EXHIBIT 27
Weiner Lesniak scores another no-bid contract with Jersey City

Candidates for 2013 Jersey City city election
Mayor Steve Fulop has tapped Weiner Lesniak to represent the city in its lawsuit against the Port Authority.

(Jersey Journal file photo)

Terrence T. McDonald | The Jersey Journal By Terrence T. McDonald | The Jersey Journal
Email the author | Follow on Twitter
on November 14, 2013 at 1:22 PM, updated February 14, 2014 at 3:14 PM

Powerful law firm Weiner Lesniak won a no-bid contract to represent Jersey City in its lawsuit against the Port Authority, thanks to a unanimous vote by the City Council last night.

The Parsippany firm counts among its partners state Sen. Raymond Lesniak, D-Union. The contract, awarded 8-0 by the council with Councilwoman Candice Osborne absent, sets payment at $150 per hour, not to exceed $50,000.

Corporation Counsel Jeremy Farrell told the council at its Tuesday caucus that the city doesn’t expect the firm will be able to represent the city in the suit for just $50,000. But the small amount will force the administration to give the council frequent updates as the body mulls whether to renew the contract at $50,000 intervals, Farrell said.

During his campaign for mayor this year, Fulop pledged to put all city contracts out to bid. This is the second time since he became mayor in July that he has asked the council to award a no-bid contract (the first was in September, and it also went to Weiner Lesniak).

The city and Lesniak take issue with The Jersey Journal calling the pact a no-bid contact. City spokeswoman noted that the firm was picked via a “request for qualifications” process. Each year, the city seeks vendors who wish to do business with the city for various, unspecific services, and then the city puts together a list of qualified vendors. Weiner Lesniak was plucked from that list to represent the city on the Port Authority lawsuit, Morrill said.

Lesniak, in an email to The Jersey Journal, put the phrase “no bid” in between quotation marks, then explained why it was appropriate for the city to hire his firm in this way.

“Our track record is relevant,” he writes. “Putting this contract to the lowest bidder would be grossly irresponsible.”

Weiner Lesniak represented Newark when it sued the Port Authority in 1998, a suit that led the bi-state agency to fork over $100 million in tax relief to Newark, plus $12.5 annually for capital improvement projects and $3 million in additional rent payments.

The firm’s representation of Newark in that case, which is similar to Fulop’s case against the Port Authority, is http://blog.nj.com/hudsoncountynew_impact/print.html?entry=/2013/11/weiner_lesniak_scores_another_no-bid_contract_from_jersey_city.html
enough of a reason to hire it, according to Farrell and Lesniak.

"No one's trying to make work for the Weiner Lesniak firm," said city attorney Joanne Monahan, who called the firm "stellar" at Tuesday's caucus.

Fulop claims the Port Authority, which owns 32 properties in Jersey City, owes the city about $350 million in taxes. The bi-state agency, which has refused to comment on the lawsuit threat, doesn't pay taxes on many of the properties, and on others, its tax agreements with the city are at such low rates they cause

"undue economic harm," Fulop says.

© 2014 NJ.com. All rights reserved.
EXHIBIT 28
REORGANIZATION MEETING
FORT LEE PLANNING BOARD

AGENDA FOR MONDAY, JANUARY 6, 2014 AT 7:30 P.M.

1. Salute to the Flag

2. Notice of Meeting

The Chairman states: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner. All members of this Body have been advised in writing at least 48 hours prior to this meeting of the time, place and proposed Agenda of this meeting. A written notice of the time, place, and proposed Agenda was posted on the bulletin board of the Municipal Building, 309 Main Street, Fort Lee, New Jersey. On the same date, a copy of said written notice was mailed to the RECORD, JERSEY JOURNAL, TIME WARNER CABLE and FORT LEE ONLINE. A copy was filed with the Borough Clerk and, on the same date, copies were mailed to all persons who have requested copies of such notice and have prepaid the fee fixed for the year 2014.

3. New members of the Planning Board are sworn in by the Board Attorney

4. Election of the following Officers to the Board
   • Chairman
   • Vice-Chairman
   • Secretary of the Board

5. Appointments to the Planning Board
   • Recording Secretary
   • Court Reporter

6. Liaison Representative to the following Committees/Boards:
   • Environmental/Beautification Committee
   • Historic Committee/Office of Cultural Affairs
   • Board of Adjustment
   • Subdivision Committee
REORGANIZATION MEETING FORT LEE PLANNING BOARD
January 6, 2014—Continued

7. Approval of minutes on December 16, 2013

   - Board Attorney: Glenn Kienz/Weiner Lesniak
   - Conflict Board Attorney: Brian Chewcaskie/Gittleman, Muhlstock & Chewcaskie
   - Planner: Phillips, Preiss, Grygiel, LLC
   - Site Engineer: Boswell-McClave
   - Traffic Engineer: Boswell-McClave

9. Arrangement of member’s seating for voting process

10. Rules of the Planning Board – Motion to Adopt.

11. Memorializations

   Docket #5-13    NOAH Bank
                   2337 Lemoine Avenue
                   Block 6756, Lot 4
                    APPROVED
Preliminary/Final Major Site Plan, bank occupancy on 1st floor of existing building.
Saverio Cereste, Esq. is representing the applicant.

   Docket #6-13    Damiano Management Corp. of Fort Lee (McDonalds)
                   2152 Lemoine Avenue
                   Block 6151, Lot 9
                    APPROVED
Amendment to Site Plan/Site Improvements
John P. Wyciskala, Esq. is representing the applicant.

12. Acceptance/Completeness

   Docket #1-14    TDC Fort Lee, LLC
                   Hudson Lights at Fort Lee
                   Redevelopment Area 5, Western Parcel
                   2018-2038 Lemoine Avenue
                   Block 4851.01, Lot 1 (Formerly Block 4851, Lot 1.01
                    APPROVED
Preliminary/Final Major Site Plan, Amendment to Site Plan
William F. Harrison, Esq. is representing the applicant.

13. New Business

14. Motion to Adjourn
As of 1/21/14 *

THE COUNCIL OF THE CITY OF HOBOKEN

SPECIAL CLOSED SESSION MEETING OF JANUARY 22, 2014

(CLOSED SESSION) (from 6:00 PM to 7:00PM)

1A. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12, DISCUSSION OF PENDING LITIGATION, AND ATTORNEY CLIENT PRIVILEGE RELATING TO NEGOTIATIONS AND SETTLEMENT OF PENDING WORKERS COMPENSATION AND GENERAL LITIGATION IN THE MATTERS OF (1) COONEY, (2) CHICOZOLA, (3) COREA, (4) PETACCIO, AND (5) 118 CLINTON STREET ASSOCIATES

1.* Resolution granting Keith Kandel, Esq. of Florio Kenny settlement authority in the matter of Cooney v. City of Hoboken in accordance with Keith Kandel’s 1/6/14 email to Ms. Longo

2.* Resolution granting Ronald Berutti, Esq. of Weiner Lesniak settlement authority in the matter of City of Hoboken vs. Corea in accordance with the attached settlement agreement

3.* Resolution granting Keith Kandel, Esq. of Florio Kenny settlement authority in the matter of Chicozola vs. City of Hoboken in accordance with Keith Kandel’s 1/6/14 email to Ms. Longo

4.* Resolution granting Ronald Berutti, Esq. of Weiner Lesniak settlement authority in the matter of City of Hoboken vs. Petaccio in accordance with the attached settlement agreement

5.* Resolution granting Ronald D. Cucchiaro, Esq. of Weiner Lesniak LLP settlement authority in the complaint in lieu of prerogative write matter titled 118 Clinton Street Associates LLC, a New Jersey limited liability company, plaintiff v. City of Hoboken, defendant in accordance with the attached final consent order

REGULAR MEETING OF JANUARY 22, 2014

STARTING AT 7:00PM

Please note: The Hoboken City Council may consider additional Resolutions, Ordinances or any other matter brought before the Hoboken City Council until January 22, 2014 and throughout the meeting

RESILENCY PRESENTATION BY ROYAL HASKINIGDHV
6. Resolution authorizes temporary appropriations for the Calendar Year 2014 (submitted by administration)

7. Resolution to authorize a professional service contract with Royal-HaskoningDHV as engineers for the rebuild by design—Flood Risk Analysis to the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $63,000.00 (submitted by administration)—(REMOVED BY ADMINISTRATION) *

SECOND READING/PUBLIC HEARING AND FINAL VOTE

1. ORDINANCE OF THE CITY OF HOBOKE, COUNTY OF HUDSON, NEW JERSEY, CANCELLING $300,000 OF AN UNFUNDED EMERGENCY APPROPRIATION BALANCE HERETOFORE ADOPTED TO PROVIDE FOR THE COSTS ASSOCIATED WITH A REAL PROPERTY REVALUATION PROJECT AUTHORIZED BY ORDINANCE Z-204 (sponsored by Councilman Bhalla and seconded by Councilwoman Giattino) (Z-272)

2. AN ORDINANCE TO AMEND CHAPTER 4 ENTITLED “DEPARTMENT OF COMMUNITY ADMINISTRATION” AND CHAPTER 20 ENTITLED “COMMUNITY DEVELOPMENT” TO MOVE THE ZONING OFFICE FROM ADMINISTRATION TO COMMUNITY DEVELOPMENT (sponsored by Councilman Bhalla and seconded by Councilwoman Giattino) (Z-273)

3. AN ORDINANCE TO MAKE A CORRECTIVE AMENDMENT TO ORDINANCE Z-258 ENTITLED “AN ORDINANCE TO APPROVE AND AUTHORIZE THE USE OF THE ATTACHED MAPS IN ACCORDANCE WITH N.J.S.A. 2C:35-7 AND N.J.S.A. 39:4-50 (sponsored by Councilman Bhalla and seconded by Councilwoman Giattino) (Z-274)

4. AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR THE MENTIONED POSITIONS IN THE CITY OF HOBOKE (sponsored by Councilman Bhalla and seconded by Councilwoman Giattino) (Z-275)

5. AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 155 ENTITLED “RENT CONTROL” (sponsored by Councilman Giattino and Councilman Bhalla) (Z-276)

PUBLIC COMMENTS
PETITIONS AND COMMUNICATIONS

Memo from Mayor Dawn Zimmer appointing Amanda Roberts to the Library Board

Proclamation from Mayor Dawn Zimmer proclaiming that January 11th is Human Trafficking Awareness Day

Proclamation from Mayor Dawn Zimmer recognizing February as African-American History Month

Proclamation from Mayor Dawn Zimmer proclaiming January 17, 2014 the March on Washington Street Program

Memo from Mayor Dawn Zimmer regarding the Hoboken Flood Resiliency Plan

Miscellaneous Licenses

REPORTS FROM CITY OFFICERS

Tax Collector’s Annual Report from January 1, 2013 to December 31, 2013

CLAIMS

Total for this agenda $5,497,758.05

PAYROLL

For the two week period starting December 19, 2013 – January 1, 2014

<table>
<thead>
<tr>
<th>Regular Payroll</th>
<th>O/T Pay</th>
<th>Other Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,549,940.75</td>
<td>$96,073.15</td>
<td>$125,696.29</td>
</tr>
</tbody>
</table>

Total
$1,771,710.19

PAYROLL (RETRO FOR FIRE DIVISION)

For the two week period starting December 19, 2013 – January 1, 2014

<table>
<thead>
<tr>
<th>Other Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>$780,781.76</td>
</tr>
</tbody>
</table>

Total
$780,781.76
CONSENT AGENDA

Consent Agenda defined: All items listed with an asterisk (*) are considered to be routine business by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a council member or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the agenda.

RESOLUTIONS

8. * Resolution consenting to the appointment of Solomon Steplight as the Director of Finance to the City of Hoboken for the term of the Mayor (submitted by Council Administration)

9. * Resolution consenting to the appointment of John Morgan as the Director of Parking and Transportation to the City of Hoboken for the term of the Mayor (submitted by Council Administration)


12. * Resolution appointing Steve Bauman as board member to the Hoboken Alcohol Beverage Control (ABC) Board for a three (3) year term to expire on June 30, 2016 (submitted by Mayor’s office)

13. * Resolution amending the Rules of Procedure for the City Council of the City of Hoboken (sponsored by Councilman Bhalla and seconded by Councilman Cunningham)

14. * Resolution to authorize a professional service contract with Vogel Chait Collins as Special Legal Counsel – Outstanding litigation to the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $20,000.00 (submitted by administration)

15. * Resolution to authorize an amendment to the professional service contract with Maraziti Falcon Healey as Special Legal Counsel-Outstanding litigation to the City of Hoboken to commence January 1, 2013 and expire December 31, 2013 for an increase in the not to exceed amount by $3,358.27 for a total not to exceed amount of $276,858.27 (submitted by administration)
16.* Resolution to authorize a professional service contract with Lite DePalma Greenberg as Special Legal Counsel – Rent Control litigation to the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $141,500.00 (submitted by administration)

17.* Resolution to authorize a professional service contract with Florio Kenny as Special Legal Counsel – Rent leveling board attorney and related litigation to the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $15,000.00 (submitted by administration)

18.* Resolution to authorize a professional service contract with Vincent Lapaglia as Special Legal Counsel - Tax Appeals and related litigation to the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $92,000.00 (submitted by administration)

19.* Resolution to authorize a professional service contract with Weiner Lesniak as Special Counsel-Labor and Employment to the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $120,000.00 (submitted by administration)

20.* Resolution to authorize an amendment to the professional service contract with Maraziti Falcon Healey as Special Legal Counsel-Redevelopment to the City of Hoboken to commence January 1, 2013 and expire December 31, 2013 for an increase in the not to exceed amount by $1,570.00 for a total not to exceed amount of $41,570.00 (submitted by administration)

21.* Resolution to authorize a professional service contract with Maraziti Falcon Healey as Special Legal Counsel-Outstanding litigation to the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $240,000.00 (submitted by administration)

22.* Resolution to authorize a professional service contract with William B. McGuire, Esq. of Tompkins, McGuire, Wachenfield & Barry, LLP Special Legal Counsel-Insurance related matters to the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $17,000.00 (submitted by administration)

23.* Resolution to authorize a professional service contract with Parker McCay as Special Legal Counsel – Bond Counsel to the City of Hoboken to commence January 1, 2013 and expire December 31, 2013 a total not to exceed amount of $15,000.00 (submitted by administration)
24.* Resolution to authorize the City of Hoboken to participate in and be an active municipality of the North Hudson Regional Council of Mayors (submitted by administration)

25.* Resolution authorizing a professional service contract with Ferraioli, Wielkotz, Cerullo & Cuva for General Municipal Auditing Services from January 1, 2014 to December 31, 2014 in an amount not to exceed $120,000.00 (submitted by administration)

26.* Resolution awarding a contract to Magic Touch Corporation for the provisions of one (1) year of Plumbing Services in accordance with the City’s Bid No. 14-02 in the total amount of (submitted by administration)

27.* Resolution authorizing the City of Hoboken to accept and qualify responses to issued requests for qualification for General Municipal Engineers from January 1, 2014 through December 31, 2014 (submitted by administration)

28.* Resolution authorizing the City of Hoboken to accept and qualify responses to issued requests for qualification for competitive contracting for Grant Writing Services from January 1, 2014 through December 31, 2014 (submitted by administration)

29.* Resolution to authorize a professional service contract with Holt Morgan Russell Architects as Architects for the Historic Preservation Plan for City Hall for the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $48,750.00 (submitted by administration)

30.* Resolution authorizing change order #1 (FINAL) on behalf of for SZ Construction for additional work on the Multi Service Center Construction Project for the City of Hoboken in the amount of $34,221.00 (submitted by administration)

31.* Resolution authorizes a Financial Guarantee to preserve the “Meals on Wheels” program of the North Hudson Regional Council of Mayors (submitted by administration)

32.* Resolution awarding a one (1) year contract to Horizon Blue Cross Blue Shield of New Jersey for the provision of employee medical, prescription drug and dental insurance (submitted by administration)

33.* Resolution for awarding a professional service contract to Boswell Engineering for City Engineer for finalization of the Observer Newark Rehabilitation in an amount not to exceed Twenty Five Thousand Dollars ($25,000.00) for a one (1) year term to commence January 1, 2014 and expire December 31, 2014 submitted by administration)

34.* Resolution authorizing the City of Hoboken to enter into the attached Animal Control Contract by and between the City of Hoboken and Liberty Humane (submitted by administration)
35.* Resolution to authorize the City of Hoboken to enter into an Inter-local agreement among the N.J. Office of Homeland Security and preparedness, the Division of Fire Safety within the NJ Department of Community Affairs, the New Jersey task force one within the N.J. Office of Emergency Management the urban area security initiative executive committee and various emergency response agencies within the Urban Area Security Initiative Area (submitted by Public Safety)

36.* Resolution appointing nine (9) individuals as Class II Special Law Enforcement officers for the City of Hoboken (submitted by Public Safety) (REMOVED BY ADMINISTRATION) *

37.* Resolution appointing (2) two current Class II Special Law Enforcement Officers as Police Officers for the City of Hoboken’s Police Department (submitted by Public Safety) (REMOVED BY ADMINISTRATION) *

38.* Resolution to approve a “License Agreement” between the City of Hoboken and the owner of Block 205 Lot 11 (a/k/a 619 Bloomfield Street) for use and maintenance of a portion of the Public Right of Way Adjacent to said property (submitted by Administration)

39.* Resolution authorizing the Refund of Tax Overpayments (payable to the individuals listed on the resolution for the amount of $13,416.84) (submitted by Tax Collector)

40.* Resolution to adopt the minutes the Meetings of the City Council of the City of Hoboken dated: Regular meeting of December 4, 2013 (has been reviewed and approved as to legal form and content) (submitted by City Clerk)

41.* Resolution to authorize a professional service contract with Edward Buzak, Esq., as Special Legal Counsel—General litigation in the matter of Bhalla v. Local Finance Board to the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $10,000.00 (submitted by administration) (REMOVED BY ADMINISTRATION) *

42.* Resolution in support of Martin Luther King, Jr. Day 2014 (submitted by administration)

43.* Resolution to authorize a professional service contract with Millennium Strategies as Grant Writing service provider to the City of Hoboken to commence January 1, 2014 and expire December 31, 2014 for a total not to exceed amount of $40,000.00 in accordance with the Competitive Contracting requirements of State Law (submitted by administration)

ORDINANCES

Introduction and First Reading
1. AN ORDINANCE TO AMEND ARTICLE VIII OF CHAPTER 168 ENTITLED “ROAD OPENING PERMITS” TO MOVE THE PERMIT ENFORCEMENT OF THE ARTICLE TO THE DEPARTMENT OF TRANSPORTATION AND PARKING, AND TO MAKE OTHER MINOR REVISIONS TO THE PERMIT REQUIREMENTS

2. AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR ALL POSITIONS IN THE CITY OF HOBOGEN

3. AN ORDINANCE APPROVING THE TERMS OF THE ATTACHED LEASE AGREEMENT BETWEEN THE CITY OF HOBOGEN FAMILY PLANNING FOR THE USE OF A UNIT IN THE CITY’S MULTISERVICE CENTER

4. AN ORDINANCE APPROVING THE TERMS OF THE ATTACHED LEASE AGREEMENT BETWEEN THE CITY OF HOBOGEN AND NORTH HUDSON COMMUNITY ACTION CORPORATION FOR THE USE OF A UNIT IN THE CITY’S MULTISERVICE CENTER

New Business
Review Court Orders which may amend this Rule

RPC 1.10. Imputation of conflicts of interest: general rule

(a) When lawyers are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so by RPC 1.7 or RPC 1.9, unless the prohibition is based on a personal interest of the prohibited lawyer and does not present a significant risk of materially limiting the representation of the client by the remaining lawyers in the firm.

(b) When a lawyer has terminated an association with a firm, the firm is not prohibited from thereafter representing a person with interests materially adverse to those of a client represented by the formerly associated lawyer and not currently represented by the firm, unless:

(1) the matter is the same or substantially related to that in which the formerly associated lawyer represented the client; and

(2) any lawyer remaining in the firm has information protected by RPC 1.6 and RPC 1.9(c) that is material to the matter.

(c) When a lawyer becomes associated with a firm, no lawyer associated in the firm shall knowingly represent a person in a matter in which that lawyer is disqualified under RPC 1.9 unless:

(1) the matter does not involve a proceeding in which the personally disqualified lawyer had primary responsibility;

(2) the personally disqualified lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom; and

(3) written notice is promptly given to any affected former client to enable it to ascertain compliance with the provisions of this Rule.

(d) A disqualification prescribed by this rule may be waived by the affected client under the conditions stated in RPC 1.7.

(e) The disqualification of lawyers associated in a firm with former or current government lawyers is governed by RPC 1.11.
(f) Any law firm that enters a screening arrangement, as provided by this Rule, shall establish appropriate written procedures to insure that: (1) all attorneys and other personnel in the law firm screen the personally disqualified attorney from any participation in the matter, (2) the screened attorney acknowledges the obligation to remain screened and takes action to insure the same, and (3) the screened attorney is apportioned no part of the fee therefrom.

HISTORY: Adopted July 12, 1984 to be effective October 10, 1984; paragraph (b) corrected in Dewey v. R.J. Reynolds Tobacco Co., 109 N.J. 201, 217-18 (1988); caption and paragraphs (a), (b), and (c) amended, paragraph (d) deleted, former paragraph (e) amended and redesignated as paragraph (d), new paragraphs (e) and (f) adopted November 17, 2003 to be effective January 1, 2004.

LexisNexis (R) Notes:

CASE NOTES

1. In a matter concerning contaminated concrete, defendants were entitled to disqualify plaintiff's law firm, pursuant to N.J. R. Prof. Conduct 1.9 and 1.10, because an attorney for the law firm had a prior direct and implied attorney-client relationships with defendants, the attorney helped develop defendants' common litigation strategy against plaintiff, the attorney's representation of plaintiff involved a matter substantially related to the attorney's prior representation of defendants, and the parties' interests were materially adverse. Ford Motor Co. v. Edgewood Props., Inc., 2011 U.S. Dist. LEXIS 123348 (D.N.J. Oct. 25 2011).

2. For purposes of N.J. R. Prof. Conduct 1.9, matters are "substantially related" if (1) the lawyer for whom disqualification is sought received confidential information from the former client that can be used against that client in the subsequent representation of parties adverse to the former client, or (2) facts relevant to the prior representation are relevant and material to the subsequent representation. City of Atlantic City v. Trupos, 201 N.J. 447, 992 A.2d 762, 2010 N.J. LEXIS 386 (2010).

3. U.S. Dist. Ct., D.N.J. Local Civ. R. 7.1(i) motion, seeking reconsideration of an order barring a law firm from representing three plaintiffs in a multidistrict patent infringement suit, was denied because moving plaintiffs failed to show that the court committed a clear error of law or that any manifest injustice had occurred; (1) several defendants moved to disqualify the law firm because two of its attorneys had previously represented one of them pursuant to a joint defense agreement (JDA); (2) the court found that the JDA created a fiduciary and implied attorney-client relationship between the attorneys and moving defendants, that the attorneys had received confidential information from moving defendants, and that their disqualification had to be imputed to the law firm pursuant to N.J. R. Prof. Conduct 1.10; (3) although moving plaintiffs claimed that the court had not properly weighed their right to choose their own counsel when making its disqualification decision, that right was outweighed by the attorneys' obligation to perform their fiduciary duties to moving defendants; (4) moving defendants were not significantly harmed by the court's decision because there were many other law firms that were qualified to represent them; and (5) public confidence was enhanced, in the firm-switching context, by strict application of the ethical rules—In re Gabapentin Patent Litig., 432 F. Supp. 2d 461, 2006 U.S. Dist. LEXIS 53574 (D.N.J. 2006).

4. U.S. Dist. Ct., D.N.J. Local Civ. R. 7.1(i) motion, seeking reconsideration of an order barring a law firm from representing three plaintiffs in a multidistrict patent infringement suit, was denied because moving plaintiffs failed to show that the court committed a clear error of law or that any manifest injustice had occurred; (1) several defendants moved to disqualify the law firm because two of its attorneys had previously represented one of them pursuant to a joint defense agreement (JDA); (2) the court found that the JDA created a fiduciary and implied attorney-client relationship between the attorneys and moving defendants, that the attorneys had received confidential information from moving defendants, and that their disqualification had to be imputed to the law firm pursuant to N.J. R. Prof. Conduct 1.10; (3) although moving plaintiffs claimed that the court had not properly weighed their right to choose their own counsel when making its disqualification decision, that right was outweighed by the attorneys' obligation to perform their fiduciary duties to moving defendants; (4) moving defendants were not significantly harmed by the court's decision because there were many other law firms that were qualified to represent them; and (5) public confidence was enhanced, in the firm-switching context, by strict application of the ethical rules. In re Gabapentin Patent Litig., 432 F. Supp. 2d 461, 2006 U.S. Dist. LEXIS 53574 (D.N.J. 2006).

5. Defendant charged with murder along with an accomplice under N.J. Stat. Ann. §§ 2C:11-3, 2C:2-6 after they both shot at the victim was not denied effective assistance of counsel under N.J. Const. art. 1, para. 10; there was no
conflict of interest under N.J. R. Prof. Conduct 1.10, where defendant's attorney and the accomplice's attorney did not form a partnership until after their clients' separate trials had concluded, and the failure to call the accomplice as a witness did not give rise to the likelihood of prejudice given the overwhelming evidence of guilt since it did not matter which man's shot killed the victim and both men had the intent to kill. State v. Norman, 151 N.J. 5, 697 A.2d 511, 1997 N.J. LEXIS 196 (1997).

6. Defendant charged with murder along with an accomplice under N.J. Stat. Ann. §§ 2C:11-3, 2C:2-6 after they both shot at the victim was not denied effective assistance of counsel under N.J. Const. art. I, para. 10; there was no conflict of interest under N.J. R. Prof. Conduct 1.10, where defendant's attorney and the accomplice's attorney did not form a partnership until after their clients' separate trials had concluded, and the failure to call the accomplice as a witness did not give rise to the likelihood of prejudice given the overwhelming evidence of guilt since it did not matter which man's shot killed the victim and both men had the intent to kill. State v. Norman, 151 N.J. 5, 697 A.2d 511, 1997 N.J. LEXIS 196 (1997).

7. In a matter concerning contaminated concrete, defendants were entitled to disqualify plaintiff's law firm, pursuant to N.J. R. Prof. Conduct 1.9 and 1.10, because an attorney for the law firm had a prior direct and implied attorney-client relationships with defendants, the attorney helped develop defendants' common litigation strategy against plaintiff, the attorney's representation of plaintiff involved a matter substantially related to the attorney's prior representation of defendants, and the parties' interests were materially adverse. Ford Motor Co. v. Edgewood Props., Inc., 2011 U.S. Dist. LEXIS 123348 (D.N.J. Oct. 25 2011).

8. For purposes of N.J. R. Prof. Conduct 1.9, matters are "substantially related" if (1) the lawyer for whom disqualification is sought received confidential information from the former client that can be used against that client in the subsequent representation of parties adverse to the former client, or (2) facts relevant to the prior representation are relevant and material to the subsequent representation. City of Atlantic City v. Trupos, 201 N.J. 447, 992 A.2d 762, 2010 N.J. LEXIS 386 (2010).

9. No evidence supported defendants' contention that they were attorney's current clients or that they had an ongoing attorney-client relationship; attorney's representation of competitor in two discrete and concluded matters several years ago did not indicate the existence of a current client relationship for purposes of N.J. R. Prof. Conduct 1.7, N.J. R. Prof. Conduct 1.9, or N.J. R. Prof. Conduct 1.10. Spiniello Cos. v. Metra Indus., 2006 U.S. Dist. LEXIS 72961 (D.N.J. Oct. 6 2006).

10. As plaintiff was only a prospective client of a law firm that later merged with another firm, no attorney-client relationship existed under N.J. Ct. R. Prof. Conduct 1.9. Thus, under N.J. Ct. R. Prof. Conduct 1.10, she was not a former client of the firm formed in the merger, and that firm was not automatically disqualified from representing defendants. Ellis v. Ethicon, Inc., 2005 U.S. Dist. LEXIS 25705 (D.N.J. Oct. 25 2005).

11. Where plaintiff, four years before suing defendants, had consulted with attorneys who later joined the firm that represented defendants, as that firm could not have known of the potential conflict until they were alerted by plaintiff's counsel, the "screen" they implemented shortly thereafter to protect plaintiff's confidential information was timely and reasonable. Ellis v. Ethicon, Inc., 2005 U.S. Dist. LEXIS 25705 (D.N.J. Oct. 25 2005).

12. Attorney who represented a public sector client associated with a firm that represented its adversary in the same or substantially similar matters. The client could not consent to the attorney's continued representation once he became affiliated with that firm so the court found the attorney violated N.J. Ct. R. Prof. Conduct 1.7(a), 1.9(a)(1)-(2), 1.10(a) and suspended him for three months from law practice. In re Fitchett, 184 N.J. 289, 877 A.2d 263, 2005 N.J. LEXIS 944 (2005).

13. Defendant charged with murder along with an accomplice under N.J. Stat. Ann. §§ 2C:11-3, 2C:2-6 after they both shot at the victim was not denied effective assistance of counsel under N.J. Const. art. I, para. 10; there was no conflict of interest under N.J. R. Prof. Conduct 1.10, where defendant's attorney and the accomplice's attorney did not form a partnership until after their clients' separate trials had concluded, and the failure to call the accomplice as a witness did not give rise to the likelihood of prejudice given the overwhelming evidence of guilt since it did not matter which man's shot killed the victim and both men had the intent to kill. State v. Norman, 151 N.J. 5, 697 A.2d 511, 1997 N.J. LEXIS 196 (1997).

14. In a medical malpractice action, the appellate court disqualified a doctor's attorneys from participation in the case because that law firm's employment of the attorney who originally handled the case for plaintiffs and was accused of mishandling the case made the continued presence of the law firm in the litigation improper. The firm had to be dis-
qualified pursuant to N.J. Ct. R. Prof. Conduct 1.9(a)(1) and 1.10(a), (c) even if the associate had disclosed none of his previously acquired knowledge and even though he was no longer employed by the firm because of the appearance, if not the actuality, of conflict. Lawler v. Isaac, 249 N.J. Super. 11, 592 A.2d 1, 1991 N.J. Super. LEXIS 204 (App.Div. 1991).


16. Doctrine of forum non conveniens mandated that plaintiffs' suit to enjoin an attorney and firm from representing a Pennsylvania-based client in a proceeding before a Pennsylvania agency be filed in Pennsylvania, as the conduct complained of was occurring there, the client was an indispensable party over which New Jersey lacked in personam jurisdiction, and the local interest in Pennsylvania outweighed plaintiffs' interest in litigating in New Jersey. Camden Iron & Metal, Inc. v. Klehr, Harrison, Harvey, Branzberg & Ellers, LLP, 384 N.J. Super. 172, 894 A.2d 94, 2006 N.J. Super. LEXIS 86 (App.Div. 2006).
EXHIBIT 31
Frank Huttle III

Frank Huttle is of Counsel to DeCotiis.

Mr. Huttle concentrates his practice in business advisory services and tax law. He specializes in corporate law, income taxation, estate and gift taxation and estate planning. He serves as general counsel to owners of closely-held companies and high net worth individuals. He has extensive experience in mergers and acquisitions, management and leveraged buyouts, corporate transactions, business formations, restructuring, reorganizations, turnarounds of troubled companies, loan workouts, financing and corporate governance. Industry expertise includes real estate, healthcare, manufacturing and distribution. Mr. Huttle’s experience is extensive in advising clients on preparing comprehensive and sophisticated estate plans for large family-owned businesses, addressing succession planning, asset protection and corporate governance.

Prior to entering private practice in 1988, Mr. Huttle was a Tax Partner with Touche Ross & Co. (currently Deloitte & Touche) with twelve years of diversified and sophisticated financial and tax experience with closely-held businesses and public companies in the insurance, real estate, manufacturing, distribution and construction industries. He was the National Tax Partner for the Blue Cross Organizations, Tax Partner for Prudential Insurance Company, a member of the Personal Financial Planning Group, Co-Chairman of the Litigation Support Group and Director of Human Resources for the New Jersey Tax Practice.

He is a frequent author, particularly on tax and estate issues. His articles include The Family Business: Estate Planning Opportunities During a Recession, Estate Planning - Part I, September/October 1991 Issue of CPMA Building Profiles and The Family Business: Estate Planning Opportunities During a Recession, Estate Planning - Part II, September/October 1992 Issue of CPMA Building Profiles. Mr. Huttle is also a prominent speaker on these issues, presenting Charitable Giving Seminar, which was sponsored by and held at the residence of Archbishop Theodore E. McCarrick, Archdiocese of Newark, in 1999 and Impact on Real Estate Valuation of the 1996 and 1998 Tax Acts for the American Institute of Real Estate Appraisers.

Mr. Huttle received his B.S. from Rider College in 1976 and his J.D. from Rutgers University School of Law in 1985. He also received an L.M. in Taxation from New York University, Graduate Division, in 1992.

Bar Admissions:
New Jersey (1968)
U.S. District Court, District of New Jersey
U.S. Court of Appeals, Third Circuit
U.S. Tax Court

Professional Memberships, Associations and Activities:
New Jersey State Bar Association
American Bar Association
Commissioner of the State of New Jersey Corporate Business Tax Study Commission
Appointed by Cardinal Theodore E. McCarrick as a Knight of the Equestrian Order of the Holy Sepulchre of Jerusalem
Member of the Board of Governors of the Hackensack University Medical
Center
Chairman and President of the Bergen Performing Arts Center, Inc.
Trustee, Chairman of the Development Committee and member of the
Executive Committee of Catholic Community Services
Trustee of the Englewood Community Foundation
Trustee of the Friendship House
Past Trustee, member of the Executive Committee, member of the Affiliation
Committee and Chairman of the Legal and Audit Committee and Chairman of
Cal of Palisades General Hospital

http://www.decotislaw.com/people/frank-huttle-iii
Pat Schuber sworn in as Port Authority Commissioner

William "Pat" Schuber, an of-counsel attorney at DeCotiis, FitzPatrick & Cole, was sworn in yesterday as a Commissioner at the Port Authority of New York and New Jersey.

Schuber, a former Bergen County Executive, state Assemblyman and Mayor of Bogota, N.J., is a contributor to DeCotiis' bipartisan and industry-leading regulatory and government affairs practice. Our firm wishes Pat Schuber the best of luck in his new position.

You can read more about Schuber's role at the Port Authority in the Star-Ledger or by clicking here.

Like Be the first of your friends to like this.
EXHIBIT 32
April 22, 2014

Mr. William “Pat” Schuber, Commissioner
Port Authority of New York and New Jersey
225 Park Avenue South, 15th Floor
New York, New York 10003

Dear Commissioner Schuber:

Please find attached hereto a subpoena concerning your appearance and testimony at a meeting of the New Jersey Legislative Select Committee on Investigation (committee) concerning the committee’s investigation into all aspects of the finances, operations, and management of the Port Authority of New York and New Jersey and any other matter raising concerns about abuse of government power or an attempt to conceal an abuse of government power, including, but not limited to, the reassignment of access lanes in Fort Lee, New Jersey to the George Washington Bridge. The meeting will be held on May 6, 2014, at 2:00 p.m., in Committee Room 11, 4th floor, State House Annex, Trenton, New Jersey. This meeting will be recorded by the Hearing Reporter Unit of the Office of Legislative Services. We also enclose herewith a copy of the Code of Fair Procedure. Please note that the committee reserves the right to compel your attendance at a later date.

We look forward to your anticipated cooperation in this matter. If you have questions in this matter, please contact Reid Schar at 312-923-2629.

Very truly yours,

NEW JERSEY LEGISLATIVE SELECT COMMITTEE
ON INVESTIGATION

Loretta Weinberg
Co-Chair

John S. Wisniewski
Co-Chair

LW/JW/kj
Enclosures

c  Members – New Jersey Legislative Select Committee on Investigation
Reid J. Schar, Jenner & Block-LLP
Francisco Maldonado, Senate Majority Office
Aaron Binder, Assembly Majority Office
Frank Dominguez, Senate Republican Office
Keith Loughtlin, Assembly Republican Office
NEW JERSEY LEGISLATIVE SELECT COMMITTEE ON INVESTIGATION

SUBPOENA

TO: Mr. William "Pat" Schuber, Commissioner
Port Authority of New York and New Jersey
225 Park Avenue South, 15th Floor
New York, New York 10003

WE COMMAND YOU, That, laying aside all and singular business and excuses, you personally attend and appear before the New Jersey Legislative Select Committee on Investigation, on May 6, 2014 at 2 o'clock p.m., in Committee Room 11, 4th floor, State House Annex, Trenton, New Jersey, to testify to certain matters relevant to the committee’s inquiry and investigation into all aspects of the finances, operations, and management of the Port Authority of New York and New Jersey and any other matter raising concerns about abuse of government power or an attempt to conceal an abuse of government power, including, but not limited to, the reassignment of access lanes in Fort Lee, New Jersey to the George Washington Bridge. The New Jersey Legislative Select Committee on Investigation was constituted as a special committee of the Senate and the General Assembly pursuant to concurrent resolution.

