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HUDSON COUNTY
BOARD OF CHOSEN FREEHOLDERS

RE:

SPECIAL 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, October 3, 2013
4:00 p.m.

B E F O R E:

ANTHONY ROMANO, CHAIRMAN
DOREEN DiDOMENICO, Freeholder
JEFFREY DUBLIN, Freeholder
E. JUNIOR MALDONADO, Freeholder
WILLIAM O'DEA, Freeholder

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

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

Job No. NJ1743694

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1 CHAIRMAN ROMANO: Okay, Mr. Clerk.
 2 THE CLERK: Mr. Chairman, we do not
 3 have a quorum. This is therefore not a meeting of
 4 the Board of Freeholders. This should be treated as
 5 a committee meeting. The court reporter is present,
 6 and she will keep a record of these proceedings.
 7 FREEHOLDER O'DEA: At any time if one
 8 more Member comes in, it will then become a meeting,
 9 correct?
 10 THE CLERK: That's correct, Mr.
 11 Freeholder.
 12 CHAIRMAN ROMANO: We do not have
 13 counsel present here, either one. We have Abe
 14 anyway. Okay.
 15 THE CLERK: The purpose of this
 16 meeting was to discuss grant funding for the Sandy
 17 Homeowner Renter Assistance Program.
 18 FREEHOLDER O'DEA: Mr. Chairman, if I
 19 could open the event, I would hope the format would
 20 be that the Administration select somebody and have
 21 a presentation made. A little bit of backdrop of it
 22 as you know last week, is that this a substantial
 23 amount of money that has to be spent quickly. We
 24 are concerned as to, because the providers that have
 25 been funded have not necessarily as a regular course

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1 of business served the entire County, how all areas
 2 of the County are being served.
 3 In addition to that, since we were told
 4 the amount, the number of individuals that we were
 5 told that have been identified already, it was a
 6 very low number in comparison to some of what we
 7 think may be individuals out there that need to be
 8 helped, how are we going to do outreach, what is the
 9 outreach that's going to take place, when, et
 10 cetera, et cetera, how could we try to stay on top
 11 of this and monitor it so we're not sitting here in
 12 four months finding out that we have spent all of
 13 the administrative money, and we didn't put any
 14 money into the hands of people that need to be saved
 15 in their apartments or helped with their mortgages,
 16 and are there any interesting, creative approaches
 17 that anybody that has come from other areas, to do
 18 outreach to be able to --
 19 I know that 15,000 is the maximum that
 20 they can get. For instance, one of our biggest
 21 questions is how is the banking institutions get
 22 involved. Obviously, for rental is one. I think
 23 it's pretty easy to find out who is also in
 24 foreclosure or pre-foreclosure in their mortgage,
 25 are those things being dealt with. I think that I

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1 can turn it over to the gentleman who was here last
 2 week.
 3 MR. ANTUN: Yes, Brian Poffel is here
 4 as well as other representatives from the
 5 department, and in addition to that, we also have
 6 the providers so that if anyone has any questions of
 7 the providers, they will be here to respond to that.
 8 We've distributed some information that
 9 Brian in conjunction with Director Wilson has put
 10 together that outlines the efforts the program, and
 11 I'll ask him to come to the podium, maybe spend
 12 about ten or fifteen minutes. After that, if he
 13 does not answer a particular question that you just
 14 posed, ask him again. I'm sure he'll answer.
 15 MR. POFFEL: Good afternoon. So I'll
 16 try to address everything that was just brought up.
 17 THE CLERK: Please state your name
 18 for the record.
 19 MR. POFFEL: Brian Poffel, Health and
 20 Human Services. We met with the providers yesterday
 21 morning to go over this program, a lot of the
 22 details in that are included. One thing I want to
 23 make clear, everything that we have is directly from
 24 the State. All guidelines and eligibility as far as
 25 what is included in the program is directly from the

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1 State. So the ability to be creative as far as
 2 outreach and eligibility and so on and so forth,
 3 they're dictated to us.
 4 For instance, I know we talked about
 5 publicity and marketing last week. We talked with
 6 the providers yesterday about that. Currently as
 7 the State stands, they want one message that's going
 8 to be from their PSAs. They're still finalizing
 9 that. When I was here last week, I said that they
 10 were going to start October 7th. They have pushed
 11 that back to October 15th. The first PSA will
 12 probably run sometime in the next couple of weeks.
 13 They haven't given me any concrete detail of what
 14 that is going to include or when that will actually
 15 run, but they will have the program by October 15th.
 16 The providers are ready, willing and able
 17 to assist every individual in Hudson County. The
 18 providers that are here in attendance include
 19 Catholic Charities, Bayonne Economic Opportunity
 20 Foundation, Hudson County Welfare, Hoboken Shelter
 21 and North Hudson Community Action Corporation.
 22 There's is already a system in place to --
 23 FREEHOLDER O'DEA: I'm sorry. They
 24 all didn't get funding?
 25 MR. POFFEL: They have the

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1 opportunity. Two of the organizations, North Hudson
 2 and Hoboken Shelter have declined the money --
 3 THE CLERK: Mr. Chairman, there is a
 4 quorum. May I take attendance?
 5 CHAIRMAN ROMANO: Yes.
 6 THE CLERK: Freeholder Cifelli,
 7 absent. DiDomenico.
 8 FREEHOLDER DiDOMENICO: Here.
 9 THE CLERK: Dublin.
 10 FREEHOLDER DUBLIN: Here.
 11 THE CLERK: Liggio, absent.
 12 Maldonado.
 13 FREEHOLDER MALDONADO: Here.
 14 THE CLERK: Munoz, absent. O'Dea.
 15 FREEHOLDER O'DEA: Here.
 16 THE CLERK: Rivas, absent. Chairman
 17 Romano.
 18 CHAIRMAN ROMANO: Here.
 19 FREEHOLDER O'DEA: Can you repeat
 20 everything that you said?
 21 THE CLERK: Freeholder, for the
 22 record if I can do the Special Meeting notice. In
 23 accordance with the provisions of the Open Public
 24 Meetings Act, notice of this Special Meeting of the
 25 Hudson County Board of Freeholders was provided to

