thursday, October 9, 2014
10 6:00 p.m.
11 B E F O R E:
12 JOSE C. MUNOZ, Chairman
ALBERT CIFELLI, Freeholder
13 DOREEN DiDOMENICO, Freeholder
JEFFREY DUBLIN, Freeholder
14 E. JUNIOR MALDONADO, Freeholder
WILLIAM O'DEA, Freeholder
15 TILO RIVAS, Freeholder
ANTHONY ROMANO, Freeholder
16
17 A L S O P R E S E N T:
18 EDWARD J. FLORIO, ESQ., Board Counsel
19 DONATO J. BATTISTA, Hudson County Counsel
20 ABRAHAM ANTUN, County Administrator
21 ALBERTO G. SANTOS, County Clerk
22
23
24
25 Job No. NJ1798465

1 THE CLERK: Freeholder Cifelli.
2 FREEHOLDER CIFELLI: Present.
3 THE CLERK: DiDomenico, absent.
4 Dublin.
5 FREEHOLDER DUBLIN: Here.
6 THE CLERK: Liggio, absent.
7 Maldonado.
8 FREEHOLDER MALDONADO: Here.
9 THE CLERK: O'Dea.
10 FREEHOLDER DUBLIN: Absent.
11 THE CLERK: Rivas.
12 FREEHOLDER RIVAS: Here.
13 THE CLERK: Romano.
14 FREEHOLDER DUBLIN: Absent.
15 THE CLERK: Chairman Munoz.
16 CHAIRMAN MUNOZ: Here.
17 THE CLERK: Please stand for the
18 Pledge of Allegiance.
19 (Flag Salute.)
20 THE CLERK: Freeholder O'Dea is
21 present. Adequate notice of this meeting has been
22 provided as follows:
23 1. Posting notice of Resolution No.
24 8-1-2014 on the Freeholder's Bulletin Board, Third
25 Floor, Administration Building Annex, Jersey City,

1 New Jersey.
2 2. Copies of the above mentioned
3 resolution have been sent to the County Clerk and
4 the editors of the Jersey Journal and the Star
5 Ledger.
6 Freeholder Romano is also present.
7 FREEHOLDER ROMANO: Welcome back,
8 Freeholder Cifelli.
9 THE CLERK: Mr. Chairman, the first
10 item I have for the Board is a laudatory entitled
11 Resolution Recognizing November as Pancratic Cancer
12 Awareness Month.
13 FREEHOLDER ROMANO: Board as a whole.
14 THE CLERK: Should I read it into the
15 record?
16 CHAIRMAN MUNOZ: Yes.
17 THE CLERK: Whereas, in 2014, an
18 estimated 46,420 people will be diagnosed with
19 pancreatic cancer in the United States and over
20 39,590 will die from the disease; and
21 Whereas, pancreatic cancer is one of the
22 deadliest cancers; it is currently the fourth
23 leading cause of cancer death in the United States
24 and is projected to become the second by 2020; and
25 Whereas, pancreatic cancer is the only

1 major cancer with a five-year relative survival
2 rate, in the single digits at just six percent; and
3 when symptoms of pancreatic cancer present
4 themselves, it is generally late stage, and 73
5 percent of pancreatic cancer patients die within the
6 first five years of their diagnosis, while 94
7 percent of pancreatic cancer patients die within the
8 first five years; and
9 Whereas, approximately 1,220 deaths from
10 pancreatic cancer will occur in New Jersey in 2014;
11 and
12 Whereas, the Recalcitrant Cancer Research
13 Act was signed in law in 2013, which calls on the
14 National Cancer Institute to develop a scientific
15 framework or strategic plans for pancreatic cancer
16 and other deadly cancers, which will help provide
17 the strategic direction and guidance needed to make
18 true progress against these diseases; and
19 Whereas, the Pancreatic Cancer Action
20 Network is a national organization serving the
21 pancreatic cancer community and the County of Hudson
22 and nationwide through a comprehensive approach that
23 includes public policy, research, funding and
24 patient services and public awareness and education
25 related to developing effective treatment and a cure

1 for pancreatic cancer; and
2 Whereas, the Pancreatic Cancer Action
3 Network and its affiliates in Hudson County support
4 those patients currently battling pancreatic cancer,
5 as well as family members and those who have lost
6 their lives to the disease and are committed to
7 nothing less than a cure; and
8 Whereas, the good health and well-being of
9 the residents of Hudson County are enhanced as a
10 direct result of increased awareness about
11 pancreatic cancer and research into its early
12 detection, causes and effective treatments.
13 Now, therefore, be it resolved by the
14 Board of Chosen Freeholders of the County of Hudson
15 and in conjunction with County Executive Thomas A.
16 DeGise, that the County of Hudson recognizes the
17 month of November as Pancratic Cancer Awareness
18 Month, and this resolution shall take effect
19 immediately.
20 Freeholder Cifelli.
21 FREEHOLDER CIFELLI: Aye.
22 THE CLERK: Dublin.
23 FREEHOLDER DUBLIN: Aye.
24 THE CLERK: Maldonado.
25 FREEHOLDER MALDONADO: Aye.

1 THE CLERK: O'Dea.
2 FREEHOLDER O'DEA: Yes.
3 THE CLERK: Rivas.
4 FREEHOLDER RIVAS: Aye.
5 THE CLERK: Romano.
6 FREEHOLDER ROMANO: Aye.
7 THE CLERK: Chairman Munoz.
8 CHAIRMAN MUNOZ: Yes.
9 THE CLERK: Mr. Chairman, Mr.
10 Weinstein seen from the Pancreatic Awareness Network
11 is present.
12 MR, WEINSTEIN: Good evening. Thank
13 you very much, Chairman Munoz and the entire
14 Freeholder Board. This is resolution --
15 FREEHOLDER MALDONADO: Can you speak
16 into the mic, please?
17 MR, WEINSTEIN: For this resolution
18 declaring Pancreatic Cancer Awareness Month in
19 Hudson County for the month of November. My
20 involvement with the organization and the disease
21 occurred two days after Thanksgiving in 2005, when I
22 went into the emergency for an unrelated problem,
23 and I was told, Oh, by the way, you also have a
24 tumor in your pancreas.
25 Here are the statistics that you heard

1 today reading the resolution. It is not very
2 hopeful for those of us who are diagnosed. I was
3 one of the lucky ones. Next month it will be nine
4 years that I'll be a survivor.
5 (Applause.)
6 Thank you. But that's just a rarity. As
7 you heard only six percent survive this disease for
8 five years. This is the same statistics that has
9 been going on since the last 40 years, since the
10 passage of the National Cancer Act. There are other
11 cancers out there that have made progress.
12 Unfortunately, there has not been progress with
13 pancreatic cancer. One of the first steps is to
14 raise awareness at a grassroots level, and that is
15 going town by town, county by county, to point out
16 how horrendous this disease really is
17 It's not getting any better. As you
18 heard by the year 2020, this is the fourth leading
19 cause of cancer death. It is projected to become
20 the second leading cause of cancer death. That's
21 unacceptable. We cannot let this continue on for
22 another 40 years and where our child and grandchild
23 are going to be susceptible to this disease.
24 I want to thank you on behalf of the
25 North Jersey Pancratic Cancer Action Network. We're

1 a nationwide organization looking to provide hope
2 for those diagnosed with this disease through
3 comprehensive education and outreach programs,
4 advocacy for a cure, as well as patient services
5 which is support for the patients currently fighting
6 this disease that can get to information that's not
7 available anyplace else. This day with the
8 internet, you still can't find information
9 concerning this disease
10 So again, I would like to thank you for
11 this resolution and for raising awareness in the
12 County of Hudson, and we would also like to point
13 out that we're having a walk in November, and I
14 would hope we could have support from the people who
15 are residents of Hudson, and you can go to
16 pancan.org for additional information about the
17 organization as well as the walk. Anyone that wants
18 to talk to me personally about family members or
19 friends, I am always available for calls.
20 Mr. Santos has my card and where I can be reached.
21 Thank you very much.
22 FREEHOLDER ROMANO: Mr. Chairman,
23 could you provide that for the whole Board? Thank
24 you.
25 THE CLERK: Do you want to make a