Your appearance is governed by the Code of Fair Procedure and Chapter 13 of Title 52 of the Revised Statutes. A copy of the Code of Fair Procedure is delivered to you herewith. You shall appear and remain in attendance subject to the direction of the committee.

Failure to comply with this Subpoena shall make you liable for such penalties as are provided by law.

WITNESS, the hand of The Honorable Loretta Weinberg and the hand of The Honorable John S. Wisniewski, Co-Chairs of the New Jersey Legislative Select Committee on Investigation, on this 22nd day of April, 2014.

Loretta Weinberg, Co-Chair
New Jersey Legislative Select Committee on Investigation

John S. Wisniewski, Co-Chair
New Jersey Legislative Select Committee on Investigation
Code of Fair Procedure

52:13E-1. Definitions

As used in this act:
(a) "Agency" means any of the following while engaged in an investigation or inquiry: (1) the Governor or any person or persons appointed by him acting pursuant to P.L.1941, c. 16, s. 1 (C. 52:15-7), (2) any temporary State commission or duly authorized committee thereof having the power to require testimony or the production of evidence by subpoena, or (3) any legislative committee or commission having the powers set forth in Revised Statutes 52:13-1.
(b) "Hearing" means any hearing in the course of an investigatory proceeding (other than a preliminary conference or interview at which no testimony is taken under oath) conducted before an agency at which testimony or the production of other evidence may be compelled by subpoena or other compulsory process.
(c) "Public hearing" means any hearing open to the public, or any hearing, or such part thereof, as to which testimony or other evidence is made available or disseminated to the public by the agency.
(d) "Private hearing" means any hearing other than a public hearing.
L.1968, c. 376, s. 1, eff. Dec. 27, 1968.

52:13E-2. Personal service

No person may be required to appear at a hearing or to testify at a hearing unless there has been personally served upon him prior to the time when he is required to appear, a copy of this act, and a general statement of the subject of the investigation. A copy of the resolution, statute, order or other provision of law authorizing the investigation shall be furnished by the agency upon request therefor by the person summoned.
L.1968, c. 376, s. 2, eff. Dec. 27, 1968.

52:13E-3. Right to counsel; submission of proposed questions

A witness summoned to a hearing shall have the right to be accompanied by counsel, who shall be permitted to advise the witness of his rights, subject to reasonable limitations to prevent obstruction of or interference with the orderly conduct of the hearing. Counsel for any witness who testifies at a public hearing may submit proposed questions to be asked of the witness relevant to the matters upon which the witness has been questioned and the agency shall ask the witness such of the questions as it may deem appropriate to its inquiry.
L.1968, c. 376, s. 3, eff. Dec. 27, 1968.

52:13E-4. Records of public hearings; copies

A complete and accurate record shall be kept of each public hearing and a witness shall be entitled to receive a copy of his testimony at such hearing at his own expense. Where testimony which a witness has given at a private hearing becomes relevant in a criminal proceeding in which the witness is a defendant, or in any subsequent hearing in which the witness is summoned to testify, the witness shall be entitled to a copy of such
testimony, at his own expense, provided the same is available, and provided further that
the furnishing of such copy will not prejudice the public safety or security.
L.1968, c. 376, s. 4, eff. Dec. 27, 1968.

52:13E-5. Sworn statement by witness; incorporation in the record
A witness who testifies at any hearing shall have the right at the conclusion of his
examination to file a brief sworn statement relevant to his testimony for incorporation in
the record of the investigatory proceeding.
L.1968, c. 376, s. 5, eff. Dec. 27, 1968.

52:13E-6. Persons affected by proceedings; appearance or statement of facts
Any person whose name is mentioned or who is specifically identified and who
believes that testimony or other evidence given at a public hearing or comment made by
any member of the agency or its counsel at such a hearing tends to defame him or
otherwise adversely affect his reputation shall have the right, either to appear personally
before the agency and testify in his own behalf as to matters relevant to the testimony or
other evidence complained of, or in the alternative at the option of the agency, to file a
statement of facts under oath relating solely to matters relevant to the testimony or other
evidence complained of, which statement shall be incorporated in the record of the
investigatory proceeding.
L.1968, c. 375, s. 6, eff. Dec. 27, 1968.

52:13E-7. Rights or privileges granted by agencies
Nothing in this act shall be construed to prevent an agency from granting to
witnesses appearing before it, or to persons who claim to be adversely affected by
testimony or other evidence adduced before it, such further rights and privileges as it may
determine.
L.1968, c. 376, s. 7, eff. Dec. 27, 1968.

52:13E-8. Dissemination of evidence adduced at private hearing
Except in the course of subsequent hearing which is open to the public, no
testimony or other evidence adduced at a private hearing or preliminary conference or
interview conducted before a single-member agency in the course of its investigation
shall be disseminated or made available to the public by said agency, its counsel or
employees without the approval of the head of the agency. Except in the course of a
subsequent hearing open to the public, no testimony or other evidence adduced at a
private hearing or preliminary conference or interview before a committee or other
multimember investigating agency shall be disseminated or made available to the public
by any member of the agency, its counsel or employees, except with the approval of a
majority of the members of such agency. Any person who violates the provisions of this
subdivision shall be adjudged a disorderly person.
L.1968, c. 376, s. 8, eff. Dec. 27, 1968.
52:13E-9. Hearing conducted by temporary state commission

No temporary State commission having more than two members shall have the power to take testimony at a public or private hearing unless at least two of its members are present at such hearing.

Nothing in this section, however, shall be deemed to prevent the State Commission of Investigation from conducting private hearings, on an investigation previously undertaken by a majority of the members of the commission, with one commissioner present, when so designated by resolution pursuant to the provisions of section 12 of P.L.1968, c. 266 (C. 52:9M-12).


52:13E-10. Right of members to file statement of minority views

Nothing in this act shall be construed to affect, diminish or impair the right, under any other provision of law, rule or custom, of any member or group of members of a committee or other multimember investigating agency to file a statement or statements of minority views to accompany and be released with or subsequent to the report of the committee or agency.

L.1968, c. 376, s. 10, eff. Dec. 27, 1968.
Chapter 13 of Title 52 of the Revised Statutes


52:13-1. Attendance of witnesses; production of books and papers; legal and clerical assistance.

Any joint committee of the legislature, any standing committee of either house, or any special committee directed by resolution to enter upon any investigation or inquiry, the pursuit of which shall necessitate the attendance of persons or the production of books or papers, shall have power to compel the attendance before it of such persons as witnesses and the production before it of such books and papers as it may deem necessary, proper and relevant to the matter under investigation. Any such committee shall also have the power to employ such legal and clerical assistance as it may deem necessary to the proper conduct of the investigation.


If any person upon being summoned in writing by order of any committee mentioned in section 52:13-1 of this title to appear before such committee and testify, fails to obey such summons, the speaker of the house of assembly or the president of the senate may, upon application to him, by warrant under his hand order the sergeant at arms of the house over which he presides to arrest such person and bring him before the committee, and the sergeant at arms shall thereupon execute the warrant to him so directed.

52:13-3. Compensation of witnesses; swearing witnesses; perjury; immunity; refusal to answer or be sworn.

Witnesses summoned to appear before any committee authorized by this article or any other law to conduct an investigation or inquiry shall be entitled to receive the same fees and mileage as persons summoned to testify in the courts of the state. All such witnesses may be sworn by any member of the committee conducting the investigation or inquiry; and all witnesses sworn before any such committee shall answer truly all questions put to them which the committee shall decide to be proper and pertinent to the investigation or inquiry; and any witness so sworn who shall swear falsely shall be guilty of perjury. No such witness shall be excused from answering any such questions on the ground that to answer the same might or would incriminate him; but no answers made by any witness to any such questions shall be used or admitted in evidence in any proceeding against such witness, except in a criminal prosecution against the witness for perjury in respect to his answers to such questions.

Any witness who refuses to answer any questions decided by the committee to be proper and pertinent shall be guilty of a misdemeanor; and any witness who, having been summoned to appear before any such committee, fails to appear in obedience to the summons or, appearing, refuses to be sworn shall be guilty of a misdemeanor.

52:13-4. Expenses of investigations; payment.

The state treasurer shall, upon the warrant of the state comptroller, pay the fees and mileage of witnesses called, the compensation of legal and clerical assistance employed and the expenses of the sergeant at arms of either house in the execution of warrants.
pursuant to section 52:13-2 of this title, when the same shall be certified as correct and necessary by the chairman of the committee under whose authority and by whose order the same shall have been incurred, but only when the chairman's certificate has received the approval of the governor.

Article 2. Contempts of Joint Legislative Committees.

52:13-5. What constitutes contempt; report thereof to legislature
Whenever, in any investigation or inquiry by any committee constituted by joint resolution of the legislature to enter upon or make such investigation or inquiry, any witness summoned or subpoenaed to appear before such committee to testify or to produce books, documents, papers or records, shall willfully neglect or refuse to appear in obedience to the summons or subpoena, or shall willfully neglect or refuse to produce any books, documents, papers or records commanded to be produced by the summons or subpoena, or shall refuse to be sworn or affirmed, or shall refuse to answer any question put to him which the committee shall decide to be proper and pertinent to such investigation or inquiry, or shall in any other way contend the authority or privileges of the legislature, and the facts alleged to constitute any such contempt shall have been reported by any such committee to the legislature, the alleged contemner shall be tried, and the alleged contempt determined, as hereinafter provided.

52:13-6. Joint session to determine alleged contempt; order for arrest; service
The senate and general assembly may by concurrent resolution direct that the senate and general assembly meet in joint session at a time and place therein fixed for the purpose of hearing the evidence and arguments regarding the alleged contempt and may order that a warrant, directed to any sergeant at arms of either house or of the joint session or to any sheriff, police officer, member of the state police, constable or other peace officer, issue in such manner as shall be prescribed in and by the concurrent resolution for the arrest of the alleged contemner and the production of him at the bar of such joint session, there to be heard.

52:13-7. Hearing by joint session
At the time and place fixed as aforesaid; or at any adjournment, the joint session shall sit and summarily hear the evidence and the arguments relating to the alleged contempt. The joint session shall adjourn from time to time until the matter shall have been disposed of and the alleged contemner shall appear and attend at each and every such adjourned session.

52:13-8. Contemner's rights
Any alleged contemner shall have the right to be heard before the joint session, to be represented by counsel, to call witnesses in his behalf, and to examine and cross-examine witnesses.

52:13-9. Determination of contempt by each house separately; concurrent resolution
After the joint session shall have heard the evidence and such arguments as may be made, the senate and the general assembly shall separately convene and shall separately
consider and determine the alleged contempt; and the determination shall be by a concurrent resolution, which may originate in either house.

52:13-10. Sentence; order of commitment
Any person found to be guilty of a contempt of the legislature by a concurrent resolution of the two houses thereof, as hereinbefore provided, may be sentenced to imprisonment in the state prison or in the common jail of any county for any period not exceeding six months as shall be directed in and by the concurrent resolution determining the contempt, for the execution of which such concurrent resolution may order that a commitment shall issue, directed to any sheriff, police officer, member of the state police, constable or other peace officer, and to the keeper of the state prison or the keeper of the common jail of any county, which commitment shall be signed by the president of the senate and the speaker of the house of assembly in office at the date of the issue thereof.

Any commitment issued in accordance with section 52:13-10 of this title shall remain valid and effective until the imprisonment therein set forth shall have been served, notwithstanding the legislature which directed the issue of the commitment may meanwhile have adjourned or ended.

52:13-12. Bail of contemnor
Any judge of the Superior Court may let to bail any person apprehended for hearing on a charge of contempt under a warrant issued by direction of a concurrent resolution as provided in section 52:13-6 of this Title, in such amount and with such surety as the judge shall determine to be reasonable, to appear before the Joint Session of the Legislature, at the time and place fixed by the warrant as well as at any and all adjournments thereof, and to stand to and abide such determination and sentence as may thereafter be found or imposed against the person so apprehended. Such recognizances shall run in favor of the State of New Jersey and shall be filed by the judge in the office of the Secretary of State.
Amended by L.1953, c. 49, p. 853, s. 2.

52:13-13. Powers given additional to other powers
The powers given by this article shall be in addition to the powers given by article 1 of this chapter (s. 52:13-1 et seq.).
STATE OF NEW JERSEY, ss:

________________________________________ being duly sworn according to law on his oath say that on the _____ day of April, 2014 at ______________________ he served the within Subpoena upon William “Pat” Schuber by exhibiting the same to him and informing him of the contents thereof ______________________________________________________ and giving to William “Pat” Schuber a true copy thereof, addressed to William “Pat” Schuber, Commissioner, Port Authority of New York and New Jersey, 225 Park Avenue South, 15th Floor, New York, New York 10003.

Subscribed and sworn to before me at _____________________________ the ______________________ day of _____________________________ 2014.
STATE OF NEW JERSEY

New Jersey Legislative Select Committee on Investigation

to

Mr. William "Pat" Schuber, Commissioner
Port Authority of New York and New Jersey
225 Park Avenue South, 15th Floor
New York, New York 10003

SUBPOENA

ad Testificandum

Writ Returnable at 2:00 P.M.
on May 6, 2014

to

New Jersey Legislative Select Committee on Investigation

c/o Charles A. Buono, Jr.
Office of Legislative Services
State House Annex
PO Box 068
Trenton, New Jersey 08625
Committee Meeting
of
NEW JERSEY LEGISLATIVE SELECT COMMITTEE ON INVESTIGATION

"The testimony of William ‘Pat’ Schuber, Esq. concerning the Committee’s investigation into all aspects of the finances, operations, and management of the Port Authority of New York and New Jersey, and any other matter raising concerns about abuse of government power or an attempt to conceal an abuse of government power, including, but not limited to, the reassignment of access lanes in Fort Lee, New Jersey, to the George Washington Bridge”

LOCATION: Committee Room 11
State House Annex
Trenton, New Jersey

DATE: June 3, 2014
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Senator Loretta Weinberg, Co-Chair
Assemblyman John S. Wisniewski, Co-Chair
Senator Nia H. Gill
Senator Kevin J. O’Toole
Assemblywoman Marlene Caride
Assemblyman Paul D. Moriarty
Assemblywoman Valerie Vainieri Huttle
Assemblyman Michael Patrick Carroll
Assemblywoman Amy H. Handlin
Assemblywoman Holly T. Schepisi

ALSO PRESENT:

Charles A. Buono Jr.
Philip M. Mersinger
Michael R. Molimock
Office of Legislative Services
Committee Aides

Francisco Maldonado
Senate Majority
Kate McDonnell
Assembly Majority
Committee Aides

Frank Dominguez
Senate Republican
Keith A. Loughlin
Assembly Republican
Committee Aides

Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey
COMMITTEE NOTICE

TO: MEMBERS OF THE NEW JERSEY LEGISLATIVE SELECT COMMITTEE ON INVESTIGATION

FROM: SENATOR LORETTA WEINBERG, CO-CHAIR AND ASSEMBLYMAN JOHN S. WISNIEWSKI, CO-CHAIR

SUBJECT: COMMITTEE MEETING – JUNE 3, 2014

The public may address comments and questions to Charles A. Buono, Jr., Michael R. Molinick, Committee Aides, or make bill status and scheduling inquiries to Kimberly Johnson, Secretary, at (609)847-3840, fax (609)292-0561, or e-mail: OLSAideLSI@njleg.org. Written and electronic comments, questions and testimony submitted to the committee by the public, as well as recordings and transcripts, if any, of oral testimony, are government records and will be available to the public upon request.

The New Jersey Legislative Select Committee on Investigation will meet on Tuesday, June 3, 2014 at 10:00 AM in Committee Room 11, 4th Floor, State House Annex, Trenton, New Jersey.

The committee has subpoenaed William “Pat” Schuber to testify before the committee concerning the committee’s investigation into all aspects of the finances, operations, and management of the Port Authority of New York and New Jersey and any other matter raising concerns about abuse of government power or an attempt to conceal an abuse of government power, including, but not limited to, the reassignment of access lanes in Fort Lee, New Jersey to the George Washington Bridge.

The committee will convene in closed session following Mr. Schuber’s testimony.

Issued 5/29/14
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Name</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>William “Pat” Schuber, Esq.</td>
<td>2</td>
</tr>
<tr>
<td>Commissioner</td>
<td></td>
</tr>
<tr>
<td>Board of Commissioners</td>
<td></td>
</tr>
<tr>
<td>Port Authority of New York and New Jersey</td>
<td></td>
</tr>
<tr>
<td>Salvatore T. Alfano, Esq.</td>
<td>3</td>
</tr>
<tr>
<td>Representing</td>
<td></td>
</tr>
<tr>
<td>William “Pat” Schuber, Esq.</td>
<td></td>
</tr>
<tr>
<td><strong>APPENDIX:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Appendix A</strong></td>
<td></td>
</tr>
<tr>
<td>Tabs 1, 4, 5, 6</td>
<td>1x</td>
</tr>
<tr>
<td>Jersey City Port Authority Property Records</td>
<td>11x</td>
</tr>
<tr>
<td>Weinberg-Baroni Letter, 08-15-11</td>
<td>17x</td>
</tr>
<tr>
<td>Weinberg-Baroni Letter, 08-17-11</td>
<td>19x</td>
</tr>
<tr>
<td>Weinberg-Schuber Letter, 08-18-11</td>
<td>21x</td>
</tr>
<tr>
<td>Port Authority-Christie/Cuomo Letter, 01-31-12</td>
<td>25x</td>
</tr>
<tr>
<td>Foye E-Mail, 09-13-13</td>
<td>31x</td>
</tr>
<tr>
<td><strong>Appendix B</strong></td>
<td></td>
</tr>
<tr>
<td>Documents submitted by</td>
<td></td>
</tr>
<tr>
<td>William “Pat” Schuber, Esq.</td>
<td></td>
</tr>
<tr>
<td>pnf: 1-148</td>
<td></td>
</tr>
</tbody>
</table>
SENATOR LORETTA WEINBERG (Co-Chair): I call the Committee to order.

May I have a roll call, please?

MR. MOLIMOCK (Committee Aide): Assemblywoman Schepisi.

ASSEMBLYWOMAN SCHEPISI: Present.

MR. MOLIMOCK: Senator O'Toole.

SENATOR O'TOOLE: Here.

MR. MOLIMOCK: Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Here.

MR. MOLIMOCK: Assemblyman Carroll.

ASSEMBLYMAN CARROLL: For better or worse. (laughter)

MR. MOLIMOCK: Assemblywoman Vainieri Huttle.

ASSEMBLYWOMAN VAINIERI HUTTLE: Here.

MR. MOLIMOCK: Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Here.

MR. MOLIMOCK: Majority Leader Greenwald. (no response)

Senator Greenstein. (no response)

Senator Gill.

SENATOR WEINBERG: Senator Gill is here.

MR. MOLIMOCK: Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Present.

MR. MOLIMOCK: Co-Chair Wisniewski.

ASSEMBLYMAN JOHN S. WISNIEWSKI (Co-Chair): Here.

MR. MOLIMOCK: Co-Chair Weinberg.
SENATOR WEINBERG: Here.
Thank you.
The Committee calls William “Pat” Schuber to come to the desk, please, with your attorney.
Whichever you choose. (indicating chairs)
WILLIAM “PAT” SCHUBER, ESQ.: This is fine.
SENATOR WEINBERG: The small black microphone is always on; that is recording for the record. So if you have any discussion between the two of you, cover that microphone up. And this one (indicating PA microphone) you can turn off and on, which is the amplification -- the one with the red button.
MR. SCHUBER: Do I have to press this--
SENATOR WEINBERG: I’m sorry?
MR. SCHUBER: I assume I have to press this, then?
SENATOR WEINBERG: Yes, you press the one with the red button for the amplification, yes. When your microphone is on, it will be lit, okay?
MR. SCHUBER: Thank you.
SENATOR WEINBERG: Okay, Mr. Schuber, thank you for appearing here today. As you probably know, I’m Senator Loretta Weinberg, and this is my Co-Chair, Senator (sic) John Wisniewski. We’re Co-Chairs of the Committee.
You’re accompanied by an attorney? And, if so, may I ask the attorney to introduce himself.
SALVATORE T. ALFANO, ESQ.: Yes, Salvatore Alfano.
SENATOR WEINBERG: And turn your red mike on when you-- Yes.

MR. ALFANO: Salvatore Alfano, 55 Washington Street, Bloomfield, New Jersey.

Senator, Mr. Schuber has a short statement he would like to make before the proceedings begin.

SENATOR WEINBERG: Okay, when we finish all of this I will invite you to read your statement if you wish.

Mr. Schuber, do you understand that if the statements you make today are willfully false; if you fail to answer a pertinent question, or commit perjury you may be subject to penalties under the law?

MR. SCHUBER: I do.

SENATOR WEINBERG: Did you receive a subpoena from this Committee compelling your testimony at this meeting?

MR. SCHUBER: I did.

SENATOR WEINBERG: Do you understand that you have certain rights under the Code of Fair Procedures, including the right to be accompanied by counsel who shall be permitted to confer with you during your questioning, advise you of your rights, and submit proposed questions on your behalf?

MR. SCHUBER: I do.

SENATOR WEINBERG: As you can see, we have a Hearing Reporter here from the Office of Legislative Services. Your testimony is being recorded and it may be transcribed for the Committee and it may be used in other proceedings. Do you understand that?

MR. SCHUBER: I do.
SENATOR WEINBERG: You are entitled to a copy of the transcript of your testimony at your expense when such copy is available. Do you understand that?

MR. SCHUBER: I do.

SENATOR WEINBERG: You have the right to file a brief sworn statement relevant to your testimony, for the record, at the conclusion of this examination. Do you understand that?

MR. SCHUBER: I do.

SENATOR WEINBERG: Please note that all of your responses should be verbal; we obviously can’t record a head shake or a nod. If you don’t understand a question, please ask for clarification. Otherwise I’m going to assume that you do understand the question and that your answers are responsive to that question. Do you understand that?

MR. SCHUBER: I do.

SENATOR WEINBERG: Before I proceed with the oath, do you have any questions?

MR. SCHUBER: No, I do not.

SENATOR WEINBERG: Okay, we’ll do the oath and then you’ll be welcome to read whatever statement you choose.

Please stand, raise your right hand.

(witness stands and raises right hand)

Mr. Schuber, do you swear or affirm that the testimony you are about to give is true, correct, and complete to the best of your information, knowledge, and belief?

MR. SCHUBER: I do.

SENATOR WEINBERG: Thank you very much.
Please be seated and state your name for the record.

MR. SCHUBER: William “Pat” Schuber, S-C-H-U-B-E-R.

SENATOR WEINBERG: Thank you. Now, you may go ahead, if you--

ASSEMBLYWOMAN SCHEPISI: Madam Chair--

SENATOR WEINBERG: --wish to read a statement.

ASSEMBLYWOMAN SCHEPISI: Madam Chair, before the witness starts--

SENATOR WEINBERG: I’m sorry?

ASSEMBLYWOMAN SCHEPISI: I do have one procedural question for our attorney before the witness begins.

Several weeks ago, during a conference call--

SENATOR WEINBERG: Unfortunately I am having a little problem; I have an ear problem this morning. So speak up, please.

ASSEMBLYWOMAN SCHEPISI: Okay. Several weeks ago on a conference call with Mr. Schar, we raised the question that we weren’t sure whether or not it would be pertinent to Schuber coming in. We received, yesterday afternoon, the materials for today’s hearing, which consisted of seven documents which, for the most part, pertain to various communications between the Chair and Mr. Schuber.

The question that we have for counsel is, in light of the fact that it appears this witness has been called in for the main purpose of testifying as to those firsthand communications between the Chair and Mr. Schuber, whether or not it’s appropriate for the Chair to be asking the questions of Mr. Schuber -- in light of the fact that it pertains to just direct communications between the two of you.
SENATOR WEINBERG: That is your question for counsel, Assemblywoman?

ASSEMBLYWOMAN SCHEPISI: Yes.

SENATOR WEINBERG: Mr. Schar, do you--?

ASSEMBLYWOMAN SCHEPISI: We posed this question a couple of weeks ago so nobody would be sandbagged by it. We never had follow-up, and based upon the materials we received last night it appears that that’s the main purpose of this witness today.

MR. SCHAR (Special Counsel): I appreciate the question. Obviously, this is the first I’m being asked of--

ASSEMBLYWOMAN SCHEPISI: Actually, on the conference call we specifically brought this up so that we would not be in a situation like this if it was--

MR. SCHAR: My recollection of that call was not a request of me in any way to provide an informed opinion; certainly not on this morning.

Nonetheless, given I am not intimate with the professional rules of conduct, I don’t see that there is an actual conflict in asking questions. It seems to me that if someone has a motion for recusal, that’s something that can be made at the appropriate time. If there is an appearance of conflict, that, again, from a legal perspective, is not one that would prohibit the questioning, or one the Committee as a whole will have to consider as to their view. And, again, I would assume by any motions that it would deem to be appropriate.

However I will tell you-- Again, I recall the issue was generally raised, but I do not recall any specific request that research be done. So I
am providing you an answer limited by the fact that I have not gone and
done any particular review of the New Jersey Legislative Code in any
particular way.

So I would suspect if you have a motion, I assume it would be
entertained. But I do not see any inherent actual conflict in asking
questions, based on history here.

SENATOR WEINBERG: Does that answer your question, Assemblywoman?

ASSEMBLYWOMAN SCHEPISI: Um, okay. (laughter)

SENATOR WEINBERG: Your statement, Mr. Schuber.

MR. SCHUBER: Thank you.

Members of the Committee, just a very brief statement, if I
might; and thank you.

I just want to state very emphatically that I have had no
involvement in, nor prior knowledge of the decision which led to the lane
closures at the George Washington Bridge, and I would never condone the
use of governmental powers to exact political retribution. Such actions
cannot be countenanced under any circumstances and to the extent of the --
wrongdoers should be held accountable for their misconduct.

SENATOR WEINBERG: Is that it?

MR. SCHUBER: That’s it.

SENATOR WEINBERG: Okay. Thank you very much.

SENATOR O’TOOLE: Chair, do we have a copy of that? Do
we have a copy of his statement? Were we given a copy?

ASSEMBLYMAN WISNIEWSKI: We have not been provided
with a copy of his statement.
MR. SCHUBER: I'm sorry; I brought it in my pocket. I'm sorry.

ASSEMBLYMAN WISNIEWSKI: Would you like to make a request?

SENATOR O'TOOLE: No, no. If he gave a copy, I'd just like to see a copy. But if he didn't, that's okay.

SENATOR WEINBERG: You'll provide copies to the Committee?

MR. SCHUBER: Sure, certainly.

SENATOR WEINBERG: Thank you.

Any other questions before I begin? (no response)

Okay. I actually don't have a lot of questions for you, Pat. And as you know-- Let me just kind of frame how I look at this, and then ask you some questions.

I'm sure that you recall when you were nominated by the Governor to take a seat as Commissioner on the Port Authority. And you and I had a conversation privately when you made your obligatory, respectful call to me as somebody who gets signoff on you, as well a member of the Judiciary Committee. And then I had a public discussion about the very same thing when you came before the Judiciary Committee. And I recalled that same conversation in a letter I wrote to you back in August of 2011. That letter concerned the toll increases at the Port Authority. And I'm not going to ask you any questions on that because other Committee members are going to.

But I just want to read -- and the Committee has copies of this letter -- the opening sentence of that letter that I wrote to you in August of
2011 so that we can take this out of the realm, if anybody thinks there are any personal issues.

MR. ALFANO: May we have a copy of the letter?

SENATOR WEINBERG: Yes, excuse me.

The first sentence of the letter says, “I know you will recall our conversation when you appeared before the Judiciary Committee for your appointment as one of New Jersey’s Commissioners on the Port Authority. I told you at the time I was delighted to support someone as a Commissioner who is from Bergen County, who would represent our Bergen County voices and interests in the future.

“After your confirmation by the Senate Judiciary Committee and the New Jersey State Senate, I was secure in the knowledge that you would be looking out for Bergen County.”

And then the letter goes on to talk about the toll increases.

And that was the reason that I reached out to you in a letter on September 19 -- after the issues of these lane closures were coming -- were printed in the press, and I was getting calls from constituents. It’s not because of anything personal; you and I have had a -- I’ve always thought -- a rather amicable and respectful relationship over the years. But I reached out to you because you -- I thought -- were the Bergen County voice for our citizens. And I wrote you a letter on September 19, 2013, asking a variety of questions about the lane closures, and I know that letter has been distributed to the Committee and has been commented upon in the press.

As I recall, you called me soon -- within a couple of days after you received that letter. And my recollection of that conversation was that
you said -- and I believed you then, and I believe you now -- that you had no knowledge of what took place in those lane closures, but that you were going to check and get back to me. That was my recollection of that phone conversation.

So I just want to put that in perspective, less anybody on this Committee thinks beyond the fact that I depended upon Pat Schuber -- whom I know, and like, and respect -- to be a voice for Bergen County. That’s why I wrote you the letter on September 19.

And I just have one or two questions, and then I’m going to pass it on to our Co-Chair.

Once you received the letter and you made that phone call to me -- which I appreciated-- And, again, let me reiterate: I believed you then that you certainly had no knowledge that this had not come before the Board of Commissioners, and I believe you now in what you stated in your opening statement. I would like to know what you did, and who you might have run that by, after our phone conversation which was held in mid to late September.

MR. SCHUBER: Well, Senator, my recollection of our discussion is a little bit different, but let me say-- Suffice it to say this -- that you had asked me at that time-- There were a couple of things that came up during that conversation. First of all, I had not received the letter directly, number one; I had received a phone call that the letter had been received by the Governor’s Office.

SENATOR WEINBERG: I’m sorry, the September 19 letter?
MR. SCHUBER: That’s correct, that’s correct.
SENATOR WEINBERG: Well, we sent it to both your private
law firm, as well as to the Port Authority, and faxed it to you.

MR. SCHUBER: But it had not gotten me.

SENATOR WEINBERG: Okay.

MR. SCHUBER: Suffice it to say, I did finally receive it.

SENATOR WEINBERG: Right.

MR. SCHUBER: And a couple of things that day -- we talked
about the toll increase, I think; we talked, if I recollect, about your late
husband; we talked about the fact that I was concerned that Fort Lee had
not received any notice with regard to whatever had gone on here; and I
asked if you had my cell phone number. And you did not, or you couldn’t
find it, and I gave it to you. And I said, “Please call me if there are any
future issues with regard to this.” And I asked, “Is there anything I can do
here?” And you said, “Would you call the Mayor of Fort Lee for me?” and
I did. When I hung the phone up that day, I called the Mayor of Fort Lee,
and on the second go-around got him and had a conversation with him, too,
at the same time.

My concern at the time was -- and, again, this is, at that time,
before I had seen any of the rest of the stuff that came out much, much
later -- was that my biggest concern with regard to anything we do is
notification to the municipalities or any of the organizations that might be
impacted by any of our projects. And that was my major concern; I think
that’s what I talked to you about at that particular time.

SENATOR WEINBERG: So it was the Governor’s Office who
called you about my letter? They received it, apparently, before you did?
MR. SCHUBER: No, no, no. The Governor’s Office didn’t call me.

SENATOR WEINBERG: Oh, I thought you said you had not seen my letter; that--

MR. SCHUBER: I had not seen-- It had not come to me. I had received a letter (sic) that the Governor’s Officer had received the letter before I had.

SENATOR WEINBERG: Okay. And how did you know that the Governor’s Office had received the letter before you did?

MR. SCHUBER: Because I got a call on the-- Whatever -- and I don’t remember whatever the date was, but I got a call from Mr. Wildstein that said the Governor’s Office had spoken to him; that a letter had come in directed to me, with a copy to them and to several other people, I guess, that had dealt with the -- that was directed to me about the lane issues at the George Washington Bridge.

SENATOR WEINBERG: Okay. So your only concern -- or the only concern, in spite of what I said in that letter -- the only concern you gleaned from our conversation was that Fort Lee hadn’t been notified, but there was nothing to be looked-at in terms -- but beyond that, in terms of the lane closures.

MR. SCHUBER: Well, two things. One is, the notification to the municipality has always been a sore spot for me -- having been a local official; and I was really annoyed with that. But second of all, I think too was that I really felt -- and this is the way I felt about it -- that the letter was directed to me personally. I’m one of six Commissioners from New Jersey,
and 12 all together. And I kind of took a little bit-- Quite frankly, I took that personally; that's the way I took it at the time.

SENATOR WEINBERG: Well, it was directed to you personally--

MR. SCHUBER: No, I understand that. I appreciate that.

SENATOR WEINBERG: --for the very reason I outlined -- like my letter of 2011 was addressed to you personally.

MR. SCHUBER: Yes, but I'm also telling you that's how I felt about it too, with regards to it.

SENATOR WEINBERG: Okay. All right, well I certainly will accept that as your feelings. And I'm sorry that the idea of my voting for you and stating publicly at the Judiciary Committee meeting -- and even telling you, if I remember, in our earlier conversation that I did not have to have a one-on-one interview with you, you didn't have to come to my office, and none of that ceremonial or political stuff was between us; but that I was really happy to have a Bergen County person, who understood the problems of Bergen County, on the Board of Commissioners. So I will accept how you felt about it, and I'm sorry that for whatever reason, in spite of what I said in both of these letters, that you somehow felt I shouldn't talk to you personally.

But let me follow up. On October 6-- First of all, on October 1 or 2, Pat Foye's e-mail was in the press. On October 6, I appeared before a subcommittee that you chaired--

MR. SCHUBER: Right.

SENATOR WEINBERG: --of Governance and Ethics, I think it was called; something like that. And, again, courtesies were extended to
me; I knew that there was no requirement to hear from the public. But I had come to the Committee meeting and you extended the courtesy to me of appearing before the Committee. And I again talked about, now, what were issues that were raised in the press -- issues that were raised by your Executive Director, Pat Foye, that had been in the press by that stage -- that laws were broken, no processes were followed, etc.

Did you, as a member of the Board of Commissioners, or any other Commissioner, do anything to follow up after that October 6 meeting?

MR. SCHUBER: When the-- The background on that was the meeting was being held in New Jersey for the first time; we were holding Committee meetings in New Jersey in order to start to hold meetings on both sides of the river.

SENATOR WEINBERG: And by the way, as a comment: It was more difficult getting there than it was getting to New York that morning, if you remember.

MR. SCHUBER: There's no doubt about it. (laughter) There's no doubt about it, Senator.

And so we were holding two meetings that day -- one was the Committee on Ethics and Governance, and the second one was the Security Committee meeting, which was going to be held right afterwards. I think I had seen someplace -- and I don't remember where I had seen -- that you wanted to come to that meeting to testify.

SENATOR WEINBERG: Right.

MR. SCHUBER: And the Port has a rule that on Committee hearings, the public doesn't get a chance to testify. But I, having seen it in
the paper, knew that you were going to come, and I had no problem with you testifying or making a statement there at all with regard to that; I really didn’t. I thought it was only appropriate to be done, as far as that goes.

But I think I was concerned that—It’s been my concern throughout this -- and I’ve wrestled with this consistently I guess up until the other e-mails came out at the end of December and January -- which was this whole issue had become very, very, I thought, politically charged, quite frankly, or even partisan to a certain degree. And quite frankly, it was not something I wanted to be involved in the middle of, quite frankly, and that’s the way I felt about it. And I wanted to give you the opportunity to testify with regards to that so everybody else could hear about that. But that’s how I felt with regard to it.

SENATOR WEINBERG: Okay. So your feeling as a Commissioner at this stage was because of the, I guess, political charges that your Executive Director made -- that none of your processes were followed, and that laws were broken -- your feeling at that stage was, because it was politically charged, that you just didn’t want to be involved in it. Is that correct?

MR. SCHUBER: No, that’s not correct. I felt that it had nothing to do with Mr. Foye at all, and I’m not even sure I had seen his statement at that point, quite frankly. But the fact of the matter is, I felt that the nature of how this played out at that particular time became very, very, I thought, partisan-charged; it became somewhat political with regard to that. And my position with regard to that -- I just didn’t want to be in the middle of that.
SENATOR WEINBERG: Okay. And when I appeared at the full Board of Commissioners meeting in October, in November, and in December -- and if you remember correctly, I did -- I not only engaged you personally, I engaged every single New Jersey Commissioner.