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1 the editors of the Jersey Journal and the Star
 2 Ledger. It's been posted on the Freeholder's
 3 Bulletin Board, Third Floor, Administration Building
 4 Annex, 567 Pavonia Avenue, Jersey City, New Jersey,
 5 and filed in the office of the Hudson County Clerk
 6 on September 27th, 2013. The purpose of this
 7 Special Meeting is to discuss grant funding for the
 8 Sandy Homeowner Renter Assistance Program.
 9 CHAIRMAN ROMANO: Go ahead.
 10 MR. POFFEL: To pick up where I was,
 11 the grant cycle that was approved by resolution last
 12 week is for October 1st to December 31st. That
 13 includes one million, a little over a million
 14 dollars in allocation, the first quarter of the
 15 funding for the two-year cycle, the entire program.
 16 The remainder of that money will be RFP'ed beginning
 17 in January 1st, 2014, and run through
 18 September 30th, 2015.
 19 All the agencies in attendance along with
 20 any other agencies in the community has an equal
 21 opportunity to apply for that funding if they choose
 22 to do so at this point. To ensure that all the
 23 needs of all individuals are met throughout every
 24 municipality within the County, we will be setting
 25 up our mailboxes at scattered locations throughout

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1 the County and in each municipality collecting
 2 applications and setting up one-on-one interviews
 3 and intake with each individual household that is in
 4 need. We will check it a couple times a week and
 5 collect each application to make sure that money is
 6 brought in as soon as possible.
 7 That's one of the issues with the banks,
 8 Hudson County Welfare currently has, as I
 9 understand, a relationship with the banks. We
 10 reached out to banks now and will continue to do so
 11 with regard to foreclosure, as well the court
 12 systems as to who is in foreclosure and the process
 13 of foreclosure and get that information and see if
 14 any others may be helped with something else.
 15 One thing that I think needs to be pointed
 16 out, if any of this money isn't spent, there is no
 17 penalty whatsoever. The State understands that they
 18 may have overshot their allocations. County has to
 19 submit monthly monitoring reports to the State, and
 20 if those monitoring reports or expenditure reports
 21 don't reflect what should be in the County, they'll
 22 just reallocate to other counties that are in need.
 23 FREEHOLDER O'DEA: In other words, if
 24 you've got a greater demand, a greater demand for
 25 that money, you can request additional funds?

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1 MR. POFFEL: Yes, apply for them,
 2 yes.
 3 FREEHOLDER O'DEA: And if statewide
 4 we don't spend the money, the federal government
 5 takes it back?
 6 MR. POFFEL: That's my understanding,
 7 yes. We're still waiting for the State to give us
 8 more clarification and direction as to what the
 9 County can actually produce and what the providers
 10 can actually do as far as publicity or outreach. So
 11 I'm hopeful we'll get that any day now. I asked for
 12 any kind of copy from the State. They're unwilling
 13 to give that out yet. I am actually still waiting
 14 and will continue to do so until they actually
 15 submit it from the Governor's office. They have
 16 asked that nothing be said to the public or County
 17 providers until they present their address, however
 18 they're going to roll it out.
 19 FREEHOLDER O'DEA: It's a
 20 gubernatorial election, right, Mr. Administrator?
 21 Let me ask you a question. So they have yet to do
 22 their PSA. If someone walks into my legislative
 23 office tomorrow and needs help, can you help them
 24 already, after October 1st, right?
 25 MR. POFFEL: It is October 1st. The

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1 agencies here in the County will be ready to do so.
 2 My understanding from the State is we're not
 3 supposed to do it until they actually say that the
 4 program is live, which they won't do until October
 5 15th.
 6 FREEHOLDER O'DEA: That's insane.
 7 MR. POFFEL: That's how the State is
 8 dictating so far.
 9 FREEHOLDER O'DEA: Mr. Administrator,
 10 I guess we would -- maybe we can talk about it at
 11 the caucus, the next caucus. This is federal money,
 12 correct?
 13 MR. POFFEL: Actually, it is.
 14 FREEHOLDER O'DEA: So the State
 15 government is holding up, you might be not be able
 16 to say anything, but it doesn't mean I can't say
 17 anything. I'm not sure anyone can stop me, but you
 18 know, who are you dealing with, which State agency
 19 is administrating it, do you know?
 20 MR. POFFEL: Department of Human
 21 Services, Division of Family Development. So I have
 22 a contract administrator who I deal with my
 23 contacts. They work up their chain of command to
 24 the Governor's office.
 25 FREEHOLDER O'DEA: I mean, think of

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1 the insanity that if somebody is going to court on
 2 Monday to be evicted from their apartment who is
 3 eligible, we can't help that person, even though the
 4 federal government said October 1, we have the
 5 ability to process that.
 6 MR. ANTUN: You know, Freeholder, I
 7 think, and Brian, you can correct me if I'm speaking
 8 out of turn, I think that even though we may not be
 9 able to process the application, to use your
 10 example, if a constituent comes to your office and
 11 say you send them to Welfare, Welfare can take the
 12 information, they can take the information down, and
 13 they can certainly contact the bank or whatever
 14 entity is doing the foreclosure.
 15 FREEHOLDER O'DEA: Can we go to
 16 court? That's relatively not easier, but more
 17 technical. I'm a landlord of a building. Junior
 18 Maldonado, because he is eligible on the list
 19 because of whatever loss occurred on his job because
 20 of his company during the storm, didn't pay rent. I
 21 filed and I have a hearing on Monday, this Monday,
 22 to evict him. He finds out about this. He comes
 23 and sees me tomorrow and says, I'm going to evicted
 24 Monday, and he tells me his story and he fits within
 25 the confines of this program.