1 presentation, Mr. Chair?
2 (Photograph.)
3 THE CLERK: Mr. Chairman, do you want
4 to go to the presentation at the request of you and
5 Councilwoman Mason.
6 COUNCILWOMAN MASON: Chairman Munoz
7 and Freeholders, thank you very much for giving me
8 the opportunity to speak to you tonight. My name is
9 Beth Mason, and I'm the City Council Representative
10 for the Second Ward of Hoboken. I happen to
11 represent the area in which the Monarch project that
12 is on your agenda is being -- resides actually on
13 the pier so to speak.
14 I would like to come and ask, given it is
15 such an important for issue for the citizens of
16 Hoboken, especially my residents in the Second Ward,
17 that you hold this meeting in Hoboken so that it
18 allow its highest level of public participation for
19 those most influenced by this project. If you would
20 consider that, I would greatly ask you to do that,
21 and you know, if you do approve it, we will
22 definitely get more word out there.
23 CHAIRMAN MUNOZ: Councilwoman, I am
24 always in favor of bringing the Board into the
25 community. I know that some of your staff contacted

1 me and requested that, and I asked you to come today
2 and ask the Freeholder Board so this way we can make
3 that decision. I think it's a great idea to bring
4 the Freeholder Board into the community and allow
5 them better participation, especially this issue
6 that is very important for that community. I think
7 it's important to hold it in Hoboken, and I would
8 like to put a motion to see if we can have the
9 meeting on October 28th held at Hoboken.
10 MR. FLORIO: Mr. Chairman, given the
11 fact that I have recused myself from this matter
12 throughout its presence before the Board, I'll
13 recuse myself and leave the room during the
14 discussion.
15 FREEHOLDER ROMANO: Discussion.
16 MR. FLORIO: I can't respond.
17 FREEHOLDER ROMANO: I'm recused at
18 the hearing. Am I allowed to be here?
19 MR. BATTISTA: I don't think you
20 should vote on this matter.
21 FREEHOLDER O'DEA: Here is my
22 concern, Freeholder, before you leave. That's not
23 our counsel. He's the Administration's counsel. I
24 don't know why voting where a meeting is held is
25 something that you should be recused from.

1 FREEHOLDER ROMANO: That's what I'm
2 asking.
3 FREEHOLDER O'DEA: All you're doing
4 is voting on the physical location of the meeting,
5 and you know.
6 CHAIRMAN MUNOZ: Freeholder.
7 FREEHOLDER CIFELLI: Mr. Chairman,
8 just going back on experiences in the past working
9 with this Board, I try to think back in the past, my
10 understanding is that when we're recused, you are
11 recuse one hundred percent. So that's the substance
12 of it, procedure of it, and so I would think that if
13 you ask me about a vote, Freeholder Romano is
14 recused, in all candor, I think if you're recused,
15 it's an absolute recusal.
16 FREEHOLDER O'DEA: Freeholder Romano,
17 Freeholder Romano and Freeholder DiDomenico voted on
18 the resolution that set the prior hearing date and
19 time. So did they violate, is that a technical
20 violation?
21 MR. BATTISTA: You know what,
22 Freeholder? Why don't you get an opinion from your
23 counsel? The Freeholder ask me for an opinion. I
24 concur with Freeholder Cifelli. I believe that's a
25 proper opinion. I respect that. Get it from your

1 counsel.
2 FREEHOLDER O'DEA: No. What I'm
3 saying is so today, Freeholder Romano is recused.
4 Freeholder Romano should have been recused at the
5 date, the date the prior hearing was set, which we
6 never really held.
7 MR. BATTISTA: I didn't give him that
8 advice, Freeholder.
9 FREEHOLDER O'DEA: I agree. He was
10 advised of that by our attorney who is not here
11 today. However, when the issue came up to vote on
12 setting the time and date to conduct the hearing,
13 correct me if I'm wrong, Freeholder, you voted for
14 that resolution. You participated in the discussion
15 and determination when that would be held. We need
16 the minutes. So did Freeholder DiDomenico.
17 Suddenly it changed. Suddenly you had to
18 recuse yourself at some point in the future, either
19 some legal counsel, I'm not saying you,
20 Mr. Battista, because you're correct, it's our
21 counsel that should be providing that, not you, gave
22 bad legal advice then, or they gave you bad legal
23 advice at the last time that we met. You're right.
24 You're recused. They should have been recused from
25 the vote to set the date, time and location to

1 conduct a hearing. They were not recused and they
2 voted on that.
3 FREEHOLDER CIFELLI: I don't know
4 whether that I'm right. That's my opinion. I'm
5 going by past practice.
6 FREEHOLDER ROMANO: I support the
7 move to Hoboken.
8 FREEHOLDER RIVAS: Mr. Chairman, if
9 we were going to have this discussion, why didn't we
10 ask for Carmen to be here tonight so we could have
11 it on the record?
12 CHAIRMAN MUNOZ: I didn't have time
13 to call Carmen, and I didn't know we were going to
14 go into a discussion where the Freeholders should
15 recuse themselves. I though that we were going to
16 be voting to move the location. It has nothing to
17 do with the actual decision of the Board. It's
18 something that we would want to get closer to the
19 community, so that more people would have an
20 opportunity to come and voice their opinion.
21 MR. BATTISTA: May I make a
22 suggestion? Why don't you take a vote?
23 FREEHOLDER O'DEA: Freeholder Romano
24 would be a deciding vote.
25 MR. BATTISTA: If it doesn't mean

1 anything, it's a nonissue.
2 FREEHOLDER O'DEA: I second your
3 motion. I have just have a question, Councilwoman.
4 Obviously, I think if we're going to make a -- if
5 we're going to vote to move it to Hoboken, we need a
6 place certain to have it. To just vote that we're
7 going to have it in Hoboken leaves -- right, we have
8 to. Can we have it at City Hall? Is there another
9 building that can hold a large enough crowd?
10 COUNCILWOMAN MASON: There are a
11 number of locations, which I'm happy to pass. We
12 definitely have places to do this. You've done it
13 before in terms of the budget. This Board has come
14 to Hoboken to present its budget. This project is a
15 major project in our town. Trust me, the citizens
16 will push to make sure that we have a place for it.
17 FREEHOLDER O'DEA: I would make a
18 motion that we hold the meeting, only because it's
19 the place that we've held other meetings, at City
20 Hall. I just don't know, and I would support it.
21 If we pass it and then tomorrow or Friday, City Hall
22 says, Sorry, there's a planning board meeting, we
23 have to change the date and time.
24 MR. BATTISTA: This meeting will be
25 subject to the Sunshine Law. You have to establish

1 the time and location.
2 FREEHOLDER O'DEA: That's right.
3 Don, I think that you're right.
4 COUNCILWOMAN MASON: If I may, since
5 I seem to be an authority on the Sunshine Law and
6 the Open Public Records Act, 48-hours notice, and
7 you will get -- we'll literally deal with this
8 tomorrow.
9 FREEHOLDER O'DEA: Councilwoman, I
10 want to make a motion -- I want to second a motion
11 by the Chair that says we'll hold the meeting
12 six p.m. on the 28th at the Council Chambers at City
13 Hall, otherwise us passing a resolution that just
14 says it's going to be held in Hoboken, we would have
15 to another vote to say what place in Hoboken; is
16 that right, Mr. Battista? We couldn't allow the
17 clerks on their own determine --
18 MR. BATTISTA: That would be my
19 advice.
20 FREEHOLDER O'DEA: Any location
21 within the City of Hoboken.
22 FREEHOLDER CIFELLI: I still have an
23 obligation, I don't know, I haven't read the
24 transcript, and I mean, we don't know the
25 substantive argument or the scope, and I will

1 educate myself when I read the transcript, but this
2 as is I understand, this issue was in the court,
3 this issue it was bounced back to us. So it has a
4 certain litigious past, but do the litigants have
5 any standing about this decision? If a vendor of
6 this tried, I'm use an analogy, to moved to another
7 hearing, does that applicant have a gripe that it
8 should not have been moved? That I don't know. Are
9 we creating another issue?
10 FREEHOLDER O'DEA: Al, the only thing
11 they may do is show up that night and ask to
12 postpone the hearing because of whatever, their
13 notice. We obviously have the right to pick where
14 we conduct the hearing. There is no law that says
15 we have to hold the hearing here. We can hold a
16 Freeholder meeting as we held in many municipalities
17 in the County of Hudson.
18 FREEHOLDER CIFELLI: Or judicial
19 proceedings always have requirement of due process.
20 If someone makes an argument that I am moving this
21 to the hostile environment of Hoboken and from the
22 pristine, pure environment of Pavonia Avenue, that
23 it somehow will create another issue, I don't know.
24 I don't know.
25 FREEHOLDER O'DEA: I think if they

1 do, it will probably go to court before the 28th. I
2 will amend your motion to October 28th, six p.m. in
3 City Hall.
4 CHAIRMAN MUNOZ: I amend my motion.
5 FREEHOLDER CIFELLI: I don't want to
6 keep creating more litigation.
7 FREEHOLDER O'DEA: I don't disagree,
8 and if I think if your concern has validity, that
9 will probably be in court as soon as they get
10 notified because if they wait too long after, the
11 judge will say, Why didn't you go to court? So I
12 second Freeholder Munoz's motion to hold the meeting
13 on October 28th at six p.m. at City Hall in the City
14 of Hoboken.
15 THE CLERK: Mr. Chairman, so the
16 motion amends the motion of No. 532-9-2014, to
17 change the place of the meeting from 567 Pavonia
18 Avenue to Hoboken City Hall, the Council Chambers;
19 is that correct?
20 CHAIRMAN MUNOZ: Yes.
21 THE CLERK: The motion has been made
22 Chairman Munoz, seconded by Freeholder O'Dea.
23 Roll call, Freeholder Cifelli.
24 FREEHOLDER CIFELLI: Yes.
25 THE CLERK: Dublin.