MR. SCHUBER: Yes.

SENATOR WEINBERG: I named each of you by name, and the towns that you came from, just to accentuate that you were each from New Jersey. So I want to clear that up, too, because not only you from Bergen County did I expect to hear some voice, but I expected to hear some voices from the Commissioners from New Jersey.

So when I appeared in October, November, and December -- at one of the meetings accompanied by Assemblyman -- my Co-Chair, Assemblyman Wisniewski, my colleague from District 37, and Assemblyman Johnson -- none of us were there in terms of partisan-- Or is that how it’s looked on -- that we were all there in terms, not to speak up on behalf of the residents we represent, but because we are partisan political people?

MR. SCHUBER: I think that from my-- And I can only speak for myself; I can’t speak for the other Commissioners, quite frankly.

SENATOR WEINBERG: Right. I understand.

MR. SCHUBER: But the way this played out with regard to that, I looked at it in a partisan way with regard to that; I did. And that’s the way I felt about it. And I just didn’t want to be-- I saw this very quickly becoming a political football, and from my perspective I just didn’t want to be involved with that. That’s not the reason I went on there to begin with.
SENATOR WEINBERG: It's not the reason you went on the Port Authority?

MR. SCHUBER: Correct.

SENATOR WEINBERG: Okay. And I have one more question, and then I'm going to pass it to my Co-Chair.

What about Pat Foye's e-mail? Was that partisan politics, or was that investigated by any member of the Port Authority?

MR. SCHUBER: Well, at the time that you mentioned it, I'm not sure that I had seen it, to be honest with you.

SENATOR WEINBERG: Well, I just--

MR. SCHUBER: I may have seen it afterwards.

SENATOR WEINBERG: Okay.

MR. SCHUBER: With regard to that, I can't answer that question because I just don't know. I did nothing with Mr. Foye's e-mail with regard to that afterwards.

I think there may have been some tension between some of the New Jersey permanent staffers and the New York staffers, so again that was another issue that played out with regard to that. And I just didn't want to be a part of that either.

SENATOR WEINBERG: Thank you very much. I will pass this on to my Co-Chair.

ASSEMBLYMAN WISNIEWSKI: Thank you very much, Senator.

Mr. Schuber, thank you for being here this morning.

MR. SCHUBER: You're welcome.
ASSEMBLYMAN WISNIEWSKI: I wanted to go to perhaps a more fundamental issue of the Port Authority. Would you agree that the perception of the Port Authority at this point in time is not at its highest?

MR. SCHUBER: I suspect that’s an understatement. But having said that-- Although I believe -- by what I know they do beyond this issue -- that it’s a highly professional organization. Is the perception of it different today because of this and several other issues? I would agree with that.

ASSEMBLYMAN WISNIEWSKI: Would you agree that one of the issues that is often talked about with regard to the Port Authority is the issue of transparency?

MR. SCHUBER: Yes, I would agree with that. I think that’s an issue that the Port has wrestled with over the course of time, being a very traditional organization in many ways; quasi -- a bi-state agency on top of that, and used to doing things in certain ways. Yes, I would agree with that.

ASSEMBLYMAN WISNIEWSKI: What do you view your role as a Commissioner at the Port Authority of New York and New Jersey to be?

MR. SCHUBER: Assemblyman Wisniewski, that’s a very good question. If you’ll give me just a minute to kind of respond on this, there are a couple of things I’d like to address with regard to it.

In the traditional sense, I guess, as to the way the compact reads and the things that go with it, the 12 Commissioners -- 6 from New Jersey and 6 from New York who were nominated by the governors -- serve without remuneration; serve as a kind of an oversight body with regard to the Authority itself. I think that from the perspective of Commissioners, we
become Commissioners to represent the entire Port and all of its many facilities over the region that’s considered part of the Port District.

And obviously there are several things that it’s supposed to do. Obviously, it’s supposed to promote economic development, maintain all of the facilities that are part of it. But with regard to that, there’s always been, I think, a dichotomy, too, based on the fact that for New Jersey Commissioners and New York Commissioners there’s always been somewhat of a built-in tension with regard to making sure that each state gets its fair share of the dollars that the Port generates.

And although that’s not written in any of its bylaws or anything along those lines, it’s certainly a factor and it’s something that I’ve always been asked about. You know, “I want to make sure that New Jersey gets its fair share.” And I understand that, and even though we’re supposed to represent the entire Port District. And so that’s always been somewhat of a tug here, trying to represent the entire Port District and do everything that’s possible, but at the same time look out to make sure that the issues for New Jersey are also taken care of.

ASSEMBLYMAN WISNIEWSKI: Well, I guess along those lines, who do you consider yourself responsible to -- the people of the State of New Jersey, the users of the Port facilities, the institution of the Port Authority? To whom is your fiduciary responsibility first addressed?

MR. SCHUBER: I think that the fiduciary responsibility is to, I think, all of the users of the Port facilities, I think; and the citizens of the two states, I think.

ASSEMBLYMAN WISNIEWSKI: And in that--

MR. SCHUBER: And stewards of those facilities.
ASSEMBLYMAN WISNIEWSKI: Stewards of the facilities. Do you also have a role as a Commissioner in oversight of the process of the Port Authority?

MR. SCHUBER: By the process, what do you mean?

ASSEMBLYMAN WISNIEWSKI: Well, things get done at the Port Authority.

MR. SCHUBER: Right.

ASSEMBLYMAN WISNIEWSKI: There are inputs and they are outputs -- roadways get improved, bridges get built, buildings get built. So there are things that get done that are implemented by hundreds, if not thousands of employees of the Port Authority. What is your level of oversight, as a Commissioner, of those things that get done?

MR. SCHUBER: I think the role there is the approval of the projects -- which is done at the monthly meetings -- that are funded by the toll payers; as well other avenues of revenue for the Authority such as, for example, in New Jersey would be the Bayonne Bridge, or the Goethals Bridge, Terminal B at Newark Airport -- things along those lines.

ASSEMBLYMAN WISNIEWSKI: Earlier, in answering the question I had asked about-- what you considered your role as a Commissioner to be, one of the items you mentioned -- if I think I understand it correctly -- was to bring back projects, bring back money to the State of New Jersey.

MR. SCHUBER: Well, no, I said that that's one of the-- I'm cognizant of that issue, clearly, as a resident of New Jersey. Our responsibility is to the whole Port District. I'm sensitive to the projects that are part of New Jersey as outlined in New Jersey's public policy.
ASSEMBLYMAN WISNIEWSKI: To what degree do Commissioners provide any level of oversight into the accountability of things the Port Authority does? What type of oversight do you have if the rules and regulations of the Port Authority are being followed?

MR. SCHUBER: Well, as far as-- My understanding with regard to that is that to a great extent that's handled by the permanent staff, which is the Executive Director.

ASSEMBLYMAN WISNIEWSKI: And how would you know if that permanent staff was adequately performing its function to ensure that the rules and regulations are being properly followed?

MR. SCHUBER: Well, with regard to the fact -- if there was an IG's report, or anything along those lines, with regard to a violation of that.

ASSEMBLYMAN WISNIEWSKI: I guess what I'm getting to is why we're here today and how this process started. As a Commissioner with the Port Authority I'm not sure you're aware of the entire history. This process actually started in the Assembly Transportation Committee. Are you aware of that?

MR. SCHUBER: I believe so, yes.

ASSEMBLYMAN WISNIEWSKI: Okay. And the Assembly Transportation Committee obtained subpoena authority in the last legislative session. Are you aware of that?

MR. SCHUBER: I believe so, yes.

ASSEMBLYMAN WISNIEWSKI: One of the things that you may not be aware of -- and I want to represent this to you -- but I want to ask you about it as well, is the Transportation Committee had done several FOIA requests of the Port Authority. You're familiar with FOIA requests?
MR. SCHUBER: I am.

ASSEMBLYMAN WISNIEWSKI: And are you aware of the fact that those FOIA requests were just not answered?

MR. SCHUBER: I was not.

ASSEMBLYMAN WISNIEWSKI: And one of the arguments for the Transportation Committee obtaining subpoena power back then was the fact that the FOIA requests had not been answered. Were you aware of that?

MR. SCHUBER: I was not. I don’t recollect that at all.

ASSEMBLYMAN WISNIEWSKI: My question to you, based on that history, is, as a Commissioner, how do you know or what steps are you able to take to make sure that when people are asking for information from your agency that they’re being responded to?

MR. SCHUBER: Assemblyman, I think that from my perspective, quite frankly I have no problem with full transparency of the Authority and the things that it does. I think that’s a very important issue. I think I was-- I heard people complain with regard to the FOIA application process of the Authority itself. We had changed over the course of time to try to streamline it to be able to allow information to be flowed out faster than had been in the past.

But traditionally, those types of things have not come to the Port Commissioners to take a look at, at all, unless someone raises that at a public session.

ASSEMBLYMAN WISNIEWSKI: As a Commissioner, if you had a question about a FOIA request -- had I thought to contact you, for instance -- when the Transportation Committee did not get answers to the
FOIA requests that it had made -- if I had come to you with that, who would you go to, to find out why these FOIA requests were not being answered?

MR. SCHUBER: I think I would have gone to the Port Counsel, Mr. Bookbinder, who I think oversees that process.

ASSEMBLYMAN WISNIEWSKI: Now, do you get-- When I had the privilege of being at a Port Authority meeting with Senator Weinberg, and the assembled staff was sitting in front of the dais of the Commissioners.

MR. SCHUBER: Correct.

ASSEMBLYMAN WISNIEWSKI: When I was there I didn’t hear a lot of reporting from that assembled staff. Is there a point in time -- either at Committee meetings or in other venues -- where people like Mr. Bookbinder or other staff members report to Commissioners such as your self about what’s going on?

MR. SCHUBER: Well, the answer to that is yes. The Port -- the way the Port is structured is that the Port meets once a month, except for August, so it’s 11 times a year. On that particular day-- Similar to the Legislature -- or the way I remember the Legislature used to be -- there would be Committees in the morning and then there would be an executive session, and then there would be the public session with regard to that. Particularly with finance, we have started to hold some of the Committee meetings on a separate day or more frequently -- so maybe there are two meetings a month with regard to that. At those meetings often the different agency heads -- depending on the project that might be involved -- would be
testifying or giving a report with regard to that. And that’s how we would see the information.

ASSEMBLYMAN WISNIEWSKI: I guess what I’m trying to get to is, as a Legislator, it is likely I could find your phone number or contact you and have a communication with you -- and maybe I should have -- and said, “Pat, I’m not getting answers to these FOIA requests. Can you look into it?” Not everybody who submits a FOIA request to the Port Authority is a legislator.

MR. SCHUBER: True.

ASSEMBLYMAN WISNIEWSKI: What I’m frustrated by -- and would like to have a response from you on -- is if an ordinary citizen sends in a FOIA request and they don’t get an answer, and their follow-up letter is to the same people who didn’t answer them in the first place, what are they to do?

MR. SCHUBER: That’s a very good question, actually, and I think it’s a very apt question. I think it’s one of the frustrating things we saw -- I saw originally when I was there. And I guess that’s the issue with regard to an agency that has a long history in existence.

I think that was one of the reasons we took steps to streamline that process to make it easier for people to make that application and get that information that they request.

The issue I don’t know, and I don’t have that statistic in front of me at all, is how many of those types of requests did they get on a regular basis. I just don’t know the answer to that.

ASSEMBLYMAN WISNIEWSKI: But I guess my question--
MR. SCHUBER: Here’s my point-- My final point on this is simply this: I would prefer -- from my perspective, more information is better than less information, and FOIA requests should be answered.

ASSEMBLYMAN WISNIEWSKI: I appreciate that.

MR. SCHUBER: I’ll give you my cell phone. (laughter)

ASSEMBLYMAN WISNIEWSKI: To the extent-- Obviously, there’s is a whole checklist of things that people look for in terms of making sure they’re not giving out attorney/client privilege and things of that-- But generally speaking, your position is, is that FOIA requests received should be answered, or at least some type of correspondence back saying, “Here’s why we’re not answering them.”

MR. SCHUBER: Correct, I believe that.

ASSEMBLYMAN WISNIEWSKI: Okay. In this particular case, that did not happen, which precipitated the subpoenas.

Some of that preceded your tenure which started, I believe, in 2011.

MR. SCHUBER: July 1.

ASSEMBLYMAN WISNIEWSKI: Some of those FOIA requests were before July 1, 2011, and some were after. But the subpoenas that the Transportation Committee issued came clearly after you were on the Port Authority. As a Commissioner, were you made aware of the receipt of the subpoenas from the Assembly Transportation Committee?

MR. SCHUBER: I believe so, yes. I believe so.

ASSEMBLYMAN WISNIEWSKI: Did you ask any questions as to what the Committee was looking for?

MR. SCHUBER: I did not, no.
ASSEMBLYMAN WISNIEWSKI: Why not?

MR. SCHUBER: To be honest with you, I don’t remember.

ASSEMBLYMAN WISNIEWSKI: Okay.

Material was provided to the Transportation Committee by the firm of Gibson, Dunn, and Crutcher at that time -- but not all of the material that was requested of the Port Authority. Were you aware of that?

MR. SCHUBER: No, I was not.

ASSEMBLYMAN WISNIEWSKI: You had said earlier that you believe transparency is a good policy.

MR. SCHUBER: Yes, I do.

ASSEMBLYMAN WISNIEWSKI: When you were made aware of these subpoenas from the Port Authority, was there any discussion among Commissioners at any Commission meeting or subcommittee meeting about the response to the subpoenas or the deliberation as to what to give and what not to give?

MR. SCHUBER: Any discussion with regard to giving or not giving -- I do not remember any discussion with regard to that. I remember that the -- I think the Chairman had recommended that we obtain counsel with regard to that, but that’s it. That’s all I remember. I really had just come on, and I was not familiar with all the issues that were raised here. So I do not remember any of the other aspects of that, quite frankly.

ASSEMBLYMAN WISNIEWSKI: So as a Commissioner, you were made aware of the subpoenas. I’m trying to find out -- so then who, from an oversight level-- You would agree that Commissioners, at least, have some oversight level of what happens at the Port Authority?

MR. SCHUBER: Yes, I do.
ASSEMBLYMAN WISNIEWSKI: If not you, what Commissioners would have oversight of that process?

MR. SCHUBER: Well, normally, it would normally be the Chair -- the Chair of the Authority, or the Vice Chair of the Authority, in conjunction with the Deputy Executive Director and the Executive Director.

ASSEMBLYMAN WISNIEWSKI: Okay. Because those subpoenas were not fully answered, and that Committee expired at the end of the last legislative session. Were you aware of that?

MR. SCHUBER: I'm familiar with how the procedure works with regard to legislative sessions; but I was not aware of that.

ASSEMBLYMAN WISNIEWSKI: Okay. And that this Committee renewed those subpoenas under the Joint Legislative Investigative Committee?

MR. SCHUBER: I don't know that.

ASSEMBLYMAN WISNIEWSKI: Okay. Still unanswered today -- and I'd like your position as a Commissioner -- still unanswered today are the unanswered portions of that subpoena that was issued by the Transportation Committee. And, in particular, the subpoena asked about the toll increases.

MR. SCHUBER: Right.

ASSEMBLYMAN WISNIEWSKI: And had asked for communications between the Port Authority and either states governors' offices. And those have not been provided. Were you aware of that?

MR. SCHUBER: No, I was not.
ASSEMBLYMAN WISNIEWSKI: As a Commissioner, would you be in favor of providing those communications?

MR. SCHUBER: I would like a chance to review the subpoena and talk to our counsel first with regard to that.

I know how I felt about the toll increase; I know it is also a heavily partisan-charged issue. But I would prefer to talk to our counsel before I answer that in any way -- since we have counsel on this.

ASSEMBLYMAN WISNIEWSKI: But as a Commissioner, the question to you is, if there's a subpoena to the Port Authority for, among other things, documents related to the toll increase, including communications between the Port Authority and the Governor's Office, what is your position: Should that material be turned over?

(attorney/client confer)

SENATOR WEINBERG: Cover your -- cover the black-- Right.

MR. SCHUBER: Since the Authority has counsel on this, I would prefer to be able to talk to them with regard to that issue before I answer it.

ASSEMBLYMAN WISNIEWSKI: I'm asking you-- You're appointed as a representative of the State of New Jersey. This Committee has been looking for information, and its predecessor Committee had been looking for information. And on at least one portion of those requests -- going all the way back to the FOIA requests, which were never answered -- we have still not gotten an answer.

Do you believe the Authority should respond to the subpoena?

(attorney/client confer)
MR. SCHUBER: The answer to that question is simply this. Subpoenas should be responded to, but when we have counsel for this particular purpose, I'm not going to make any statement until having had the opportunity to review, with counsel, that issue.

ASSEMBLYMAN WISNIEWSKI: Were you aware that your counsel has represented that this matter has been submitted to the Board for consideration?

MR. SCHUBER: I was not aware of that, no.

ASSEMBLYMAN WISNIEWSKI: Okay. I would suggest you follow up with them, because that's what we're being told -- is that it's in your court.

MR. SCHUBER: Yes, certainly, I will take a look at that.

ASSEMBLYMAN WISNIEWSKI: In answering that question, you stated that you had opinions about the toll increase, but you stated that you didn't express what your opinion was.

MR. SCHUBER: Certainly, I'd be glad--

ASSEMBLYMAN WISNIEWSKI: What is your opinion about the toll increases?

MR. SCHUBER: I think they were merited.

Let me just start by saying this. I traditionally am a fiscal conservative with regard to dollars and cents. The Authority itself receives its funding primarily from a series of streams of revenue. The tolls are a significant amount of that revenue -- also added to our fees from the airports, parking, and rentals -- which represent primarily the full amount of how the Authority receives its revenue to do its projects.
This year, in 2014, its budget will be -- I think it’s going to be $8.2 billion, which consists of a $2.9 billion operating budget and a $4.4 billion or $4.5 billion economic capital plan.

When I first came on I was appointed -- as you said, Assemblyman, I took office on July 1. And I think the first thing in the door, as I came in to go to the first meeting-- When I--

Let me back up. When I was appointed, the first thing I did over the summer was to tour all of the facilities. I toured all the facilities from one end of the state to the other that were part of the Region.

ASSEMBLYMAN WISNIEWSKI: Who gave you that tour?

MR. SCHUBER: The various people in the various locations -- just to get a feel for the people at all levels, the line, the managers, the agents -- people like that -- as well as the facilities themselves.

But one of the first things I was told at the beginning was that there was a toll increase -- which was not the best news I wanted to hear, coming aboard that particular time. However, I understood the responsibility, and I made an appointment to see the CFO -- Mr. Fabiano at that time -- with regard to the financial picture of the Authority, and he spent a considerable amount of time with me over that issue. And I came away with the understanding that as much as I didn’t like it, that the toll increase was necessary for the Authority to continue to do the things that it does -- which is develop the economic development issues that are important to the Port District, that are important to both New York and New Jersey.

But more important to that, and my concern as I went around from the different facilities, was the state of good repair of facilities --
whether they'd be the issue of the airports themselves, or the tunnels, or the bridges, or the actual Port facilities themselves. Many of them are quite old; they're decades old and they're in need of refurbishment. One of the things I think that gets me really angry, I guess, as a Port Authority Commissioner, if I read a column, or somebody says they hate to go through JFK airport because it's one of the worst airports in the nation or the globe, that bothers me. It shouldn't be; we should be a showplace with regard to that.

The bottom line on that simply is that the only way those things can be maintained, upgraded, and put in the important -- keep those facilities proper and safe, is for the appropriate amount of money to be raised. That does require, unfortunately, making hard decisions with regard to toll increases. I didn't take it lightly; I believed in it firmly, with regard to it, and that's how I felt about it.

ASSEMBLYMAN WISNIEWSKI: Now, you're aware that the original toll increase -- the proposed toll increase -- called for a 75 percent increase in tolls for EZ Pass customers and, I believe, it was 112 percent increase for cash customers?

MR. SCHUBER: I quite frankly don't remember what the percentage was, but I'll take your word for it with regard to that.

ASSEMBLYMAN WISNIEWSKI: Do you agree with eye popping?

MR. SCHUBER: I didn't hear what you said; I'm sorry.

ASSEMBLYMAN WISNIEWSKI: Would you agree that it was an eye-popping amount?
MR. SCHUBER: Look, any toll increase in this state of the economy, and any tax increase or any type of increase, is eye popping to most everybody.

ASSEMBLYMAN WISNIEWSKI: When you first heard those numbers, was a presentation made to you about where the money was coming from and where it was going to? As a Commissioner, somebody came to you and said, “Commissioner Schuber, we want you to understand the need for $X$ dollars coming in. Here’s where we’re going to get it from, and here’s where it’s going to.”

MR. SCHUBER: Well, the money, I mean, in this case -- because the focus was on the toll increase -- the money was coming from the toll increase.

ASSEMBLYMAN WISNIEWSKI: I understand that. My question is, is did somebody sit down with you and provide you with a presentation or spreadsheet, graphs, charts?

MR. SCHUBER: I believe-- The answer to that is I believe so, yes.

ASSEMBLYMAN WISNIEWSKI: Who would have done that?

MR. SCHUBER: Mr. Fabiano.

ASSEMBLYMAN WISNIEWSKI: Mr. Fabiano.

MR. SCHUBER: Who was the CFO at that time, since retired.

ASSEMBLYMAN WISNIEWSKI: And Mr. Fabiano made a case to you for that initial amount -- the proposed amount of the toll increase?

MR. SCHUBER: Yes, he did.
ASSEMBLYMAN WISNIEWSKI: And did you agree with him that that was necessary?

MR. SCHUBER: Oh, I didn’t-- Not at that time. You know, I wanted to take a look at it. I started to build up sensitivity or a feel for the Authority’s facilities, having eyeballed them myself rather than look at them in pictures. And I could clearly see the need in so many different areas here. And that experience was kind of like the foundation, for me, of how I felt about the increase and the necessity of doing some -- you know, some of the hard decisions that come with regard to that type of an issue. So I felt that, yes, that it was necessary, and that to a great extent a lot of that was going into these types of projects or these facilities which I had seen.

ASSEMBLYMAN WISNIEWSKI: So would you agree that, at some point in time, he convinced you of the necessity for that toll increase?

MR. SCHUBER: Yes, he did.

ASSEMBLYMAN WISNIEWSKI: Okay. At some subsequent later date, that amount was reduced.

MR. SCHUBER: Yes.

ASSEMBLYMAN WISNIEWSKI: What did he do to convince you to now vote to approve a lesser amount?

MR. SCHUBER: I’m not sure; I don’t quite remember whether he convinced us. I don’t think there was much choice in the matter with regard to it. That was the decision that had been made, and that’s what we had to accept.

ASSEMBLYMAN WISNIEWSKI: As a Commissioner, you were told you had to accept the decision?
MR. SCHUBER: No, no, not so much that; I don’t mean that. Actually, I don’t remember exactly the chronology of what happened. I know how I felt with regard to the increase; and I believe that these were not going to fly, necessarily, with the governors of the two states.

ASSEMBLYMAN WISNIEWSKI: At any particular meeting with the Port Authority, did you express your concern for the users of the Port Authority Trans-Hudson facilities for the toll increase?

MR. SCHUBER: Assemblyman, yes, I am very cognizant of that. You know, although I don’t use the bridge a lot, I have used it, quite frankly, and I would be paying that myself. The fact of the matter is that I had to take into account that, and try to temper that with what I saw were the needs of keeping these facilities as safe as we could keep them, too, so nobody got hurt, injured, or killed.

ASSEMBLYMAN WISNIEWSKI: The facilities you’re talking about -- does that include the World Trade Center?

MR. SCHUBER: Does it include the World Trade Center? The World Trade Center is one of our facilities, clearly, and it’s an issue -- The issue of maintaining that, its security, and providing for it -- to provide the economic give-back to the Authority and to the Region itself -- was important to me too, yes.

ASSEMBLYMAN WISNIEWSKI: At any time when you were being asked to consider this very large toll increase, did you ever say or express a concern about that money being used to build buildings, as opposed to the state of good repair -- which I agree with you on.

MR. SCHUBER: I don’t remember, to be honest with you. I just don’t remember.
ASSEMBLYMAN WISNIEWSKI: Okay. Recently there was a
discussion at the Port Authority in a Commissioner’s meeting about
granting a $1.25 billion subsidy--
MR. SCHUBER: Right.
ASSEMBLYMAN WISNIEWSKI: --support to build yet
another tower -- or to finish yet another tower at the World Trade Center
site. Are you familiar with that?
MR. SCHUBER: I am familiar with it.
ASSEMBLYMAN WISNIEWSKI: Were you in favor of that?
MR. SCHUBER: No, I’m not; I’m opposed to it.
ASSEMBLYMAN WISNIEWSKI: Why?
MR. SCHUBER: Because I think we’ve done enough there
with regard to whatever the Port can do in the facilities that are there. And
the private sector needs to do the rest; and the private investment
community needs to do the rest. The Port needs to move back to its core
mission with regard to regional development and transportation. That’s
how I feel about it.

ASSEMBLYMAN WISNIEWSKI: So you would agree that
real estate development is not a business that the Port Authority should be
in.

MR. SCHUBER: Well, I’m not going to say that, because I
understand that we do have real estate that is part of the Port’s portfolio.
So I’m not going to say categorically that we shouldn’t do that at all. What
I’m saying is enough is enough for Mr. Silverstein. That’s how I feel about
it, and we need to move on to do other things that are important to the
Port, like the bus station at 42nd Street -- these are things that I think are
important for us to do -- and the continuation of the bus terminal up at 175th Street are very important; they’re important to New Jersey too. And I think enough is enough.

I am cognizant of the sensitivity that this region and maybe the globe has for that area as Ground Zero. And I’m sensitive to all of the nature of the things that have to be balanced to provide for its redevelopment -- which took a tremendous number of actors to make happen. I’m also cognizant of the fact that we are at the point now where I think we’ve done what we need to do -- and no more. And I think it’s now time for Mr. Silverstein and his private developers and other investors to play the role with regard to that, and the Port does not need to do that.

ASSEMBLYMAN WISNIEWSKI: Is your opinion, with regard to the $1.25 billion subsidy -- your opinion, that you just expressed, with regard to the $1.25 billion subsidy -- is that shared by the other Commissioners from New Jersey?

MR. SCHUBER: Assemblyman, I’m very reluctant to talk about what other Commissioners might feel about this. I would say this: There is a strong feeling among New Jersey Commissioners against it. And you may be familiar with that fact that one of the New York Commissioners, Commissioner Lipper, was a former Deputy Mayor under former-Mayor Koch; he has been very much opposed to it.

This is the point that we’re at with regard to it, but when we left the meeting several weeks ago the Vice Chair had indicated that the private developer -- Mr. Silverstein -- was looking to provide for some new information that might bring the private sector into this deal. I have not
seen anything on this at this point. But as the deal stands now, I can’t support it.

ASSEMBLYMAN WISNIEWSKI: Former Chairman Samson, in his private capacity, had previously represented Mr. Silverstein. Did you ever raise that as a concern to Chairman Samson in any of your deliberations on the Port Authority?

MR. SCHUBER: No, I did not.

ASSEMBLYMAN WISNIEWSKI: Were you aware of that?

MR. SCHUBER: I wasn’t aware of it at first; I think I became aware of it later on, as time moved on, when he recused himself on various matters.

ASSEMBLYMAN WISNIEWSKI: Did you view that as a very awkward circumstance?

MR. SCHUBER: I did not; and I have a great deal of respect for Mr. Samson and Mr. Samson’s leadership, quite frankly. And several of the Commissioners have had different issues for which they need to recuse themselves with over the course of time, and it is a process that we have. We’ve updated it, quite frankly, to make it even stronger, if possible, or more transparent -- if that’s the word. So no, I did not.

ASSEMBLYMAN WISNIEWSKI: You never expressed an opinion to him that he should recuse himself?

MR. SCHUBER: First of all, he did recuse himself, as far as I knew. And I did not express any opinion to it.

ASSEMBLYMAN WISNIEWSKI: Okay.

And I just have a couple of last questions.
When we started your testimony -- at least, the part that I was asking questions of -- I had asked about your role as a Commissioner of the Port Authority. And among many of the things that you talked about, you viewed yourself as a fiduciary, if you will, for the users of the Port Authority -- is that correct?

MR. SCHUBER: Yes.

ASSEMBLYMAN WISNIEWSKI: The toll increase, in order to happen, has to have public hearings. You would agree with that, correct?

MR. SCHUBER: Yes, I do.

ASSEMBLYMAN WISNIEWSKI: And the purpose of those public hearings is so that those affected by the toll increase could have an opportunity to be heard. Would you agree with that?

MR. SCHUBER: Correct. Yes, I do.

ASSEMBLYMAN WISNIEWSKI: There were eight public hearings for the toll increase.

MR. SCHUBER: Right.

ASSEMBLYMAN WISNIEWSKI: You're familiar with that?

MR. SCHUBER: I am.

ASSEMBLYMAN WISNIEWSKI: They were all held on the same day; are you familiar with that?

MR. SCHUBER: I don't remember what days they were held on; I just don't remember.

ASSEMBLYMAN WISNIEWSKI: As a Commissioner of the Port Authority, is the hearing schedule for the public input, for a toll increase that you're expected to support, brought to you for your consideration?
MR. SCHUBER: I don’t believe we voted on the public hearing schedule; I don’t believe so. I don’t remember that.

ASSEMBLYMAN WISNIEWSKI: Since you were being asked, at least initially, to support a 112 percent cash toll increase, and 75 percent EZ Pass toll increase, did you at any point in time say, “We have to spread these hearing dates out”?

MR. SCHUBER: I did not, no.

ASSEMBLYMAN WISNIEWSKI: Why not?

MR. SCHUBER: Well, first of all, I was new to the Authority; I didn’t know how they operated with regard to this at all, quite frankly; and it happened relatively quickly before I could say anything with regard to it.

I would say this. In retrospect, looking back on that -- and the Authority has changed its policy with regard to this for the future, anyway, if there is a future with regard to these types of things -- I think that the hearings need to be held on a staggered basis, with Commissioners present for those meetings -- whatever the requirement might be with regard to that. And I’m more than happy to sit for those, if that’s the case. I’m hoping we don’t have to do that again.

I was not comfortable with that; no, I was not. I think that the public has a right to be heard on those issues; they do impact their pocketbook. We’ve made some changes with regard to that, going forth. That doesn’t address the issues then. The issue of more public hearings, scattered public hearings, and the Commissioners being present I think is all important with regard to that.
ASSEMBLYMAN WISNIEWSKI: You're a former County Executive; is that correct?

MR. SCHUBER: Yes.

ASSEMBLYMAN WISNIEWSKI: As an elected official in your past life, you know that public input is important, correct?

MR. SCHUBER: Of course.

ASSEMBLYMAN WISNIEWSKI: And you know that it's important for those who are responsible for the impacts to be present and to see the public impact, correct?

MR. SCHUBER: Certainly.

ASSEMBLYMAN WISNIEWSKI: So even though you were new to the Authority at the time, why did you not go to any of these public hearings?

MR. SCHUBER: I don't remember; I just don't remember. I have no idea.

ASSEMBLYMAN WISNIEWSKI: Really?

MR. SCHUBER: I don't.

ASSEMBLYMAN WISNIEWSKI: Ultimately, 100 percent increase, and you don't remember?

MR. SCHUBER: I remember the toll increase, quite frankly. The fact of the matter is, my understanding of the procedure was this is how it was set up--

ASSEMBLYMAN WISNIEWSKI: Okay.

MR. SCHUBER: --and I accepted it.

ASSEMBLYMAN WISNIEWSKI: Fair point, fair point.
MR. SCHUBER: And I just don’t-- But the fair point is this, that I don’t necessarily-- Looking back on it, from the perspective of having been a public official myself, looking back on things -- I guess hindsight is 20/20 -- but looking back on certain things including this issue, as well as the way we conduct our public meetings, clearly calls for changes in the way we do things. And we’ve started to implement those changes over the course of time. And if there is anything that’s come out of this, hopefully that’s one of the things that will stay permanent with regards to it.

ASSEMBLYMAN WISNIEWSKI: But at the point in time this was happening, you didn’t raise your hand at one point in time and say, “Eight hearings in one day? That’s wrong.”

MR. SCHUBER: I did not.

ASSEMBLYMAN WISNIEWSKI: And you didn’t, at any point in time, say, “Hey, Commissioners, are any of us going to these hearings?”

MR. SCHUBER: I did not, no.

ASSEMBLYMAN WISNIEWSKI: Okay. And given all your experience being a public official -- that didn’t strike you as odd?

MR. SCHUBER: I didn’t think of it one way or another, to be honest with you. I just didn’t think anything of it one way or the other.

ASSEMBLYMAN WISNIEWSKI: Madam Chair, I have no further questions at this time.

SENATOR WEINBERG: Thank you.

Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Thank you very much, Madam Chair.
Mr. Foye (sic), thank you for--

MR. SCHUBER: Mr. Schuber.

ASSEMBLYWOMAN HANDLIN: Mr. Schuber.

MR. SCHUBER: Mr. Schuber.

ASSEMBLYWOMAN HANDLIN: I have two broad areas of inquiry of questions that I -- of questions that I would like to pursue. And please understand that I hope you won’t take any of this personally, but clearly you’re the first representative of the Port Authority before us and we do have matters to explore to help us understand the dysfunctionality of your agency -- might as well call a spade a spade.

I’d like to begin by talking a little bit about the Port Authority’s procurement process. Presumably you have some procedure that is supposed to be followed to ensure that major purchases are free of political and personal influence, and the taxpayers get the most for their money -- if there is such a procedure.

MR. SCHUBER: The answer is yes. I’m sorry, I didn’t know if you were waiting-- Yes, the answer is yes.

ASSEMBLYWOMAN HANDLIN: I just realized I should have asked the question

Okay, since you said that there is, within that context I’d like to know how you explain a $500,000 payment to an architect who was never hired, and whose work you have no need for.

MR. SCHUBER: I’m not familiar with what you’re talking about.

ASSEMBLYWOMAN HANDLIN: Okay. You’re not familiar with what I’m talking about.
According to news reports in late April of this year, one of your colleagues, Commissioner David Steiner, hand delivered plans for the Goethals Bridge that had been drawn up by a famous architect who was a friend of his. As I understand it, these plans were hand delivered to the Commissioners. So since you were on the Commission at that point you must have seen them. And you-- Again, because you were a Commissioner, and I'm assuming that you're informed the way all Commissioners are, you knew that the Goethals project had already started, and that, in any case, staffers had already seen this design that had been hand delivered to you by your colleague. But you decide to pay him $500,000 anyway. Why?

MR. SCHUBER: Assemblywoman Handlin, I'd have to tell you, I'm not familiar with this issue. I know Mr. Steiner, obviously; Mr. Steiner is now, I guess, our senior Commissioner on the Authority and has a tremendous amount of background and expertise in real estate, among other things. But I am not familiar with this issue, quite frankly, and I'd rather not answer that -- only because I don't want to speculate on it. I'm more than happy to look at it, however, and take a look at that for future reference.

ASSEMBLYWOMAN HANDLIN: I don't understand. Are you telling me, then, that you were not in the room when the decision amongst the Commissioners was made to pay $500,000 for this design?

MR. SCHUBER: Quite frankly, I don't remember us-- I don't personally remember voting on that myself. I don't remember.

ASSEMBLYWOMAN HANDLIN: Well, in fact, according to news reports, there was no public vote. And some people -- some observers have suggested that the reason for choosing the $500,000 figure was
specifically to meet your own requirement to spend no more than $500,000 without a public vote. And, apparently, in some back room somewhere at the Port Authority, someone agreed to pay this bill. And you’re telling me that as a Commissioner you didn’t know the first thing about it, is that correct?

(attorney/client confer)

MR. SCHUBER: I can’t answer your question because I just don’t know the facts with regard to it; I really don’t. I don’t know whether that’s true or not.

ASSEMBLYWOMAN HANDLIN: Okay. Well, let me just go on; and, again, I don’t really understand how that could have happened, but I’ll certainly take your word for it.

Whether you were part of the decision-making process or not, it has been publicly reported, and certainly not refuted, that this $500,000 was paid to this architect whose design was never solicited. And from what I’m hearing, you as a Commissioner knew nothing about it. No one ever said after that information appeared publicly that it was wrong, so I think we can assume that it was right.

Now, if it was right, it suggests to me that the Port Authority routinely ignores its own procurement processes. Do you know of instances where that’s happened?

MR. SCHUBER: No, I do not. And in my experience, the procurement policy of the Authority has been pretty stringent with regard to it. And the reports that are given on the projects that come before our committees, or the body itself -- I have not known that to be the case. And,
again, I don't want to speculate on this one, because I'm just not familiar with it.