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1 No one can do anything for him? Can
 2 Welfare go to court? Does Welfare have the
 3 authority to step into court on Monday? Would I be
 4 able to send in --
 5 MR. ANTUN: I don't think Welfare can
 6 stop any court proceeding, but certainly Welfare can
 7 present information for the Court to consider as
 8 well as the landlord to consider.
 9 FREEHOLDER O'DEA: Are they in a
 10 position to do that?
 11 MR. ANTUN: You know, to me, I think
 12 we can ask, I guess. You know, it's a new program.
 13 It's unchartered waters so to speak. I can't speak
 14 for the courts. I can certainly, and unless Ben has
 15 an issue, nothing stops us from going to the Court,
 16 presenting information; and then how the Court
 17 reacts to it, and how the landlord who would be
 18 prosecuting, we can't control that.
 19 FREEHOLDER O'DEA: Abe, today I tried
 20 to call the federal agency and the phones just rang.
 21 MR. ANTUN: Sure.
 22 FREEHOLDER O'DEA: No one answered
 23 the phone.
 24 MR. ANTUN: Sure.
 25 DIRECTOR LOPEZ: Benjamin Lopez,

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1 Director of the Department of Family Services. The
 2 Administrator is correct. If you refer the person
 3 to us, we would take the application, and although
 4 the application would not be processed, we would
 5 have the application. So we know the person, and if
 6 it's a good application, and if you look at it,
 7 requires certain things that the individual needs to
 8 brings. Once that's all with us, we would go to
 9 attempt to talk to the landlord. If that doesn't
 10 work, we would then attempt to talk to the Court
 11 that their application is in process.
 12 FREEHOLDER O'DEA: Each provider
 13 doesn't have to get up, but is that the position
 14 that each of the providers would take?
 15 MR. POFFEL: I would think so, yeah,
 16 Freeholder. That would be fine.
 17 FREEHOLDER O'DEA: I'm sorry,
 18 continue.
 19 MR. POFFEL: That's all that I have,
 20 unfortunately, to offer. The bottom line is that
 21 our agency within Hudson County is well equipped to
 22 handle this program as soon as the State tells us
 23 that we are ready to go. Like we discussed, right,
 24 if somebody does present themselves that have a need
 25 in regard to this program, they wouldn't necessarily

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1 be turned away. As far as providing the monetary
 2 assistance to whomever is holding it, the State
 3 won't allow to us do that until said time.
 4 FREEHOLDER O'DEA: What Ben and
 5 someone else said, I have a few questions to ask.
 6 Do you have the criteria for what meets the criteria
 7 for financial distress as it is directly related to
 8 housing? Is that financial distress that is
 9 directly related to housing this is a direct result
 10 of Sandy? Could you just point me to the page.
 11 MR. POFFEL: I included the State
 12 presentation that was given to -- yes. If you go
 13 to -- let's see.
 14 FREEHOLDER O'DEA: Give us a number
 15 for future reference.
 16 MR. POFFEL: There are no numbers on
 17 the pages.
 18 FREEHOLDER O'DEA: I know. I'm just
 19 saying for future reference.
 20 MR. POFFEL: I took this from the
 21 State. I apologize.
 22 FREEHOLDER O'DEA: Are you sure you
 23 were allowed to give this to us? I don't want
 24 somebody downstairs waiting.
 25 MR. POFFEL: On the page that looks

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1 like a graph, I think that it's page before that.
 2 Actually, that goes over essentially what qualifies
 3 somebody, the detail of what is to be expected.
 4 FREEHOLDER O'DEA: The Homeowner
 5 Renter Assistance Program?
 6 MR. POFFEL: Yeah. It gives the
 7 breakdown. It starts with allowable expenses and
 8 allowable payment levels. The next page after that
 9 breaks down the actual household essential items
 10 that are also qualified. Those numbers, for
 11 instance, bed linens, bed and linens, it's a maximum
 12 of \$545 for each household. The provider agency
 13 can't give anything about that for that particular
 14 item. That's the maximum that they receive each
 15 item and so on and so forth going down the page. A
 16 hot water heater is up to \$1,200.
 17 FREEHOLDER O'DEA: So that's all
 18 helpful, but what's the criteria to determine
 19 eligibility? I guess that's my question.
 20 MR. POFFEL: If you go to the very
 21 last page is a program worksheet that every provider
 22 will have to fill out with each individual or
 23 household that comes. They will go through each
 24 line, and they'll determine whether or not their
 25 verification meets that qualification.

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1 FREEHOLDER O'DEA: So in order to --
 2 you have to be eligible for all these?
 3 MR. POFFEL: No.
 4 FREEHOLDER O'DEA: The first one is
 5 does the housing have a -- does the household have a
 6 housing and/or assistance need directly related to
 7 Sandy, yes or no? The verification says FEMA
 8 registration, DCA registration or other. I'll just
 9 ask questions that are simple, relatively simple. I
 10 live in a unit and there was no damage done by
 11 Sandy, but I work for a company that got wiped out
 12 by Sandy so I've now been out of work for the last
 13 year.
 14 Obviously, I would argue that the
 15 household need I have was directly related to Sandy
 16 because it was Sandy that caused me to lose my job.
 17 Would that particular situation answer yes? If I
 18 have been out of work six months but I'm back to
 19 work now, but because of that six months, I'm three
 20 or four months behind on my rent and the landlord
 21 not going to grant me, or I'm three or four months
 22 behind on my mortgage, so that would be okay?
 23 MR. POFFEL: Assuming that you can
 24 produce proof.
 25 FREEHOLDER O'DEA: Right, I would