1 FREEHOLDER DUBLIN: Yes.
2 THE CLERK: Maldonado.
3 FREEHOLDER MALDONADO: Before I vote
4 yes, I'm going to say that I would anticipate in the
5 future, any of these hearings that come to the Board
6 that we request them to be taken at their respective
7 community. I don't want to set a precedence with
8 Hoboken and not follow up with other communities. I
9 vote yes.
10 THE CLERK: Freeholder O'Dea.
11 FREEHOLDER O'DEA: I vote yes, but if
12 it's Jersey City, I think we do it here.
13 THE CLERK: Freeholder Rivas.
14 FREEHOLDER RIVAS: No.
15 THE CLERK: Let the record show that
16 Freeholder Romano is not in the chamber. Chairman
17 Munoz.
18 CHAIRMAN MUNOZ: Yes.
19 THE CLERK: The motion is approved.
20 I will contact deputy counsel to the Board tomorrow
21 and the City Clerk in Hoboken.
22 FREEHOLDER O'DEA: Can we make sure
23 that notice sent tomorrow by e-mail or fax to both
24 the attorneys for both parties in the case?
25 THE CLERK: Mr. Chairman, after I

1 confirm the venue, I will speak to Ms. Mendiola. I
2 think there is a court order regarding advanced
3 permission as to the applicant that has to be met.
4 So I will reach out to her to advise me on what
5 needs to be done.
6 MR. BATTISTA: And also counsel to
7 the Planning Board.
8 THE CLERK: Yes.
9 COUNCILWOMAN MASON: Thank you,
10 Mr. Chairman and Freeholders. I appreciate it.
11 THE CLERK: Freeholder Romano,
12 Mr. Florio, you can return to the chambers. We just
13 want to know that you did not speak of this amongst
14 yourselves.
15 FREEHOLDER ROMANO: Honestly, no.
16 FREEHOLDER O'DEA: I just want to
17 make sure.
18 THE CLERK: The next order of
19 business is additional discussion on today's agenda.
20 MR. ANTUN: Mr. Chairman, may I
21 proceed? Mr. Chairman, we have one item that we
22 would like to add to the Purchasing Agent's awards,
23 Item 16 on the agenda. This is to award a contract
24 to Cliffside Body Corporation for $41,869. This is
25 for the installation of snow removal equipment on

1 the certain vehicles for the Roads Department. It's
2 Cliffside Body Corporation to replace No. 16. There
3 are several items in here.
4 THE CLERK: Mr. Chair, a motion?
5 Motion by Freeholder Dublin, second by Freeholder
6 Romano.
7 Freeholder Cifelli.
8 FREEHOLDER CIFELLI: Yes.
9 THE CLERK: Dublin.
10 FREEHOLDER DUBLIN: Yes.
11 THE CLERK: Maldonado.
12 FREEHOLDER MALDONADO: I'm going to
13 vote yes. I want to say in the future, we can have
14 the Purchasing Agent approach us in committee to
15 advise us.
16 MR. ANTUN: Freeholder, I'll take
17 responsibility. That was an oversight on my part.
18 I should have called you. I'm sorry about that.
19 FREEHOLDER MALDONADO: Yes.
20 THE CLERK: O'Dea.
21 FREEHOLDER O'DEA: Yes.
22 THE CLERK: Rivas.
23 FREEHOLDER RIVAS: Yes.
24 THE CLERK: Romano.
25 FREEHOLDER ROMANO: Yes.

1 THE CLERK: Chairman Munoz.
2 CHAIRMAN MUNOZ: Yes.
3 THE CLERK: 16 is replaced.
4 MR. ANTUN: Mr. Chairman, may I
5 continue?
6 CHAIRMAN MUNOZ: Yes.
7 MR. ANTUN: Mr. Chairman, regarding
8 Item No. 18 on the agenda, this was a recommendation
9 to award a contract to H2M Associates. As you know,
10 we provided the Board with additional information
11 that was requested, but the questions, concerns and
12 issues raised by Freeholder O'Dea after consulting
13 with Counsel County, we would like to have this
14 withdrawn from the agenda.
15 THE CLERK: Freeholder O'Dea and
16 Maldonado. Freeholder Cifelli.
17 FREEHOLDER CIFELLI: Yes.
18 THE CLERK: Dublin.
19 FREEHOLDER DUBLIN: Yes.
20 THE CLERK: Maldonado.
21 FREEHOLDER MALDONADO: Yes.
22 THE CLERK: O'Dea.
23 FREEHOLDER O'DEA: Yes.
24 THE CLERK: Rivas.
25 FREEHOLDER RIVAS: Yes.

1 THE CLERK: Romano.
2 FREEHOLDER ROMANO: Yes.
3 THE CLERK: Chairman Munoz.
4 CHAIRMAN MUNOZ: Yes.
5 THE CLERK: 18 is withdrawn.
6 FREEHOLDER O'DEA: Mr. Chairman. Mr.
7 Administrator, can you advise all of your
8 departments that we should adopt a regular policy
9 that any time there is a process that involves
10 reviews or scoring, that the backup documents
11 related to that should be included with our
12 resolution?
13 MR. ANTUN: Freeholder, that is the
14 standard. Unfortunately, we bought this item a
15 couple of times. I just -- it was an oversight on
16 my part to ask the department to provide that
17 information. That is the standard because as you
18 know on all of the others that we give you, it does
19 have them. I have already spoken to the department
20 to let them know that is the policy.
21 May I continue, Mr. Chairman?
22 CHAIRMAN MUNOZ: Yes.
23 MR. ANTUN: Mr. Chairman, the next
24 item that I would like to bring to the Board's
25 attention on the agenda, No. 26A, we made a

1 recommendation to award a contract to Dobco for the
2 modernization of the annex building.
3 FREEHOLDER O'DEA: Motion to carry
4 that item.
5 CHAIRMAN MUNOZ: Motion by Freeholder
6 O'Dea. Second by Freeholder Maldonado.
7 THE CLERK: And the motion is to
8 carry to the next regular meeting?
9 FREEHOLDER O'DEA: Mr. Administrator,
10 we're carrying to the next meeting?
11 MR. ANTUN: Yeah, we can carry. I'm
12 not --
13 FREEHOLDER O'DEA: Based upon the
14 discussion with Director Demellier.
15 MR. ANTUN: We may need a little bit
16 more than that.
17 FREEHOLDER O'DEA: I'll make a motion
18 to remove it from the agenda.
19 MR. ANTUN: Okay. Thank you.
20 FREEHOLDER MALDONADO: I accept your
21 amendment.
22 THE CLERK: So it would be a motion
23 to withdraw No. 26 made by Freeholder O'Dea.
24 Seconded by Freeholder Maldonado.
25 Freeholder Cifelli.

1 FREEHOLDER CIFELLI: Yes.
2 THE CLERK: Dublin.
3 FREEHOLDER DUBLIN: Yes.
4 THE CLERK: Maldonado.
5 FREEHOLDER MALDONADO: Yes.
6 THE CLERK: O'Dea.
7 FREEHOLDER O'DEA: Yes.
8 THE CLERK: Rivas.
9 FREEHOLDER RIVAS: Yes.
10 THE CLERK: Romano.
11 FREEHOLDER ROMANO: Yes.
12 THE CLERK: Chairman Munoz.
13 CHAIRMAN MUNOZ: Yes.
14 THE CLERK: No. 26 is withdrawn.
15 MR. ANTUN: Mr. Chairman, those are
16 all of the items that I have.
17 THE CLERK: According to the policy
18 set by the Board of Freeholders, members of the
19 public are asked to limit their comments to 15
20 minutes when discussing agenda items and five
21 minutes at the conclusion of the meeting when
22 discussing matters of public interest.
23 At this time the public may address the
24 Board on any item on the agenda only. Please keep
25 your comments limited to 15 minutes. Are there any

1 speakers on agenda items only?
2 Shall I with proceed with the consent
3 agenda, Mr Chairman.
4 FREEHOLDER O'DEA: Before we go to
5 that issue, Mr. Administrator, I don't want to be a
6 stickler, it's the policy we established when we
7 vote to reappoint a person, I don't want to be
8 embarrassed when we vote to reappoint somebody that
9 he might have attended one meeting in three years,
10 and we vote to reappoint them.
11 MR. ANTUN: I'll be honest,
12 Freeholder, I didn't remember them.
13 FREEHOLDER O'DEA: I mean, I know
14 these people.
15 MR. ANTUN: Yes, I will notify.
16 Freeholder, looking at the names, he's an alternate.
17 I believe that the alternate shows up when a regular
18 member is not able to. That's why the alternate,
19 the attendance of the alternate may not be all the
20 time.
21 FREEHOLDER O'DEA: I'm not going to
22 spend a lot of time. What is the policy of the
23 Planning Department, do we poll all of the members
24 to see if they'll be there and notify the alternate
25 to show up?