ASSEMBLYWOMAN HANDLIN: Okay. Well, I guess, I have a quote from a letter that was written by your attorney, Mr. Bookbinder, to Mr. Samson. This was before your time; it was in 2011, so I guess you didn't know about it. But comments were made that the reason for the Port Authority paying the $500,000 was to avoid a lawsuit after this famous architect delivered his design and, I suppose, someone thought perhaps he could sue the Port Authority for not appreciating his artistry; I don't really know.

So you know nothing about--

MR. SCHUBER: No, I do not. I'm not familiar with this at all.

ASSEMBLYWOMAN HANDLIN: Nothing about the question of whether the Port Authority routinely pays people off outside of its own procurement processes to avoid lawsuits?

MR. SCHUBER: Let me say this. We don't do that as a matter of course. Do we get sued? Join the list. But the fact of the matter is we do not do that. We don't--do that.

ASSEMBLYWOMAN HANDLIN: Good. I'm glad to hear that vehement denial.

Okay, let me move on to my other broad area of inquiry. I'm sure you're aware -- I hope you are aware -- that suit has been filed against the Port Authority by Jersey City.

MR. SCHUBER: I am.
ASSEMBLYWOMAN HANDLIN: Okay. Understanding that you can't talk about the issues in the case, I still would like to bring up some information that was included in one of the exhibits that's attached to the actual complaint. And I have that exhibit, which we can pass around to all the members of the Committee if you'd like to.

I would expect that as a Commissioner you would be familiar with the information that is in this exhibit, which is very simply a list of properties that the Port Authority owns in Jersey City.

So as a Commissioner, again, I am assuming that you would know the properties that this agency -- that you administer.

Okay, now according to--

MR. SCHUBER: I'm aware that we have property in Jersey City; I don't think I have encyclopedic knowledge of each address, though.

ASSEMBLYWOMAN HANDLIN: Okay. No, you don't need to know-- That's not important here.

I want to point out -- and you may or may not remember this -- that the Port Authority, according to the exhibit that I passed out, owns 40 properties in Jersey City. Dozens of those properties have been held for 30 years and never, ever used for public purposes. Many are vacant; some have been used for private purposes. All of them have been taken off the tax rolls.

Now, as a Commissioner, can you tell us how exactly does this promote economic development for New Jersey?

(attorney/client confer)

MR. SCHUBER: Well, first of all, I haven't seen the exhibit, number one. And, quite frankly, I haven't seen the complaint that was filed
other than a notification that a suit had been filed by Jersey City against the Authority. That I’m familiar with; I have not seen the complaint, and I haven’t seen any of the exhibits -- although I gather I’m going to get one right now.

ASSEMBLYWOMAN HANDLIN: Yes, okay. Well I know also that you’re not the only one who hasn’t seen this list of properties, because the list of properties is unavailable to the public. I have to assume that many other property acquisitions are hidden from the public. Why? Wouldn’t you agree that the public should know how its money is being spent on buying land?

(attorney/client confer)

MR. SCHUBER: Since this matter is in litigation I’d rather not comment on it, because it’s a significant amount of money that’s involved in this piece of litigation.

I would say this: That the Authority is looking at its inventory of real estate with regard to seeing what we might want to keep in the future and what we might not want in the future, with regard to the Authority’s financial picture. But whether it relates to any of these I have no idea. And I’d rather not-- I would like to be helpful to you, Assemblywoman Handlin, but I don’t want to comment on something I really haven’t seen.

ASSEMBLYWOMAN HANDLIN: But what exactly is the Port Authority’s policy on land acquisition?

MR. SCHUBER: Well, I mean, it’s like anything. I mean, if the Port Authority-- And I don’t know what any-- Let me back it up. I have no idea when any of these properties were acquired, quite frankly.
And I’m sure they all were acquired before I came aboard. There may have been, given the history of the Port which goes back to 1921, there may have been reasons to hold onto these properties -- I don’t really want to speculate about that -- and maybe those reasons aren’t valid anymore. I don’t know.

But again, without the issue of having seen the complaint or even talking -- we haven’t even had a report from counsel on this, I think this was filed after our last meeting -- I’m really uncomfortable to comment with regard to it.

ASSEMBLYWOMAN HANDLIN: Okay. Well, without being specific with regard to the complaint or the exhibit -- which, again, I would think it contains information that any Commissioner would be familiar with -- but again setting that aside, would you agree that the Port Authority should have a policy stating its reasons for spending millions and millions and millions of dollars on real estate?

MR. SCHUBER: Well, Assemblywoman, I’m not sure if the number is accurate, quite frankly, and again I’m very reluctant to make an across-the-board statement with regard to the Authority’s real estate policy. Suffice it to say that as a result of the review of the Authority over the last couple of years, we have looked at moving forward with trying to sell properties that we don’t need any longer -- I would agree with that -- to provide for extra revenue for the Authority. I have no idea whether any of these are part of that, quite frankly, and I don’t even recognize them.

ASSEMBLYWOMAN HANDLIN: Well, I’m glad to hear that you’re reviewing properties to see whether you need them anymore because, to tell you the truth-- I mean, at this point it appears to the public as though the Port Authority amasses properties like a billionaire collects art.
not because you need them, but just because you can. And in the absence of a formal, written policy along the lines of, for example, indicating that policies are identified because of their need in order to augment the Trans-Hudson transportation facilities -- in other words, properties are chosen because they are relevant to furthering the mission of the Port Authority-- In the absence of a policy like that, it is very difficult for me to explain to the citizens of New Jersey -- and I would think for you as well -- whether there are any controls at all on their tax dollars as they flow into the Port Authority, and their revenue dollars as they flow into the Port Authority, or whether these decisions are made at the whim of one or another staffer who is, in turn, acting on the whim of one or another political patron. It's very disturbing. I'm sure you can appreciate that.

MR. SCHUBER: I can appreciate it, Assemblywoman, and I appreciate your concern with regard to it. It would be a concern of mine too.

I would say this, that we do not acquire property willy-nilly, quite frankly. Any property that the Authority has acquired has, more than likely, been for some form of project that it had in mind with regard to that. Jersey City, of course, is a very vibrant city, and we have a number of facilities there. And of course its dockage, or the area along its docks, has been very important to the Port and its history. So whether these properties were acquired over long-term periods for that purpose -- I just don't know. I'd like to help you on this, but I can't because I just don't know enough about it.

But I would say this, that it is our -- at least it's my feeling that, obviously, we shouldn't be acquiring properties just for the purpose of
acquiring them, unless they have a valid public purpose that it's within the Port's mission statement of economic development and transportation issues.

ASSEMBLYWOMAN HANDLIN: Then we're agreed.

MR. SCHUBER: We are.

ASSEMBLYWOMAN HANDLIN: Okay. Thank you for your testimony.

MR. SCHUBER: You're welcome.

ASSEMBLYWOMAN HANDLIN: Thank you, Madam Chair.

SENATOR WEINBERG: Thank you, Assemblywoman.

Assemblywoman Huttle.

ASSEMBLYWOMAN VAINIERI HUTTLE: Thank you, Madam Co-Chair.

Welcome again, Pat. We certainly appreciate you joining us this morning and discussing the Port Authority with us.

I just want to mention again, you certainly have a long, distinguished career in public service: Mayor, Assemblyman, and, of course, County Executive -- when I served as a Freeholder with you -- and now as Commissioner at the Port Authority.

But I think for the purpose of this meeting it's important to us that you were the Chair of the Governance and Ethics at the agency, and that you served on a special committee of the Board of Commissioners at the Port Authority that reviewed the agency after the 2011 toll hikes, correct?

MR. SCHUBER: Yes.
ASSEMBLYWOMAN VAINIERI HUTTLE: All right. So through these roles I would hope that you have an in-depth knowledge of the governance structure of the Port Authority and a critical understanding of the problems that plague it.

We know that the Port Authority has been, unfortunately, called -- "waste, abuse, and gross mismanagement has become a hallmark of the Port Authority." So I'd like to just change the conversation, if I could, and get your opinion on the culture of the Port Authority.

MR. SCHUBER: Sure.

ASSEMBLYWOMAN VAINIERI HUTTLE: On January 31, 2012, as a member of the Special Committee of the Board of Commissioners of the Port Authority, you sent a letter to the governors of New York and New Jersey presenting the first phase of, as we all know, the audit report conducted by Navigant, an independent auditor.

MR. SCHUBER: Right.

ASSEMBLYWOMAN VAINIERI HUTTLE: And I think it's very well known that the report called the agency "challenged--

MR. SCHUBER: And dysfunctional.

ASSEMBLYWOMAN VAINIERI HUTTLE: --and dysfunctional." We all know that.

MR. SCHUBER: Yes.

ASSEMBLYWOMAN VAINIERI HUTTLE: I mean, I have a copy of the letter, but I don't know if it's necessary. You offered it.

And the report also stated that the Port Authority needs a top-to-bottom overhaul of its management structure. So can we talk about the culture and the structure -- the management structure, how we got to that
culture. You know, I'm also going to say there could be competition, which we heard today -- the rivalry between New York and New Jersey.

So could we start, I guess, if you agree with that assessment, and can you explain and maybe elaborate it for us and clarify it.

MR. SCHUBER: Excuse me for a second.

(attorney/client confer)

Valerie -- I'm sorry, Assemblywoman -- are you talking about the Navigant reports?

ASSEMBLYWOMAN VAINIERI HUTTLE: Phase I, yes.

MR. SCHUBER: And the phase--


MR. SCHUBER: Yes.

ASSEMBLYWOMAN VAINIERI HUTTLE: And they, of course-- We'll get to Phase II to see what recommendations, if they ever took place-- But Phase I originally called the Port Authority "challenged and dysfunctional."

MR. SCHUBER: Yes. I think that any agency that has been in existence for as long as it has, and is, in this particular case, a bi-state--

ASSEMBLYWOMAN VAINIERI HUTTLE: That's the letter, I guess.

MR. SCHUBER: I've got it; thank you.

--is a bi-state, agency requiring anything to be done with it -- which has always been the conundrum of getting both states to agree -- has always been very difficult. Does it sometimes, as a result of that, get complacent in the things that it does? Probably it does. There is a long
history of decades of service to the Authority by its employees, which is-- I think it is important because it does provide for a continued experience with regard to it. But maybe, as a result of that, we don't always get relatively new blood in that. And as a result of that it can get complacent in what it does.

And I think that was our concern -- that it was basically complacent in how it operated, that it-- If things-- If we always did things like this, then why change them? You understand that concept? If things are always done this way, then why change them?

My feeling simply was that as I looked at it, and over the course of time having come from other entities and observed I thought there were other ways we could do the things we do -- for example, how we conduct our meetings, for example, which we've now changed, and things along those lines -- at least from our perspective in that.

The other thing I think we wanted to do -- particularly with finance -- was to make the finance committee much more robust because of the issues that had been raised by the toll increase and the fiscal issues of the Authority itself. And I think we've done that now with regard to its more frequent meetings, taking the temperature of the Authority fiscally, etc., etc., and things along those lines.

ASSEMBLYWOMAN VAINIERI HUTTLE: But you know, it took quite a while to get, I guess, the independent audit -- the Navigant report.

MR. SCHUBER: Right.
ASSEMBLYWOMAN VAINIERI HUTTLE: Did either governor request before that? When was the last independent audit ever done?

MR. SCHUBER: I don’t know the answer to your question. I know that this Navigant report -- a structural review of the Authority -- was ordered to us by the governors of both states.

ASSEMBLYWOMAN VAINIERI HUTTLE: I just want to continue on that, if I may.

It also underscores the objectives of finding ways of lowering operating costs and increasing operational efficiencies. What were the operational inefficiencies that the Committee was targeting, and have you made any progress in reducing those inefficiencies?

MR. SCHUBER: Well, I think that the issues that we were looking at-- First of all, I would say this. The Authority’s budget, as it relates to operations, has pretty well been static, as far as that goes, over the last several years. The employees-- The amount of employees we have has pretty well been static too over the course of the time that I’ve been there. I think the issue for us was what I would call siloing of agencies. In essence, the Authority itself is made up of a series of different entities that are responsible for a particular service. So we have airports, ports, tunnels and bridges, etc., etc., etc. And the question I think that was raised by Navigant too was whether the information from each of those Authority agencies was being shared within the greater Authority. One would think that that would happen, but in agencies as big as that it doesn’t always happen. Communication breaks down, there are inefficiencies along those lines, and we wanted to prevent that from happening.
For example, one example of that was security issues -- which are extremely important to the Authority, which has been attacked twice now. The issue was that security often was-- Each entity was dealing with security in its own way with regard to it, rather than a comprehensive policy. We have changed that; we now have a full -- we have a security officer responsible for all of the security at all of our facilities with regard to those types of things. So those were the types of inefficiencies we were talking about in the report.

**ASSEMBLYWOMAN VAINIERI HUTTLE:** Yes, you mentioned the silo bureaucracy. Those weaknesses were listed as a “lack of consistent leadership, a silo bureaucracy, poorly coordinated capital processes, insufficient cost control, lack of transparent and effective oversight of the World Trade Center.” Any of these-- I mean, you mentioned security, but that wasn’t mentioned as a prime weakness in the report. Were any of these various weaknesses addressed?

**MR. SCHUBER:** Yes. The overhaul of the finance committee of the Authority, which is meeting now on a, I want to say almost a monthly basis, and a new CFO has helped us to keep a -- get a greater handle on the Authority, its investments, its capital projects, and its fiscal policies; which I think have made a great change in the information that’s available to us with regard to that issue.

So that has been addressed, and we continue to monitor it because it’s extremely important to us too.

**ASSEMBLYWOMAN VAINIERI HUTTLE:** Another point on that report, it asks its Executive Management Team to look at implementing a merit-driven compensation program. If not merit, what was
it, or how are the employees compensated now? Is it merit? Have there been any changes made to implement this program?

MR. SCHUBER: Well, I mean, I think we've been looking at the merit system. We have to a great extent, as you may know, a number of represented employees; in other words, collective bargaining. And some of those contracts are due at the present time. They're negotiating them now, in fact. I'm not familiar with the fact that -- what the extent of the merit pay issue is with the Authority now.

ASSEMBLYWOMAN VAINIERI HUTTLE: Yes. And if I could get to the structure now, because I think this also sort of lends itself to the culture.

There were major changes in the composition of the Board of Commissioners and the senior management of the Port, including the Chair, David Samson; Vice Chair, Scott Rechler; Executive Director, Pat Foye; and Deputy Executive Director, Bill Baroni. All of these appointments, obviously, were political -- appointed by both governors.

After 90 years of the Port Authority, the new leadership dramatically changed its corporate governance and placed the Board of Commissioners -- including yourself -- in many aspects of the Port Authority's operations. I would say that-- With the political appointments involved in the daily operations of the Port Authority, did that create conflicts with full-time employees holding senior and staff positions who actually are supposed to run, I guess, the operations, right?

MR. SCHUBER: Yes.

ASSEMBLYWOMAN VAINIERI HUTTLE: In the history of the Port, they are supposed to be running the operations.
MR. SCHUBER: Yes.

ASSEMBLYWOMAN VAINIERI HUTTLE: So if the new leadership dramatically changed its governance, and placed the Board of Commissioners -- including yourself -- in many aspects of operations, how did that work? Did that contribute to the culture, or did that-- Elaborate on that, or just kind of clarify that for me.

MR. SCHUBER: Well, I have my own opinion going forth with regard to it, and I may have mentioned it at the meeting that the you attended back a month ago -- or two months ago, I guess, it may have been-

ASSEMBLYWOMAN VAINIERI HUTTLE: Right.

MR. SCHUBER: --when we had the experts come in to review the structure of the Port.

Here's how I look at it, very simply. And this is the issue with regard to where the input comes in for the policy to be established. It appears to me that if the Commissioners are appointed for that purpose, that should be their role. If that's their role then--

ASSEMBLYWOMAN VAINIERI HUTTLE: Commissioners are appointed for what purpose?

MR. SCHUBER: For the purpose of oversight of the Authority, okay?

ASSEMBLYWOMAN VAINIERI HUTTLE: Right, okay.

MR. SCHUBER: Then I personally believe that if the governors of both states and the senates or the legislatures have given their approval of those individuals, then they should be given the full authority to do what they need to do with regard to the Authority's operation. This
may not make me popular in Trenton or Albany, but I do believe that that means the following: I think the Authority should be responsible for vetting and doing a first-class search for the Director; and that the Director should be responsible then for vetting and doing a search -- subject of the approval of the Authority -- for the Deputy Director. I think the Commissioners themselves -- given the need for the balance between the two states -- should develop who the Chairman and the Vice Chairman are. I have no problem with, obviously, clearly, one being from one state and one from the other. And that's how I feel about it. And I fully support that concept. I'm not sure the Governor does; or the governor might in Albany. But having looked at the things I'd seen, that's how I feel it should go forth. And I think I said that too on that day.

ASSEMBLYWOMAN VAINIERI HUTTLE: Yes, that was one of the recommendations -- the Board choosing the Executive Director in a nationwide search--

MR. SCHUBER: Right.

ASSEMBLYWOMAN VAINIERI HUTTLE: --versus the governors. And certainly your thoughts, I guess, need to be discussed.

The Governor also made a recommendation -- I think it was back in March, since we're talking about changing some of the structures or the governance -- dismantling the Port Authority, actually, from under one roof to two. What are your thoughts on that?

MR. SCHUBER: Well, having gone through what I've been going through over the last several months I actually -- I almost thought it was a good idea. But the point of the matter is, I do not think it's a good idea. First of all, I'm concerned that New Jersey would be a loser in that,
depending on how it was divided. Are there changes -- significant changes that need to be made? Yes. Does the Authority need to be blown up, so to speak, and removed? I don’t think so; I think that’s draconian. And I think it’s throwing the baby out with the bathwater.

I have to say that my experience at the Authority in the short time that I’ve been there has been that the overwhelming number of its employees at all of its levels are extremely professional, and some of the hardest working people I’ve ever had the pleasure or the privilege of working with on some really, really cutting edge issues. And I don’t think they should be adversely affected accordingly.

However, I do think that, going forth, the Authority needs to be reformed. I think that’s important, but I would not want to see it, so to speak, get terminated. And I think that if I could -- I think there’s a unique opportunity right now because of what’s happened. But also going forth from the fact that -- from what I’ve seen at least, and by the representation that was at the one meeting that yourself and Senator Gordon were at -- there was also representation from the New York Senate and the New York Assembly. Rarely, if ever, have I seen collaboration that way on an issue that deals with the Port. It’s always been one of the conundrums of dealing with the Port.

So I think that to the extent that that could be capitalized on, I think it’s a great opportunity.

ASSEMBLYWOMAN VAINIERI HUTTLE: Yes, we were there together; we have been working on reform by state with the assembly members from New York and senators from New York as well.
But it brings back the point of the competition between the representatives of both states. You know, is there a rivalry, are there conflicts, again, between the appointed employees and those hired? This all lends itself again to that culture of abuse and mismanagement, possibly. But, you know, the competition and the rivalry -- what do you feel about that? How do we resolve that?

MR. SCHUBER: I'm not personally familiar with the fact of that being the case. Clearly, in any body --- in any public body in which you have a mixture of permanent employees who are professionals, and then with the change in Albany or Trenton, there being other employees added -- I assume there will be some tension with regard to that.

I don’t necessarily-- I personally haven’t necessarily seen that with regard to the Authority itself. Its Commissioners right now -- other than, maybe, the Silverstein issue -- have been working relatively together in harmony with regard to trying to provide the things that the Port does.

ASSEMBLYWOMAN VAINIERI HUTTLE: And I just want to -- just a couple more questions on this culture and the management.

Since 1997 to present there have been seven different Executive Directors at the Port Authority:--

MR. SCHUBER: Right.

ASSEMBLYWOMAN VAINIERI HUTTLE: And you would agree that the Executive Director is somewhat like the CEO in private business, correct?

MR. SCHUBER: I would agree with that; yes, I would agree with that.
ASSEMBLYWOMAN VAINIERI HUTTLE: So we have the Executive Director, the Deputy Director and, of course, the Chair and Vice Chair. That should -- what? What do you believe the Board's role is? To set the policy-- Who is actually doing the day-to-day operations?

MR. SCHUBER: The Executive Director and the Deputy Executive Director do the day-to-day operations. I mean, it's like any public body in which you're appointed to, and you're a part-time official.

ASSEMBLYWOMAN VAINIERI HUTTLE: Right. Which brings me to the question of, I guess, the e-mails back to the bridge lane closures -- I guess that's why we're here, as well.

I think the Chairman received some of the e-mails, but the Executive Director did not, right? I think Director Foye, he as the one who, I guess, found out too late, or didn't really know or understand what was going on with the day-to-day management of the -- what do we call it, the Bridge realignment here? What do we-- The Bridge closure?

But seriously speaking--

SENATOR WEINBERG: Excuse me, Assemblywoman. We call it what it was: lane closures.

ASSEMBLYWOMAN VAINIERI HUTTLE: Thank you.

SENATOR WEINBERG: Thank you.

ASSEMBLYWOMAN VAINIERI HUTTLE: But seriously speaking, so the Director who you say is in charge of day-to-day operations did not know about it.

MR. SCHUBER: Right.

ASSEMBLYWOMAN VAINIERI HUTTLE: But the Chairman seemed to have some e-mails -- and Deputy, and Wildstein-- So we're going
back to that whole structure of how the culture has really, I guess, framed the mission of the Port Authority, quite frankly.

MR. SCHUBER: And I think that that's the reason that I made the strong statement I did on that day at the Committee meeting, and I think I shared the comment with you afterwards -- how I feel about going forward in a reform effort with regard to the structure of the Authority; how I feel about that. Because what happens, I think-- And there's a balance to be struck here, quite frankly. And this is the issue that I wrestled with. On the one hand the Authority needs to -- it can't be so independent that it is not subject to public oversight or public accountability, all right? So we can't go that far over this to insulate it from that. On the other hand, you can't make it so amenable to the political winds that it changes. Its personnel at the top changes on a regular basis, as you mentioned, with regard to the changes in the Executive Director. I would mention, however, tragically, that one of those losses was because the Executive Director died on 9/11.

Having said that -- and being very cognizant of the fact that employees died that day, and in 1993 -- the fact of the matter is, what the structure does today, in my opinion, is do this: It creates at the top, permanent level -- now, not so much the Commissioners who come in and out on a monthly basis -- but on the top level it creates two lines of authority that go in two different directions -- one goes to Albany, and one goes to Trenton. And I understand the need for the input to come in from the two states to establish the public policy; I do, I do, I do. I understand that very much. But on the other hand it can lead to a dichotomy in what happens on one side of the Authority to the other. And I think that needs
to be taken care of; it needs to be changed. I believe that the reform that is needed to make that happen is what I’ve advocated, even though I’m not sure it’s embraced completely. But I strongly believe that that’s what needs to be done here.

ASSEMBLYWOMAN VAINIERI HUTTLE: Yes, I agree. But again, the Port was one of the best-run governmental entities -- and respected as a well-run company, for many years. Certainly, you know, I want to stress the fact again: Do you think there’s any coincidence in the breakdown of the culture of the Port Authority reaching that tipping point at the same time the Board put itself more in charge of daily operations? I think you know, from what I gather -- and you would know firsthand -- if that was the tipping point. And if that needs to be-- And that’s what we’re talking about -- that needs to be reformed.

MR. SCHUBER: I don’t know the answer to that.

ASSEMBLYWOMAN VAINIERI HUTTLE: Well, I mean, it just is very coincidental. And again, as we talk about the operations by the employees every day, and then the Chair and the Board itself becoming more involved with daily operations -- there seems to become more of that culture that has, again, frayed the mission.

And I just want to--

MR. SCHUBER: I understand, okay.

ASSEMBLYWOMAN VAINIERI HUTTLE: Yes. I want to conclude on the mission, and you certainly spoke about it with Assemblyman Wisniewski and Assemblywoman Handlin -- about the real estate. But the current mission -- and it’s very simple. What does it say? It
saying, “The mission is simple. Keep the region’s commuters, and travelers, and global shippers moving.” That’s certainly a very—

MR. SCHUBER: Right.

ASSEMBLYWOMAN VAINIERI HUTTLE: --succinct mission. I know that Senator Schumer has said recently that the mission is certainly not where it was — the core mission. We have -- you have moved away from it. It’s become a cookie jar, a rainy day fund, and so when we talk about the core mission-- What is the core mission, still, at the Port Authority? And then we can get to the real estate, and then I’ll just conclude, because I think you’ve repeated it. But I’d like to just know again.

MR. SCHUBER: The core mission of the Authority, as it was founded, is really to promote the economic development within the Port District -- and I would define the Port District as a 25-mile circle around the lower New York Harbor, but I like to say around the Statue of Liberty -- and that includes, in that Port facilities, bridges, tunnels, airport facilities -- which became part of its jurisdiction over the course of the evolution of transportation in the United States.

Some of the things that you’ve mentioned are ancillary to that, or promote portions of it, depending-- We need real estate, for example, to develop certain things with regard to what we do.

ASSEMBLYWOMAN VAINIERI HUTTLE: Right. And I just want to interrupt one second to make that-- Real estate is fine, but we’re talking about billions in costs overruns, and the deals that the Port considers the largest New York City developers. So I just-- Should it be in the business of real estate development? Just a yes or a no. I know--
MR. SCHUBER: Well, I’m not prepared to say it shouldn’t be, because sometimes real estate development can be an important feeder of economic development in an area, provided it comes within our jurisdiction.

What might be more pertinent would be to-- The extent that both states require us to undertake other things that maybe are outside the Port District for other reasons -- that might be an issue. I think that real estate is an essential valuable asset that can accentuate some of the things it does, depending on where it’s located. Over the course of time, have we potentially obtained properties for which we no longer have use? That’s possible, and we are reviewing those for the purpose of selling them. Obviously, we don’t want to keep them if we don’t need them. And that’s an ongoing policy for the Authority itself.

ASSEMBLYWOMAN VAINIERI HUTTLE: And I just want to end--

MR. SCHUBER: And let me go back to one other thing, if I might, and that’s the-- I mean, the big issue here, I think, is probably the World Trade Center. And, look, if I had been here in the 1970s, maybe I would have made a different decision with regard to what should have happened in lower Manhattan at that particular time. But I was not, and the governors of the states were different. And even going forth in the aftermath of the terrible tragedy of 9/11 and what should happen to the site itself, I was not here at that particular time and maybe there are other decisions that may or should have been made with regard to that. But it’s neither here nor there now.
The site itself -- both the One World Trade Center, the Museum, and the memorial grounds -- has a resonance to us emotionally that is very important.

ASSEMBLYWOMAN VAINIERI HUTTLE: And I just want to end, because at the end of the letter I think you stated, “We must now move to a new era for the Port Authority.” I hope that we will move to a new era for the Port Authority. But I think, and the rest of the Board (sic) -- certainly the Committee here is disappointed with the little, I guess, oversight the Board actually has done after the lane closures and its aftermath.

So with that being said, thank you for answering my questions. Thank you, Madam Co-Chair.

MR. SCHUBER: You’re welcome.

SENATOR WEINBERG: Thank you.

Senator Gill.

SENATOR GILL: Thank you.

I have a couple of questions; and good morning, sir.

ASSEMBLYWOMAN CARIDE: It’s afternoon.

MR. SCHUBER: Good morning, good morning.

SENATOR GILL: Good afternoon.

MR. SCHUBER: Good afternoon.

SENATOR GILL: I’ve been corrected.

MR. SCHUBER: I’m sorry.

SENATOR GILL: No, I’m sorry. (laughter)

Thank you for appearing here.
And my questions really go back to some very basic things, because I know even if you change a structure, but you don't change the mindset of those people who control the structure, then you have done very little.

And in the history of the Port -- and I think it's important -- in the history of the Port Authority, it has been a very well run organization; and to the credit of its -- not only Commissioners, but the people who work there. So that in my questions, I think we have to bear in mind not to take such broad strokes with the brush that we diminish the good works of the Port itself and of the people who work there each and every day.

And so in that regard, I think the Port became a culture that we are now faced with when it put the Commissioners in charge in a more substantive way of the operations of the Port. I do not feel -- and we will get to some questions -- that the structure of the Port itself created the culture. But it was the change in the governance of the Port that put Commissioners in charge in a more substantive way of daily operations that created a political culture that we now face.

And so as we go forward here, you were the Chairman of the Ethics Committee for the Port, correct?

MR. SCHUBER: Correct.

SENATOR GILL: And when was your tenure for Chair of the Ethics Committee?

MR. SCHUBER: I think I was-- I might have been appointed some time in 2012. I don't recollect the exact date.

SENATOR GILL: All right. And as Chair of the Ethics Committee, what was your function?
MR. SCHUBER: Well, we overlooked the issue with regard to the ethics training of our employees; took a look at the best practices in both states; and we looked at the issues with regard to the statutory requirements for disclosures, and things along those lines that each state has; as well as the public posting of those, to the extent that we have possible, with regard to that.

SENATOR GILL: Did your jurisdiction for ethics cover the conduct of the Commissioners themselves?

MR. SCHUBER: The conduct of the Commissioners?

SENATOR GILL: Yes.

MR. SCHUBER: It’s never come up; I really don’t know.

SENATOR GILL: I’m asking you this as Chairman of the Ethics Committee -- did your Committee have jurisdiction over the ethical conduct of the Commissioners?

(attorney/client confer)

MR. SCHUBER: I don’t-- Each state has an Ethics Commission for which, my understanding is, these individuals would be responsible for the issue itself with regard to the Commissioners. I am unaware of that ever having come up. I don’t know the answer to your question.

SENATOR GILL: You don’t know if you have jurisdiction?

MR. SCHUBER: I haven’t had jurisdiction in the past.

SENATOR GILL: Do you know if the jurisdiction of the Committee goes to its Commissioners?
MR. SCHUBER: To this extent: We make sure that all the Commissioners in each state follow the laws of each of their states with regard to disclosure, reporting, ethics training, etc.

SENATOR GILL: Okay.

Now, when did you receive or hear about Pat Foye’s September 19 e-mail, with respect the lane closures?

MR. SCHUBER: I don’t remember the date I saw it. It was days afterwards, I think.

SENATOR GILL: Did you actually read the e-mail, or did you simply hear about the e-mail?

MR. SCHUBER: I think I heard about it.

SENATOR GILL: Did you ever read the e-mail?

MR. SCHUBER: I think I’ve since read it, yes.

SENATOR GILL: And when you heard about the e-mail, did it indicate that it was a possibility that the actions violated State and Federal law?

MR. SCHUBER: I wasn’t able to make a determination with regard to that.

SENATOR GILL: I didn’t ask if you were able to make a determination; I asked you if you were aware that Pat Foye stated in his e-mail that the conduct may have violated State and Federal law.

MR. SCHUBER: I just don’t remember that piece; I just don’t.

SENATOR GILL: You don’t remember reading it, or you don’t remember hearing about it?

MR. SCHUBER: I just don’t remember that part of it; I’m sorry.
SENATOR GILL: You don’t remember that part of it?

MR. SCHUBER: Right.

SENATOR GILL: Now, when you did read the e-mail, did you discuss it with anyone?

MR. SCHUBER: I don’t remember discussing it with anyone.

SENATOR GILL: You had-- And you were part of the Ethics Committee.

MR. SCHUBER: True.

SENATOR GILL: And if you had remembered that someone-- Because we’re talking about this great change in the structure of the Port Authority, going forward. And I’m just asking questions about the practical working -- of hearing that something that happened in the Port may have violated State or Federal law. Now, do you remember when you heard -- when you read Pat Foye’s e-mail-- I’ll withdraw that and rephrase it.

Did you ever read in the newspaper that Pat Foye stated the conduct may have violated State or Federal law -- the conduct of the lane closures?

MR. SCHUBER: I’m sure I read it somewhere in the paper, but I don’t remember where. --

SENATOR GILL: Now, you had a series of meetings at the Port Authority on September 13, September 16, September 17, and a full meeting of the Port Authority, I think, was on September 18. And I would refer you to your calendar -- that’s where I got this information from. Some were Ethics Committee meetings, some were the Joint -- what do you call it -- the JWG -- Joint Working--

MR. SCHUBER: Oh, the Joint Insurance Working Group.
SENATOR GILL: Joint Insurance Working Group.

MR. SCHUBER: Right.

SENATOR GILL: Correct?
And then some were for the finance meeting.

MR. SCHUBER: Okay.

SENATOR GILL: At any point did anyone at anytime in any of those meetings, including the Board meeting and the pre-Board meeting, ever bring up Pat Foye’s e-mail?

MR. SCHUBER: I don’t remember it being brought up, no.

SENATOR GILL: Did you, if you remember, ever discuss anything with anyone at those meetings about the e-mail?

MR. SCHUBER: I did not.

SENATOR GILL: Okay.

Now, you received from, I think, Senator Weinberg the letter that has been marked as -- I think it is Tab 1; if we could have that up.

MR. SCHUBER: What date is that?

SENATOR GILL: That would be September 19.

MR. SCHUBER: Yes.

SENATOR GILL: -- And that’s the letter you discussed with Senator Weinberg.

MR. SCHUBER: It is.

SENATOR GILL: And I’m going to have a few questions from my perspective.

After you received the letter from Senator Weinberg, you communicated-- Did you communicate with anyone else?
MR. SCHUBER: Well, with Senator Weinberg and with Mayor Sokolich in Fort Lee.

SENATOR GILL: Okay. Did you at any time communicate with David Wildstein?

MR. SCHUBER: Wildstein had called me to tell me that the Governor's Office had called him, that the letter had been there -- that the letter had been received by them. I had not seen it.

SENATOR GILL: Did you ask Mr. Wildstein for the letter?

MR. SCHUBER: I don't remember if I did or not. I just assumed it was going to be coming to me anyway because it was addressed to me.

SENATOR GILL: What did you say-- What did Mr. Wildstein say about the Governor's Office receiving the letter?

MR. SCHUBER: That the letter had come in, and I think he gave me the gist of it. I thought -- I don't remember that, but that was probably it.

SENATOR GILL: Okay. And what did you think of the letter?

MR. SCHUBER: What did I think about the letter? I was somewhat annoyed, and I said that before because I thought it was personal to me. And that's how I felt with regard to it at that particular time.

SENATOR GILL: What did you think-- Now, we know you have this personal issue, but we also know that-- I would assume just what you expect from the people who work at the Port Authority -- you expect another level of, I think it was called in one of the reports, an extreme professionalism, correct?

MR. SCHUBER: I would--
SENATOR GILL: That even though you may have a personal issue with Senator Weinberg, the issues raised were with respect to a public policy issue, correct? Something that involved the public. This was not a personal thing from Senator Weinberg that, “You didn’t call me back.” She’s saying that there is an issue of public safety with respect to this lane closure -- in her letter.

MR. SCHUBER: The letter said a number of different things. I’ve indicated what I believed about the letter in my response to Senator Weinberg with regard to it.

SENATOR GILL: I understand you didn’t like-- You had some personal things going on, or what you thought was personal with respect to Senator Weinberg. I’m asking you as a professional -- because we all, sometimes, receive information from somebody we don’t like, or we may even think that they’re sending it to us because they don’t like us. But you have to make -- but since you are representing the public and you have a fiduciary responsibility with respect to the public, you weigh it.

So I’m talking about the issues -- the issues raised in her letter. Did they give you concern? Not if she was personally involved and trying to make you look bad -- none of that lunchroom stuff. I’m talking about if she raised in the letter that there was a public safety issue with respect to the lane closures, that it has caused significant hardship in the area, it has caused congestion in the area, and there was a safety issue for the public. Did you evaluate those concerns in those issues’ ways?

MR. SCHUBER: I did not, no.

SENATOR GILL: Okay.
Now, when you called David-- When you said that David Wildstein called you, did he raise with you any concerns expressed by the Governor or the Governor's Office with respect to the issues raised by Senator Weinberg's letter?

MR. SCHUBER: No.

SENATOR GILL: What did he say to you?

MR. SCHUBER: Just that this letter had arrived, and gave me the gist with regard to it. That was what he said.

SENATOR GILL: And did he give you any of his personal opinions about this situation?

MR. SCHUBER: His personal opinion? No.

SENATOR GILL: Okay.

I'd like to turn to Tab 4.

Now, let's take a look at the first two e-mails in this chain.

Tab 4 -- I want to make sure you have it.

MR. SCHUBER: I see it.

SENATOR GILL: You see it? Okay.

Now, in this Tab -- this is what? What do you know this to be, this document?

MR. SCHUBER: I don't know what it is. I mean, I can read it here, I see what it is. But I never received--

SENATOR GILL: Did you ever receive this document?

MR. SCHUBER: No, I did not.