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1 have to demonstrate that I was out of work, maybe I
 2 didn't work long enough to collect unemployment, I
 3 couldn't collect disability, maybe you gave me food
 4 stamps for three months. That would certainly
 5 demonstrate that I wasn't getting any other income.
 6 MR. POFFEL: Right.
 7 FREEHOLDER O'DEA: There really is
 8 not an income...
 9 MR. POFFEL: Is there no income
 10 guideline whatsoever.
 11 FREEHOLDER O'DEA: There is no income
 12 guideline. It's more -- it's more demonstrating
 13 that I'm eligible because of the super storm.
 14 MR. POFFEL: Any income, any income
 15 is acceptable. What you have to demonstrate or what
 16 the individual has to demonstrate is that the need
 17 is directly related to Hurricane Sandy, and that
 18 they're not receiving any other benefits that they
 19 could use before this or instead of this, and also
 20 that there haven't been any consecutive services
 21 provided.
 22 For instance, if you received money for
 23 January to March from FEMA, this money can't cover
 24 January through March. It could cover April through
 25 May or whatever the case may be. It can't duplicate

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1 to provide the services or that financial
 2 assistance.
 3 FREEHOLDER O'DEA: So theoretically,
 4 if I make \$8,000 a year, but I was out of work four
 5 months, and I didn't get anything from anyone, and
 6 because of that, you know, I missed three mortgage
 7 payments or three rent payments, for whatever reason
 8 I haven't been evicted, but a foreclosure has yet to
 9 take place, I would be eligible for let's use the
 10 mortgage, let's use the mortgage as the first one.
 11 There is a foreclosure now filed.
 12 Someone could argue that it's six or eight
 13 more months, based on my income, I would be probably
 14 be able to accumulate the money necessary to catch
 15 up on my mortgage. No one is going to do that
 16 analysis?
 17 MR. POFFEL: No. A multimillionaire
 18 can come in from the waterfront, and they're in need
 19 of assistance, whatever the case may be as long as
 20 they qualify, that's fine. There's no guidelines in
 21 any way, shape or form for this particular money.
 22 MR. ANTUN: Freeholder, you should
 23 also know at least in one bank, I know because
 24 that's where I bank, but they specifically --
 25 FREEHOLDER O'DEA: It's not Bank of

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1 America?
 2 MR. ANTUN: Yes, it is. They
 3 notified their customers. I got it. Luckily, I
 4 wasn't affected by it, they say, If you've been
 5 affected by Sandy, please contact us, because they
 6 wanted to know those situation so that they, for
 7 lack of a better term, they can segregate them from
 8 other types of situations. So that's why the
 9 notification of banks, you know, I think is a good
 10 thing for Welfare and others to do.
 11 FREEHOLDER O'DEA: Because banks have
 12 already done diligence in identifying individuals.
 13 MR. ANTUN: And I've got believe if
 14 Bank of America does, I'm sure the other banks do.
 15 That's who I bank with.
 16 FREEHOLDER O'DEA: If all it is is
 17 that they missed three mortgage payments and the
 18 bank hasn't even started to do any foreclosure
 19 action, they can demonstrate they missed three
 20 mortgage payments, they can get a check to pay those
 21 three mortgage payments?
 22 MR. POFFEL: If they're three months
 23 behind on their mortgage, yes.
 24 FREEHOLDER O'DEA: Right, they didn't
 25 pay January, February and March.

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1 MR. POFFEL: If they have caught up,
 2 then they can't, if but they're still three months
 3 behind, and they're making their payments moving
 4 forward, yes, that would qualify.
 5 FREEHOLDER DUBLIN: How about a
 6 person who lost everything, right, lost everything
 7 in their house, but they were able to keep up with
 8 their mortgage, but they lost everything in their
 9 house?
 10 MR. POFFEL: Yeah, you can get for
 11 different item.
 12 FREEHOLDER DUBLIN: How would they
 13 apply for that?
 14 MR. POFFEL: You would simply have to
 15 prove that you've lost those items, which could
 16 include a small thing as a picture, that picture
 17 that you've lost in these items, which many of them
 18 would have to do for FEMA to begin with. If they
 19 prove that they have lost these items, they haven't
 20 purchased them yet, they can get these items.
 21 The way that would work is if you go to
 22 Sears whatever, and you find a refrigerator,
 23 whatever item you need, you come in, you say this is
 24 what I need, and then the agency would essentially
 25 provide a voucher to the company to purchase that

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1 item. No money will be given to individuals at all.
 2 FREEHOLDER O'DEA: It says
 3 retroactive rent mortgage payment will be counted as
 4 one month's worth of program limit for every month
 5 of rent mortgage paid. So theoretically, what are
 6 you allowed, six months is the maximum?
 7 MR. POFFEL: It's six months or
 8 \$15,000.
 9 FREEHOLDER O'DEA: It's the greater
 10 of the two?
 11 MR. POFFEL: I honestly don't know if
 12 that's specified. They can't go above 15,000.
 13 FREEHOLDER O'DEA: I know they can't
 14 go over 15,000, but a renter, \$15,000 could be more
 15 than a year of rent. Not only could it be six
 16 months back, but it could be the next year whether
 17 they're still out of work, whatever. Somebody could
 18 still be out of work, and all they're doing right
 19 now is collecting whatever we gave them as the
 20 minimum of assistance they're qualified for.
 21 MR. POFFEL: Yeah, if we provide them
 22 \$15,000, which is above six months or below six
 23 months, they would have to try to find other
 24 assistance. I'm sure that question is going to be
 25 raised throughout the course of the program should

Page 22

1 the State adapt the program.

2 FREEHOLDER O'DEA: That's the

3 question. Now, the flip side of it is, because you

4 said a multimillionaire, if I had a \$5,000 a month

5 mortgage, you can pay three months of my mortgage if

6 they were unpaid?

7 MR. POFFEL: Yes.

8 FREEHOLDER O'DEA: Just to go back on

9 utility bills, \$15,000 is an overall number, that

10 includes rental mortgage, utilities?