1 MR. ANTUN: I don't know the answer
2 that, Mr. Chairman.
3 FREEHOLDER ROMANO: We have the chair
4 here. Chairman Cryan is here.
5 CHAIRMAN CRYAN: Freeholders, thank
6 you for the opportunity. The policy usually is that
7 they poll all of the regular board members to see if
8 they can show up, and if anyone can't, then the
9 alternates are asked to come in.
10 I'm up for reappointment. Thank you for
11 considering it, and thank you for allowing me the
12 last three years to serve. It's a good opportunity.
13 I loved it. I do love it, and my attendance record,
14 I think I missed one meeting in three years.
15 CHAIRMAN MUNOZ: Thank you.
16 CHAIRMAN CRYAN: Thank you. That was
17 actually for a Bruce Springsteen concert.
18 FREEHOLDER O'DEA: If you're
19 chairman, you can change the date.
20 THE CLERK: Freeholder DiDomenico is
21 now present. Consent agenda, we haven't voted,
22 Freeholder DiDomenico. On L-1, which is Pancreatic
23 Cancer Awareness Month.
24 FREEHOLDER DiDOMENICO: Aye.
25 THE CLERK: Nos. 18 and 26 have been

1 withdrawn. No. 16 was replaced with an additional
2 purchasing item from the Administration.
3 FREEHOLDER DiDOMENICO: Nos. 18 and
4 26?
5 THE CLERK: Have been withdrawn.
6 FREEHOLDER DiDOMENICO: Thank you.
7 THE CLERK: And in addition, earlier
8 in the meeting, a motion was adopted it to move the
9 venue of the appeal regarding the Monarch Planning
10 Board application to Hoboken.
11 FREEHOLDER ROMANO: Chairman Munoz,
12 just to follow up, maybe that's a gray area when
13 they were asked to come in in the future.
14 THE CLERK: Mr. Chairman, may I have
15 a motion to approve all items that are on the
16 consent agenda.
17 CHAIRMAN MUNOZ: Motion by Freeholder
18 Maldonado. Second by Freeholder Cifelli.
19 THE CLERK: Freeholder Cifelli.
20 FREEHOLDER CIFELLI: Yes.
21 THE CLERK: DiDomenico.
22 FREEHOLDER DiDOMENICO: Yes.
23 THE CLERK: Dublin.
24 FREEHOLDER DUBLIN: Yes.
25 THE CLERK: Maldonado.

1 FREEHOLDER MALDONADO: Yes.
2 THE CLERK: O'Dea.
3 FREEHOLDER O'DEA: Come back to me.
4 THE CLERK: Rivas.
5 FREEHOLDER RIVAS: Yes.
6 THE CLERK: Romano.
7 FREEHOLDER ROMANO: One comment in
8 regards to the one, that's a very hard board to
9 serve on, the Planning Board. I think that the
10 members and Mr. Cryan did a good job as chairman
11 this year and Renee Bettinger last year, and they
12 really are dedicated and take their time and thought
13 to the agenda and the concerns of the County. They
14 are to be applauded for serving on that board. Yes,
15 I vote yes.
16 THE CLERK: Chairman Munoz.
17 CHAIRMAN MUNOZ: Yes. I want to echo
18 what Freeholder Romano is saying. I would like
19 thank you, Mr. Cryan, for the job done there.
20 You're doing a great job in West New York too,
21 coming from me. West New York, since you've come
22 there, you have been professional, and you're doing
23 a great job. I haven't heard any complaints about
24 the parking authority. So I vote yes.
25 THE CLERK: All items are approved.

1 FREEHOLDER O'DEA: I didn't vote yet.
2 THE CLERK: Freeholder O'Dea, I'm
3 sorry. Freeholder O'Dea.
4 FREEHOLDER O'DEA: Aye.
5 THE CLERK: On all items?
6 FREEHOLDER O'DEA: All of the items I
7 have an issue with? Come on.
8 THE CLERK: All items are approved.
9 We have no ordinances for introduction. We have two
10 ordinances for second reading. The first is
11 entitled An Ordinance amending Chapter 200, Article
12 8.11, of the Administrative Code to establish a
13 reserved handicap parking space on John F. Kennedy
14 Boulevard, Bayonne, for Christopher Snyder.
15 This is the time fixed for public hearing
16 on this Ordinance, which was introduced at the
17 meeting of September 25th, 2014, advertised as
18 required by law together with the notice of Hearing
19 for this time. It has been posted on the
20 Freeholder's Bulletin Board and made available to
21 the general public.
22 Are there any speakers on this ordinance?
23 DiDomenico and Cifelli. All in favor, opposed?
24 (The Board votes unanimously to close
25 the Hearing.)

1 The Hearing is closed. On final adoption,
2 Freeholder Cifelli.
3 FREEHOLDER CIFELLI: Yes.
4 THE CLERK: DiDomenico.
5 FREEHOLDER DiDOMENICO: Yes.
6 THE CLERK: Dublin.
7 FREEHOLDER DUBLIN: Yes.
8 THE CLERK: Maldonado.
9 FREEHOLDER MALDONADO: Yes.
10 THE CLERK: O'Dea.
11 FREEHOLDER O'DEA: Yes.
12 THE CLERK: Rivas.
13 FREEHOLDER RIVAS: Yes.
14 THE CLERK: Romano.
15 FREEHOLDER ROMANO: Yes.
16 THE CLERK: Chairman Munoz.
17 CHAIRMAN MUNOZ: Yes.
18 THE CLERK: The second ordinance for
19 second reading is entitled An ordinance amending the
20 Hudson County District Solid Waste Management Plan
21 relative to Hugo Neu Recycling, LLC, Kearny, New
22 Jersey, accepting consumer electronics for recycling
23 metals and other materials.
24 This is the time fixed for public hearing
25 on this Ordinance, which was introduced at the

1 meeting of September 11th, 2014, advertised as
2 required by law together with the notice of Hearing
3 for this time. It has been posted on the
4 Freeholder's Bulletin Board and made available to
5 the general public.
6 Are there any speakers on this ordinance?
7 CHAIRMAN MUNOZ: Motion by Freeholder
8 Maldonado. Second by Freeholder Cifelli.
9 THE CLERK: All in favor, opposed.
10 (The Board votes unanimously to close
11 the Hearing.)
12 The Hearing is closed. On final adoption,
13 Freeholder Cifelli.
14 FREEHOLDER CIFELLI: Yes.
15 THE CLERK: DiDomenico.
16 FREEHOLDER DiDOMENICO: Yes.
17 THE CLERK: Dublin.
18 FREEHOLDER DUBLIN: Yes.
19 THE CLERK: Maldonado.
20 FREEHOLDER MALDONADO: Yes.
21 THE CLERK: O'Dea.
22 FREEHOLDER O'DEA: Yes.
23 THE CLERK: Rivas.
24 FREEHOLDER RIVAS: Yes.
25 THE CLERK: Romano.