SENATOR GILL: Do you want to take a look again? You provided it to us, so this isn't a document that--

MR. SCHUBER: No, I didn't provide this.
UNIDENTIFIED MEMBER OF COMMITTEE: Wildstein provided it.

SENATOR GILL: I’ll withdraw that. Mr. Wildstein provided it to us.

Have you ever seen it before?

MR. SCHUBER: You’re talking— Which one are you talking about now? Number 4?

SENATOR GILL: Yes.

MR. SCHUBER: No, I have not.

SENATOR GILL: This is the first time you’ve ever seen it?

MR. SCHUBER: First time I’ve seen it.

SENATOR GILL: Okay. And if you will read the top, because I want to make sure that this document— Where you say, “Hi, David. Hold the letter.”

MR. SCHUBER: Oh, I’m sorry. Now you’re talking about number 5?

SENATOR GILL: Number 5.

MR. SCHUBER: Yes.

SENATOR GILL: Okay, I’m sorry.

MR. SCHUBER: I’m sorry.

SENATOR GILL: Where it says, “Hi, David.”

MR. SCHUBER: Yes.

SENATOR GILL: When you say, “Hi, David. Hold the letter until you hear from me,” what letter were you referring to?
MR. SCHUBER: I had asked him, at the time-- the first thing I suggested is, I asked him if he would draft a response for Senator Weinberg. And--

SENATOR GILL: And I'd just like to stop you. Was that the procedure? That David Wildstein would respond to letters of concern sent by State Legislators?

MR. SCHUBER: I have no idea. I had no experience with it before.

SENATOR GILL: So then why did you ask him to write a letter?

MR. SCHUBER: Well, I don’t have a secretary, and I asked him if he could draft a letter for me, as the Commissioner, to Senator Weinberg with regard to -- as it was stated there. That’s how I asked him.

SENATOR GILL: So you didn’t go to Pat Foye or--

MR. SCHUBER: No.

SENATOR GILL: --anyone else to say, “What should the response be to the issues raised in this letter?”

MR. SCHUBER: Well, no I did not.

SENATOR GILL: Okay. So you asked David to do a response. Do you know if the letter, “Dear Senator Weinberg,” in here--

MR. SCHUBER: Right.

SENATOR GILL: “Thank you for the letter,” etc. -- that’s up on the screen. Is that the letter you were referring to that David should “hold”?

MR. SCHUBER: Yes.
SENATOR GILL: Okay. So you read what David developed as a draft, correct?

MR. SCHUBER: Yes.

SENATOR GILL: All right, that’s what we were referring to originally.

MR. SCHUBER: Okay.

SENATOR GILL: Okay, so now I want-- Who is Jared -- I think his name is Pilosio?

MR. SCHUBER: I believe he works in the Press Office at the Authority -- I believe; I'm not sure.

SENATOR GILL: So you don’t even-- You don’t--

MR. SCHUBER: I just don’t remember, quite frankly.

SENATOR GILL: Okay. So you don’t know exactly who was drawing up this response?

MR. SCHUBER: No.

SENATOR GILL: Okay. I think we’ll note that prior to working at the Port Authority -- since you look at things through a filter, a personal filter -- he worked as a Special Assistant to the Chairman of the New Jersey Republican Party, and in the Governor’s Office, and then on Governor Christie’s campaign in 2009.

So when he wrote this, you told David, “Hold off,” correct?

MR. SCHUBER: First of all, I had no idea -- I have no knowledge of what you just said. Having said that, in the meantime I then had called Senator Weinberg with regard to that and I did not see the necessity of sending the letter.

SENATOR GILL: Okay. And then at Tab 6.
MR. SCHUBER: Yes.

SENATOR GILL: You did receive an e-mail at 9:45 a.m. from David Samson. I'll give you an opportunity to--

Let me see what Tab--

MR. SCHUBER: Oh, I'm sorry, I'm looking at-- I'm sorry. I understand-- I was referring to different numbers than you were referring to because I was looking at different areas.

SENATOR GILL: Okay, so we're all on the right Tab now?

MR. SCHUBER: Yes.

SENATOR GILL: Or should I say the right page? (laughter)

MR. SCHUBER: Yes, now I have it.

SENATOR GILL: Okay. If we go to Tab 6--

MR. SCHUBER: Yes.

SENATOR GILL: And Senator Weinberg, in her letter of concern -- because you said it was personal -- but in her letter of concern, in raising what I am saying are serious issues of public safety -- she also CC'd that letter to the Governor and to David Wildstein, correct?

SENATOR WEINBERG: No, David Samson.

MR. SCHUBER: No, no.

SENATOR GILL: David Samson.

MR. SCHUBER: I assume David Samson.

SENATOR GILL: Yes, because I combined them.

MR. SCHUBER: Right.

SENATOR GILL: So I don't know who's going to be more insulted.
So she CC’d it to Governor Christie; and she also CC’d it to Mr. Samson, who was the Chair of the Board.

MR. SCHUBER: Yes.

SENATOR GILL: And then he sent you an e-mail.

MR. SCHUBER: Yes, he did.

SENATOR GILL: And why don’t you read the e-mail for me, that is-- Start at the bottom with respect to what Mr. Samson’s e-mail says.

MR. SCHUBER: He sent me an e-mail that said, “Pat, I received a copy of Loretta’s 9/19 letter to you about her being disappointed on a personal level. What a jerk. Do you want me to do anything? Dave.”

SENATOR GILL: And what did you take that to mean -- “Do you want me to do anything?”

MR. SCHUBER: I didn’t take it to mean anything because I had spoken to Senator Weinberg already and I kind of responded that way in my e-mail.

SENATOR GILL: And then what did-- And when you responded about 10 minutes later, can you please read to us your response to Mr. Samson?

MR. SCHUBER: Sure. “Hi, David. That’s kind of you, but no, it’s okay. I decided to surprise her with a direct call and tell her I was disappointed she had made it personal. I don’t think she expected that; I think she has never gotten over our 1998 race. Best wishes, Pat.”

SENATOR GILL: And then Mr. Samson responds to you, as what?
MR. SCHUBER: "Good for you. If anything further ensues on this, or anything else, I hope you know I’m available to contribute whatever you may feel could have value."

SENATOR GILL: Okay. Now, after hearing you read the e-mails, what really -- and the response, in the responses here, I think in one part of the e-mail David Samson calls the Senator a "jerk."

MR. SCHUBER: And I apologize for that.

SENATOR GILL: No, I’m not asking you to apologize.

MR. SCHUBER: But I am.

 SENATOR GILL: Well, you know, maybe he should apologize, and maybe you should have apologized sooner. But this is what I’m getting to here. When a Senator writes a letter that raises real public policy and public safety issues, and after reading your e-mails, what really comes to mind is the old adage: to attack the messenger in order to avoid dealing with the message. Which, as you know-- And that’s why it’s troubling, because this seems to be apparent throughout this whole process.

We saw it in the Mastro report -- portraying Bridget Kelly as an unstable, hysterical, and even at some point someone said, "as a woman scorned." Because if the lane closures were done by an unstable woman and David Wildstein, then the public would not need to continue to look for more answers.

But we know that once the interview memos were released and this Committee began to conduct hearings, we learned there was more to the story -- when Michael Drewniak testified before this Committee and he testified that he read Pat Foye’s September 13 e-mail. And even though Pat Foye wrote that Federal and State laws could have been broken, he viewed
the issues raised by Pat Foye through a colored lens because he knew that Pat Foye hated Wildstein.

And we see that Mr. Samson does the same thing. When he learns of Ted Mann’s *Wall Street Journal* article on September 17 about the lane closures, what does the former Attorney General do? He e-mails the Vice Chair about how he has been told that Foye leaked the story -- which is bad for New York and New Jersey relations -- and that Foye is playing in traffic and making a big mistake.

Never in these exchanges is there a focus on the serious issues raised. And I must say here, you, as a former Bergen County Exec, a former Assemblyman, and a Commissioner at the Port Authority -- you receive a letter from the Majority Leader, who also represents the affected area of the lane closures, and yet it’s dismissed -- the Senator’s legitimate concerns -- and I’m talking as reflected in your e-mail -- the legitimate concerns about the lane closures, because you believe that she’s still upset from an election that took place over 15 years ago.

**MR. ALFANO:** Is there a question?

**SENATOR GILL:** The question will be when I pose the question at the end.

**MR. ALFANO:** Oh, okay.

**SENATOR GILL:** So you need not-- Yes, it will be a question.

**MR. ALFANO:** Oh, okay.

**SENATOR GILL:** And so once you did that, you said in your correspondence to David Samson, a fellow Commissioner and Chairman of the Port Authority, that it’s not that we need to find out what happened. It’s not that we need -- and you as the Ethics Committee -- to see exactly
what the Senator is talking about. It's this throughout the process -- and you are an example, but there are others, as I have noted -- that the immediate response is to attack the messenger to avoid dealing with the message. And that is a concern of mine that I think has been evidenced throughout the testimony of everyone who has testified -- from the Governor's Office to you at the Port Authority. So that as we go forward this is-- And I say this having served and worked with the Senate Committee, then in the Assembly, on racial profiling. And we were able -- the Black Legislative Caucus, the Senate Committee, bipartisan -- the attorney was Michael Chertoff, there were Federal and State investigations - - but there was a respect of the issues presented, not a political interpretation and attack on the messenger. So that I have actually participated in Senate, and Assembly, and legislative hearings where, at the end of the day, on something like racial profiling -- that also had constitutional dimensions and that could have, but did not, to the credit of all involved, dissolved into name-calling and personal attack-- And I say that was the height of government at its best, dealing with a public issue of constitutional dimension. Because had we conducted ourselves in the manner that has been exhibited-here in terms of attacking people -- not the message, but the messenger -- we would have devolved into an ugly, unforgiveable, unproductive, and shameful display with the racial profiling. And we didn't.

And we came out with laws recommended by the Senate Committee, the Assembly Caucus -- everyone -- that have been lauded by the nation. And as a State we came out the better for it.
And I’m telling you why -- and I will make this a question without asking for an answer; it is, as we say, rhetorical -- that when this happens, the danger that the people in control of the apparatus cannot separate their personal animus from the public policies in issues raised inures to the detriment of the people of the State of New Jersey.

Thank you.

MR. SCHUBER: Thank you.

SENATOR WEINBERG: Thank you.

Senator O’Toole.

SENATOR O’TOOLE: Through the Chair -- Pat, do you need a break of any sort before we--

MR. SCHUBER: No, I’m okay.

SENATOR O’TOOLE: Chair, is the--

MR. SCHUBER: I’m sorry, unless somebody-- Unless you want one. I’m okay.

SENATOR O’TOOLE: Is the plan to go to 1:00?

SENATOR WEINBERG: If you need a break; otherwise, I would like to keep on going and we can break for lunch at a reasonable hour and, hopefully, go into executive-session so that we don’t have to--

SENATOR O’TOOLE: Yes, so the plan is after this, go into executive session, just so we’re all clear.

SENATOR WEINBERG: Yes.

SENATOR O’TOOLE: Okay, great. I’m ready to ask questions, through you, Chair.

MR. ALFANO: Could we have one second?

MR. SCHUBER: One second, please?
SENATOR O'TOOLE: Sure.
(attorney/client confer)

MR. SCHUBER: If I might-- Senator Gill, thank you. I wanted to commend you for your work on the other issue, as you mentioned. But I would have to say to you--

SENATOR WEINBERG: Excuse me, are you answering a question now?

MR. SCHUBER: Well, I thought I was, but--

SENATOR WEINBERG: Is there a question left?

SENATOR GILL: I have no question.

SENATOR WEINBERG: No? Okay.

Well, with all due respect, you can cover anything Senator O'Toole has a question on.

MR. SCHUBER: But I don't necessarily agree with the characterization, and that was my concern -- that the-- I commend Senator Gill and I well understand her expertise too; and I just don't agree with the characterization of going after the messenger. I mean, quite frankly, maybe more could be done, but the fact of the matter is, I think I'm the only one who actually reached out to anybody on this issue at all, quite frankly. And I think I'm probably the only Commissioner who has actually come before this group, actually. And anybody who has asked me, I've tried to answer all of their questions with regard-- I've been very cooperative with everybody.

SENATOR WEINBERG: Mr. Schuber, with all due respect, if you want to correct the record at any point, you will have the ability to do that.
MR. SCHUBER: Okay.

SENATOR WEINBERG: But Senator O'Toole, it's your turn.

SENATOR O'TOOLE: Thank you.

Through the Chair, good afternoon, Pat.

MR. SCHUBER: Good afternoon, Senator.

SENATOR O'TOOLE: We've been here for about two-and-a-half hours; I've listened to your testimony. I think the first thing you said, in your handwritten statement, was that you knew nothing about the closures, and I think the Chairwoman -- Co-Chair Weinberg -- accepted that as an opener.

MR. SCHUBER: Right.

SENATOR O'TOOLE: From everything I've read and heard, I would share that conclusion that Senator Weinberg talked about two-and-a-half hours ago.

Pat, through the Chair, I have a number of issues I just want touch on. I'm just a little unclear on some of the points that were made, so I want to clarify some of those points, if you don't mind. And I recognize, Pat, that we're going back and trying to slow down the tape to September and you may not recall details, you may not recall conversations, you may not recall e-mails back and forth. And if you don't, that's fine; answer as such, and we'll move along.

And I do want to say, Pat, I've known for a long time -- when you were the County Executive, and now you volunteer at the Port, and you were the Mayor -- a lot of us who followed you in the Assembly have thought of you as an excellent public servant. I still hold that opinion today.
And the questions I’m coming to you with are more for points of clarification so I can better understand what you know and, to the larger issue, how do we deal with the Port Authority given the fact that you don’t know anything about the actual closures.

MR. SCHUBER: Right.

SENATOR O’TOOLE: So having said that, and the last caveat, I understand that you’re a Commissioner; I understand, I think, you’re a Professor as well at FDU? Does that still hold true?

MR. SCHUBER: I’m sorry, I didn’t hear you, Kevin.

SENATOR O’TOOLE: Are you a Professor at a local college?

MR. SCHUBER: Yes, I am a full-time member of the faculty, yes.

SENATOR O’TOOLE: And that you are of counsel at the DeCotiis law firm as well? Does that still hold true?

MR. SCHUBER: That’s true, correct.

SENATOR O’TOOLE: Okay. So anything that I ask you, Pat, through the Chair, I don’t want to intrude upon any legal representation that your firm may have, or have had in the past.

MR. SCHUBER: Sure.

SENATOR O’TOOLE: I don’t want to talk about any privileged conversations or attorney/client privilege you have with your firm and any of their clients. I don’t want to talk-- I don’t want you to reveal or encroach upon any work product as a lawyer at DeCotiis. And I don’t want to encroach upon any privileged conversations that you may have had with your counsel or corporate counsel at the Port Authority. So if I’m asking you questions that you think are encroaching upon those privileged
areas, I'm sure your excellent attorney will tell you that, "We can't go there," and we can move on.

MR. SCHUBER: Sure.

SENATOR O'TOOLE: Is that fair?

MR. SCHUBER: Sure.

SENATOR O'TOOLE: Okay.

The issue that you’ve talked about, with some reoccurring theme through a couple of questions here, is the core mission that you have, and there seems to be some, maybe, conflict -- you say it’s a dichotomy of -- we have six New York Commissioners and six New Jersey Commissioners.

MR. SCHUBER: Correct.

SENATOR O'TOOLE: Now, Governor Kean, back in the 1980s, talked about what he thought was the County of Essex's government that was ungovernable. He made that comment many, many years ago.

MR. SCHUBER: Right.

SENATOR O'TOOLE: And I ask you this question in a very open manner, Pat. Is the Port Authority, as it's currently constructed, governable? Is it, as it is now-- We see the Navigant report, and we talk about how it is "challenged" and how it is "dysfunctional," and we see examples of that dysfunctionality. So as it's currently constructed, is the Port Authority -- is it governable?

MR. SCHUBER: Is that the question?

SENATOR O'TOOLE: That's the question.

MR. SCHUBER: Yes, it is; I believe it is. I mean, I know that the first iteration out of the box has been -- given the nature of what had happened, and other issues involving the Port -- has been to kind of
terminate it and take it off life support. Terminate it and create something new. I think that’s wrong. I think New Jersey would be potentially a loser in that, economically.

And is it governable? Yes, it is. Is it perfect? No it’s not, clearly. And I think we’ve been making— There are so many different levels now of trying to work out a reform of the Authority’s governance now that I’m hoping in the end that it will provide for even better transparency for us.

I can say this: that some of the things that we’ve done to address some of the issues have been issues of strengthening of our recusal policy so that it’s more transparent; announcing people who have conflicts in advance of that; the meetings themselves have allowed for a lot more give-and-take, which I’m comfortable with than the old way it was done; and we are trying to hold as many of our committee meetings in the public eye, and not doing executive sessions of those committee, as we can, as we move forward. And that’s just some of the issues that we’ve implemented now.

In addition to that, the Authority has created its own oversight committee -- which Assemblywoman Huttie and Senator Gordon had attended a couple of months ago -- where we had a number of experts come in and tell us about what they thought the Port should look like for the future based on what’s happened. And I think all of them, it would be fair to say, think it continues to be an important agency that should remain doing what it does, constituted as it does, but that maybe its governance needs to change.
I've given some of my thoughts -- which I've given a lot of thought to over the course of this last several months -- six months or so, or more -- with regard to how I think the Authority should look in the future; how we can insulate it a little bit more, maybe, from potential political manipulation; and recognizing it's a public body. And I think if some of those things can be added to it I think it, continues to be a very important agency and one that's still very governable.

SENATOR O'TOOLE: Through the Chair, from what I've read in the newspaper accounts, historically speaking, the New York governor selects the Executive Director, the New Jersey Governor selects the Deputy; and the Chair, New Jersey; and the Vice Chair is New York. Has that always been the case?

MR. SCHUBER: It's not. I gathered-- I thought it was, quite frankly. I had asked for -- originally when I came on, I asked how did these people become who they are, and I was trying to find something in bylaws or something. I could never do it; it's like a tradition. And I'm not comfortable with those things in a public body, quite frankly. But you're correct. I understand that this goes back to maybe the 1970s or the 1980s in this format -- that's what--I understand; I may be wrong on that, historically.

But having said that, the way it works is that traditionally the Governor of New Jersey would pick the Deputy Executive Director, but can name the Chair; and the governor of New York gets to name the Executive Director and the Vice Chair. That's how that goes. It's more of a, kind of an unwritten tradition. And I don't like that, by the way.

SENATOR O'TOOLE: You don't like that.
MR. SCHUBER: No, I do not.

SENATOR O’TOOLE: There were some comments about, again, you thought there was a dichotomy of one avenue going to Albany and one going to Trenton--

MR. SCHUBER: Right.

SENATOR O’TOOLE: --on some issues. Is it just systemically or organizationally-- Is the Port Authority on a perpetual collision course with New York and New Jersey, always at each other’s throats in terms of trying to get more funding for their home-grown projects?

MR. SCHUBER: I think that the-- Let me say this. It’s not always the case. I would say that over the last couple of years, at least -- at least, in the two years, at least -- I think that the New Jersey and the New York Commissioners have worked together very collegially, and I think the two governors have actually worked collegially, considering the personalities of the two individuals. And that’s helped us to at least do our public projects -- to move those forward -- in the things that we’ve been able to do. And I think that cooperation is extremely important. Are there obviously certain things that New York likes and New Jersey likes differently, or they each have their own projects that are more important for them? Yes, there are, and I guess that’s where the balance comes in.

I don’t necessarily-- Senator O’Toole, don’t get me wrong. You know, I’ve had my battles with independent authorities over the years myself. I don’t want to create a super independent authority that’s not answerable to anybody; I don’t want that in any way to come out of this. I do want the reform to go through that makes it more accountable and
prevents issues like we’re talking about happening again to the extent we can.

SENATOR O’TOOLE: Through the Chair, when you-- I think you joked earlier that at one point you might have thought it was a good idea to just deconstruct the Port Authority. You think it’s a bad idea now?

MR. SCHUBER: I do.

SENATOR O’TOOLE: Has the Port, to your knowledge, conducted a study to actually look at untangling and creating two separate authorities? Do you know if they have done that?

MR. SCHUBER: No. It’s a good point, by the way. No, I do not know that they’ve done that; I would tend to think we have not. I tend to think we have not.

SENATOR O’TOOLE: And I just throw it out there to you, Pat, that if it’s possible in some of your future meetings to find out if that has been done, and if everything’s on the table -- you have New York legislators, New Jersey legislators, people are engaged talking about significant reforms at the Port Authority -- maybe before you put it off the table, maybe it should be looked at seriously and find out if there is any merit to it whatsoever.

MR. SCHUBER: I understand what you’re saying, Senator O’Toole. I really don’t like to take any option off the table, to be honest with you, when you’re looking at a top-to-bottom reform. I just felt, and my gut said -- and, in fact, at the presentations that were made that particular day before the oversight committee in April, I guess, I asked that - - I believe I asked that question to those experts about whether we should drop the whole thing and start all over again; and not one of them
supported that. And many of them had a history with the Port of understanding its structure and its operations over many decades.

And I tend-- That's where I tend to come down on in this too-- that it would not be the right move to make. I mean, again, having said the fact that maybe all options should not be -- that no option should be taken off the table for review and we can go back and look at that, Kevin.

SENATOR O'TOOLE: Someone posed the question today, Pat, through the Chair, that they want to know who is the day-to-day manager of the Port.

MR. SCHUBER: Right.

SENATOR O'TOOLE: I think your response was it's the Executive Director

MR. SCHUBER: Well, yes, and the Deputy Executive Director. You have to understand--

SENATOR O'TOOLE: Can you explain that to me?

MR. SCHUBER: Yes, that's the issue. You have an Executive Director and a Deputy Executive Director, appointed by two different states. And so they both have day-to-day management of the operation; in other words, it's like a dual head:

SENATOR O'TOOLE: In terms of when you go to your monthly meetings: do you work with the Executive Director, do you work with the Deputy Executive Director?

MR. SCHUBER: Both, both.

SENATOR OTOOLE: And is it the same on the New York side as well?

MR. SCHUBER: Yes.
SENATOR O'TOOLE: Because when-- I think there was testimony about those tensions between New Jersey staffers and New York staffers -- forget the Commissioners. Is that accurate as well? Are there natural tensions--

MR. SCHUBER: I'm not sure that it is now. I know there had been some issues in the past.

SENATOR O'TOOLE: How far in the past, or how recently?

MR. SCHUBER: Maybe the last year or two.

SENATOR O'TOOLE: Senator Gill talked about a September 13 e-mail from Pat Foye--

MR. SCHUBER: Right.

SENATOR O'TOOLE: --that you don't remember if you read it or not, but you--

MR. SCHUBER: I've since--

SENATOR O'TOOLE: --have since read it. In his fourth point, and I'll quote, "I believe this hastily and ill-advised decision violates Federal law and the laws of both states." That's what Mr. Foye wrote on September 13. Were you ever told by Foye or anybody else as to which Federal law and which laws of New York and New Jersey were violated?

(attorney/client confer)

MR. SCHUBER: I don't recollect.

SENATOR O'TOOLE: You were asked some questions about a September 25 e-mail correspondence between you and Mr. Samson, and you talked about whether you held on to a 15-year grudge or what not. Earlier in your testimony you said back in September -- I think, and I hope to get this right -- that you didn't pay as much attention because you
thought it was of a partisan nature -- back in September, not May, or not June, we’re looking now -- back in September you stated earlier that you thought some of the issues were of a partisan nature. Can you expand upon that, please?

MR. SCHUBER: Well, I mean, the only-- The way I looked at it, you know, it was a gubernatorial election year; there was a high degree of partisanship going on as a result of that. I felt this fed into that, and I-- You know, quite frankly, I had come to a part of my life where I was kind of withdrawing from all of those things, and I just didn’t feel I wanted to be part of that anymore. I mean, that was one of the reasons-- You know, that was one of the reasons I left County Executive and did nothing else after that publicly, as far as that goes, until I got the call from the Governor to do this. You know, I feel differently about politics today than I might have done in the past; I continue to feel very different about it today than I did with regard to in the past. And that’s how-- I mean, that’s how, personally, I felt about it.

SENATOR O’TOOLE: Was it Democrat versus Republican, or was it New York versus New Jersey?

MR. SCHUBER: No, it wasn’t New York/New Jersey.

SENATOR O’TOOLE: I’m sorry?

MR. SCHUBER: It wasn’t New York and New Jersey.

SENATOR O’TOOLE: You thought--

MR. SCHUBER: No.

SENATOR O’TOOLE: --New Jersey Republicans versus Democrats, back in September?

MR. SCHUBER: No, no, no.
SENATOR O'TOOLE: There are a couple of articles back in 2011 in Crain’s and *The New York Times* that have interviews with Pat Foye, in particular. I was hoping to ask Mr. Foye questions today, but he has been put off for the right reasons today. And some of the folks who commented upon Mr. Foye’s past experience either at the Empire State Development Commission or the Metropolitan Commission -- the words they use in both articles, which I found to be shocking, the words they used -- and I’m going to get it right -- in Crain’s, October 9, 2011, the title is, “Blame game over Port Authority Executive Director position,” third paragraph said, and I’m going to quote, and I’m going to ask you if you agree or disagree, “Some who worked with him on projects describe Mr. Foye as indecisive and unable to maneuver adeptly between various political stakeholders -- deficiencies, the critics said, that would be even more glaring if he ran the bi-state, multi-billion dollar Port Authority. ‘He can’t advance the ball,’ said one insider. ‘We didn’t know what he was doing.’”

Do you agree with that assessment that was made of Mr. Foye regarding his time when he served in the Empire State Development, when he was appointed by Governor Spitzer?

MR. SCHUBER: I have no idea. I mean, that’s not my--
SENATOR O'TOOLE: I'm sorry--
MR. SCHUBER: Senator, I've never read that article.
SENATOR O'TOOLE: Do you hold that characterization of him as the Executive Director at the Port?
MR. SCHUBER: Oh, okay.
SENATOR O'TOOLE: I apologize for the inartful question.
MR. SCHUBER: No, no problem. I've never read the article, nor have I heard the quotes before. Look, I have a great deal of respect for Pat Foye as the Executive Director. I've worked with him on a number of other issues. I'm not prepared to characterize him that way.

SENATOR O'TOOLE: Okay. And the New York Times article says, "Cuomo names Deputy to lead the Port Authority," that's October 19, 2011, second page, "His critics, however," -- this is a quote -- "have said he was indecisive and hesitant during his 15 months leading the Development Corporation." How would you describe Mr. Foye as the Executive Director during your tenure at the Port? How would you describe him as an Executive Director?

MR. SCHUBER: Well, I don't have much to measure it against, because when I came aboard the other Executive Director was just getting ready to leave, and Pat Foye is really the only Executive Director I know. While I know that -- you know, there have been some disagreements in the upper staff with each other that might have been personality, more so, which I steered clear of. The fact of the matter is I really have no objection to Mr. Foye's professionalism as the Executive Director. He runs the operation day-to-day, and I have no complaints with regard to that at all.

SENATOR O'TOOLE: Through the Chair, do you think, going forward, perhaps standards should be put in place when a Deputy Executive Director or an Executive Director is selected -- whether they have infrastructure background, governmental background -- should there be certain standards, as some have said?
MR. SCHUBER: Senator O'Toole, as I said, I have taken a very strong stand on how I think, going forward, we need to be with regard to the choice of the Executive Director and the Deputy Executive Director. And I think those should be subject to nationwide searches with regard to that. I think that, yes, certain standards should be set with regard to what we're looking for in that area. You just can't plop a political appointee into these positions. That's how I feel about it. So I guess to a certain extent I agree with what you're saying.

SENATOR O'TOOLE: If both states move forward with the current model in place, either by tradition or by bylaw, in terms of the selection of Chair, Vice Chair, Executive Director, and Deputy, should perhaps we think about adopting a procedure where the nominees for both jobs go before the respective Senate, perhaps; or some other process where there's a crossover approval on both sides of the river?

MR. SCHUBER: I have no problem with that at all, quite frankly. I don't have any problem with that at all.

SENATOR O'TOOLE: And how about Commissioners, as well? Is that a possibility of perhaps there should be some crossover approval?

MR. SCHUBER: Oh, it was hard enough going through Trenton than to have to go up to Albany. (laughter)

SENATOR O'TOOLE: Well, there's no courtesy on the other side, I can guarantee you that. (laughter)

MR. SCHUBER: But having said that-- Look, from my perspective, I have no problem with anything that would cement the Authority's ability to work together. If that would help it, I personally
don't have a problem with that. I don't know if it would be too unwieldy. But actually I think there is some benefit; it's not actually a bad idea. I'm just thinking of it; it's the first time I heard it. You know, I was talking about siloing of agencies within the agency. There could be siloing of the two sections of Commissioners for New Jersey and New York at the same time -- although that's not the case at the present time, I have to tell you that. But for the purpose of some form of crossover with regard to the ability of the legislators from the two different states to understand the Commissioners of the other state -- I think it might not be a bad idea. I don't know how it would work; I'd have to think about that for a bit. But it does have some benefit.

SENIOR O'TOOLE: Another question, through the Chair, is there a policy in place at the Port Authority that if a worker at the Port Authority, or maybe even a Commissioner, leaves -- is there a grace period before that individual can take employment with an agency doing business with the Port Authority?

MR. SCHUBER: That's a good question. I don't know the answer to your question, off the top of my head. I'm going to say no, but that's subject for my review of the rules again on that.

SENIOR O'TOOLE: And would you think it's a -- through the Chair -- a good idea to at least think about individuals who work at the Port--

MR. SCHUBER: Yes.

SENIOR O'TOOLE: --say, in any department, I don't care what department it is, taking a job with a vendor or an agency with which he has been doing business for the last X amount of years?
MR. SCHUBER: Yes, I would--

SENATOR O'TOOLE: Should there be a cooling off period?

MR. SCHUBER: Yes, I could agree with that completely. I think we do that; I'm not sure if-- I think we do that now for folks working in the casino industry, I thought, here in New Jersey. I thought we still did that, and I thought it was a good rule then and I think it's a good rule now.

SENATOR O'TOOLE: We have that, as legislators. We have a cooling-off period--

MR. SCHUBER: Right; and I would have no problem with that at all, quite frankly. May I add something else too? The other thing, too, might be to add -- to remove Commissioners from the requirement -- prevent Commissioners from being -- for political donations, too, I think would be important too.

SENATOR O'TOOLE: That's a terrific idea.

Last question, on the same line of having the cooling-off period; In 2004 the Bergen Record ran a story about a top-level attorney in the Corporation Council -- I'm not going to use a name, because there's no reason to drag his name out there -- who, at some point, was appointed under Governor McGreevey as--the Deputy Counsel. And at some point, according to the Bergen Record article, he pled guilty to harassment of an individual; that he left a series of, I think, obscene phone call messages into a student's cell phone.

MR. SCHUBER: Okay.

SENATOR O'TOOLE: Whether it was an intern or not. There was an investigation; that Corporation Counsel, according to the article, did not cooperate with the investigation.
MR. SCHUBER: Right.

SENATOR O’TOOLE: Hid the phone, lied about whose phone it was, and all that, according to the articles.

That individual was promoted and got a $70,000 raise throughout the years. In 2014 we have just come to realize that individual, after being promoted again, was-- He pled guilty. He left; I think he took a severance package. He pled guilty to a second-degree charge of forging the signature of a partner in a law firm in New York on a retainer issue and he pled guilty in New York.

My question is, how does the Port allow that type of conduct to occur going back to 2002 (sic), to 2014? And if you don’t know, tell me you don’t know, and we’ll ask Mr. Foye when he gets here.

MR. SCHUBER: I don’t know the answer to your question. It’s troubling, obviously, but I don’t know the answer to your question.

SENATOR O’TOOLE: And since you don’t know that -- I understand you’re a volunteer once a month, or twice a month you go there -- perhaps you should think about putting in protocols that you, as a Commissioner, should be notified when those serious infractions take place. And perhaps there’s a register or there’s some notification so the Commissioners are on board with the -- as you said, the notice issue, that so bothered you on the Fort Lee issue -- the notice issue about offending-- And I’m not talking about low-level or mid-level staffers who just have a parking ticket. We’re talking about individuals who have betrayed the public trust at the Port Authority.

MR. SCHUBER: Understood.
SENATOR O'TOOLE: Perhaps there should be some marker as to when you, as a Commissioner, should be notified.

MR. SCHUBER: I would agree with that.

SENATOR O'TOOLE: You would agree with that?

MR. SCHUBER: I would agree with that.

SENATOR O'TOOLE: That’s all the questions I have right now, Chair.

Thank you.

SENATOR WEINBERG: Thank you, Senator.

Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Yes, thank you.

Yes, good afternoon.

MR. SCHUBER: Good afternoon.

ASSEMBLYWOMAN CARIDE: I have a few questions with regards to your Committee and information that you get before--

Well, let me ask you. When a project is presented and large sums of monies are questioned, does the Commission-- Does your Committee get all the information as to the cost, as to an explanation, why it’s necessary to do these projects?

MR. SCHUBER: Well, in-- First of all, the major projects are vetted through the Capital Budget first, at Finance. So we have the 2014 budget out there now. And then those capital projects are then-- If approved, they then move on to their respective inner agencies for development and eventual presentation before the appropriate Port Authority committee for approval.
The costs, with regard to those operations, are then outlined over the course of the life of the construction of that project, whatever it might be, for us -- over the course of time so that we understand that we have the fiscal ability to do what we're going to do there, yes.

**ASSEMBLYWOMAN CARIDE:** So then you're given all that information before you vote in favor or against that project?

**MR. SCHUBER:** That's correct.

**ASSEMBLYWOMAN CARIDE:** So your Committee -- the Commissioners do have a say as to whether or not the project moves forward?

**MR. SCHUBER:** Yes, that's correct.

**ASSEMBLYWOMAN CARIDE:** Okay. Now, with regards to the Pulaski Skyway -- that project -- were you a Commissioner at the time that that project--

**MR. SCHUBER:** I was not; no, I was not.

**ASSEMBLYWOMAN CARIDE:** Did you vote on that particular project?

**MR. SCHUBER:** No, I was not on the Commission when that happened; no, I was not.

**ASSEMBLYWOMAN CARIDE:** Have you seen the paperwork for the project for the Pulaski Skyway?

**MR. SCHUBER:** I have not, no.

**ASSEMBLYWOMAN CARIDE:** Just out of curiosity, what is your understanding to be an *access road* -- your understanding?

**MR. SCHUBER:** I'd have to take a look at what our rules require. I'm not-- Off the top of my head, I'm not familiar with that.
ASSEMBLYWOMAN CARIDE: Have you seen the articles concerning the Pulaski Skyway project and the fact that it’s an access road to the Holland (sic) Tunnel -- those articles that have been out lately?

MR. SCHUBER: I’ve seen one article.

ASSEMBLYWOMAN CARIDE: I know that the Port Authority’s justification for the project is that it’s an access road to the Lincoln Tunnel. Are you aware if there was any debate as to how that came about?

MR. SCHUBER: I’m not familiar with any debate on that. I was not present at the time, so I really can’t answer your question.

ASSEMBLYWOMAN CARIDE: Have you taken a position on that project recently since it started?

MR. SCHUBER: No, I have not.

ASSEMBLYWOMAN CARIDE: Do you personally think that the Pulaski Skyway is an access road to the Lincoln Tunnel?

MR. SCHUBER: I honestly have no idea. I don’t know how the Authority judges those things; I’d have to look.

ASSEMBLYWOMAN CARIDE: Are you familiar with the Pulaski Skyway?

MR. SCHUBER: I’m familiar with the Pulaski Skyway, yes.

ASSEMBLYWOMAN CARIDE: And you’re familiar that if you’re on the Pulaski Skyway, you have to get off in Jersey City and go around the Charlotte Circle, take 1 and 9 North?

MR. SCHUBER: I’d like to say that I’m familiar with a lot of New Jersey, but I’m not exactly -- I’m not a regular passenger on the Pulaski Skyway and I just don’t know how it works on one end or another.
ASSEMBLYWOMAN CARIDE: I was just curious, because it’s seven-and-a-half miles to the Lincoln Tunnel from the Pulaski Skyway. So I was wondering how that definition of an access road came about, when you have to travel through Jersey City, into North Bergen, over Union City, and then down into Weehawken. So I was just curious about that.

MR. SCHUBER: I understand.

ASSEMBLYWOMAN CARIDE: You stated that these projects come before you and you get information about the projects before you vote on them, correct?

MR. SCHUBER: We get the financials with regard to them and things along those lines, yes.

ASSEMBLYWOMAN CARIDE: Do you also get the information as to law firms that are representing the clients that are coming before the Port Authority?