11 MR. POFFEL: Everything.

12 FREEHOLDER O'DEA: Do you aggregate

13 that out within your \$15,000?

14 MR. POFFEL: Correct.

15 FREEHOLDER O'DEA: Would any of the

16 providers be interested in telling us what they

17 would expect or intend to do to identify individuals

18 in their service area who would be eligible for this

19 program above and beyond the public services

20 announcements that are going to be on television?

21 MR. POFFEL: I would let them speak,

22 and one thing I would say before they speak is as it

23 stands literally today, the State doesn't want any

24 of that happening.

25 FREEHOLDER O'DEA: Let's say after

Page 23

1 October 15th. Being you're not telling me that

2 after the State announces this program, people are

3 still not allowed to let people know?

4 MR. POFFEL: They haven't said they

5 are or they aren't yet. I have asked that question.

6 They're working that out through the Governor's

7 office, they're getting back to me. But as of right

8 now before I came to this meeting, their message to

9 us was no public comment whatsoever to the public

10 from the County or the providers at all, and moving

11 forward they are hesitant to let anyone else to do

12 any type of outreach or publication because they're

13 concerned that their one message will be...

14 FREEHOLDER O'DEA: Can we have our

15 lawyer in here for a minute?

16 THE CLERK: He left.

17 FREEHOLDER O'DEA: He shouldn't have

18 left.

19 THE CLERK: Call him?

20 FREEHOLDER O'DEA: I've got to be

21 honest with you. I have a pretty simple legal

22 question. Call him. Here is the problem with that.

23 We are elected officials. We voted at a public

24 meeting, public meeting not a private meeting, on an

25 item to allocate money. That item is available for

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1 any member of the public who just goes up and looks

2 at the Board out here that lists the items that

3 we're voting on.

4 I mean, I think know the answer to the

5 question. Whatever limits they can put on service

6 providers are one thing, but I don't think they have

7 any legal authority to put anything on an elected

8 official. They may not be happy, but you know, I'm

9 not saying we would do that, to go out and have a

10 press event tomorrow, but you know, they have no

11 authority to stop elected officials from saying, We

12 voted on --

13 Had a reporter, had a report been here at

14 last Thursday's meeting, that reporter could have

15 asked you a question, could have asked the

16 Administration a question, could have asked us a

17 question, could have asked the State or federal

18 government a question. In any of those cases,

19 obviously you're under oath, you have a gag order

20 right, for lack of a better term, did you consider

21 that you're under the same gag order?

22 MR. ANTUN: No, I don't. If I'm

23 asked a question, as you pointed out, this is a

24 public meeting, I'm going to answer the question

25 pertaining to the program. I'm going to say what is

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1 available pursuant to that, but again, I'm not a --

2 I'm just answering a question so that it could be

3 reported, you know, in the press.

4 FREEHOLDER O'DEA: Let me ask you a

5 question. This document was provided to entities

6 throughout the State?

7 MR. POFFEL: To counties throughout

8 the State that will provide the services.

9 FREEHOLDER O'DEA: So I would tell

10 you, and I don't want to get you in trouble, but you

11 gave me a copy of this document, and it's my

12 position that this is now a public document, would

13 you say that?

14 THE CLERK: Freeholder, this is a

15 public meeting. There is a record. There are

16 minutes. I don't think I have a basis to deny a

17 copy of these minutes if someone requested them.

18 MR. ANTUN: I agree with you. And

19 also, Freeholder, if you recall what Brian said when

20 he first started, he informed State that he was

21 going to distribute this.

22 FREEHOLDER O'DEA: And they didn't

23 tell you that you couldn't, correct?

24 MR. POFFEL: They definitely did not.

25 They were going to try to get me an electronic copy

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1 of this actually.

2 FREEHOLDER O'DEA: You answered my

3 question. I don't know where our Chairman is.

4 Chairman Romano?

5 CHAIRMAN ROMANO: He's on his way.

6 FREEHOLDER O'DEA: I guess that I

7 would ask Director Lopez and the providers and the

8 Administration, would we similarly,

9 Mr. Administrator, and I know this is potentially

10 opening up a hornets' nest, but would we reach out

11 to PSE&G to ascertain a list of delinquent entities

12 and entities that have pending shut-off notices?

13 MR. ANTUN: We can certainly do that

14 as part of our message. Since we're notifying the

15 banks, we reach out, we can also send a letter to

16 PSE&G, and let them disseminate the information

17 because there's privacy laws.

18 FREEHOLDER O'DEA: That's what I'm

19 saying.

20 MR. ANTUN: They cannot give us that

21 information, but they can pass that information onto

22 their customers, and they can say in a bill, Hey,

23 listen, if you're arrearages is due to Storm Sandy,

24 please contact County Welfare or Catholic Charities,

25 and Welfare can send, Brian can provide that

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1 information, and we can send it to Welfare.

2 FREEHOLDER O'DEA: One would argue

3 that if I lost two or three weeks of work because of

4 Sandy, which, I don't know, tens of thousands of

5 people in this County did, that I may be still in

6 arrears on my utility bill because I live paycheck

7 to paycheck, and if I simply demonstrated that I

8 lost two or three weeks, would, let me ask, as

9 simple as a letter from an employer stating that due

10 to Sandy, the company was closed from October 29th

11 to November 15th, meet the requirement of

12 demonstrating that particular criteria?

13 MR. POFFEL: Yes.

14 FREEHOLDER O'DEA: The Hudson Mall

15 was closed for 30 days. Everybody who works in the

16 Hudson Mall was out of work for thirty days because

17 of the damages. If I was going to do anything, I'm

18 going to drop a copy off at the mall. Seriously,

19 let their employees know because if you live

20 paycheck to paycheck, you may just be paying enough

21 of your utility bill so they're not shutting off

22 your utilities, and you may be carrying, it could be

23 as little as a \$300 balance, and that balance is

24 sitting there, and the reality of it is because you

25 live to paycheck to paycheck, you're never, the

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1 likelihood is that you may never catch up.