1 FREEHOLDER ROMANO: Yes.
2 THE CLERK: Chairman Munoz.
3 CHAIRMAN MUNOZ: Yes.
4 THE CLERK: The ordinance is adopted.
5 That concludes the items of business on today's
6 agenda. Are there any comments from the Freeholders
7 on the business of the Board?
8 FREEHOLDER O'DEA: Mr. Chairman,
9 first I had asked that Mr. Cherry come today from
10 the HCIA. I have forwarded I don't know if you were
11 able to get a copy of what I had received via text
12 message concerning the 2013 audit. It's showing a
13 deficit. Do you want to share that? Do you want to
14 explain what that is? Is that an ongoing issue or
15 an anomaly based on the budget year closing?
16 MR. CHERRY: Actually, most of it
17 goes back to 1998, when the solid waste refunding
18 bonds were issued. At that time the Authority had
19 accumulated costs of over $65 million for the
20 Kopper's site, on the condition to the insurers to
21 make sure that there was no cash in the deal, and
22 they required that the County would enter into a
23 contingent purchase agreement for the purchase of
24 the Kopper's site, which kicked in at a certain
25 point in time, at which time the place was not sold,

1 and the County ended up paying $11 million to the
2 Authority for three consecutive years, totaling $33
3 million.
4 The auditors in 1999, when they reviewed
5 this transaction, felt that they needed to have at
6 an impairment in the value of the Kopper's site
7 because we're showing a book value of $65 million,
8 and yet the contingent purchase agreement stated
9 that the County would pay the Authority $33 million.
10 Therefore, we were required to reflected an
11 impairment in value of $32 million. That
12 $32 million was charged directly to the operations
13 during that year.
14 So it was not a cash deficit. It was a
15 journal entry or paper transaction. Our records,
16 the Authority itself is considered an enterprise
17 fund, which means that our records reflect very
18 closely what in private industry would be the
19 traditional balance sheet income, and because it was
20 a charge against our operations, that would mean we
21 show the deficit in the Authority for $32 million.
22 Also, as part of that bond issue, there
23 was an amount set aside for rate stabilization. The
24 Authority subsidized the rate so that the rate could
25 increase gradually and not present a burden to the

1 municipalities and other commercial users of the
2 system and allow us to increase those rates
3 gradually over time. The goal of those subsidies
4 over the years, that goes from 1999 through
5 approximately 2008, are over $20 million.
6 So there was one other final thing that
7 contributed to the deficit. That is, we received
8 transcendental State aid. What that consisted of,
9 Governor McGreevey brought in the Authority
10 $7 million. Like other counties in the state, when
11 they had created their disposal facilities, then all
12 of a sudden decided that they were going to be
13 private, which came under another governor, so we
14 had to anticipate that $7 million in our budget, and
15 we really had to start making pleas to get it.
16 The first two years we did receive it, and
17 we received it very early on. In the latter years,
18 what would happen is we would put it in our budget
19 and then the State wanted to -- this was the
20 Treasurer's office, wanted to evaluate the health of
21 the Authority to determine that whether or not that
22 was actually needed. We were caught in a position
23 where even though we weren't guaranteed the
24 $7 million, we had to list it in the budget because
25 if we didn't, then the State would say, Well, you

1 don't need that $7 million.
2 So that $7 million ended up being a
3 revenue that we never recognized. That too was
4 charged against our operations and the accumulation
5 of these three items come down to approximately
6 $58 million. Now back in 2009, the Authority
7 started generating income so that we were able to
8 reduce that to $49 million.
9 FREEHOLDER O'DEA: The question that
10 I have is, is all of that deficit going to
11 eventually be eliminated, and how will it be
12 eliminated?
13 MR. CHERRY: The intention is to
14 eliminate it, and the way that it gets eliminated is
15 by generating an excess of revenues over
16 expenditures, and will it all be done in five years?
17 I doubt it. It's possible, but I doubt it. But
18 over time, it's expected that that deficit would be
19 reduced, and that they would start generating a
20 balance between the old charges and new charges.
21 FREEHOLDER O'DEA: Just take
22 Kopper's, that's the largest, right?
23 MR. CHERRY: Right.
24 FREEHOLDER O'DEA: So that in that
25 instance, $33 million is what we are responsible for

1 paying, correct, in bonds?
2 MR. CHERRY: That was the amount that
3 was required under the contingent purchase agreement
4 between the County and the Authority.
5 FREEHOLDER O'DEA: And 65 million in
6 expenses were attributed to that project?
7 MR. CHERRY: That's correct.
8 FREEHOLDER O'DEA: So $33 million was
9 the purchase price?
10 MR. CHERRY: That was the price that
11 the County paid for the financial interest in the
12 site, that's correct.
13 FREEHOLDER O'DEA: The rest of your
14 expenses, I don't want to get into detail. Could
15 you provide where the other 30-something million
16 dollars of expenditures of the Authority is?
17 MR. CHERRY: Well, there was the
18 purchase of property. There was also professional
19 fees that were required going through the permitting
20 process.
21 FREEHOLDER O'DEA: Million of dollars
22 wasted on an incinerator.
23 MR. CHERRY: Yes. At the time that
24 those dollars were spent, that was the intention of
25 having a disposal facility.

1 FREEHOLDER O'DEA: Even though some
2 of us, at least one of us here was fighting about
3 that, preaching against spending that money. Can
4 you get us a breakdown, not now, but for the next
5 meeting what that made all of that money up? I'm
6 sure you have it somewhere, right?
7 MR. CHERRY: Sure.
8 FREEHOLDER O'DEA: And then the
9 other, because on paper it looks like you guys are
10 financially in deep trouble by looking at that
11 number. One would look at it and say how can you
12 possibly come down over five years by $10 million.
13 If I use that same scenario, it would take you 25
14 more years for you to be in the positive, correct,
15 on that alone.
16 Are there any potential large revenues
17 that would offset a large amount of that
18 $49 million, or is it going to be a year-by-year you
19 have it?
20 MR. CHERRY: That's what I would
21 expect.
22 FREEHOLDER O'DEA: How are those
23 costs paid for the years that they were accumulated?
24 MR. CHERRY: They were paid for by
25 the issuance of bonds and notes.

1 FREEHOLDER O'DEA: So they were paid
2 for by bonds and notes? All of those bonds and
3 notes were maintained by the County of Hudson?
4 MR. CHERRY: They are currently.
5 They have not been refunding since the original 33.
6 FREEHOLDER O'DEA: All of the
7 refunding aren't still -- are there any bonds --
8 MR. ANTUN: There is a portion that
9 is not, but there is a large portion that is
10 guaranteed.
11 FREEHOLDER O'DEA: Can you as part of
12 the report to us lay out what bonding there is
13 issued by you that we have not guaranteed and what
14 the annual payments on the bonds are that we aren't
15 guaranteeing?
16 MR. CHERRY: The solid waste
17 refunding bonds of 1998, were not guaranteed by the
18 County at all, and the County had no guarantee on
19 those bonds. The refunding bond that took place
20 within the last couple of years, they carried a
21 County guarantee, and the reason that it did was to
22 take advantage of lower interest rates.
23 FREEHOLDER O'DEA: So the '98 bonds
24 are still out there?
25 MR. CHERRY: The '98 bonds have been

1 retired.
2 FREEHOLDER O'DEA: So you don't have
3 any bonding for we pay?
4 MR. CHERRY: That's correct.
5 FREEHOLDER O'DEA: Do you concur with
6 that, Mr. Administrator?
7 MR. ANTUN: Freeholder, I seem -- I
8 would love to. He knows the numbers. What I seem
9 to recall when we did an issue, I remember that
10 there was a large portion of that was guaranteed,
11 and I thought that only a small portion was not
12 guaranteed. That's my recollection.
13 FREEHOLDER O'DEA: We can figure that
14 out.
15 MR. ANTUN: I'll be honest with you,
16 I would concede to him because he was prepared to
17 speak about it, and I trust his word.
18 FREEHOLDER O'DEA: So he says it
19 isn't there. Do you know what the current balance
20 of the performing bonds are?
21 MR. CHERRY: $83 million,
22 approximately.
23 FREEHOLDER O'DEA: So even if there's
24 a $49 million deficit on paper, we're guaranteeing
25 $83 million on bond refunding.

1 MR. CHERRY: That was used to refund
2 the original 1998 solid waste refunding bonds, which
3 were issued in the amount of almost $98 million.
4 FREEHOLDER O'DEA: In any given year
5 has the County had to make a payment on any of those
6 guarantees?
7 MR. CHERRY: Never.
8 FREEHOLDER O'DEA: That's all of
9 questions that I have.
10 FREEHOLDER MALDONADO: Thank you.
11 You have your homework.
12 FREEHOLDER O'DEA: I have a question
13 now I think may be better asked of Mr. Stamato of
14 the Improvement Authority. Pat, I don't know to
15 what the degree Norman may have spoken to you about
16 this. Obviously, without mentioning our position,
17 before we get to it, it's more a legal question, I'm
18 not asking you be an attorney.
19 Obviously, the City of Jersey City last
20 month did a memorandum of agreement with a private
21 operator on the land owned by the Port Authority to
22 operate a transfer of garbage from barge to railcar,
23 and the question that I have, I would like to know
24 the answer by next meeting is, under those
25 circumstances, those facilities would have to be a