MR. SCHUBER: Well, law firms don’t come before the Port Authority.

ASSEMBLYWOMAN CARIDE: Or lobbying companies -- anyone that represents the interests of these projects?

MR. SCHUBER: No.

ASSEMBLYWOMAN CARIDE: The reason I ask is, for example in Hoboken, the Rockefeller Group had a study that was done and paid for by the Port Authority. I was just wondering if your Committee -- the Commissioners knew who represented the Rockefeller Group before they took the vote on it.

MR. SCHUBER: No, I don’t know.
ASSEMBLYWOMAN CARIDE: Would you be surprised if I told you that it was Mr. Samson’s law firm that represented the Rockefeller Group at that time?

MR. SCHUBER: I have no way to judge the answer to that question. I mean, I know that there’s been controversy with regard to it; I’ve seen a couple of articles with regard to it. Wolff and Samson is a very prominent firm.

ASSEMBLYWOMAN CARIDE: Who determines when someone should recuse himself from voting -- the individual or the Commissioners all together?

MR. SCHUBER: That’s a good question. I think the-- If I could outline the policy for you. Is that okay?

ASSEMBLYWOMAN CARIDE: Sure, absolutely.

MR. SCHUBER: When we come on-- This is the way it goes. The potential of a conflict is governed by, obviously, the laws in the respective states, and administratively is monitored by the counsel for the Port Authority -- who, in this case, is Mr. Bookbinder and his staff, okay? Now, when, as you know, New Jersey has financial filing requirements for its officers, and we file that annually and they are posted publicly. And we then give a copy, of that to corporate counsel for his or her records too.

Then we give the corporate counsel -- I’m going to call him corporate counsel -- we’re going to give the corporate counsel a list of any business interests we might have. And as the meetings come up, and the agenda has been set, the corporate counsel sends an e-mail to each Commissioner alerting them to a potential conflict they might have on a particular matter which a recusal would be in order.
ASSEMBLYWOMAN CARIDE: Can I just stop you there?

MR. SCHUBER: Sure.

ASSEMBLYWOMAN CARIDE: That e-mail that is sent by corporate counsel to the Commissioners -- is that a general e-mail to all the Commissioners, or is it private--

MR. SCHUBER: No, it is not. It's personal to that Commissioner.

ASSEMBLYWOMAN CARIDE: It's personal -- okay.

MR. SCHUBER: Right.

Then that Commissioner would be recused on that particular matter as it came up, all right? Now, the issue of recusal had come up over the last year particularly. And I did a review of that policy and made some recommendations for some changes on that policy based on my experience in other bodies, as well as my experience in -- particularly in New Jersey. And I felt that the policy needed to be tightened up; there were a number of reasons for this. So as a result of some give-and-take with regard to that, what we were able to do was to even make more available the financial disclosure statements of the two states' Commissioners. For example, New York's rules are a little bit different than ours.

ASSEMBLYWOMAN CARIDE: Sure.

MR. SCHUBER: This is not as strong as New Jersey's, quite frankly, in my opinion.

ASSEMBLYWOMAN CARIDE: Can I stop you there?

When did you make those recommendations?

MR. SCHUBER: Back in, maybe, last September -- August or September.
ASSEMBLYWOMAN CARIDE: Of 2013?

MR. SCHUBER: Right.

And as a result of working that out between the two states -- because this required us to work with both states to approve this -- today what we do beyond that is that at every meeting now, Committee and public, each individual item or project is individually voted upon. And before the vote is taken, the secretary announces in public who is recused, and that's listed in the public record.

ASSEMBLYWOMAN CARIDE: That's now, though.

MR. SCHUBER: That's correct. And as a result of that, that's-

- And we do that for our committees now too.

While that may seem elementary in a way, it was a paradigm shift for the Authority because we used to vote for all the items -- come together, and the recusal would be listed in the minutes. So it wasn't-- To me, it was not as public as it should be. I pushed also for the fact of, what we do here in New Jersey, requiring a Commissioner with a potential conflict to step out of the room when that's discussed. I wasn't able to get that through; and now it's really up to that Commissioner, in consultation with counsel, as to what they might want to do with regard to that. In my opinion, and this is what I do if I have -- and I haven't had too many -- is I prefer to step out.

ASSEMBLYWOMAN CARIDE: So is it your testimony here that corporate counsel is pretty much the guardian of who should recuse themselves or not?

MR. SCHUBER: Yes, yes -- true.

ASSEMBLYWOMAN CARIDE: So when--
MR. SCHUBER: In consultation, obviously. It doesn’t take away the decision that has to be made by the Commissioner himself or herself.

ASSEMBLYWOMAN CARIDE: So based on that protocol, would it be fair to say that your corporate counsel should have or did, maybe, speak with Mr. Samson on the vote for the study that Port Authority paid $75,000 on behalf of the Rockefeller Group?

MR. SCHUBER: I really don’t have any idea; I don’t know what happened there.

ASSEMBLYWOMAN CARIDE: Okay.

Let me ask you about the New Jersey Transit lease.

MR. SCHUBER: Okay.

ASSEMBLYWOMAN CARIDE: Did you vote on that particular item?

MR. SCHUBER: I don’t think I did. I don’t remember; I’d have to go look at the record again. There are so many different measures, I just don’t know.

ASSEMBLYWOMAN CARIDE: Well, I mean, prior to this particular vote, the New Jersey Transit was paying $999,000 to the Port Authority for rent for the North Bergen Park and Ride.

MR. SCHUBER: Right.

ASSEMBLYWOMAN CARIDE: And it got changed to a dollar a year so I would think that that would be something that would kind of stick out in memory.

MR. SCHUBER: I just don’t remember; I’m sorry, I don’t.

ASSEMBLYWOMAN CARIDE: Okay.
And would you happen to recall the vote on the $256 million reconstruction projection of the Harrison PATH back in March of 2006?

MR. ALFANO: In 2006?

ASSEMBLYWOMAN CARIDE: In 2012 -- I'm sorry; 2012.

MR. SCHUBER: I remember the project; I voted for it. But I don't remember -- I don't know what other people may have done.

ASSEMBLYWOMAN CARIDE: Do you recall if there was any discussion of any members -- specifically Mr. Samson -- recusing himself from it?

MR. SCHUBER: I don't remember.

ASSEMBLYWOMAN CARIDE: Do you recall any discussion about Mr. Samson recusing himself from the $1 a year New Jersey Transit lease?

MR. SCHUBER: I don't.

ASSEMBLYWOMAN CARIDE: My understanding is that there's an investigation going on as to the funds being used for the Pulaski Skyway project. Have you received any information with regard to that? Have they contacted you or any other Commissioners concerning the Pulaski Skyway project and the use of Port Authority funds?

MR. SCHUBER: Well, since I wasn't part of it, I haven't been and I'm not aware of anybody else, either.

ASSEMBLYWOMAN CARIDE: Well, you weren't part of the vote at the time, but you're a part of the Commission now, correct?

MR. SCHUBER: True.

ASSEMBLYWOMAN CARIDE: So that you would be privy to that information.
MR. SCHUBER: And I haven’t been; I haven’t been.

ASSEMBLYWOMAN CARIDE: Okay.

Do you have any position -- personal position or opinion with regards to the Pulaski Skyway project being paid for by the Port Authority?

MR. SCHUBER: I don’t. I don’t. I mean, I happen to like Jersey projects, but I don’t have a personal opinion since I didn’t vote on that.

ASSEMBLYWOMAN CARIDE: You haven’t seen any documentation or anything since?

MR. SCHUBER: I have not.

ASSEMBLYWOMAN CARIDE: Okay.

I have no further questions.

SENATOR WEINBERG: Thank you.

Assemblyman Moriarty, and then Assemblyman Carroll, and then, hopefully, we--

ASSEMBLYWOMAN SCHEPISI: I have questions as well.

SENATOR WEINBERG: Oh, and you have questions too?

Okay. I was hoping that we could get this finished and take the lunch break while we have executive session, but--

ASSEMBLYWOMAN SCHEPISI: Well, I think it’s fair to--

SENATOR WEINBERG: I’m not sure that that--

ASSEMBLYWOMAN SCHEPISI: I’ll be a couple of minutes.

SENATOR WEINBERG: Okay.

Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Thank you, Madam Chairwoman.
SENATOR WEINBERG: Assemblywoman, will you turn off your mike?

ASSEMBLYWOMAN CARIDE: Oh yes, thank you.

ASSEMBLYMAN MORIARTY: Good afternoon, Mr. Schuber; welcome.

MR. SCHUBER: Good afternoon.

ASSEMBLYMAN MORIARTY: Thank you for appearing.

MR. SCHUBER: You’re welcome.

ASSEMBLYMAN MORIARTY: Can we go back to when you were selected to be on the Port Authority Commission? Who called you?

MR. SCHUBER: Governor Christie.

ASSEMBLYMAN MORIARTY: And what did he say?

MR. SCHUBER: He said, “Pat, would you like to serve the State of New Jersey?” And I was in the middle of a class at the time, and the students were looking at me. And I was a little bit flabbergasted because I didn’t know who was calling me, and I said, “Who’s this?” (laughter)

Having said that, regardless of the fact, I took it very seriously. And he said that he wanted me to serve on the— He was interested if I would serve on the Authority.

ASSEMBLYMAN MORIARTY: And aren’t you happy that you did? (laughter)

MR. SCHUBER: I wish my cell phone had run out of battery on that day. But having said that—

ASSEMBLYMAN MORIARTY: Did you, after that— I guess, did you say yes right away?
MR. SCHUBER: Well, the answer is, I got a second call with regard to it, and at that point I said yes.

ASSEMBLYMAN MORIARTY: And did you ever discuss the Governor’s expectations for your service on the Commission?

MR. SCHUBER: No, no, no, I did not.

ASSEMBLYMAN MORIARTY: No one ever gave you any briefing as to how they would expect the New Jersey delegation to proceed?

MR. SCHUBER: No.

ASSEMBLYMAN MORIARTY: Were you told of any impending toll hike?

MR. SCHUBER: No, I was not.

ASSEMBLYMAN MORIARTY: Boy, you were really thrown to the wolves.

MR. SCHUBER: Yes.

ASSEMBLYMAN MORIARTY: So you get to the Commission and you find out there’s a toll hike in the works. You did not know any of this; no one from the Administration briefed you on this?

MR. SCHUBER: No.

ASSEMBLYMAN MORIARTY: Okay.

MR. SCHUBER: The only briefing I had was the structure of the Authority itself.

ASSEMBLYMAN MORIARTY: Okay, so do you recall when you found out a toll hike was imminent?

MR. SCHUBER: The first day I showed up.

ASSEMBLYMAN MORIARTY: Nice. (laughter)

And did you communicate back to the Governor’s Office?
MR. SCHUBER: No, I did not.

ASSEMBLYMAN MORTIARTY: Did you have any regular communication with the Governor’s Office as to what you should be doing at the Port Authority?

MR. SCHUBER: I did not, no.

ASSEMBLYMAN MORTIARTY: So when this toll hike comes up, your testimony would be that the entire New Jersey delegation does not go back to the Governor and talk to him about it?

MR. SCHUBER: I have no idea what other Commissioners did or did not do; I really don’t know that. Many of them-- Obviously, they all had been there well before me. And I can’t answer your question; I just don’t know.

ASSEMBLYMAN MORTIARTY: I mean, this was a 75 to 100 percent increase. Do you know of any businesses that could increase their product by 75 to 100 percent and stay in business?

MR. SCHUBER: Well, I knew-- As I said before when I testified on this, I took this decision very, very seriously with regard to the fact of -- the facilities that we govern and their upkeep. And the safety of the people who use it is -- from injury caused by a breakdown, or a facility itself from failure to repair it -- is something that haunts me. So I mean, I took it seriously with regard to that and that’s how I viewed the issue itself.

ASSEMBLYMAN MORTIARTY: Do you know what the annual revenue of the Port Authority, or the daily revenue is of the Port Authority?

MR. SCHUBER: I have those figures; I don’t have them off the top of my head. I could certainly provide them.
ASSEMBLYMAN MORIARTY: Seems like they must take in a lot of money each day.

MR. SCHUBER: Well, the-- We would hope they do, for the simple reason that the facilities -- the things that we do are very, very important. And as I said, toll revenue is a good portion of our revenue stream beyond airport facilities, parking, rentals, etc. And it’s almost like the tuition of the Authority, to a certain extent.

ASSEMBLYMAN MORIARTY: And yet the debt is now somewhere around $20 billion?

MR. SCHUBER: Approximately, yes -- about $19-something billion, I believe, when I last looked as far as that goes.

Quite frankly, the reason is obviously for capital planning -- and that’s part of the way that’s done -- and the issue with regard to borrowing for the purpose of meeting our capital needs and other things along those lines.

ASSEMBLYMAN MORIARTY: It seems like a lot of debt with all kinds of revenue coming in, as you outline in your letter here. You know, this time it was 2012, it said that the last five years gross compensation of Port Authority employees had grown almost 20 percent, from $629 million to $749 million; and employees’ health benefits had increased 35 percent. So that was back on January 31, 2012. Has that trend turned around since then?

MR. SCHUBER: I’m sorry, could you read that again? I’m sorry; I lost the train on that.

ASSEMBLYMAN MORIARTY: Gross compensation of the Port Authority has grown in the last five years by approximately 19 percent,
from $629 million to $749 million; and during the same timeframe the costs of benefits for employees increased by approximately 35 percent, from $341 million to more than $458 million. This was in the letter that you signed on January 31, 2012, to Governor Christie and Governor Cuomo. Has it changed since then?

MR. SCHUBER: Well, I think I would say this. As I mentioned before, the census with regard to public employees at the Authority has pretty well stayed the same. We’ve added some police officers to try to get at the issue of overtime. And our budget actually, as far as an increase, has really been within 1 to 1.1 percent each year with regard to its increase. So I think from holding the line – at least on our spending in that way -- I think we’ve done the best-- We’ve done a pretty good job, I think, in trying to maintain the fiscal integrity of the Authority itself.

ASSEMBLYMAN MORIARTY: Would it be your testimony that you’re not sure what the actual numbers are -- whether it’s gone up or down?

MR. SCHUBER: I don’t know the exact numbers as it relates to what you said there, because that letter, I think, is, what? 2012?

ASSEMBLYMAN MORIARTY: Right, I’m saying that since this letter was written, has that trend -- because it went up almost 20 percent -- has it gone down, stayed the same, continued to go up?

MR. SCHUBER: I’d have to look at-- I’d have to go look at those. I’d have to look at those numbers again to get the right ones for you.

ASSEMBLYMAN MORIARTY: Would you provide that information, subsequent to this hearing, for me?
MR. SCHUBER: Yes, I certainly have no problem with that.

ASSEMBLYMAN MORIARTY: One of the things in this letter is that--

MR. SCHUBER: I would ask that if you would direct that to the Authority, though, for that purpose.

ASSEMBLYMAN MORIARTY: Okay.

MR. SCHUBER: And copy me or send it to me.

ASSEMBLYMAN MORIARTY: I'm just asking-- You wrote the letter; it's your letter with your signature and three other people. So I'm just asking you if you could update those figures for me.

MR. SCHUBER: I certainly will.

ASSEMBLYMAN MORIARTY: Okay. And it also-- There was a recommendation to require contributions to health care for employees that would save $103.8 million over the course of the next four years if you could implement that. Has that happened?

MR. SCHUBER: Yes, it has.

ASSEMBLYMAN MORIARTY: Have you saved that kind of money?

MR. SCHUBER: I'd have to look.

ASSEMBLYMAN MORIARTY: Okay. Could you provide me with that information as well? Thank you so much.

MR. SCHUBER: You're welcome.

ASSEMBLYMAN MORIARTY: Getting back to the toll hike-- I have an article here that was in the Star-Ledger, by Steve Strunsky, March 2, 2014. The headline is, "Port Authority officials battle over toll hikes was all for show." Did you read that article?
MR. SCHUBER: I did not, no. I'm sorry.

ASSEMBLYMAN MORIARTY: Okay. Well, it says basically that -- the reporter says that he interviewed six former employees or officials who occupied key posts -- Port Authority posts. I'm quoting from the article. "The former Port Authority official tells the Star-Ledger it was all bull--," and you can fill in the rest of it. "From the start the fix was in," said the former official and five others who occupy key Port Authority posts when the toll hike was rolled out and eventually approved. The whole process, the authority official said, was orchestrated from the outset to make the governors look good even as they reached deeper through the long arm of the Authority into the public's pockets. The former Port Authority officials -- five who are no longer with the agency and one who is still there -- outlined the strategy and execution of the plan in separate interviews with the Star-Ledger; each asked their names not be used because they feared repercussions from speaking out even after they had left the agency.

"The first proposal disclosed to the public, the former official explained, was deliberately inflated. Also planned was Christie's and Cuomo's shocked -- shocked -- reaction, and an unusual one-day series of eight public hearings.

"They knew what the toll increases would be," said one former official. "They set the governors up to look like heroes. It was all a farce."

Can you react to that?

MR. SCHUBER: I read the article, and I'm not sure who they interviewed. I would say, from my perspective -- and I can't speak for any of the other Commissioners, and I was coming on at that particular time -- I
had looked at-- I’d been given the review by the CFO at the time; I
inspected facilities personally myself; I understood the importance of their
upkeep and the development of the projects that were in keeping-- I felt
that the toll increase was a hard decision; I don’t think it was an easy
decision. I would have liked to have missed the meeting.

ASSEMBLYMAN MORIARTY: Sure, no, I understand.

MR. SCHUBER: But I believe it was the right thing to do and
that’s how I personally felt with regard to it. I have no understanding of
what is in that article, and I didn’t play a part with that.

ASSEMBLYMAN MORIARTY: You know nothing about any
kind of orchestrated toll hike--

MR. SCHUBER: I do not. I know what I felt -- I don’t even
know what I felt, and how I reacted to the situation, and what I was going
to do.

ASSEMBLYMAN MORIARTY: Were you aware that there
was any kind of campaign-style operation put together to announce the toll
hikes, to promote the toll hikes, to create a reason for the toll hikes? Do
you know of anything like that?

MR. SCHUBER: No, I do not.

ASSEMBLYMAN MORIARTY: March 2, 2014, Bergen Record
reported on the toll increases process and, specifically, the “campaign
developed to announce the toll hikes and give the governors an opportunity
to lower the final toll increases.” According to the press reports, the
“campaign-style operation was run out of an office on the 15th floor of
Manhattan headquarters.” Were you aware of that campaign?

MR. SCHUBER: No, I was not; I was not.
ASSEMBLYMAN MORIARTY: According to the article, only about 15 people were allowed into the room where the toll increase plan was being developed. Did you ever enter that room, or do you know anything about that so-called room?

MR. SCHUBER: I have not-- I wouldn't even know where it is; I don't know. (laughter)

ASSEMBLYMAN MORIARTY: Did you speak to Bill Baroni about the toll increase plan?

MR. SCHUBER: I don't recollect. I just don't remember.

ASSEMBLYMAN MORIARTY: Did you speak to David Wildstein about the toll increase plan?

MR. SCHUBER: No, I did not.

ASSEMBLYMAN MORIARTY: And did you speak to anyone at the Governor's Office about the toll increase plan?

MR. SCHUBER: No, I spoke to no one in the Governor's Office about it, no.

ASSEMBLYMAN MORIARTY: Did anyone from the Governor's Office speak to you or through any intermediaries to tell you that it would be a good idea to vote for that?

MR. SCHUBER: No.

ASSEMBLYMAN MORIARTY: And to be-- See, I have a-- I'm a little confused here, because the Governor was shocked; you're serving at the pleasure of the Governor; you're a fiscal conservative. Wouldn't you have reached out to find out, "Well, you know, am I doing the right thing here agreeing that we should go forward?"
MR. SCHUBER: I didn’t talk to anybody with regard to it, and I voted for it. Every time a matter comes up, I’m not going to call the Governor’s Office to find out whether I should vote for it or not.

ASSEMBLYMAN MORIARTY: Well, this isn’t a minor matter. We’re talking about--

MR. SCHUBER: It’s not a minor matter.

ASSEMBLYMAN MORIARTY: --a toll hike of 75 to 100 percent; that was the original one before it came down. I mean, it’s going to affect lots and lots and lots of people. That’s an expensive toll hike. It’s not a small matter; it’s not like you’re calling up to find out whether they should hire a new engineer or something.

MR. SCHUBER: No, I understand that, and I don’t treat it that way, either. Look, as I indicated already, it was a tough decision to make. I believe that I did the right thing, based on the information that I had been given with regard to it. I do recognize this, though -- two things: one, the process in making that happen has changed and been implemented by the Authority for if it’s necessary any time in the future -- and I hope it isn’t; second, I think that there-- I do think this: I think that there is a limit to what you can charge with regard to people in this economy using those types of public facilities. I am cognizant of that. And, you know, particularly as we go forth we need to make sure they keep that in mind.

ASSEMBLYMAN MORIARTY: But your testimony would be that there’s never been any coordination between what you do as a Commissioner and what the Governor’s Office, the Administration would like you to do.

MR. SCHUBER: No, I didn’t say that.
ASSEMBLYMAN MORIARTY: Okay. I think I've asked you several times if you ever talked to the Governor's Office about anything--

MR. SCHUBER: And the answer to your question each time -- and it still is -- is no, I did not.

ASSEMBLYMAN MORIARTY: Okay, so I thought you just changed your--

MR. SCHUBER: No, I did not. You said-- Maybe you should repeat it yourself, but I thought you said in -- ever, does the Governor's feelings with regard to issues with regard to things -- do you get feedback with regard to it. That's what you asked.

ASSEMBLYMAN MORIARTY: Okay. And you do, you're saying.

MR. SCHUBER: Periodically, yes.

ASSEMBLYMAN MORIARTY: Okay.

MR. SCHUBER: You would want to.

ASSEMBLYMAN MORIARTY: That's why I find it strange that there was no interaction on this toll increase. So on what types of issues have you had interaction or coordinated efforts?

MR. SCHUBER: Usually it's an issue that impacts a project in the State of New Jersey of major importance -- like the Bayonne Bridge, for example, or the Goethals Bridge.

ASSEMBLYMAN MORIARTY: And would that communication come from the Governor himself? Would he pick up the phone and talk to you?

MR. SCHUBER: No, no it does not.
ASSEMBLYMAN MORIARTY: Who would be the person who would contact you?

MR. SCHUBER: Usually it would come through the Deputy Executive Director.

ASSEMBLYMAN MORIARTY: Of the Port Authority?

MR. SCHUBER: Yes.

ASSEMBLYMAN MORIARTY: So you wouldn't speak to the Administration in Trenton?

MR. SCHUBER: No.

ASSEMBLYMAN MORIARTY: Okay. You would be informed from the Deputy Executive Director what he had heard through talking directly with the Administration, or you don't know?

MR. SCHUBER: I don't know how that works; I really don't.

ASSEMBLYMAN MORIARTY: Okay.

By the way, do you know what David Wildstein's job was-- do you know?

MR. SCHUBER: As far as I know, he was the Deputy to Bill Baroni.

ASSEMBLYMAN MORIARTY: Do you know what he did?

MR. SCHUBER: Well, policy issues-- You know, with regard to-- as any of the staffers do, monitoring the committees and things along those lines.

ASSEMBLYMAN MORIARTY: Do you have any staffers?

MR. SCHUBER: No, we don't.

ASSEMBLYMAN MORIARTY: Okay. Do you have an office?

MR. SCHUBER: No, we don't.
ASSEMBLYMAN MORIARTY: Okay, you just show up for the meetings?

MR. SCHUBER: Yes, we don’t even have an office in the building, either.

ASSEMBLYMAN MORIARTY: Okay. So they give you a packet of information when a Board meeting is coming up and brief you?

MR. SCHUBER: Yes.

ASSEMBLYMAN MORIARTY: Who briefs you?

MR. SCHUBER: The Deputy Executive Director.

ASSEMBLYMAN MORIARTY: Is that by phone, or do you caucus?

MR. SCHUBER: We caucus periodically; sometimes it’s done by phone, sometimes we caucus.

ASSEMBLYMAN MORIARTY: You know, back when Bill Baroni was saying that this was a traffic study, what did you think of his claim that it was a traffic study?

MR. SCHUBER: Look, I have great respect for Bill Baroni, you know, as far as his work was. I had no reason to question him with regard to that. I mean, he was always a valuable staffer, I thought.

ASSEMBLYMAN MORIARTY: Did you do anything to try and investigate whether the Bridge lane closures was proper?

MR. SCHUBER: No.

ASSEMBLYMAN MORIARTY: Did you ask anyone at the -- since you’re a Commissioner, you’re one of 12 -- did you ask anyone to look into these allegations?
MR. SCHUBER: I did not, and I've indicated my reasons for that.

ASSEMBLYMAN MORIARTY: But, I mean, you're a lawyer, right? I mean, you're a lawyer -- is that correct?

MR. SCHUBER: Yes.

ASSEMBLYMAN MORIARTY: Okay. Don't you get a little nervous when people claim that laws might have been broken and you're one of the Commissioners?

(attorney/client confer)

MR. SCHUBER: I think, quite frankly, as a part-time official, you rely on your staff to do the right thing -- and that's personally how I felt about it.

ASSEMBLYMAN MORIARTY: I want to switch gears to the Pulaski Skyway again--

MR. SCHUBER: Sure.

ASSEMBLYMAN MORIARTY: --that the Assemblywoman previously talked about.

Are you aware of any investigation or inquiries by any government agency -- SEC, Manhattan DA, anyone -- looking into the propriety of moving the money from the Port Authority to New Jersey to fund the Pulaski Skyway?

Mr. ALFANO: Other than what he might have read in a newspaper?

ASSEMBLYMAN MORIARTY: Yes.

Mr. ALFANO: Okay.
MR. SCHUBER: No. I'm only familiar with what I saw in the paper.

ASSEMBLYMAN MORIARTY: Okay. So what would be the--- As a Commissioner, when are you notified of, let's say, a lawsuit or any legal inquiries, what would be the normal course of notification?

MR. SCHUBER: Counsel -- normally counsel would send you - - would send out a blast e-mail or a memo to the Commissioners with regard to that.

ASSEMBLYMAN MORIARTY: Is that only when there's an actual lawsuit filed?

MR. SCHUBER: We-- On lawsuits, we get a periodic update on the lawsuits that have been filed. And every lawsuit that's filed, quite frankly, we don't necessarily get individually, but rather in the course of the periodic reports -- unless it was like the one that Assemblywoman Handlin asked me about, which was Jersey City's, because it was a huge amount. We were notified of that. So no, we haven't. And I actually-- I mean, I was not familiar with the Pulaski Skyway issue because I wasn't here at the time, and I-- I mean, the only extent I have any information on it is because I read an article in the newspaper about it.

ASSEMBLYMAN MORIARTY: When you read that article, and it's about an agency that you are on the Board, did you call anyone to say, "Hey, we got a problem here"?

MR. SCHUBER: No, I did not.

ASSEMBLYMAN MORIARTY: Why?

MR. SCHUBER: Well, first of all--

ASSEMBLYMAN MORIARTY: Why?
MR. SCHUBER: I wasn’t here at the time that it was done, and I’m not going to just run to do something based on just one newspaper article that I happened to read.

ASSEMBLYMAN MORIARTY: Oh, I didn’t ask you to run to do anything except to ask.

MR. SCHUBER: And the answer to your question is I did not.

ASSEMBLYMAN MORIARTY: Okay. So you don’t— You have not reviewed the issue, you don’t know— It’s your testimony that you’re not even sure whether the Pulaski Skyway is an access road to the Lincoln Tunnel -- although a look at a map and a drive would tell you it isn’t.

MR. SCHUBER: Well, I understand that, from your perspective. But, no, I do not.

ASSEMBLYMAN MORIARTY: Thank you for your testimony.

MR. SCHUBER: You’re welcome.

SENATOR WEINBERG: Thank you.

I don’t know how long your questioning is; it’s 1:35. Assemblyman Carroll, do you—

ASSEMBLYMAN CARROLL: Five, ten minutes.

SENATOR WEINBERG: I’m sorry?

ASSEMBLYMAN CARROLL: Five to ten minutes, Madam Chair,

SENATOR WEINBERG: Go ahead.

ASSEMBLYMAN CARROLL: Good, thank you very much, Madam Chair; I appreciate it.
Commissioner, thank you for coming today.

Just a couple of questions -- follow-ups on some of the other things.

If I read what you were saying -- or read between the lines of what you were saying, had you been around in the 1970s you might not have voted for the World Trade Center. And I'm not going to ask you to opine on that; I'm going to just simply say it appears to have been a consistent money loser. And according to what I read in Bloomberg not more than three days ago, it appears that it may still be a money loser. I understand that rents have been cut by 10 percent in some areas there. What is being done to staunch the bleeding?

MR. SCHUBER: That's a good question, Assemblyman; thank you.

We could speculate for years on what should have gone on there way back in the 1970s; however, right now what we're trying to-- And we have a professional organization that's seeking tenants with regard to it. We have a state-of-the-art facility -- I think it's near the top -- with regard to observation. We're doing everything to make it safe, secure, and desirable for tenants to be a part of. We're starting to see a little bit of loosening with regard to that. Yes, they did reduce the rent a bit to attract more tenants with regard to it. And, quite frankly, it's one of the reasons I'm not supportive of the Silverstein application at this time -- only because it looks like it runs in competition with us there on that, and I don't see the purpose for that.

ASSEMBLYMAN CARROLL: Well, what about the possibility of privatizing it?
MR. SCHUBER: Well, in many ways it's partially privatized now, quite frankly. I mean, there's going to be— There's an underground mall with regard to it, through Westfield. As it relates to that, I'd have to take a look at the issue of what the impact of that would be to the Authority with regard to privatization.

ASSEMBLYMAN CARROLL: Okay. Now, I think Assemblywoman Caride came up with -- was talking about the grant to the Rockefeller Group. But it wasn't to the Rockefeller Group; it was actually to the City of Hoboken to do a -- what amounts to a master plan study. What possible rationale exists for the Port Authority to be handing out money to local municipalities to do zoning studies?

MR. SCHUBER: Quite frankly, I am not familiar with this issue, and I don't know the answer to your question.

ASSEMBLYMAN CARROLL: Okay. If I may interrupt--

MR. SCHUBER: Sure.

ASSEMBLYMAN CARROLL: You started out by talking about the Port Authority's mission. And if the mission is economic development, that's like the commerce clause -- everything qualified.

MR. SCHUBER: Right.

ASSEMBLYMAN CARROLL: You become, basically, a super entity without limitation on what you can and can't, in fact, do.

You also pointed out that Kennedy Airport is regarded around the world as something of an eyesore and a disaster. Would it not be more appropriate for the Port Authority to channel its resources into making sure that's not the case, than giving out goodies to local municipalities? And if that's a leading question, I apologize, because it's meant to be.
MR. SCHUBER: I understand it is.

I don't know how to answer the question. Obviously, I think, obviously, we need to do everything we can to enhance the usability of -- enhance the desirability of the usability of JFK.

ASSEMBLYMAN CARROLL: Or all the facilities.

MR. SCHUBER: And all of our facilities. And part of the problem with JFK is not the facilities themselves, but the access to the facilities--

ASSEMBLYMAN CARROLL: Right.

MR. SCHUBER: --and the terrible traffic in the area, quite frankly. It's not necessarily the facilities themselves. I didn't necessarily mean to let that on.

Look, I think -- what I think we need to do is continue more towards our core mission, going forward now with the Trade Tower and the facilities almost now completed. The Museum is open; the memorial site is now open to the public on a regular basis; the transportation hub is coming on. I think it's important for us now to move ahead into the things that are more closely related to our core mission. For me, one of those things would be the Port Authority Bus Terminal at 42nd Street--

ASSEMBLYMAN CARROLL: Okay.

MR. SCHUBER: --and things along those lines that are more towards the things that we have traditionally done.

ASSEMBLYMAN CARROLL: Well, if I may, I read through most of that Empire on the Hudson, which is interesting history; I'm sure you've read it.
MR. SCHUBER: Right, yes.

ASSEMBLYMAN CARROLL: It seems to me, back in the day there were the Robert Moseses of this world, etc., and these people had a vision of what they wanted to see. With the massive turnover of the leadership of the Port Authority, is there any one or any group that has a vision as to what you want the Port Authority to look like 5, 10, 15, 20 years down the line, and how are you going to pay for it?

MR. SCHUBER: Well, that’s a good question. And I think that one of the things that occurred to me when we had our oversight meeting, where we brought in Professor Doig -- who wrote the book -- as well as others, and talked about that issue -- about the vision for the future -- I thought that when the reform issue is resolved and moved forward, that we need to do more of that for ourselves intellectually -- to clarify the vision of the future for the Port Authority of New York and New Jersey.

That requires, I think, several things that we don’t do now. For example, I’ve advocated that the Commissioners need to go on retreat -- beyond political retreat -- but retreat with regard to the issue of just getting an understanding of what we do and what we need to do for the future, which we don’t do. Because we come in together for a committee meeting, or we come in once a month or whatever the case may be on that; we just don’t collectively come together for that purpose. So that would be another aspect of that.

ASSEMBLYMAN CARROLL: Maybe instead of retreating you should surrender. (laughter) Because, I mean, we’re looking at this-- If I may, again I’m looking at the Bloomberg story, and apparently you’re running a $1.2 billion operating loss on various and sundry entities that the
Port Authority makes up, while you're only spending $287 million in the capital projects. And that strikes me as being backwards. I mean, you have a big problem there. What's being done to make sure that that operating expense ceases to exist -- or actually loss?

MR. SCHUBER: Well, I think that the finance committee, as reconstituted, that's chaired by a former colleague, Assemblyman Bagger -- now Commissioner Bagger -- he's really gotten a handle--

ASSEMBLYMAN CARROLL: He's got lots of titles, actually.

MR. SCHUBER: I'm sorry?

ASSEMBLYMAN CARROLL: He's got lots of titles.

MR. SCHUBER: Yes. And we're getting a real good fiscal handle with regard to the Authority and keeping -- riding rein on its expenses, as well as allocating the capital plan appropriately to the areas that we need to do and on a regular basis; and also dealing with the issue of its insurance and its insurance costs. And we made, I think, significant progress with regard to that. It's an issue for us that is very much in our minds, and continues to occupy a tremendous amount of our time with regard to that committee.

ASSEMBLYMAN CARROLL: Coming back to something that Assemblyman Moriarty was talking about a minute ago -- the labor costs and such. And again, in that same Bloomberg article they reported the massive overtime costs. Now, that's been a long-standing problem.

MR. SCHUBER: Yes, it is.

ASSEMBLYMAN CARROLL: I mean, I remember when I first got involved -- cops making $284,000 a year because of overtime. And I read that one particular employee -- and I gather he's a police officer --
made $331,000 last year because of overtime. That’s a lot of *verschnagels*. And what is being done? I mean, I know you hired more police officers, and I know your security costs have more than tripled. And for some--There’s certainly an aspect which is warranted, given circumstances. But what’s being done to make sure that those, what I would call, labor abuses are stopped?

MR. SCHUBER: We actually are starting to see some good news with regard to overtime. Some of the areas now we’re looking at -- overtime seems to be stabilizing.

The law enforcement issues -- given the nature of the things that are going on with the Port -- are a challenge with regard to that. We’re hoping that the new police class will help us to address that. Our security officer, and basically the head of our Public Safety entity, Joseph Dunne, understands that that’s a number one priority beyond the safety of the public and our facilities. And we’re starting to see a little bit of a leveling of that. This last year has been tough -- I mean, the last two years have been tough, between Sandy, and the Super Bowl, and other issues that required -- and the bad winter. The overtime with regard to our employees on that is just a figure that is related to those activities that, hopefully, we don’t -- well, that depends how you feel about the Super Bowl -- we don’t see again.

ASSEMBLYMAN CARROLL: I’m a Rangers fan; I don’t care. (laughter)

MR. SCHUBER: Well, good luck. I hope that works out.

ASSEMBLYMAN CARROLL: I want to thank you very much for this opportunity. Again, it’s been a long day; I’d like to go further on this stuff, but I’m going to stop for the time being because of time.
SENATOR WEINBERG: Thank you, Assemblyman Carroll. Assemblywoman Schepisi, if you-- And then we can close up.

ASSEMBLYWOMAN SCHEPISI: Recognizing that it's been a long day, I'm going to limit it to a couple of questions, okay?

First one is just a clarification, because I know earlier there were quite a few references to Senator Weinberg's letter of September 19. If you have it in front of you, would you just take a quick look at it to refresh your recollection?

Is there any reference within that letter to public safety issues?

Do you have it in front of you?

MR. SCHUBER: I do.

I mean, the word is not used, no.