2 With rent, you know, it may be a little

3 bit different. When you get to the point of a

4 utility bill, that's fine. Freeholder Dublin's

5 point was also, if there was damage to my property,

6 but I just have no money because I live paycheck to

7 paycheck, I may be sleeping on a bed without linens,

8 and I may be living without a refrigerator. There

9 is a woman that Congressman Sires' office has called

10 me about several times that falls into this, I don't

11 know if they will meet the Sandy-related

12 requirement.

13 The document says no cash payment to

14 households. That means the voucher is made out to

15 the owner of the building, banks?

16 MR. POFFEL: Right.

17 FREEHOLDER O'DEA: The utility

18 company.

19 MR. POFFEL: Correct.

20 FREEHOLDER O'DEA: How you deal with

21 people that buy linens and things like that?

22 MR. POFFEL: Wherever they would go

23 to buy or to purchase, whatever store they would go,

24 they would take a voucher or that company, the

25 provider will pay that company that amount of money,

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1 and the individual would receive it.

2 FREEHOLDER O'DEA: Would we as part

3 of the outreach effort attempt to identify vendors

4 for that kind of item? In other words --

5 MR. ANTUN: We can't be identifying

6 vendors, Freeholders. That gets back to the public

7 service announcements. We can certainly inform the

8 banks and utilities, et cetera, but for us to be,

9 you know, designating vendors.

10 FREEHOLDER O'DEA: Not designating,

11 but how do we know Home Depot would take a voucher

12 to buy a water heater? I don't have an idea whether

13 they would or not.

14 FREEHOLDER DUBLIN: You said that you

15 have to go to the store first, right, and then bring

16 the price to you, and you would issue a voucher to

17 the store?

18 MR. POFFEL: Yeah, I know the payment

19 is going to be made to stores. The individual

20 coming to the provider will not receive anything

21 monetarily.

22 FREEHOLDER O'DEA: I guess Bed, Bath

23 & Beyond, I would tell you that I guess you have to

24 do more than get a price. I would have to get a

25 breakdown what that is going to buy. You're not

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1 going to give me \$500 to go to Bed, Bath & Beyond.
 2 MR. POFFEL: Ideally, the individual
 3 or household would come in, and I need bed linens, I
 4 need a refrigerator, I need a laundry list of items.
 5 FREEHOLDER DUBLIN: You have a sheet
 6 you would give them to take to the store, or they
 7 would just go to the store?
 8 MR. POFFEL: There would be a
 9 voucher.
 10 FREEHOLDER DUBLIN: I'm saying,
 11 pre-that because you said they have to go to the
 12 store first, right?
 13 MR. POFFEL: They have to make a
 14 general list. They wouldn't have to go to the
 15 store. They can make a list of items.
 16 FREEHOLDER DUBLIN: And you would
 17 issue the voucher so you would say what store
 18 you're, say you're going to Home Depot, you would
 19 make the payment to Home Depot?
 20 MR. POFFEL: Right. I must add, I
 21 have to assume and imagine that the State PSA press
 22 release will probably detail that much further.
 23 FREEHOLDER O'DEA: I'm going to bet
 24 you that it doesn't. I'm going to bet that all it's
 25 going to do is be a puff piece that's going to

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1 direct people to first a State number, and from that
 2 State number, they're going to then refer them to
 3 the local County and/or providers in their County.
 4 It's going to be as much an ability to make contact
 5 with people in a positive way and create data, and
 6 then from that data, forward it on.
 7 A PSA is 30 seconds. How much information
 8 can you possibly provide in a 30-second PSA, except
 9 to say if you were in any way affected by Sandy and
 10 you are already behind on your mortgage or behind on
 11 your utility bill or have belongings that were lost
 12 or destroyed and have not be reimbursed from any
 13 other source, it's always going to be you may be
 14 eligible and please contact, and I think they're
 15 going to set up their own people and take them, warm
 16 and fuzzy, and then send them to County Welfare,
 17 Catholic Charities, North Hudson CAP. Either
 18 they're going to send them all to you and let you
 19 figure it out; probably, they're probably going to
 20 wind up sending them because I don't think they have
 21 the sophistication.
 22 You, Mr. Administrator, might want to be
 23 prepared to ensure even a temporary assignment of
 24 staff that your office has enough people to field
 25 all of these requests. That's what my guess is

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1 going to be. They're not going to go out of their
 2 way to say, Oh, you live in Union City, go to North
 3 Hudson CAP, or you live in Hoboken go to Hoboken
 4 Shelter. They literally send everyone to you
 5 because you're basically that phone number.
 6 MR. POFFEL: I know so far they have
 7 requested the name and agencies that have been
 8 allocated or will be providing those services.
 9 Beyond that, what is going to be included in the PSA
 10 or press release, you're right, it's anyone's guess.
 11 FREEHOLDER O'DEA: These not going to
 12 film 21 PSAs. The press release, you're right, will
 13 have the list of who the vendors are, you know. I'm
 14 not sure the press is going to write or do that
 15 large of it. They may want to take a number and
 16 that's it. It's a Statewide PSA. The reason
 17 they're probably delaying this is because they need
 18 to have their own infrastructure set up to be able
 19 to field the deluge of calls they're going to get
 20 because half the people that call aren't going to be
 21 eligible.
 22 Everybody who owes any money or are behind
 23 on their rent or utilities is going to call up and
 24 see if there is a way they can qualify, which is the
 25 same challenge you're going to have and some of the