1 part of the solid waste plan also would be approved
2 by DEP, and the preliminary answer that Norman gave
3 was maybe, and his reason was he doesn't have all
4 the facts and whether, I guess, the way he said it,
5 if you bring metal containers on the barge, and
6 those metal containers get put on a train, that may
7 not happen because if in any way, shape or form, the
8 actual solid waste is moved in any manner, then you
9 would have to.
10 Now, obviously, Norman is not a lawyer,
11 and we know like IWS, and it's a different
12 situation. We know they take garbage outside of
13 here at the tonnage that we have, a total amount of
14 tons.
15 MR. STAMATO: Yes, except if it's a
16 situation that I believe the way it is structured,
17 is that if it's going from a barge to a rail
18 operation, and it's a true rail operation, no, it
19 would not be, it wouldn't be governed by DEP.
20 MR. BATTISTA: Yeah, I'm not going to
21 attempt to opine, but I believe there was federal
22 litigation a couple years ago that this issue was
23 addressed in federal court. In short, Mr. Conti was
24 the counsel on this, certainly I believe there was
25 litigation probably. There was some discussion a

1 number of years ago.
2 FREEHOLDER O'DEA: We passed a
3 resolution many years ago against this, and the
4 reason it wasn't done was because what was alleged
5 at the time was that the garbage was not, in fact,
6 totally sealed, and there would be an odor issue,
7 and that odor issue would impact areas like not only
8 Port Liberte, but all the way to Country Village.
9 That was the assertion of how long the garbage train
10 was. Based on that, it never went forward.
11 We never dealt with the issue. What was
12 presented to me yesterday, again, Pat, I'm just
13 asking for somebody to gain all of the facts and let
14 an attorney render an opinion to us, as much as I
15 would like to go on about this particular case.
16 FREEHOLDER ROMANO: That is the
17 question.
18 FREEHOLDER O'DEA: The question when
19 it was presented to me was two issues. If the
20 facility was operated by a rail company, then you're
21 correct, but in this case my understanding is it's
22 not operated by a rail company, but instead that the
23 Port Authority is going to contract with an entity
24 that's not a rail company.
25 MR. STAMATO: We're going to get a

1 legal opinion on this, but being in the business and
2 being exposed to this, you're correct. If that's
3 the case, it would have to come in front of this
4 Board.
5 FREEHOLDER O'DEA: All I'm asking,
6 Pat, is by the next meeting get a written legal
7 opinion with significant background. My
8 understanding is, again, I'll reserve -- I don't
9 want to have to recuse myself. I'll reserve any
10 thoughts before the application is presented to us.
11 Obviously, my understanding is if this is going to
12 occur, and it is something that we anticipated to
13 occur for a lack of a better word, expedited manner,
14 based on the information that's provided to me, if
15 it does require, there are steps.
16 You go before these agencies with an
17 application, come before us. We have to have one or
18 two meetings. Then it has to go to another meeting.
19 We're looking at, I don't know, a six-month process
20 on a good day. It could take four months. In a
21 perfect world where everyone either believes it's
22 good or bad, I wanted to make sure we get it right.
23 CHAIRMAN MALDONADO: I would
24 recommend that legal counsel try to get us an
25 opinion before the meeting so that we can read it

1 and then have a discussion at the meeting.
2 MR. BATTISTA: I'll talk to general
3 counsel that Pat knows, and I'll express it to him.
4 CHAIRMAN MALDONADO: What action did
5 Jersey City take?
6 FREEHOLDER O'DEA: They approved, I
7 guess. It was kind of odd. They approved a
8 resolution to enter -- again, this is based on my
9 limited -- entered into a memorandum of
10 understanding with the entity that will be
11 operating, whereby the City of Jersey City will
12 receive a host fee, but a host fee that is being
13 front-loaded to tune of $10 million. And again,
14 limited secondhand information, and I have good
15 secondhand information, the assessment of per ton --
16 again, I'd like to get all of the information, but
17 the payment or the host fee is very high, X amount,
18 then it goes down to almost nothing.
19 My understanding, Pat, is it went to
20 one-twenty-five a ton to forty-five. I'm saying
21 that it doesn't go down a dollar a ton. So I mean
22 it goes down, it literally goes down like 80 percent
23 after they get X amount of dollars. It costs you
24 $10 million. They probably never -- the City will
25 never get another bid.

1 MR. STAMATO: I'll only speculate.
2 We'll get the City's paperwork and give you the
3 opportunity.
4 FREEHOLDER O'DEA: Again, I'll just
5 defer to you guys. Obviously, I don't have any
6 position on this except I want to find out what our
7 role, if any, is going to be and what the issues are
8 as quickly as possible. Thank you.
9 The last item that I want to talk about,
10 and we talked a little bit about some of this in one
11 of the committee meetings. One, Mr. Administrator,
12 is there anyone from the Schools of Technology?
13 MR. ANTUN: No, I was advised they
14 were not available to come tonight.
15 FREEHOLDER O'DEA: I obviously think
16 we're at a point where we need the school to come
17 back and give us a substantial report update on the
18 Secaucus school.
19 MR. ANTUN: Freeholder, that was
20 Mr. Fargo, he wanted to be at that meeting.
21 FREEHOLDER O'DEA: And assuming, you
22 know, the information we get, if we make a
23 determination it's something that we would like to
24 go into that direction, my recommendation would be
25 that we try to move as quickly as possible on the

1 bonding side of it for two reasons. The first
2 reason is an economic reason. Despite the fact that
3 every time the market goes down or up, things turn
4 around and the interest rates go up. The reality of
5 the world is you just can't keep interest rates low
6 forever. More and more experts in the field are
7 forecasting that interest rates are going to go up
8 in less than a year.
9 Some are forecasting anywhere from a
10 hundred to 150 basis points, a hundred to 150 basis
11 points on that substantive of a bond issue, it may
12 not be the only bond issue we should be looking at.
13 You know, it's millions of dollars a year that
14 taxpayers of this County will have to pay. There
15 are things we committed to do anyway, we have to do
16 anyway, and Mr. Administrator, you attempted to do
17 some refinancing, correct?
18 MR. ANTUN: That's right.
19 FREEHOLDER O'DEA: To take advantage
20 of lower interest rates. We should also look to do
21 whatever financing you need to do. Obviously, being
22 cognizant of our bonding, to your credit, you've
23 always done an outstanding job keeping the amount of
24 bonding this County has to a large amount. The fact
25 that we continue to have a ratable base creep up and

1 not creep down, that number continues to get
2 stronger, correct?
3 MR. ANTUN: Yes, except that we had a
4 little bit of a dip this past year. We were hoping
5 that that would change.
6 FREEHOLDER O'DEA: If you look at a
7 five-year window, it's been good?
8 MR. ANTUN: Yes.
9 FREEHOLDER O'DEA: And then the
10 second kind of not selfish from my perspective but I
11 think from some of my colleagues' perspective, this
12 is a project is that has been looked at, discussed,
13 debated, developed for many years, and the reality
14 is that four of my colleagues will not be here in
15 January, and I would feel responsible. This is
16 something that they were really a very strong part
17 and parcel of the entire package, including
18 Freeholder Dublin for ensuring that we retain a
19 school in Jersey City, that they be part and parcel
20 of being able to be the individuals that would vote.
21 FREEHOLDER ROMANO: Mr. Chairman, I
22 just wanted to know, is it true that we're going to
23 do another reval in Hoboken.
24 MR. ANTUN: Not a reval, a
25 reassessment.

1 FREEHOLDER ROMANO: What grounds?
2 MR. ANTUN: Freeholder, I would
3 suggest that you speak with Mr. Kenny about that.
4 Generally, that comes because the community feels
5 that certain neighborhoods' values are a lot more,
6 basically.
7 MR. FLORIO: That was requested by
8 the City.
9 FREEHOLDER ROMANO: I'll speak to
10 Mr. Kenny. I would like that on the agenda.
11 THE CLERK: Mr. Chairman, the item
12 that's being passed out at the request of Freeholder
13 Romano is a resolution authorizing contribution to
14 the American Diabetes Association, $150.
15 FREEHOLDER MALDONADO: Board as a
16 whole.
17 FREEHOLDER O'DEA: Where is this
18 coming from, what line item?
19 DIRECTOR FULLER: This will be coming
20 from the Board of Freeholders' budget.
21 FREEHOLDER O'DEA: Right, Mr.
22 Administrator. As one would argue you would be part
23 of that if you presented to us an item knowing that
24 there wasn't ample money.
25 MR. ANTUN: Freeholder, any item that

1 the Administration presents, there is certainly cash
2 funds for it.
3 THE CLERK: This will No. 28. Roll
4 call, Mr. Chair?
5 FREEHOLDER MALDONADO: Yes.
6 THE CLERK: Freeholder Cifelli.
7 FREEHOLDER CIFELLI: Yes.
8 THE CLERK: DiDomenico.
9 FREEHOLDER DiDOMENICO: Yes.
10 THE CLERK: Dublin.
11 FREEHOLDER O'DEA: Absent.
12 THE CLERK: Maldonado.
13 CHAIRMAN MALDONADO: Yes.
14 THE CLERK: O'Dea.
15 FREEHOLDER O'DEA: Yes.
16 THE CLERK: Rivas.
17 FREEHOLDER RIVAS: Yes.
18 THE CLERK: Romano.
19 FREEHOLDER ROMANO: Yes.
20 THE CLERK: Chairman Munoz is absent.
21 The item is approved.
22 CHAIRMAN MALDONADO: Proceed,
23 Mr. Clerk.
24 THE CLERK: Are there any comments
25 from the Chief of Staff to the County Executive?