ASSEMBLYWOMAN SCHEPISI: Okay. I just want to clarify, because that was utilized quite a bit; not by you, but earlier in questioning. And with respect to the letter I did not see that in there.

Notwithstanding that, once you had heard that this letter existed, you and Senator Weinberg had communication on or about September 25, correct?

MR. SCHUBER: Approximately, yes.

ASSEMBLYWOMAN SCHEPISI: Bringing you to your phone log -- which, I believe, is Tab 5.

MR. SCHUBER: Right.

ASSEMBLYWOMAN SCHEPISI: According to the phone log, you had a conversation with Senator Weinberg at approximately 11:13 a.m. on September 25, correct?
MR. SCHUBER: Right.

ASSEMBLYWOMAN SCHEPISI: And that conversation lasted about 6 minutes.

MR. SCHUBER: Right.

ASSEMBLYWOMAN SCHEPISI: And on the same date, at 11:20 -- approximately a minute after you got off the phone with Senator Weinberg -- you reached out to Mayor Sokolich, correct?

MR. SCHUBER: That’s correct, yes.

ASSEMBLYWOMAN SCHEPISI: And according to that log, it was about 2 minutes with -- on the same date -- at 12:09 you received a phone call back from Mayor Sokolich that lasted about 22 minutes. Is that correct?

MR. SCHUBER: That’s correct.

ASSEMBLYWOMAN SCHEPISI: During that 22-minute call with Mayor Sokolich, to the best of your recollection what was discussed?

MR. SCHUBER: To the best of my recollection, the first things we talked about were an IckLE course that was coming up; the second thing, I told him that I was calling at the request of Senator Weinberg, who had asked me to call him about the traffic issues that had occurred up at the Bridge. He had indicated to me that he was concerned with regard to that. I had asked him if he had talked to anybody at the Port. He said that he was trying to get a meeting with regard to that with Mr. Baroni, and that the meeting -- it was scheduled some time in the distance. And I asked him if I could expedite that meeting for him, and he said no, no, he didn’t want to. He wanted -- I think he indicated that he wanted to continue to maintain good relations with the Port. I said, “Do
you have my cell phone number?” and I gave him my cell phone number for any future reference; and said that I was concerned -- that my concern was that I wanted to make sure that he personally -- and his official staff, like the police, etc. -- would get notification of any other type of actions at the Bridge itself.

ASSEMBLYWOMAN SCHEPISI: During this conversation, do you recall the Mayor ever expressing concern that he believed that what had occurred with the traffic and the Bridge was political retaliation against him by the Governor?

MR. SCHUBER: I don’t remember him saying those words; but he did say that there was a lot of press interest with regard to that issue.

ASSEMBLYWOMAN SCHEPISI: Did you have any subsequent conversations with the Mayor after the September--

MR. SCHUBER: I did not, no.

ASSEMBLYWOMAN SCHEPISI: Okay. With respect to the letter itself, it was also CC’d to a couple of other people, including Assemblyman Gordon Johnson, Assemblywoman Huttle. Did anybody else reach out to you on this issue after the letter was sent?

MR. SCHUBER: - I’ll be honest with you, I just don’t remember.

ASSEMBLYWOMAN SCHEPISI: Last question or two. We have discussed over the past several months potential reforms to the Port Authority.

MR. SCHUBER: Sure

ASSEMBLYWOMAN SCHEPISI: You, yourself, today have testified on certain things that you’d like to see, including preventing
political donations from Commissioners, having potentially a signoff by both governors or the legislative bodies for Director-level type employees with nationwide searches. Based upon your position as a Commissioner, based upon what you’ve seen occur thus far, do you see any reason for us not to start moving forward on reforms?

MR. SCHUBER: Having been a legislator, I’m reluctant to intervene and say, “You should move forward right now with this.” It’s not my purpose.

But I would just say, yes, I think it’s time now to move reforms forward; I do believe that. And the time is right; it’s apropos, given the situation and the fact that there are-- It appears to be, at least collegially -- or collaboratively, New York legislators in similar committees on the other side of the river are doing the same thing; which is unique, in my opinion, in dealing with the Port Authority. And I think you should take advantage of that and go forward, I do.

ASSEMBLYWOMAN SCHEPISI: Last question. You were talking about some of the recusal provisions that have been put in place.

MR. SCHUBER: Right.

ASSEMBLYWOMAN SCHEPISI: If you had a Commissioner who was a partner at a law firm which was doing a real estate transaction involving the Port Authority, they would have to recuse themselves, correct?

MR. SCHUBER: Correct.

ASSEMBLYWOMAN SCHEPISI: If you had a partner who was a Commissioner who was involved in an active litigation against the Port Authority, you would recuse yourself, correct?

MR. SCHUBER: Right.
ASSEMBLYWOMAN SCHEPISI: Okay. And these are all standard operating procedures that are now in place at the Port Authority?

MR. SCHUBER: Those would be-- In my mind, they would be conflicts of interest, yes.

ASSEMBLYWOMAN SCHEPISI: Okay. No further questions.

Thank you.

MR. SCHUBER: You’re welcome. Thank you.

SENATOR WEINBERG: Thank you. And just before I close, I have two questions.

As the former Bergen County Executive, I know you know Bergen County quite well. Did you listen to Bill Baroni’s testimony before the Assembly Transportation Committee?

MR. SCHUBER: Unfortunately, I did not; I’m sorry.

SENATOR WEINBERG: Did you read about it?

MR. SCHUBER: I read about it.

SENATOR WEINBERG: Okay. Are you aware that Bill Baroni testified to the fact that this so-called traffic study was done because there are these private, dedicated lanes from Fort Lee, for Fort Lee residents?

MR. SCHUBER: I was not, no; I’m sorry.

SENATOR WEINBERG: You weren’t aware that Bill Baroni testified to that--

MR. SCHUBER: I was not.
SENATOR WEINBERG: --where there were subsequent op-ed pieces and speeches made about that? Or that the Governor's Office -- the Governor himself commented on it?

MR. SCHUBER: I'm not; I'm sorry.

SENATOR WEINBERG: Okay; my last question, then. Do you recall when you were nominated -- and I think three or four hours ago I talked about my feelings about when you were nominated, and that I was planning to vote for you. Do you recall any of those conversations?

MR. SCHUBER: I do.

SENATOR WEINBERG: And what do you recall about that?

MR. SCHUBER: I'm sorry, I didn't hear what you said.

SENATOR WEINBERG: You do not recall any--

MR. SCHUBER: No, I do.

SENATOR WEINBERG: Okay, then what do you recall?

MR. SCHUBER: I recall what you just said.

SENATOR WEINBERG: Okay. And do you recall that when you appeared before the Judiciary Committee, I again, in the spirit of bipartisanship and because of my respect for you -- that I again reiterated that I was delighted to vote for you because I knew how well you knew Bergen County and how the Port Authority impacts Bergen County -- for all the obvious reasons. Do you recall that?

MR. SCHUBER: Yes, I do.

SENATOR WEINBERG: Okay. And do you recall, although our recollections of that phone conversation seem to be slightly different -- but that is what it is -- do you recall that on at least three public occasions,
and then once or twice when I bumped into you along the road, that I referred to that conversation, and said that you had said to me you were going to check into this and get back to me? Did you ever correct that impression, either publicly or privately, to me?

MR. SCHUBER: I don’t remember. I actually don’t remember that last part, but I did not, no.

SENATOR WEINBERG: You don’t remember my speaking before the Port Authority--

MR. SCHUBER: Oh, I do; I do remember that.

SENATOR WEINBERG: --and my referring specifically to our phone conversation?

MR. SCHUBER: I don’t remember that.

SENATOR WEINBERG: Publicly.

MR. SCHUBER: No.

SENATOR WEINBERG: You don’t recall that?

MR. SCHUBER: I do not.

SENATOR WEINBERG: And you don’t recall when we met each other along the road?

MR. SCHUBER: I remember meeting you at the debate.

SENATOR WEINBERG: And that I, again, approached you about that phone conversation. You don’t recall that?

MR. SCHUBER: I don’t recall you saying that; no, I do not.

SENATOR WEINBERG: Okay, I appreciate that.

We have no further questions; we need to move to release the documents.

Oh, I’m sorry -- I didn’t see the first sentence.
Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Just one brief follow-up.

I think in questioning -- responding to questioning -- it might have been by Assemblyman Moriarty, but clearly I know Senator Gill asked questions about the September 13 Pat Foye e-mail.

MR. SCHUBER: Right.

ASSEMBLYMAN WISNIEWSKI: Do you recall that inquiry?

MR. SCHUBER: I do.

ASSEMBLYMAN WISNIEWSKI: Your testimony was that you did not receive a copy of this e-mail.

MR. SCHUBER: No, I didn’t say I didn’t receive it; I didn’t remember whether I had read it or not at that point.

ASSEMBLYMAN WISNIEWSKI: Okay. When did you read it?

MR. SCHUBER: Subsequent to that. And I don’t remember when, I’ll be honest with you.

ASSEMBLYMAN WISNIEWSKI: Okay. When did you first become aware that Pat Foye had raised his concerns in the form of an e-mail?

MR. SCHUBER: I don’t remember.

ASSEMBLYMAN WISNIEWSKI: Not at all?

MR. SCHUBER: I do not; no I do not.

ASSEMBLYMAN WISNIEWSKI: When did you first become aware that there was a question about lanes being closed on the George Washington Bridge?
MR. SCHUBER: When I read a newspaper article -- around the 19th or 20th of September.

ASSEMBLYMAN WISNIEWSKI: Of September?

MR. SCHUBER: Yes.

ASSEMBLYMAN WISNIEWSKI: When was the next Port Authority Commissioner meeting after that?

MR. SCHUBER: I'd have to look; I don't know.

ASSEMBLYMAN WISNIEWSKI: Do they meet monthly?

MR. SCHUBER: I don't know if there was one in September, or the next one would have been in October. I don't remember.

ASSEMBLYMAN WISNIEWSKI: I know I attended one in November.

MR. SCHUBER: Yes. No, I realize you were in November, but the next one might have been October; I just don't remember.

ASSEMBLYMAN WISNIEWSKI: Would it be fair to say that by the November meeting you were aware of the Pat Foye e-mail?

MR. SCHUBER: I don't want to speculate; I would assume so.

ASSEMBLYMAN WISNIEWSKI: Okay. When you became aware of the Pat Foye e-mail--- which raised, among other things, an allegation by Pat Foye that laws may have been broken -- did you then contact Mr. Bookbinder, the Authority's counsel, and ask him, "What should I do with this?"

Mr. ALFANO: Excuse us, please.

(attorney/client confer)

MR. SCHUBER: I think that-- First of all, with regard to any conversation with Mr. Bookbinder, I think those might privileged.
ASSEMBLYMAN WISNIEWSKI: I’m not asking to describe the conversation--

MR. SCHUBER: I did not; no, I did not.

ASSEMBLYMAN WISNIEWSKI: --I’m asking you, did you, at some point in time, contact Mr. Bookbinder and say, “What should we do about this?”

Mr. ALFANO: But you characterized the conversation, Assemblyman.

ASSEMBLYMAN WISNIEWSKI: Did you ask Mr. Bookbinder a question about what you had been made aware of?

MR. SCHUBER: I did not.

ASSEMBLYMAN WISNIEWSKI: At no time?

MR. SCHUBER: No

ASSEMBLYMAN WISNIEWSKI: Okay. At any point in time did you raise it to your fellow Commissioners?

MR. SCHUBER: I did not, no.

ASSEMBLYMAN WISNIEWSKI: After the revelations of January of 2014, did you raise this issue with Mr. Bookbinder?

MR. SCHUBER: I did not, and shortly thereafter it went to the Inspector General.

ASSEMBLYMAN WISNIEWSKI: At any time after those revelations of January of 2014, did you raise it to your fellow Commissioners?

MR. SCHUBER: No.
ASSEMBLYMAN WISNIEWSKI: Okay. My concluding question is, do you believe, in your failure to raise these issues, that you fulfilled your fiduciary responsibility to the Port Authority?

MR. SCHUBER: I believe that-- The answer to your question is yes, I do. I believe that I have served the Commission -- or the Port Authority Commission professionally and ably with regard to it. Could I do better? Sure, I could -- anybody could, with regard to it. And hindsight is 20/20. But as far as fulfilling my fiduciary duty to the -- as a Commissioner, I believe I have.

ASSEMBLYMAN WISNIEWSKI: You never once raised this issue with either Mr. Bookbinder or your fellow Commissioners?

MR. SCHUBER: I did not.

ASSEMBLYMAN WISNIEWSKI: Thank you.

SENATOR WEINBERG: Thank you.

One final comment or question each.

Assemblywoman Huttle? No?

Senator Gill.

SENATOR GILL: Just one question.

Did you or any Commissioner at any point ask why were there lane closures on September 11?

MR. SCHUBER: I can’t answer-- I can’t speak for anybody else.

SENATOR GILL: Okay, so I’m asking--

MR. SCHUBER: I did not.

SENATOR GILL: And the reason I’m asking you this is because, even if you assumed it was a valid traffic study -- even if we assume
that for the purpose of argument -- it seems to me a logical question would be: Why would you close the lanes on September 11, which is the height of national security, in issues of national security and terrorism in our country? Why would the Port have lane closures on September 11?

(attorney/client confer)

MR. SCHUBER: I can’t answer your question with regard to that particular issue as it relates to September 11. I can’t; I don’t know the answer to it. But again, from my perspective as a Commissioner, my perspective with regard to the staff of the Authority and how it ran -- you depend upon it, and I thought they ran it professionally with regard to it, and I took that as part of my feeling about how the Authority runs.

SENATOR GILL: Okay, thank you.

MR. SCHUBER: You’re welcome.

SENATOR WEINBERG: Thank you.

We need to-- First of all, thank you, Commissioner Schuber.

MR. SCHUBER: You’re welcome.

SENATOR WEINBERG: You were quite correct; you are the first Port Authority Commissioner who we have had the opportunity to question about a number of issues, and I think you gave us an insight -- pretty clear insight, perhaps, into the Port Authority.

And we appreciate your being here; we appreciate your attorney being here.

We need to just do two follow-up resolutions. We need to move to release the documents.

ASSEMBLYWOMAN VAINIERI HUTTLE: Madam Co-Chair, I’ll make a motion that all the documents submitted today, June 3,
2014, by the Port Authority of New York and New Jersey, on behalf of William “Pat” Schuber, to New Jersey Legislative Select Committee on Investigation, and any other exhibits on which William “Pat” Schuber was questioned here today, be made part of the official public record and attached to the official transcript of today’s meeting.

I make that motion.

SENATOR WEINBERG: Second?
ASSEMBLYWOMAN CARIDE: I’ll second.
SENATOR WEINBERG: Second.

Roll call.

ASSEMBLYMAN WISNIEWSKI: Wait a minute.

SENATOR WEINBERG: Question from Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Yes, I just wanted to make sure that would include the exhibit to the lawsuit that I shared with everyone.

SENATOR WEINBERG: That was distributed, yes.

ASSEMBLYWOMAN HANDLIN: Okay, good. So that will be part of the information released?

SENATOR WEINBERG: Do you have a comment you wanted to make?

ASSEMBLYMAN WISNIEWSKI: I do have a comment.

I think that what we were talking about, Assemblywoman, was the documents that were submitted in response to the subpoena, as well as the documents that were used today. Is that correct?

SENATOR WEINBERG: Right.
ASSEMBLYWOMAN HANDLIN: That is correct. I amend the motion.

SENATOR WEINBERG: May I have a roll call, please.

MR. MOLIMOCK: On the motion that all documents submitted by the Port Authority of New York and New Jersey, on behalf of William “Pat” Schuber, to the New Jersey Legislative Select Committee on Investigation, and any other exhibits on which William “Pat” Schuber was questioned here today, be made part of the official public record and attached to the official transcript of today’s meeting,

Senator O’Toole.

SENATOR O’TOOLE: Yes.

MR. MOLIMOCK: Assemblywoman Schepisi.

ASSEMBLYWOMAN SCHEPISI: Yes.

MR. MOLIMOCK: Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Yes.

MR. MOLIMOCK: Assemblywoman Vainieri Huttle.

ASSEMBLYWOMAN VAINIERI HUTTLE: Yes.

MR. MOLIMOCK: Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Yes.

MR. MOLIMOCK: Senator Gill.

SENATOR GILL: Yes.

MR. MOLIMOCK: Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Yes.

MR. MOLIMOCK: Co-Chair Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Yes.
MR. MOLIMOCK: Co-Chair Weinberg.

SENATOR WEINBERG: Yes.

SENATOR WEINBERG: And now we need to move to go into executive session and lunch.

ASSEMBLYMAN WISNIEWSKI: And we will not return.

SENATOR WEINBERG: Can I have a motion?

ASSEMBLYWOMAN VAINIERI HUTTLE: So moved.

ASSEMBLYWOMAN CARIDE: Second.

SENATOR WEINBERG: Roll call.

MR. MOLIMOCK: On the motion that the Committee convene in closed session to receive the advice of special counsel, Assemblywoman Schepisi.

ASSEMBLYWOMAN SCHEPISI: Yes.

Mr. MOLIMOCK: Senator O'Toole.

SENATOR O'TOOLE: Yes.

MR. MOLIMOCK: Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Yes.

MR. MOLIMOCK: Assemblywoman Vainieri Huttle.

ASSEMBLYWOMAN VAINIERI HUTTLE: Yes.

MR. MOLIMOCK: Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Yes.

Mr. MOLIMOCK: Senator Gill.

SENATOR GILL: Yes.

MR. MOLIMOCK: Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Yes.

MR. MOLIMOCK: Co-Chair Wisniewski.
ASSEMBLYMAN WISNIEWSKI: Yes.
MR. MOLIMOCK: Co-Chair Weinberg.
SENATOR WEINBERG: Yes.
Thank you very much.

(MEETING CONCLUDED)
EXHIBIT 34
Frank Huttle weighs Englewood mayoral bid

BY MATT FRIEDMAN AT 03/16/09 7:28PM

Attorney Frank Huttle is considering a mayoral run in Englewood, where incumbent Mayor Michael Wildes is retiring.

Huttle, the husband of Assemblywoman Valerie Vainieri Huttle (D-Englewood) and partner in the politically connected law firm DeCotiis, FitzPatrick, Cole & Wisler, LLP, plans to compete for the endorsement of the municipal Democratic committee, which will hear from him and Scott Reddin, a councilman who has already declared his intention to run for mayor, on Wednesday night.

Locals expect Wildes to field a candidate as well.

Frank Huttle and Reddin belong to the same anti-establishment faction of Bergen County Democrats that has often fought with Wildes. In fact, Reddin already has the endorsement of his wife's running mate, Assemblyman/Councilman Gordon Johnson (D-Englewood).
Frank Huttle could not be reached for comment, but his supporters hope that Reddin will drop his mayoral bid and seek reelection to his council seat instead. Reddin, however, said today that he does not plan to back down.

"I'm in all the way. Head first," Reddin said. "I've personally had every single person I've talked to – the friends and close friends who have said they're supporting me – not one person has said they're not supporting me now that Frank Huttle is in the race."

---

**Share this:**

Facebook | Twitter | Google+ | LinkedIn | Email | Print

---

**Add a comment...**

**Comment using...**

---

Facebook social plugin

---

**Trending Now**

---

Democratic candidates for guv 2017 swarm Tedesco with two weeks to go

BurlCo muzzle flash: Fulop v. Layton

COAH Board rejects rule proposal

2014 Election Guide: November 4th Greasepoints Part I

Is McGreevey watching the West Orange mayor’s race and the Frank Addonizio jump

"I’m excited as hell about CD 5. We have encouraged Congressman [Steve] Israel to get involved in CD 5."

—Democratic State Party Chairman John Currie
EXHIBIT 35
RECESSED MEETING

MAYOR AND COUNCIL

Thursday, December 20, 2012/
January 3, 2013 @ 6:08 p.m.

The recessed meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

PRESENT: Mayor Sokolich, Council Members Pohan Goldberg, Sargenti, Kasofsky, Cervieri

ABSENT: Councilman Sohmer

ALSO PRESENT: Peggy Thomas, Borough Administrator Neil Grant, Borough Clerk J. Sheldon Cohen, Borough Attorney Joseph Iannaconi, CFO

SPECIAL MEETING STATEMENT

All members of this body have been advised both orally and in writing at least 48 hours prior to this meeting of the time, place and proposed agenda hereof;

On December 6, 2012 a written notice of the time and place of this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey.

On December 6, 2012 a copy of said written notice was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE filed with the Borough Clerk, and copies were mailed to all persons who have requested same, and have prepaid the fee fixed for the year 2012.

On January 2, 2013 a written notice of the proposed agenda of this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey.

Let the minutes reflect that this is a continuation of the regularly scheduled Mayor and Council meeting of December 20, 2012.

Let the minutes also reflect that the 2013 Fort Lee Mayor and Council Reorganization Meeting will commence after the recessed meeting is completed.

MAYOR’S REPORT AND ANNOUNCEMENTS

Mayor Sokolich welcomed everyone to the Borough’s statutory required reorganization meeting. The first action is to complete the Borough’s December 20th regular meeting which was recessed until today. The recessed meeting will be a short meeting,
Harvey would not want a day to go by without officially serving as a Councilman. He offered his best wishes to Councilman Sohmer from everyone and that he will see him soon.

**PROPOSED CONSENT AGENDA**

On motion by Council Cervieri, seconded by Councilman Sargenti, the Proposed Consent Agenda was introduced relative to items CA-1 through CA-7.

**CA-1 - Approving Budget Transfers - $537,347.00**

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the following 2012 budget appropriation transfers are hereby made, pursuant to N.J.S. 40A:4-58, not less than two-thirds of the full membership of the Governing Body concurring:

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary &amp; Wage Adj.</td>
<td>Administration S/W</td>
<td>10,374.00</td>
</tr>
<tr>
<td>$300,000.00</td>
<td>Purchasing S/W</td>
<td>30,049.00</td>
</tr>
<tr>
<td>Assessmnt. of Taxes O/E</td>
<td>Borough Clerk S/W</td>
<td>7,992.00</td>
</tr>
<tr>
<td>20,000.00</td>
<td>Payroll/Date Processing S/W</td>
<td>4,886.00</td>
</tr>
<tr>
<td>Legal</td>
<td>Collection of Taxes S/W</td>
<td>17,587.00</td>
</tr>
<tr>
<td>58,000.00</td>
<td>Assessmnt. of Taxes S/W</td>
<td>3,452.00</td>
</tr>
<tr>
<td>Economic Dev. O/E</td>
<td>Economic Development S/W</td>
<td>9,619.00</td>
</tr>
<tr>
<td>20,000.00</td>
<td>Police S/W</td>
<td>22,275.00</td>
</tr>
<tr>
<td>Construction Offic. S/W</td>
<td>Emergency Management S/W</td>
<td>6,538.00</td>
</tr>
<tr>
<td>54,000.00</td>
<td>Fire Prevention S/W</td>
<td>59,571.00</td>
</tr>
<tr>
<td>Other Insurance</td>
<td>Ambulance Corps S/W</td>
<td>26,248.00</td>
</tr>
<tr>
<td>20,000.00</td>
<td>Road Repair S/W</td>
<td>55,370.00</td>
</tr>
<tr>
<td>Recreation S/W</td>
<td>Public Buildings &amp; Grounds S/W</td>
<td>14,627.00</td>
</tr>
<tr>
<td>10,000.00</td>
<td>General Services S/W</td>
<td>44,004.00</td>
</tr>
<tr>
<td>Senior Citizens S/W</td>
<td>Board of Health S/W</td>
<td>13,889.00</td>
</tr>
<tr>
<td>30,000.00</td>
<td>Human Services S/W</td>
<td>4,126.00</td>
</tr>
<tr>
<td>Sewer System S/W</td>
<td>Cultural &amp; Heritage S/W</td>
<td>3,035.00</td>
</tr>
<tr>
<td>25,347.00</td>
<td>Elections O/E</td>
<td>80.00</td>
</tr>
<tr>
<td></td>
<td>Collect. Of Taxes O/E</td>
<td>7,637.00</td>
</tr>
<tr>
<td></td>
<td>Police O/E</td>
<td>22,000.00</td>
</tr>
<tr>
<td></td>
<td>Emergency Mgmt. O/E</td>
<td>5,833.00</td>
</tr>
<tr>
<td></td>
<td>Public Buildings &amp; Grounds O/E</td>
<td>18,187.00</td>
</tr>
<tr>
<td></td>
<td>Parks &amp; Playgrounds O/E</td>
<td>1,799.00</td>
</tr>
<tr>
<td></td>
<td>Electricity O/E</td>
<td>60,000.00</td>
</tr>
<tr>
<td></td>
<td>Water O/E</td>
<td>26,000.00</td>
</tr>
<tr>
<td></td>
<td>Telephone</td>
<td>53,000.00</td>
</tr>
<tr>
<td></td>
<td>Sewer System O/E</td>
<td>794.00</td>
</tr>
<tr>
<td></td>
<td>Municipal Court O/E</td>
<td>8,775.00</td>
</tr>
</tbody>
</table>

**Total:** $537,347.00 **Total:** $537,347.00
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that all debits and credits of ten dollars ($10.00) or less be and are hereby cancelled, as per listing kept in the office of the Tax Collector-Treasurer.

CA-3 - Authorizing the Chief Financial Officer to Cancel Outstanding Open Checks in Various Accounts for 2011 and Prior Years - $31,415.38

WHEREAS, there remain checks outstanding on the Borough of Fort Lee's banking records for 2011 and prior years; and

WHEREAS, every attempt has been made by the Chief Financial Officer to have the checks cleared,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the Chief Financial Officer is hereby authorized to cancel the following outstanding amounts in the various accounts (See Attached Schedule {A}) in the total amount of $31,415.38.

<table>
<thead>
<tr>
<th>Account Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Payroll</td>
<td>$31,368.45</td>
</tr>
<tr>
<td>Payroll</td>
<td>46.93</td>
</tr>
</tbody>
</table>

Grand Total: $31,415.38

<table>
<thead>
<tr>
<th>Date</th>
<th>Check #</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/2011</td>
<td>78217</td>
<td>$35.00</td>
</tr>
<tr>
<td>5/2011</td>
<td>79216</td>
<td>15.00</td>
</tr>
<tr>
<td>5/2011</td>
<td>79234</td>
<td>195.00</td>
</tr>
<tr>
<td>5/2011</td>
<td>79266</td>
<td>818.50</td>
</tr>
<tr>
<td>5/2011</td>
<td>79480</td>
<td>27,949.99</td>
</tr>
<tr>
<td>8/2011</td>
<td>80300</td>
<td>67.50</td>
</tr>
<tr>
<td>9/2011</td>
<td>80626</td>
<td>2,000.00</td>
</tr>
<tr>
<td>9/2011</td>
<td>80656</td>
<td>25.00</td>
</tr>
<tr>
<td>12/2011</td>
<td>81301</td>
<td>113.91</td>
</tr>
<tr>
<td>12/2011</td>
<td>81570</td>
<td>148.55</td>
</tr>
</tbody>
</table>

Total: $31,368.45

Current Account

Payroll

10/2011 129177 $46.93

Total: $46.93
Recessed Meeting

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the balance of these credits be credited back to surplus in the amount of $231,616.29 as per the listing kept in the office of the Tax Collector-Treasurer.

CA-5 - Authorizing Cancellation of Unexpended Balances of Certain Current Budget Appropriations - $523,835.57

WHEREAS, the following Current Fund budget appropriation balances remain unexpended:

<table>
<thead>
<tr>
<th>Appropriation Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group Insurance (outside CAP)</td>
<td>$462,473.00</td>
</tr>
<tr>
<td>Bergen County Utilities Authority (Outside CAP)</td>
<td>$33,072.13</td>
</tr>
<tr>
<td>Public Employees Retirement System (Outside CAP)</td>
<td>$28,290.44</td>
</tr>
</tbody>
</table>

and,

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the above listed unexpended balances of the Current Fund be and are hereby canceled.

CA-6 - Authorizing Payment of Marriage Fees to the State of New Jersey for Period Covering October 1st - December 31st, 2012 - $1,115.00

BE IT RESOLVED, that the Tax Collector-Treasurer be authorized to draw a check drawn from the Current Account, Bank of America payable to the Treasurer, State of New Jersey, in the amount of $1,115.00 to cover fees collected for marriage and civil union licenses for the period covering October 1, 2012 through December 31, 2012. Fees are to be forwarded on a quarterly basis to the Department of Human Services;

CA-7 - Requesting Approval from the New Jersey Division of Local Government Services (DOLGS) for the Dedication by Rider for COAH Development Fees Trust Fund
WHEREAS, the Borough of Fort Lee provides for receipt of COAH Development Fees by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the COAH Development Fees Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen, New Jersey as follows:

1. The Mayor and Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of COAH Development Fees, Borough of Fort Lee

2. The Borough Clerk of the Borough of Fort Lee, County of Bergen is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

There being no discussion, on motion by Councilman Cervieri, seconded by Councilman Goldberg, the Consent Agenda (items CA-1 through CA-7) was approved unanimously.

COUNCIL REPORTS

All of the council members deferred their reports to the reorganization meeting.

PUBLIC PARTICIPATION

Mayor Sokolich - asked the public to defer their comments until the reorganization meeting unless there was something of urgency that needed to be said at this time.

No one from the public choose to speak during this portion of the meeting.

There being no further discussion, the recessed meeting was adjourned on motion by Councilman Cervieri, seconded by Councilman Sargenti and carried at 6:14 p.m.
REORGANIZATION MEETING

MAYOR AND COUNCIL

Thursday, January 3, 2013 @6:35 p.m.

The Reorganization Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Goldberg, Sargenti, Kasofsky, Cervieri

ABSENT: Councilman Sohmer

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Joseph Iannaconi, CFO

MAYOR’S STATEMENT

All members of this body have been advised both orally and in writing at least 48 hours prior to this meeting of the time, place and proposed agenda hereof;

On December 6, 2012 a written notice of the time and place of this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey.

On December 6, 2012 a copy of said written notice was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE filed with the Borough Clerk, and copies were mailed to all persons who have requested same, and have prepaid the fee fixed for the year 2012.

On January 2, 2013 a written notice of the proposed agenda of this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey.

INVOCATION

Rabbi Meir Berger of the New Synagogue offered the invocation for the New Year.

OATHS OF OFFICE

Joseph Cervieri was sworn in as a Councilman by Judge John DeSheplo. His wife, JoAnn held the Bible, as he took his Oath of Office.
She then read the following speech:

"I am here tonight to show our gratitude for what the voters of Fort Lee have accomplished for our governing body by bringing back two hard working council persons who keep our taxes at an even level and to maintain the high level of services that the residents are accustomed to. Our seniors are forever and forever grateful for the wonderful center, transportation provided and much more.

I want to congratulate Council Members Joseph Cervieri and Harvey Sohmer on their re-election and to once again work for the residents of Fort Lee. A great big thank you to the voters who cast their vote this past November to bring back this team. The only thing I can say is that this team promised that they would work hard to keep Fort Lee the wonderful and thriving community it is.

I would also like to thank our Borough Administrator, Peggy Thomas, Borough Clerk, Neil Grant, Borough Attorney Sheldon Cohen and of course our seated council, Jan Goldberg, Armand Pohan, Ila Kasofsky, and Michael Sargenti.

And by the way, let us not forget the wives of our two councilmen Joseph Cervieri and Harvey Sohmer for lending us their spouses for the better of Fort Lee.

First of all it's time to say how fortunate we were to have a Chief of Police, Thomas Ripoli, who took very good care of our police force for eight years and served as a police officer for forty-one years. We wish him only the best in his retirement. He will be missed by many of the people in Fort Lee.

However, two nights ago, we swore in a new Police Chief, Keith Bendul and a new Deputy Chief, Tim Ford and we wish them success in their new positions.

We started already with our great Mayor Mark J. Sokolich and his great team, with redevelopment area 5 getting started and from what I can see, this development will be the most beautiful place to enjoy. We wish you all a very happy and healthy New Year."

Mayor Sokolich introduced District 37 Assemblywoman Valerie Huttole.

Ms. Huttole: "Good evening, everyone. I just want to wish everyone a Happy New Year. And, of course, best wishes to Councilman Sohmer; please give him our best.
Reorganization Meeting

January 3, 2013
Page #3

'2012 was difficult in a lot of ways. But during Hurricane Sandy we have come together, not only on a council level but together working with the county and the state. And do I want to commend you, Mayor, because you have really tried to do your best to keep the citizens not only safe but listening to all of them. In the hi-rises I know, Ila, you’ve been part of that as well; everyone on the Council to keep the citizens safe and to make sure that PSE&G, with all of the difficulties, that they address the needs of Fort Lee.

So together, in cooperation with the county and the state, we’re here to work together in a very I want to say productive way, in a really respectful way. And I think not only to the benefit of Fort Lee but to the benefit of all of Bergen County.

So, with that, I wish you all the best and, again, a great team here in Fort Lee.

And to the residents of Fort Lee, they’re very fortunate to have all of you serve because we all know that public service is certainly rent we pay for living in this world.”

Mayor Sokolich thanked Ms. Hutton for her comments and for all that she does for the people of District 37 which includes Fort Lee residents.

MAYOR’S SPEECH

"First, permit me to extend my most sincere congratulations to Joe and Harvey for their reelection.

I wanted to start off tonight by extending some very, very sincere thanks.

And I want to start off by thanking the folks that I serve up here with and that being the Council; Jan and Harvey and Armand and Michael, Joseph, Ila.

You know we always make all those decisions together. People sometimes criticize and say two party government. You know, it’s funny, my response to that around here it’s really seven party government. And I don’t think people realize some of the debates that we endure and what we go through. And we do because we’re all open-minded and we all have our own opinions.

And yeah, at the end of the day, after struggling through hours of work sessions, ultimately there might be a decision that’s unanimous but I think folks don’t realize the hours sometimes it takes to reach those decisions."
This is clearly a team effort around here. You know a lot of times I get credit for things that are someone else’s ideas. I get credit for things that, you know, were the effort of the Council body.

You know I take it sometimes and I don’t refute because I get blamed for a lot of stuff that I have absolutely nothing to do with, so I figure at the end of the day it kind of balances out.

But if there’s anything that you get from this thank you, please know that I am so very appreciative of the trust and support that you have placed in me. Because if you didn’t, this would be the absolute worst job in the world. But because you do it’s amongst the best jobs in the world.

Thank you to Peggy Thomas for your efforts. You know we come up with these ideas; we then look at you and say, okay, start to implement them and you do and we are grateful for you, Peggy.

I mean I could think of a thousand examples, not the least of which is that trip to Pennsylvania over the summer when we were looking for a 35-foot holiday tree when it’s about 112 degrees out.

Don’t think it’s easy to buy a holiday tree in the dead of summer; it’s not.

To the staff at the Mayor’s office who I drive crazy on a daily basis, Maryanne and Fran and everyone else.

I don’t want to get into too many names because I don’t want to leave people out.

Thank you to our Emergency Services. Fort Lee is blessed with perhaps the best Police, Fire, Ambulance and OEM departments in the State of New Jersey. And I’m very, very proud that I am part of a government that has you folks here, both our volunteers and our paid.

I think Fort Lee residents really need to know that they are as well protected and as well served as any other community in the State of New Jersey.

Our department heads and all of our employees, thank you for your loyalties and your dedication over the course of the year.

Our union leaders, to the folks that we negotiate our contracts with, I want to thank you for you fairness, I want to thank you for your professionalism.
Reorganization Meeting

January 3, 2013
Page #5

from our Environmental Commission to the Board of Adjustment, from coaching girls softball to dealing with boys basketball; you are truly what makes Fort Lee go.

I’ve always said that if we didn’t have these types of organizations, we would just be brick and mortar. And you know what? As long as I’m here and as long as the folks to my left and right are here, we’re not going to be just brick and mortar.

We’re always going to be moving, we’re always going to be productive and we’re always going to be filled with activity and fun and art and culture because we’re Fort Lee and we are a very, very special place.

I do have to send out a special thanks to our Planning Board who this year was given the task of having to deal with Redevelopment 5, which took me and Armand and the rest of the Council, two and a half to three years to negotiate. And these folks were asked to do it over a series of not half a dozen public hearings. So to Herb Greenberg and our Planning Board members, thank you very much for your dedication.

And, youth sports continue to flourish here in Fort Lee like it never has before. And one of the best feelings you have as Mayor is to be able to support those types of organizations. Whether it be financially, whether it be provide resources, whether it is to take care of our fields, we boast great resources, we produce great athletes, we’re very, very excited about it and youth sports will continue to flourish here in our town.

I think Redevelopment 5 was probably the highlight of 2012 in Fort Lee. It was formerly Centuria. It was also called Helmsley. It was vacant. You know, there’s a debate, was it 43 years? Was it 48 years? Let’s just say it was a very, very long time. It spanned, I believe, seven or eight Administrations. A prior mayor went into witness protection over it.