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1 providers are going to have.
 2 MR. ANTUN: What I will say, I agree
 3 with what you're saying about the PSAs, but I
 4 suspect that once the PSA goes out, that there will
 5 be additional guidelines that will be sent us that
 6 will be given to the various providers regarding
 7 procedures of how to deal with when you're dealing
 8 with a store to buy a refrigerator and things like
 9 that.
 10 I just think that they're holding that up
 11 until they start to announce the PSA. Normally,
 12 they send out guidelines that they'll have
 13 procedures on how to get the vouchers out there, how
 14 the vendor, as you said, Home Depot is going to say
 15 what is this, so there will to be a process, and
 16 they will probably provide guidelines.
 17 FREEHOLDER O'DEA: Abe, if I were the
 18 Governor, I would be looking to get major, major
 19 companies, linen companies, Home Depot companies,
 20 that would be part of the delay, to offer a special
 21 discount to any to individual who qualified under
 22 this program. So if you qualify under this,
 23 obviously, you've got a financial hardship. You're
 24 going to come in with a voucher. You get 20 percent
 25 more linens or 20 percent more towards a water

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1 heater if you're part of this program.
 2 So if I were in the Governor's office,
 3 don't give them this part of the transcript just in
 4 case. You know what I mean? The shame of that is
 5 we shouldn't be delaying getting money out, and you
 6 can always do that a week later or two weeks later
 7 what needs to be processed anyway. I saw our
 8 attorney just came in.
 9 Mr. Florio, I'm going to ask you this
 10 question as the attorney.
 11 MR. FLORIO: I hope I know the
 12 answer.
 13 FREEHOLDER O'DEA: You know it
 14 already?
 15 MR. FLORIO: I hope I do.
 16 FREEHOLDER O'DEA: So Brian has
 17 explained to us that he and his providers are under
 18 a gag order until tell the State announces the
 19 program via a press event and PSA, and they have
 20 been told that they have no authority to, you know,
 21 they have no authority to let any of this
 22 information out to the public, or the County, I
 23 guess, can't do that, right?
 24 MR. POFFEL: Right, yes.
 25 FREEHOLDER O'DEA: Now, that being

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1 said, we asked a number of questions as to what
 2 would happen if I ran into somebody today that was
 3 facing imminent eviction, what would happen? They
 4 said that they would gather information, and then
 5 they would -- today, which is the 3rd, and then they
 6 would seek to find the landlord or potentially the
 7 judge if it was that late in the process to alert
 8 them that, you know, Ed Florio appears to be
 9 eligible under this program, and you should be able
 10 to get enough money to come current with the rent.
 11 Somebody who is getting their utilities shut off,
 12 utility bill shut off. The question is, they're
 13 under a gag order.
 14 MR. FLORIO: Who is "they"?
 15 FREEHOLDER O'DEA: The one that
 16 administers the money and the agencies that are
 17 receiving money.
 18 MR. POFFEL: If I may, I'll read it
 19 verbatim. From their e-mail it says, we ask that no
 20 public announcement to the local community regarding
 21 the program be made until such time that the
 22 Governor's office makes a public announcement.
 23 MR. FLORIO: Is that a letter from
 24 some agency?
 25 MR. POFFEL: An e-mail from the

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1 State.
 2 MR. FLORIO: I have to tell you
 3 honestly, I'm not sure what the relationship is
 4 between the government and entity that's represented
 5 here, but I'm not certain that an e-mail from
 6 some -- who is it from?
 7 MR. POFFEL: It's from the Division
 8 Director of Family Development, a woman named Yvonne
 9 Tierney. She's the administrative contract.
 10 MR. FLORIO: She's an administrator.
 11 I'm not sure that an e-mail from an administrator of
 12 a program would have to same force and effect. You
 13 say "gag order." To me that intimates or at least
 14 infers some kind of a judicial action that would
 15 have to control.
 16 MR. ANTUN: That was his term. That
 17 gag order, it's being used loosely.
 18 FREEHOLDER O'DEA: Loosely, and it's
 19 being used when I asked Brian, when I asked Brian,
 20 forget about legal or judicial, when I asked him if
 21 he was under gag order, meaning he could not talk
 22 about this publicly, your answer was simply?
 23 MR. POFFEL: Yes, in the e-mail, it
 24 says no public announcements.
 25 FREEHOLDER O'DEA: That being said we

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1 voted last Thursday to allocate this money and to
 2 allocate it to providers. It was done at a public
 3 meeting, which is means there is a public transcript
 4 of it similarly now a public transcript of it.
 5 Similarly, there is now a public transcript of this
 6 meeting, correct? We have five Members? Obviously,
 7 whatever limitations his office may feel they're
 8 under, none of us are bound by that, correct?
 9 MR. FLORIO: Well, the e-mail doesn't
 10 suggest to me, I don't know that based on what --
 11 are you an attorney?
 12 MR. POFFEL: No.
 13 MR. FLORIO: Whatever the speaker,
 14 whatever the speaker's role with this agency is, I
 15 would take it it's intended to apply universally,
 16 but at the same time, if the suggestion is that if
 17 you release this information, there will be a
 18 consequence, but we don't know what the consequence
 19 is.
 20 FREEHOLDER O'DEA: I'll ask you a
 21 simpler question, Mr. Florio. This document was
 22 given to me. Would you like to look at the
 23 document? This document was provided to me today,
 24 okay? This meeting was advertised, is that not
 25 correct?