1 MR. GAUGHAN: No, thank you.
2 THE CLERK: Thank you. This is the
3 time for anyone present to address the Board on any
4 matter of public interest. Please remember to limit
5 your comments to five minutes. Please state your
6 name.
7 CHAIRMAN MALDONADO: Name, address
8 and social security number.
9 MR. COHEN: I'm Phil Cohen, Hoboken,
10 New Jersey. I came before the Board of Freeholders
11 in your June meeting to talk about the budget you
12 were about to approve, the budget that I expressed
13 my concerns about, the budget that was going to be a
14 particularly big hit to both Hoboken and Jersey
15 City; Hoboken the 14.5-percent increase; Jersey City
16 5.8-percent increase.
17 At that time I raised the idea of the
18 independent performance audit that was sponsored by
19 the Board of Freeholders. I asked whether that
20 could be something included in the budget that was
21 being voted on, and I was told by Freeholder O'Dea
22 at that meeting that it was too late, that it was a
23 good idea, it was one that had merit, but it was too
24 late in the cycle, but that it would be worth
25 considering for a possible RFP to be included the

1 current year's budget or your current planning.
2 The thing about having an independent
3 performance audit, you can see if it's possible that
4 the County can hold the line on the budget, to see
5 if instead of having an increase that was a
6 14.5-percent increase in Hoboken and a 5.8-percent
7 increase in Jersey City, that we could have a flat
8 budget coming out of the County, and I think that
9 the Freeholders are working as hard as they can to
10 try and keep costs under control. I saw how hard
11 you worked in your budget journey, and I don't think
12 there is any question that you're doing the best
13 that you can.
14 But I think you need more tools, more
15 tools at your disposal in order to find out how the
16 County can be run more efficiently, to learn if
17 there are tools out there. There are independent
18 performance auditors who this work.
19 I handed out the cover letter that came
20 out from the Mayor Zimmer of our tax bill this year
21 that shows the pies of a dollars. I mentioned that
22 the percentage of the dollar that gets spent on
23 County expenses, and I said at the meeting in June
24 that the single largest tax cost in Hoboken is the
25 County budget, which is really incredible. If you

1 look at the bottom right corner, you'll see it
2 hasn't always been that way, that in fact municipal
3 costs used to be close to 45 percent of the dollar
4 and has comes down, and that the County taxes for
5 Hoboken used to be 30. Now it's gone up to
6 38.4 percent of the Hoboken taxpayers' dollars.
7 So this is a trend that is alarming, it's
8 unfair, and it is something that you can help get
9 control over. I forwarded to Freeholder O'Dea, I
10 believe it was at your caucus meeting an example of
11 a performance audit that was done for the City of
12 Newark, that was done, part of the goals of that one
13 was to determine whether the County operations could
14 be done more efficiently, to look at how other
15 similar governmental bodies run their organizations,
16 to see whether there are opportunities for cost
17 savings that you just can't see without having an
18 apples-to-apples comparison of other county
19 governments.
20 If you have professional performance
21 auditors come in, they would give you a report that
22 identifies opportunities for saving. So I think
23 that one of the comments I made in June when I
24 questioned the budget hearings, is that you have
25 very blunt instruments to try freezes, to have cuts,

1 to have -- I think it's very difficult, and it
2 raises concerns about in some ways you're kind of
3 shooting in the dark. You're in some ways too harsh
4 because of cutting back in places where you need
5 more people, and having an independent performance
6 auditor come in, they can look at how other counties
7 are doing their operations to see if you can get
8 relief without hurting services for the residents of
9 Hudson County.
10 And I would think in a budget of over a
11 half a billion dollars that there are opportunities.
12 Other counties are more successful than Hudson when
13 it comes to having zero budget increases. It can be
14 done. And while for every city in Hudson County
15 that are not hit as hard as we are, residents in
16 Hoboken and Jersey City are hurting. Residents, as
17 someone who ran for Freeholder to serve with you, I
18 spoke to a lot of voters in Jersey City and Hoboken,
19 and they're worried whether they can afford to stay
20 and live in Hudson County. They raised families
21 here. They want to stay here.
22 The biggest concern is the increase in
23 taxes. It's hitting these people very hard. So
24 here are some hard numbers that you can look at the
25 impact and the real lives that are really being

1 affected. I think I would really encourage you to
2 just put out the RFP to see what the cost would be,
3 to see what's out there in terms of whether you can
4 get this done, and you may find that there are tools
5 that you haven't seen before that would help you get
6 the County budget under control.
7 FREEHOLDER CIFELLI: I thank you for
8 your comments about how hard this Board has worked.
9 I remember the last time you were here, your
10 comments were to reduce the County revenue and the
11 County budget, but what role do you think the
12 property values in Hoboken play? It doesn't pan
13 out. It had a dramatic impact. I mean this audit
14 is a goal and a short-term answer, and but I think a
15 much bigger part is that cost increase that was
16 30-percent of Hoboken taxpayers' moneys.
17 Think about it. We work on a property tax
18 system. Hoboken's property value is the highest
19 property value. What do you think would be the
20 specific goal? What role do you think is that the
21 property value is highest in Hoboken? Because to me
22 it's clear. There's two components. You have an
23 auditor look at our spending. Granted, we have a
24 certain amount of control, not a lot, but certain,
25 but other side of that is the tax system and the

1 salaries, Hoboken, Kearny, Jersey City. The ratable
2 base of these cities are clearly a percentage of the
3 volume of Hoboken. The property values in Hoboken
4 have increased dramatically vis-a-vis, the property
5 tax in Hoboken increases.
6 So what do you see short of a wholesale
7 revocation of New Jersey property tax system? But
8 that said, do you have any ideas? I'm looking for
9 guidance. We've been doing the same thing and over
10 and over again, and we get the same result every
11 year, and the people can't afford their houses, and
12 the houses are the brick mortar. What do you see as
13 that role?
14 MR. COHEN: Freeholder Cifelli, you
15 raised a very important point. What you're asking
16 about has to do with the State formula, which you
17 have no control over, which no one in this room has
18 the ability to affect that formula. And it's true,
19 as property values increase, when the tax burden is
20 down in the County, it will hit Jersey City harder
21 because that's what the formula is, and I'm not
22 expecting you or anyone in this room to change that.
23 However, you do have control over the
24 other sides of the budget, which is can we see if
25 there are opportunities to get costs under control,

1 and that's what that proposal I'm bringing to you is
2 about. Yes, it's true, property values are rising
3 faster than other parts of the County under the
4 State formula. It is going to have a
5 disproportionate impact. If you have a zero budget
6 instead of a 3.5-percent increase, that same formula
7 is not going to hit Hoboken as bad. It's
8 essentially not going to be a problem to Hoboken
9 taxpayers if you can have a flat levy.
10 That's something that you have the
11 opportunity to control. When you talk about
12 throwing stones, you didn't direct it to my
13 presentation. I have complete respect for how hard
14 you guys have worked. I'm trying to get this under
15 control. I'm trying if to see if there's a way to
16 give you additional tools to see if this is how
17 Bergen has done it. They hired different people at
18 different rates to get different things done, or
19 however the independent performance auditor does
20 their work. They come up with a budget proposal
21 that same services can be done in a more efficient
22 way.
23 FREEHOLDER CIFELLI: Even if you were
24 to have a flat rate, and if your ratable base
25 shifted and then went down, you're not going to get

1 relief. Your piece of the levy pie grows because
2 your value have grown. We have no control over it.
3 I'm not criticizing your idea. Anyway we can save
4 money as a group, I just want to -- you're under the
5 impression that as property values increase, so does
6 this Board's budget. It's driven by other factors
7 which we have no control over. That's been pointed
8 out in Hoboken many months ago.
9 FREEHOLDER O'DEA: Obviously, I fully
10 agree with what Freeholder Cifelli said. That
11 doesn't take away from the point Mr. Cohen made.
12 First I want to commend him because a few people run
13 for office, don't win elections, and then have a
14 causes they believed, and then continue to promote
15 those goals. Usually, they get angry, they get
16 bitter, and they ride off into the sunset. I think
17 you're happy that they showed a dollar, not twenties
18 and fives.
19 You know, but I would add that you came in
20 an congratulated him, which I thought was very
21 magnanimous and says a lot about you as a person,
22 but I think your proposal has a tremendous amount of
23 depth. While if you're proposal is implemented and
24 it's say $10,000,000, Freeholder Cifelli is correct,
25 your 38 will probably only shrink to 36, probably