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1 THE CLERK: Yes, it was.
 2 FREEHOLDER O'DEA: Based on the fact
 3 that this is a publicly advertised meeting, okay, a
 4 reporter could have attended the meeting, right? If
 5 a reporter attended this meeting, they could request
 6 and receive a copy of this document, would you
 7 agree? Would you agree to that, Mr. Florio?
 8 MR. FLORIO: I think that's
 9 reasonable.
 10 FREEHOLDER O'DEA: Similarly, any
 11 citizen that came to this meeting could request and
 12 receive a copy of this document, is that fair?
 13 MR. FLORIO: I think that's also fair
 14 to say.
 15 FREEHOLDER O'DEA: So under what
 16 restriction is anyone under? You have a document
 17 that lays out everything about this program, and it
 18 is a document that's available to the public.
 19 MR. FLORIO: I'm not going to take
 20 issue, Freeholder, with what's represented in this
 21 document and what, I'm sorry?
 22 MR. POFFEL: Brian.
 23 MR. FLORIO: And what Brian has
 24 represented to the Board, and it's his
 25 interpretation that he's not permitted to give this

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1 information, and we don't know if he does, what the
 2 consequences of the release of that information
 3 would be, whether it would jeopardize or put at risk
 4 some funding component of this process, and so he
 5 can't be compelled, I don't think, by this Board at
 6 this juncture to release information that he
 7 believes would put his program at risk.
 8 MR. ANTUN: Freeholder, I read the
 9 statement. It's worded in a way there is no threat
 10 to it. There is no, Hey, if you do this. It's like
 11 we are asking you as opposed to we're directing.
 12 It's not directing, and what they're really more
 13 focused on is a press announcement, you know.
 14 MR. FLORIO: If you wanted to say,
 15 Hey, there's a program, go the Welfare agency, you
 16 know.
 17 MR. POFFEL: The Governor wants to
 18 announce it.
 19 FREEHOLDER O'DEA: I fully understand
 20 it. What I'm trying to do is the minute two things
 21 occurred, the minute we were told that we had to
 22 vote on this, Abe, before October 1st, remember,
 23 Brian, that's what you came to tell us, which is why
 24 we voted it on this last week, and then set up a
 25 special public meeting to discuss exactly what it

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1 was, how people would know about it, what's
 2 available as far as what's put forth.
 3 With all due respect to the Governor, I'm
 4 going to be shocked if it doesn't get out in the
 5 public domain, especially if he's waiting on a PSA.
 6 Except for a reporter not showing up here, had a
 7 reporter shown up here today, and they received a
 8 notice, right? Had they shown up here today, there
 9 would be a story in the paper tomorrow or Saturday
 10 without anyone talking. All they would have done is
 11 sat here, listened to questions asked and answered,
 12 and got a copy of the resolution.
 13 It's ridiculous. I don't know why they're
 14 not taking applications. I don't know why they're
 15 not getting applications. Every day that we lose is
 16 a person could get kicked out of their home or
 17 kicked out of their apartment.
 18 FREEHOLDER DUBLIN: Do you rest your
 19 case?
 20 FREEHOLDER O'DEA: I move for summary
 21 judgment.
 22 CHAIRMAN ROMANO: Anything else?
 23 MR. POFFEL: No.
 24 CHAIRMAN ROMANO: We asked the
 25 questions at the meeting too, the people at the

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1 Hoboken Shelter that didn't wish to the participate,
 2 why didn't they?
 3 MR. POFFEL: I'll let them speak for
 4 themselves. The letters that they sent to us
 5 basically said it was capacity issues.
 6 CHAIRMAN ROMANO: If anybody would
 7 like to come up.
 8 MS. CHERUBINI: Hi, Jacklyn
 9 Cherubini, the Hoboken Shelter. Thank your for the
 10 opportunity for me come here and speak to you
 11 directly. I was thrilled about the prospect of
 12 money coming to Hudson County to help our neighbors
 13 who are in need. Unfortunately, it is just a little
 14 bit too much than we can handle in this first
 15 quarter. So I just had to really focus on our
 16 mission, which is to serve the people on the streets
 17 and shelters or their homes.
 18 The capacity of the work that we have
 19 ahead of us, which is right now we're serving 400
 20 meals every day, that we had to really look at it.
 21 Our board of directors and our executive committee
 22 met specifically on this. We met with our auditor.
 23 We meet and talked about this and figured that at
 24 this time we're not able to administer this
 25 particular grant.

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1 We did offer our services to the community
 2 and partnered with our fellow agencies to provide a
 3 centrally located space within the City of Hoboken,
 4 as the Hoboken Shelter, to work with administering
 5 and the dissemination of this information to our
 6 6,000 volunteers and to the community-at-large, and
 7 as well as working with anyone who needs the space,
 8 computers, supplies, to administer this program in
 9 the City of Hoboken.
 10 CHAIRMAN ROMANO: Thank you.
 11 FREEHOLDER O'DEA: Somebody from the
 12 CAP.
 13 MS. MACIAS: Good afternoon. My name
 14 is Michelle Macias from North Hudson Community
 15 Action. At this time we are not taking money for
 16 the funding for Sandy because we have two large
 17 projects that we're working through the supportive
 18 services for the veteran's grant, and we're also
 19 doing temporary houses, and we are committed to
 20 working with those, and we don't have the resources
 21 right now to provide the services, but we will be
 22 working with the other agencies to provide them an
 23 area where they can put their application, and we
 24 will be sharing with the community.
 25 CHAIRMAN ROMANO: Thank you both.

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1 MS. MACIAS: Thank you.
 2 THE CLERK: Mr. Chairman, the County
 3 has provided Sandy-related funds in Kearny in an
 4 earlier program a few months ago, and we're
 5 providing up to \$15,000 to homeowners who were
 6 affected by the flooding.
 7 CHAIRMAN ROMANO: Freeholders have
 8 any questions? Motion.
 9 THE CLERK: All in favor. Meeting is
 10 adjourned.
 11 (Whereupon the proceeding is then
 12 concluded at 5:26 p.m.)
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1 CERTIFICATION
 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 Special Meeting
 7 of the Hudson County Board of Chosen Freeholders,
 8 held on October 3, 2013; and that this is a correct
 9 transcript of the same.
 10
 11
 12
 13 _____
 14 SHARI CATHEY, CCR, RPR
 15 A NOTARY PUBLIC of the
 16 State of New Jersey
 17 I.D. No. 2283786
 18 Commission Expires 2/4/17
 19
 20
 21
 22
 23
 24
 25

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