1 still be more on the municipality. We have to look
2 at one. There's one that we have no control over,
3 and there's one that we have the ability to have
4 some control over, and in attempting to create a
5 road map so to speak to potentially look and attack,
6 that is something in my mind that is a no-brainer.
7 It doesn't cost us anything to do an RFP
8 and gage how much this is going to cost. Roger is
9 not here tonight. Roger, and I'll share the e-mail
10 from the office, sent another e-mail of audits that
11 are less costly and can achieve a great deal of what
12 you're proposing to do, which we should equally look
13 at. If you do an RFP for X amount of dollars, and
14 wonder whether it's worth X amount of dollars, but
15 there is another one that does 80 percent if what
16 this does, and it costs ten percent of the money,
17 that may be the option we take.
18 Right now, we aren't looking at any of
19 those options, Mr. Administrator. From my
20 perspective, I don't see any downside to developing
21 an RFP to determine, to measure what it would cost
22 us to do this type of evaluation of County
23 government. There's no downside because it's
24 independent. It's not politically skewed in any
25 way, shape or form. Quite frankly, a county not too

1 far to the south of us literally looked at a single
2 department and a single function of their government
3 and is now in negotiations with a county to the
4 north of them relating to that service, and their
5 estimated savings is anywhere from ten to
6 $13 million on a single service that they provide.
7 Is anything -- I don't know if they went
8 out and hired someone to do an assessment of the
9 entire government. They obviously did an assessment
10 of that particular department and those particular
11 costs, and they may or may not concur the way some
12 discussions, you're basically whatever it does, and
13 I mean, I think that makes your point.
14 So Mr. Administrator, obviously I think
15 there are two ways to do this. I would assume that
16 since we ultimately have to vote on a budget, if we
17 opted to, we could put money in our budget to do
18 such an audit. We could have the audit done. We
19 may not have the authority to implement some of the
20 changes because they are administrative as opposed
21 to legislative in nature. We obviously could then
22 begin to make a decision as to how much money we
23 would vote per department or an office based on the
24 recommendation.
25 Obviously, that would not be the way that

1 I would prefer to do this because that would not be
2 a cooperative working between the executive and the
3 legislative branch. I have no reason to think or
4 believe that Tommy DeGise doesn't share our thought
5 that if there are ways to save money within the
6 government and make it run more efficiently and more
7 effectively, then we should do that.
8 What I would suggest that you do,
9 Mr. Administrator, is speak to the County Executive,
10 and ask that we cooperatively develop an RFP and
11 then we go out work to together. It may be a couple
12 of months. We're talking about putting things
13 together. We have obviously a Contracts Committee
14 that Freeholder Cifelli chairs that I think would be
15 the best committee to review what that document
16 would be before we go out, and then we see what it
17 is and what it costs.
18 And at the same time, we can also explore
19 diligently the issue that was brought to us of
20 efficiency audits that Roger, who is the chief of
21 staff to the Freeholder Board, take that as a
22 recommendation that you're going to report back to
23 us. Hopefully, it's a favorable response, and we
24 take from there. Get it out on the street, see what
25 the cost is going to be, see if it makes sense.

1 Maybe put it out the way that we have options.
2 Option one would be a million dollars; option two
3 would be $250,000; and we can't afford a million but
4 we could afford 250, at least that it's something.
5 I think what you proposed is something
6 that from my career as a Councilman and as a
7 Freeholder isn't exceptionally favored, but it is an
8 outside, right way, objective look at things, and
9 nobody can say there's any political predisposition.
10 Some of the things, I quite frankly, there may be
11 things that they come back with that some of my
12 other philosophical beliefs may put me in direct
13 conflict with. That's the way the process -- the
14 process works sometimes.
15 So I would recommend, Mr. Administrator,
16 that you have a conversation with the County
17 Executive and try to move forward through the
18 process starting soon.
19 CHAIRMAN MALDONADO: Freeholder
20 Romano.
21 FREEHOLDER ROMANO: Obviously, a very
22 intense and interesting discussion, all points are
23 well-taken. I am a taxpayer myself in Hoboken and
24 representing both entities, anyway to find a way to
25 somehow look at things objectively through the

1 looking glass to improve is very important. I think
2 what Freeholder Cifelli said raises issue number
3 one. We talk about it constantly year after year.
4 When are we going to petition our State Legislators
5 to do something about the formula? That seems to be
6 the formula, I mean it's that people themselves
7 should be holding their State Assembly to task and
8 ask them to help because a formula hasn't been
9 developed if I'm not mistaken 20, 30 or 40 years,
10 whatever it is.
11 Secondly, as Bill says, I think it's
12 important that we reach out to the executive branch
13 to see how we can somehow get this idea in motion,
14 where there are no philosophic clashes and see in
15 front of us an objective way where things can be
16 cut. Both the speaker and Freeholder Cifelli said,
17 it's not something we take lightly. It's almost
18 taken in a sacred way. I think that especially in
19 the last few years, very diligently we have seen the
20 Freeholders try to find way to keep the budget down.
21 It is an ongoing task. It's good to
22 discuss it now before we get ready for next years'
23 budget, and not wait until it's on top of us. We're
24 working together. Hopefully, we can somehow come to
25 this sort of meeting of the minds or some form to

1 work out. Thank you.
2 FREEHOLDER MALDONADO: Based on what
3 Freeholder Romano said, can we agree to ask our
4 State delegation to research and look into the
5 possibility of effectuating changes in the
6 equalization?
7 FREEHOLDER O'DEA: Could you not only
8 forward the earlier resolution, could you not only
9 forward that, along with a letter ask for a status
10 check?
11 CHAIRMAN MALDONADO: Thank you, Mr.
12 Cohen.
13 MR. COHEN: I just encourage the
14 Freeholders to look at your options and follow
15 through on those. I think it's in term of the side
16 of the budget dealings, you want to think in terms
17 of as a full and robust performance audit as we can.
18 FREEHOLDER O'DEA: I would look at it
19 this way. If we do an RFP, part of we would ask
20 responders to provide to us is other audits that
21 were done, what those audits cost, and what were the
22 savings derived annually over the last few years.
23 That I think, right, Mr. Administrator, would be a
24 normal genesis or way to analyze what we should
25 spend versus what our savings would be.

1 MR. COHEN: Thank you very much.
2 THE CLERK: Additional speakers on
3 any matter of public interest. Please state your
4 name.
5 MR. McCORMACK: Richard McCormack. I
6 want to thank the Board. I've been a diabetic for
7 42 years. I appreciate the donation that was made.
8 I believe it was $150, if I'm not correct you tell
9 me. It may seem like a small amount of money, but
10 it means to a lot to diabetics in this County. You
11 are aware there are 50,000 known diabetics within
12 Hudson County alone.
13 As a diabetic advocate, I just brought an
14 application to represent not only Hudson County but
15 the State of New Jersey in Washington next March. I
16 have been selected to that group in the past. You
17 guys were very nice to make a donation last year. I
18 appreciate all the efforts of this Board to help
19 with diabetics who cannot go anywhere without one of
20 you Board Members or anyone in this room, without
21 knowing at lease one or two people that are
22 inconvenienced by their diabetes situation. Thank
23 you very much.
24 CHAIRMAN MALDONADO: I'm sure you
25 know Freeholder Dublin is a diabetic. We understand

1 the plight. Thank you. Good job.
2 THE CLERK: Additional speakers on
3 any matter of public interest? Motion to adjourn
4 the meeting by Freeholder Romano. Second by
5 Freeholder Rivas. All in favor, opposed? The
6 meeting is adjourned.
7 (Whereupon the proceeding is then
8 concluded at 7:42 p.m.)
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1 C E R T I F I C A T I O N
2
3 I, SHARI CATHEY, CCR, RPR, License No.
4 30XI00234700, and Notary Public of the State of New
5 Jersey, hereby certify that the proceedings herein
6 are from the notes taken by me of a Regular Caucus
7 Meeting of the Hudson County Board of Chosen
8 Freeholders, held on Thursday, October 9, 2014; and
9 that this is a correct transcript of the same.
10
11
12 Shari Cathey
13 SHARI CATHEY, CCR, RPR
A NOTARY PUBLIC of the
14 State of New Jersey
I.D. No. 2283786
15 Commission Expires 2/4/17
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