This is the tattered past that this project has had. Two thousand and twelve started with town hall meetings from the candidates that we were considering and ultimately selections were made; Tucker Development for the West Parcel and SJP Residential for the East Parcel.

Thousands of hours were then devoted to negotiation of settlement agreements, redevelopment agreements. And, yes, it’s not a figment of your imagination, there are machines and tractors on the East Parcel, Redevelopment 5, after let’s say a 47 year tattered past has started.

You are, during the course of 2013, will see two iconic and
parcel. It's approximately two acres for the use by everyone in the public; not just the folks that live in those buildings.

The East Parcel will also see a three-screen theater, which is being built by the redeveloper and a 2,000 square foot museum and all-purpose area.

There will be pump station upgrades. There will be a one acre park that will be constructed at the cost of the redeveloper on the West Parcel.

The project is projected to reach several millions of dollars in tax dollars. Obviously, if they remain rental, that's one set of tax dollars. If it goes condominium, then that's another set of tax dollars. But you may presume and you're presuming correctly that you are talking about millions of dollars into the coffers here, the Borough of Fort Lee.

But it's not just about tax dollars. It's about getting that development done. It's about starting what I refer to as Fort Lee's renaissance. And I believe that we are well on our way to putting back Fort Lee as the envy of Bergen County where I believe that we belong.

In conjunction with this development you'll see pump station upgrades that Fort Lee doesn't have to pay for.

You're going to see an interactive traffic light system in Fort Lee, which is completely state-of-the-art, which is being paid for by the redevelopers, which effectively is a computer generated traffic light system that once a certain amount of cars queue at a particular intersection, they'll be redirected to other intersections which aren't as consumed and aren't as busy. And the timing will also automatically change depending on the frequency or the amount of cars that are building up at a particular intersection.

We're very, very excited about it. It's taken a long time to design and we're well on our way to implementing that.

Two thousand and twelve also saw Hurricane Sandy. We had emergency personnel in town 24/7 sleeping all over the place. Whether it was the DPW, whether it was at my house; wherever it was they were around. And I will tell you that, you know, everybody's going to have complaints, I will tell you that Hurricane Sandy brought out the best of what Fort Lee has to offer. And I know that and I tell you that personally because I was with them nineteen (19) hours a day, as were many of the council folks that are up here.

I tell you the effort was made. No, of course, everyone's
Reorganization Meeting

' I mean even the tree removal initiatives; we were geared up for it. As soon as a tree came down, within hours our crews were there to remove them. And the only trees that remained for an extended period of time were those trees that were intertwined with wires that required PSE&G to terminate the power. Because we certainly wouldn't allow our crews remove any tree that were connected to high-tension wires. Because if god forbid, those wires were powered during the course of removal, you could be seriously injured or harmed.

So, other than that, everything was done to the best of their absolute ability.

We met with hundreds of people during the course of Hurricane Sandy. Meeting with them there's one thing that I did find that a lot of time just a visit just to assure a resident whether it's a senior citizen or someone with special needs that government was there, to always gave them a level of reassurance that was very, very helpful.

During that week or two after Hurricane Sandy there were multiple telephone calls with the Governor's office, with the County Executive, with every high level official.

There was one conference call that I engaged in even with the President of the United States.

I will tell you that I do extend my appreciation to the Governor's office for the communications that they had extended. We were provided with information on a regular basis, which I will tell you was very helpful. That information was then handed down to our residents.

There were things that Fort Lee did that I don't think any other town did. But we voluntarily commandeered two gas stations. Where we bought the inventory from those gas stations and hooked up our generator to make sure that our police cars, our ambulances, had fuel. Other towns in the area were losing gas. They couldn't patrol. There weren't places that they could go or get to or jobs that they could accomplish because they didn't have fuel. Not here in Fort Lee.

And it's that type of ingenuity; it's that type of thinking that I think makes us a very, very special place.

We even assisted other municipalities and we even sent a crew down to the Jersey Shore. The Fire Chief had asked and said what are your thoughts and we collectively said absolutely, positively they need us and we're very, very proud to have been able to assist in some small way.
'And I’m going to get to that because that’s going to be one of our challenges in 2013.

Arts, culture and activities here in Fort Lee, I defy anyone to tell me that there’s a town in Bergen County that offers more for its residents on a 24/7 basis than the Borough of Fort Lee.

I’ve said this a million times. If we sit back, we become brick and mortar; it’s not going to happen here in Fort Lee.

Whether it’s the Movies under the Stars program, whether it’s a million different programs at the Community Center, whether it’s Shakespeare in the Park, whether it’s our summer concert series, whether it’s 5K runs, whether it’s the Tour de Fort Lee; program after program, our senior citizens do not sit still.

Kay Nest and her group at the senior citizen center, are very active senior citizens. We are very proud and privileged to be in a position to support them to make sure that those activities and those programs remain in place.

We had a holiday tree lighting this year and we boasted our thirty-five (35) foot holiday tree. We had confetti machines, snow machines, we had hot chocolate, bonfires, a trackless train, a deejay, Santa Clause and over 3,000 people from Fort Lee were there to attend.

It was a great night. It’s what makes doing this job that much more fun. It gives you an opportunity for your entire community to get together. It was something that was very, very important and I just think it was a wonderful event. Especially considering that approximately thirty (30) days before it the very same folks that made that holiday tree lighting possible were the very same folks that were getting us through Hurricane Sandy; either setting up a shelter or alternatively removing trees or what have you.

Fort Lee never ever forgets its roots. We were the first Hollywood. We make sure that we continue to preserve our history. We have reenactments of our retreats and our role in the American Revolution.

Thomas Payne, I think in 2013, God willing, Tom will appear in Fort Lee. We are at least hopeful.

So, again, we’re very, very proud of our past and we will always continue to remember it.

We already touched upon youth sports. And, oh, by the way, in August 11, 2012 Fort Lee played host to the National Ironman
Reorganization Meeting

January 3, 2013
Page #9

conjunction with the Chamber of Commerce. It was a day that was fun for all residents of the Borough.

There was a 2.2 mile swim that ended at Ross' Dock. From Ross' Dock commenced a hundred and ten mile bike ride, part of which went through Fort Lee. It then came back and ended in Fort Lee where the athletes then got into their running gear, ran through the cliffs and then ran through a part of Fort Lee and then finished in New York.

Fort Lee was truly the hub and I said it once and I've said it twice and I'll say it this evening, it was truly one of the most memorable days in the history of the Borough of Fort Lee.

We've also gone through, during 2012, an incredible continued park refurbishment. We're beginning to put ourselves in a position that we can boast just about the nicest and most first-rate parks in the County of Bergen.

Whether they're turf fields, whether they're natural fields; I welcome everyone to visit any one of the number of parks that are here in Fort Lee. We're in the process of re-turfing Van Fleet now, which we're very excited about.

These fields that we turf, it's not for purposes of spending money and it's not for purposes of just trying to do more than we actually should. In Fort Lee, several years ago, when there was even a modest rainstorm, youth sports and all activities came to a halt for two, three days until these fields drained.

Now that these fields are becoming state-of-the-art and we're upgrading them to turf, literally within seconds of a storm passing our kids, our adults and all sorts of functions just completely resume as if a storm had never happened. And we're very, very proud of that.

Fort Lee opened its first dog park in 2012, which we're also very excited about.

You know the reason why I raise the dog park is, number one, it's a great place. I'm there all the time. By the way, we just installed lights with a timer. They go on at about 5:00 p.m. and they go off at 8:00 p.m. for those folks that work and they want to walk their dog because we heard that, you know, folks that get home from 5:00 p.m. to 6:00 p.m. would like to use their park in the winter but they can't because it's dark. There's now lighting there, which I think is a smart thing.

But I raise the dog park because it establishes how open-minded government is in Fort Lee. If the Council will recall, there were other sites that were designated for that dog park.
Howard Joh, I think I was with you probably 45 out of 52 weekends at these ribbon cuttings and I think that’s a great event. Fort Lee has a lot to offer and I think it’s a sign of better times ahead.

We’ll continue to behave fiscally responsibly. We’ll continue to try to reduce bond debt as best we possibly can.

We analyze every aspect of the budget. Every year we go through a budget process that starts at zero dollars. We ask our department heads to justify what their expenditures are. We’re grateful to Peggy and Joe for their efforts in that regard and we’ll continue to scour the budget as best we possibly can to make sure that we maintain a stable tax rate.

Emergency service agencies, as I told you in the past, continue to be supported by government here in the Borough of Fort Lee and we’re very, very proud of that.

Our Project Team that was established about four years ago when I became Mayor, along with this government, continues to rock and roll for lack of a better term. I can’t begin to tell Fort Lee how many projects that this team does. Whether it’s a dog park, whether it’s a new Little League field or whether its catch basins or new sewers that this group does that to avoid the necessity of Fort Lee having to hire outside contractors.

I don’t know if we can tally it but I would venture a guess and say that millions and millions of dollars have been saved as a result of their effort. And I extend to each one of those men and women my sincere thanks. ...

For Lee, during the course of 2012, made a commitment to folks with special needs that I will tell you is unparalleled by any other community in Bergen County.

We approved 140-unit development off of River Road at the border of Fort Lee and Edgewater and a lot of that development will be devoted to folks with special needs and, in particular, folks with autism.

The idea here is if the folks in Fort Lee that have special needs want to remain in Fort Lee and their families want them to remain in Fort Lee, government should provide them with an opportunity.

And I will tell you that all the things that we’ve done with Fort Lee over 2012, at least from a personal standpoint that might be the most rewarding to me.
Reorganization Meeting

That was also done with grant dollars, which is something that we rely on considerably. We have very, very aggressive grant agents to make sure that the best we can do to gain money from other sources, as opposed to our taxpayers, to continue with these improvements.

You may rest assured that we’re not going to be resting on our laurels for 2013. You are going to see items and programs such as a Special Improvement District.

Fort Lee has a troubled and tired Main Street. It doesn’t take anyone who’s not here all that long to reach any other conclusion. And I will tell you that we have now assembled a group of individuals, business owners, property owners, folks that live on Main Street, folks that have lived in Fort Lee virtually their entire lives. They will essentially service as a board of directorship. And once this ordinance is adopted creating the Special Improvement District, this body will have very wide power to invest considerable dollars back into Main Street.

Whether it’s for aesthetic improvement, whether it’s for marketing initiatives, whether it’s for expansion initiatives, what have you. But I do believe that you’re going to start to see some material changes in Main Street at the latter part of 2013.

Now, my naysayers will say how come so long, Mayor, you’ve been around for four years.

We’ve been in the midst of a very, very poor economy. And a Special Improvement District will impose a very, very modest tariff on property owners that are designated within the District and we just didn’t collectively think it to be the smartest thing in the world to do.

However, with things improving a bit and now having the right folks in place, we’re looking forward to having a very active and a very successful Special Improvement District here in the Borough.

We’re going to have a new ferry shuttle service. Right now our shuttle service services only the eastern portion of Fort Lee off of Palisade Avenue. We’ve heard back from the public that they would like a route down Anderson Avenue.

Through negotiations the Port Authority has agreed to donate two buses to the Borough of Fort Lee valued in the vicinity of $175,000.00. So that that free shuttle service will now pick up folks from Med North, Med South, down North Avenue to Med West, Plateau Gardens and then ultimately down to the ferry, which

Reorganization Meeting

Ms. Thomas: 1160?

We’ll publicize it better. It’s not online, so it’s not important at the moment. And the thought occurred to me, occurred to government, that if another natural disaster was to occur, how do we possibly reach the public.

So what we’re going to do is start to focus our attention on this AM frequency. We’re going to conduct an investigation to make sure that we could put it online and we could reach every single resident here in the Borough.

And the idea here is that if we’re struck with another, God forbid, Hurricane Sandy, the AM station will be empowered and we’ll be able to give our folks up-to-date information; where shelters are, what to do, what not to do, safety tips, weather reports, which can be modified, supplemented and changed on a moment’s notice. And we believe it to be a fantastic tool.

The next question is how one listens to the radio station if there’s no power. Well, that’s as simple as a transistor radio with batteries.

And if you don’t have a transistor radio with batteries, government has made an arrangement to have 250 of these radios donated to the Borough of Fort Lee. But not the ones that require batteries, the ones that you can actually charge yourself by simply twisting a handle several times and this AM station will then work for several hours.

The idea being that once the AM station is empowered and energized, we’ll be able to distribute these radios to the folks that don’t have them, to places where many people are, lobbies in buildings, public buildings, so that we’re in a position to be able to communicate with our public.

And this is very, very important and I will tell you I don’t think there are many other municipalities in the State of New Jersey our size that have the ability to boast their own AM frequency.

So, we’re in the process of working on that and you’ll be updated by me during the course of the year.

The Fort Lee Police Department starts a new era. I wish my warmest, warmest congratulations and best of luck during retirement to my dear friend Tom Ripoli.

Chief Ripoli has been a part of the Fort Lee community for many, many years. He’s served as our Chief for I believe eight years. This is a man who’s devoted his life to law enforcement...
inspiring, he is a decent man and he served Fort Lee in just a
tremendous, tremendous way.

All, however, is not lost. We’re very, very proud that we
have a new Chief, who is present this evening, Chief Keith
Bendul, and also our new Deputy Chief Tim Ford, who I will
tell you will, I guarantee, will collectively lead the Fort Lee Police
Department for many years to come in the direction that it should
be led into.

These are two dedicated, super intelligent individuals who
bring to the table an incredible amount of experience and energy
and we are very, very excited about the future of the Fort Lee
Police Department and we wish both Keith and Tim the best of
luck.

Redevelopment 5, again as I said, you’ll see structures that
are going to start to go up.

As far as the West Parcel is concerned, as the Borough is
aware, that’s consumed with both residential and retail mixed
use. They’re in the process of finalizing some last conditions
and we’re hopeful that 2013 will also see the start of the west
parcel.

So right now it’s the east parcel that’s started and the
west parcel, we’re hopeful, will follow soon.

Fiscal scrutiny will continue to dominate our priorities
here in government. We’ll make sure that we do everything
possible to keep the tax rate as low as conceivably possible.

We’ll make sure that we keep bond debt as best we can and as
low as we possibly can. And we’ll make sure that every effort we
make will be to make sure that Fort Lee maintains a very fiscally
sound condition and that the tax rates and all other expenses in
Fort Lee are watched and controlled to the best of our absolute
ability without, of course, diminishing any quality of life issue
here in the Borough of Fort Lee.

Shared services will continue to be implemented here in the
Borough of Fort Lee. We constantly share services with other
towns that are adjacent and in close proximity to us.

And, in conclusion, there’s one last thank you that I would
like to extend and that’s to the residents of the Borough of Fort
Lee.

You know the Council and I do believe that the residents
here give me quite a bit of latitude to pursue what I believe to
be and what we collectively believe to be a good vision for the
Reorganization Meeting

January 3, 2013
Page #14

It's a privilege serving as your Mayor. It's a privilege serving on this government with the colleagues to my left and right. And I would just like to tell you that 2013 is going to be a fantastic year for the Borough of Fort Lee and everything and anything that we collectively do, we always do in your best interest.

God bless Fort Lee and thank you for listening.

Mayor Sokolich requested a brief recess at this point in the meeting.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky with no objections a brief recess was taken at this point in the meeting.

On motion by Councilman Goldberg, seconded by Councilman Sargenti, the meeting was reconvened after approximately a ten minute recess.

REORGANIZATION

1-1 - Seating Arrangement and Order of Voting

Councilman Cervieri introduced, and Councilman Sargenti seconded, the following Resolution:

BE IT RESOLVED, by the governing body of the Borough of Fort Lee that the seating arrangement and order of voting of the Borough Council for the year 2013 shall be as follows:

Council Members: Armand Pohan
                 Harvey Schmer
                 Jan Goldberg
                 Michael Sargenti
                 Ila Kasofsky
                 Joseph Cervieri, Jr.

The Resolution was approved unanimously.

REORGANIZATION CONTINUED

1-2 - Appointment of Borough Attorney

Mayor Sokolich nominated J. S. Lee Cohen of the firm DeCotiis, Fitzpatrick, & Cole, LLP to serve as Borough Attorney, for the year 2013; and
Reorganization Meeting

January 3, 2013
Page #15

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the
"State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, the Borough is empowered by law to appoint and
employ professionals, technical advisors and experts as the
Borough may determine to be necessary for its efficient
operation; and

WHEREAS, the Borough has fully complied with the "fair and
open" process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, J.S. Lee Cohen and the firm of DeCotiis,
Fitzpatrick, & Cole, LLP possess the requisite expertise and
skilled personnel required to provide professional legal services
required by the Borough; and

WHEREAS, the Borough's Review Team has determined that J.S
Lee Cohen and the firm of DeCotiis, Fitzpatrick, & Cole, LLP
legal services will be the most advantageous to the Borough, all
relevant factors considered; and

WHEREAS, Mayor Sokolich has nominated J.S. Lee Cohen and the
firm of DeCotiis, Fitzpatrick, & Cole, LLP to serve as Borough
Attorney, for the year 2013; and

WHEREAS, the Borough has received a Business Registration
Certificate and Affirmative Action compliance statement from the
firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the
resolution awarding contracts for "professional services" without
competitive bidding and the agreement between the parties must be
available for public inspection; and

WHEREAS, the award by the Borough of a contract to J.S Lee
Cohen and the firm of DeCotiis, Fitzpatrick, & Cole, LLP for the
provision of professional legal services is in the best interests
of the Borough and the implementation of this contract is
necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the
Borough of Fort Lee, that said attorney be and is hereby
appointed as Borough Attorney for the year 2013 pursuant to a
"fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Borough
Attorney for the year 2013 shall be claimed, approved and paid in
the manner set forth in NJSA 40A:5-18, as per their proposal, and
pursuant to an agreement to be entered into between the parties;
and that the Chief Financial Officer has certified that funds are
Reorganization Meeting

January 3, 2013
Page #16

Time and Place of Meetings for 2013

Councilman Pohan introduced, and Councilman Sargenti seconded, the following Resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee as follows:

1. The schedule listed below of regular meetings of this public body is hereby adopted for the year 2013.

2. A copy of the schedule shall be:

(a) Posted and maintained through the year on the bulletin board at the following location:

Memorial Municipal Building
309 Main Street
Fort Lee, New Jersey 07024

(b) Mailed at no cost to the following newspapers:
The Record, Jersey Journal, as well as Time Warner Cable

(c) Filed in the Office of the Borough Clerk

(d) Mailed to those who have requested same and have prepaid the sum of $10.00 fixed to cover the cost of providing such notice.

(e) Official action may be taken

REORGANIZATION
January 3, 2013 - 6:00 p.m.

EXECUTIVE SESSIONS
1st & 3rd Thursday
Scheduled at 7:00 p.m.
Mayor's Conference Room #201

January (a) 10
February 7 - 21
March 7 - 21
April 4 - 18
May 2 - 16
June 6 - 20
July (d) 11
August - 15
September (g) 12
October 3 - 17

REGULAR MEETINGS
2nd Thursday
Scheduled at 8:00 p.m.
Council Chambers

January (b) 17
February (c) 14
March 14
April 11
May 9
June 13
July (e) 18
August (f) 19
September (h) 19
October 10
November 14
Reorganization Meeting

January 3, 2013
Page #17

NOTES

a. January 10th Executive Session will be held on the second Thursday of the Month and begin at 6:00 p.m.

b. January 17th Regular Meeting will be held on the third Thursday of the Month and begin at 7:00 p.m.

c. February 14th Regular Meeting will begin at 7:00 p.m.

d. July 11th Executive Session Meeting will be held on the second Thursday of the month.

e. July 18th Regular Meeting will be held on the third Thursday of the month.

f. August 22nd Regular Meeting will be held on the fourth Thursday of the month.

g. September 12th Executive Session will be held on the second Thursday of the month.

h. September 19th Regular Meeting will be held on the third Thursday of the month.

i. December 12th Executive Session will be held on the second Thursday of the month.

j. December 19th Regular Meeting will be held on the third Thursday of the month.

The Resolution was approved on the following roll call:

AYES: Council Members Pohan, Sargenti, Kasofsky, Cervieri

NAY: Councilman Goldberg

1-4 - Selection of Council President

Councilman Cervieri introduced, and Councilman Sargenti seconded, the following Resolution:

BE IT RESOLVED, by the governing body of the Borough of Fort Lee that Council Member Ila Kasofsky be and is hereby appointed to the position of Council President for the year 2013.

The Resolution was approved unanimously.
The Resolution was approved unanimously.

2-1 - Introduction of Temporary Budget

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

WHEREAS, NJSA 40A:4-19 provides that where contracts, commitments, or payments are to be made prior to the adoption of the 2013 Municipal Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the date of this Resolution is written the first thirty (30) days of January 2013; and

WHEREAS, said temporary appropriations are limited to 26.25% of the total appropriations in the 2012 Municipal Budget, exclusive of any appropriations made for Debt Service, Capital Improvement Fund and Public Assistance in said 2012 Municipal Budget,

WHEREAS, said temporary appropriations total $16,032,463.00,
Reorganization Meeting

<table>
<thead>
<tr>
<th>Department</th>
<th>January 3, 2013</th>
<th>Reorganization Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel &amp; Data Processing</td>
<td>$30,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Collection of Taxes</td>
<td>$45,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Legal Services &amp; Costs</td>
<td>$0.00</td>
<td>$55,000.00</td>
</tr>
<tr>
<td>Municipal Court</td>
<td>$0.00</td>
<td>$12,000.00</td>
</tr>
<tr>
<td>Engineering Services &amp; Costs</td>
<td>$25,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Public Buildings &amp; Grounds</td>
<td>$75,000.00</td>
<td>$18,000.00</td>
</tr>
<tr>
<td>Planning Board</td>
<td>$0.00</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Board of Adjustment</td>
<td>$0.00</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Senior Citizens Special Services</td>
<td>$0.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Rent Leveling Board</td>
<td>$12,000.00</td>
<td>$500.00</td>
</tr>
<tr>
<td>Insurance: Other</td>
<td>$0.00</td>
<td>$700,000.00</td>
</tr>
<tr>
<td>Insurance: Group</td>
<td>$0.00</td>
<td>$961,213.00</td>
</tr>
<tr>
<td>Elections</td>
<td>$0.00</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Financial Administration</td>
<td>$0.00</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>Assessment of Taxes</td>
<td>$45,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Municipal Court</td>
<td>$99,000.00</td>
<td>$14,000.00</td>
</tr>
<tr>
<td>Economic Development</td>
<td>$25,000.00</td>
<td>$50,000.00</td>
</tr>
</tbody>
</table>

### Public Safety

<table>
<thead>
<tr>
<th>Department</th>
<th>Salaries &amp; Wages</th>
<th>Other Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Prevention</td>
<td>$75,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Fire Protection</td>
<td>$30,000.00</td>
<td>$40,000.00</td>
</tr>
<tr>
<td>Aid to Volunteer Fire Company</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Department of Communications</td>
<td>$100,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Police</td>
<td>$8,996,569.00</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>Ambulance Corps</td>
<td>$4,000.00</td>
<td>$11,000.00</td>
</tr>
<tr>
<td>E M T</td>
<td>$16,000.00</td>
<td>$500.00</td>
</tr>
<tr>
<td>Construction Code Official</td>
<td>$60,000.00</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Emergency Management</td>
<td>$10,000.00</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Communications-Repairs</td>
<td>$25,000.00</td>
<td>$8,000.00</td>
</tr>
</tbody>
</table>

### Public Works

<table>
<thead>
<tr>
<th>Department</th>
<th>Salaries &amp; Wages</th>
<th>Other Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets &amp; Roads</td>
<td>$250,000.00</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>Street Lighting</td>
<td>$0.00</td>
<td>$50,000.00</td>
</tr>
<tr>
<td>Garbage &amp; Trash Removal</td>
<td>$0.00</td>
<td>$1,033,944.00</td>
</tr>
<tr>
<td>Sewers</td>
<td>$45,000.00</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Bergen County Utility O/C</td>
<td>$0.00</td>
<td>$700,000.00</td>
</tr>
<tr>
<td>Auto Repair</td>
<td>$0.00</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>Prior Year Bills</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Board of Health</td>
<td>$85,000.00</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>Recreation</td>
<td>$75,000.00</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>Administration of Human Services</td>
<td>$15,000.00</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>General Services</td>
<td>$65,000.00</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>Parks</td>
<td>$95,000.00</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Maintenance of Free Public Lib.</td>
<td>$0.00</td>
<td>$550,000.00</td>
</tr>
<tr>
<td>Celebration of Public Events</td>
<td>$0.00</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>Senior Citizens</td>
<td>$10,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Elevator Inspections</td>
<td>$10,000.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Senior Citizens Special Services</td>
<td>$0.00</td>
<td>$50,000.00</td>
</tr>
<tr>
<td>Rent for Community Center</td>
<td>$70,000.00</td>
<td>$70,000.00</td>
</tr>
</tbody>
</table>
Reorganization Meeting

January 3, 2013
Page #20

F I C A $0.00 $250,000.00
Consolidated Police & Fireman’s Pension $0.00 $20,457.00
Police & Fireman’s Retirement System $0.00 $517,530.00

TOTALS: $10,446,819.00 $5,585,644.00

GRAND TOTAL: $16,032,463.00

Debt Service
Payment of Bond Principal $5,000,000.00
Payment of Bond Interest $1,875,000.00
Payment of Interest on Notes $558,921.00
Green Trust Principal & Interest $31,100.00
Bergen county Improvement Authority Payment $71,671.00
New Jersey Economic Development Authority $10,000.00

TOTAL DEBT SERVICE: $7,546,692.00

Capital Improvements
Capital Improvement Fund $50,000.00

The Resolution was approved on the following roll call:

AYES: Council Members Pohan, Goldberg, Sargenti, Kasofsky, Cervieri

3-1 - Borough Auditor

Mayor Sokolich nominated Steve Wielkotz, of the firm of Ferraloli, Wielkotz, Cerullo & Cuva to serve as Borough Auditor.

Councilman Pohan introduced, and Councilman Sargenti seconded, the following Resolution:

WHEREAS, it is necessary for the Borough of Fort Lee to engage the services of a registered municipal accountant for 2013; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, ...
WHEREAS; the Borough’s Review Team has determined that Steve Wielkotz, of the firm of Ferraioli, Wielkotz, Cerullo & Cuva registered municipal accounting services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Sokolich has nominated Steve Wielkotz and the firm of Ferraioli, Wielkotz, Cerullo & Cuva to serve as the borough’s registered municipal accountant, for the year 2013; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to Steve Wielkotz and the firm of Ferraioli, Wielkotz, Cerullo & Cuva for the provision of professional accounting services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee, that said registered municipal accountant be and is hereby appointed for the year 2013 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Borough Auditor for the year 2013 shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18 as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

3-2 - Borough Engineer

Mayor Sokolich nominated Boswell McClave Engineering to serve as Borough Engineer.

Councilman Pohan introduced, and Councilman Sargenti seconded, the following Resolution:
Reorganization Meeting

January 3, 2013
Page #22

Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the "fair and open" process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, Stephen Boswell and the firm of Boswell McClave possess the requisite expertise and skilled personnel required to provide professional engineering services required by the Borough; and

WHEREAS; the Borough’s Review Team has determined that Stephen Boswell and the firm of Boswell McClave’s engineering services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Sokolich has nominated Stephen Boswell and the firm of Boswell McClave Engineering to serve as Borough Engineer, for the year 2013; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to Stephen Boswell and the firm of Boswell McClave, for the provision of professional engineering services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee, that said engineer be and is hereby appointed as Borough Engineer for the year 2013 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Borough Engineer for the year 2013 shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18 as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and
Councilman Cervieri introduced, and Councilwoman Kasofsky seconded, the following Resolution:

WHEREAS, it is necessary for the Borough of Fort Lee to engage the services of a Borough Prosecutor for the year 2013 to provide legal services which are necessary for the operation of the Municipal Court of said Borough; and

WHEREAS, compensation will be available by way of budget appropriations to compensate said attorneys; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11 et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids must be publicly advertised,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Arthur Balsamo and Raffi Khorozian, be and are hereby appointed as Borough Prosecutors for the year 2013; and

BE IT FURTHER RESOLVED that this contract is awarded without public bidding as professional services under the Local Contracts Law by virtue of N.J.S.A. 40A:11-1 et seg. which specifically exempts such contracts from the requirements of public bidding; and

BE IT FURTHER RESOLVED, that compensation for the Borough Prosecutors shall be $25,000.00 paid through the Borough payroll for 2013 with no other compensation; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

3-4 - Public Defender

Mayor Sokolich nominated Kevin Corriston to serve as Public Defender.

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of a Public Defender for the year 2013 to provide general legal representation for the Borough; and
Reorganization Meeting

January 3, 2013
Page #24

1. Kevin Corriston be and is hereby appointed as Public Defender for the year 2013 without public advertisement for bids.

2. Compensation for said Public Defender shall be $25,000.00 through the Borough payroll for 2013 with no other compensation.

3. The Borough Clerk shall cause a notice of passage of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

3-5A – Bond Counsel

Mayor Sokolich nominated the law firm of McManimon, Scotland & Baumann, LLC to serve as Bond Counsel.

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

WHEREAS, it is desirable that the Borough of Fort Lee engage bond counsel to represent the Borough of Fort Lee on bonding matters for 2013; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the "fair and open" process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, McManimon, Scotland & Baumann, LLC, possess the requisite expertise and skilled personnel required to provide professional bonding services required by the Borough; and

WHEREAS; the Borough's Review Team has determined that the law firm of McManimon, Scotland & Baumann, LLC bond counsel services will be the most advantageous to the Borough, all relevant factors considered,
Reorganization Meeting

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to McManimon, Scotland & Baumann, LLC for the provision of professional bond counsel services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee that said bond counsel be and are hereby appointed as Bond Counsel for the year 2013 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Bond Counsel for the year 2013 shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18 as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

3-5B - Bond Counsel

Mayor Sokolich nominated the law firm of DeCotiis, Fitzpatrick, & Cole, LLP, to serve as Bond Counsel.

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

WHEREAS, it is desirable that the Borough of Fort Lee engage bond counsel to represent the Borough of Fort Lee on bonding matters for 2013; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient
Reorganization Meeting

WHEREAS; the Borough's Review Team has determined that the law firm of DeCotiis, Fitzpatrick, & Cole, LLP bond counsel services will be the most advantageous to the Borough, all relevant factors considered,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that:

1. DeCotiis, Fitzpatrick, & Cole, LLP, 500 Frank W. Burr Boulevard, Fifth Floor, Teaneck, New Jersey 07666, is also hereby retained as Bond Counsel to represent the Borough of Fort Lee; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to DeCotiis, Fitzpatrick, & Cole, LLP for the provision of professional bond counsel services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee that said bond counsel be and are hereby appointed as Bond Counsel for the year 2013 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Bond Counsel for the year 2013 shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18 as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

3-5C - Bond Counsel

Mayor Sokolich nominated the law firm of Parker McKay, P.A., Bond Counsel
notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the "fair and open" process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, Parker McKay, P.A. possess the requisite expertise and skilled personnel required to provide professional bonding services required by the Borough; and

WHEREAS, the Borough's Review Team has determined that the law firm of Parker McKay, P.A. bond counsel services will be the most advantageous to the Borough, all relevant factors considered,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that:

1. Parker McKay, P.A., 9000 Midlantic Drive, Suite 300, Mount Laurel, New Jersey 08054, is also hereby retained as Bond Counsel to represent the Borough of Fort Lee; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to Parker McKay, P.A., for the provision of professional bond counsel services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee that said bond counsel be and are hereby appointed as Bond Counsel for the year 2013 pursuant to a "fair and open" process; and

NOW, THEREFORE, BE IT RESOLVED, that compensation for said Bond
Mayor Sokolich nominated the law firm of Wilentz, Goldman & Spitzer, P.A. to serve as Bond Counsel.

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

WHEREAS, it is desirable that the Borough of Fort Lee engage bond counsel to represent the Borough of Fort Lee on bonding matters for 2013; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the "fair and open" process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, Wilentz, Goldman & Spitzer, P.A. possess the requisite expertise and skilled personnel required to provide professional bonding services required by the Borough; and

WHEREAS, the Borough's Review Team has determined that the law firm of Wilentz, Goldman & Spitzer, P.A. bond counsel services will be the most advantageous to the Borough, all relevant factors considered,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that:

1. Wilentz, Goldman & Spitzer P.A., 90 Woodbridge Center Drive, Suite 900, Box 10, Woodbridge, New Jersey 07095, is also hereby retained as Bond Counsel to represent the Borough of Fort Lee; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without
appointed as Bond Counsel for the year 2013 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Bond Counsel for the year 2013 shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18 as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

3-6 - Special Tax Counsel

Mayor Sokolich nominated Steven Muhlstock to serve as Special Tax Counsel.

Councilman Goldberg introduced, and Councilman Pohan seconded, the following Resolution:

WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of a Special Tax Counsel for the year 2013 to serve as Special Tax Counsel; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the "fair and open" process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, Steven Muhlstock of the firm Gittleman, Muhlstock, Chewcaskie, LLP, possess the requisite expertise and skilled personnel required to provide professional special tax counsel legal services required by the Borough; and
Reorganization Meeting

January 3, 2013
Page #30

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to Steven Muhlstock of the firm Gittleman, Muhlstock and Chewcaskie, LLP for the provision of professional special tax counsel legal services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee, that said Special Tax Counsel is hereby appointed for the year 2013 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Special Tax Counsel for the year 2013 shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18 as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

3-7 - Municipal Court/Police Department/Economic Development Accountant

Mayor Sokolich nominated Michael Condosta to serve as an Accountant for the Municipal Court, Police Department, and Office of Economic Development.

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of an accountant to reconcile the books for the Municipal Court, Police Department and Office of Economic Development for the year 2013; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and
Reorganization Meeting

January 3, 2013

WHEREAS, Michael Condosta possess the requisite expertise and skilled personnel required to provide professional accounting services required by the Borough; and

WHEREAS, the Borough’s Review Team has determined that Michael Condosta, CPA, accounting services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Sokolich has nominated Michael Condosta to serve as the Accountant for the Municipal Court, Police Department and Office of Economic Development for the year 2013; and

WHEREAS, the Borough has received or will receive a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to Michael Condosta, for the provision of professional accounting services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee, that said Accountant be and is hereby appointed for the year 2013 pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation shall be at $100.00 per hour for said accounting services for the year 2013 for the Municipal Court not to exceed $6,840.00 annually for the Police Department not to exceed $8,550.00 annually and for the Office of Economic Development not to exceed $10,260.00 annually, approved and paid in the manner set forth in NJSA 40A:5-18 as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that John DeSheplo, is hereby appointed as a Municipal Court Judge for a term of three (3) years effective immediately with a termination date of December 31, 2015; and

BE IT FURTHER RESOLVED that this appointment shall become effective upon approval by the Bergen County Assignment Judge in accord with the provisions of N.J.S.A. 2B:12-5; and

BE IT FURTHER RESOLVED that the salary for said appointment for the year 2013 shall be set by salary ordinance of the Borough of Fort Lee.

The Resolution was approved unanimously.

3-9 - Rent Leveling Board Attorney

Mayor Sokolich nominated Carolyn R. Kristal to serve as Rent Leveling Attorney.

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of an attorney for the year 2013 to serve as Rent Leveling Board Attorney; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the "fair and open" process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, Carolyn R. Kristal, LLC possess the requisite expertise and skilled personnel required to provide professional legal services required by the Borough; and

WHEREAS, the Borough's Review Team has determined that
Reorganization Meeting

January 3, 2013
Page #33

Whereas, the award by the Borough of a contract to Carolyn
R. Kristal, LLC for the provision of professional legal services
is in the best interests of the Borough and the implementation of
this contract is necessary for the efficient operation of the
Borough,

Now, Therefore, BE IT RESOLVED by the governing body of the
Borough of Fort Lee, that said attorney be and is hereby
appointed as Rent Leveling Board Attorney for the year 2013
pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Rent
Leveling Board Attorney for the year 2013 shall be claimed,
approved and paid in the manner set forth in N J S A 40A:5-18, as
per their proposal, and pursuant to an agreement to be entered
into between the parties; and that the Chief Financial Officer
has certified that funds are available; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a
notice of the adoption of this resolution be printed in a
qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

3-10 - Treasurer

Mayor Sokolich nominated Joseph Iannacconi to serve as
Treasurer.

Councilman Cervieri introduced, and Councilman Pohan
seconded, the following Resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of
Fort Lee that Joseph Iannacconi be and is hereby appointed as
Treasurer for the year 2013.

The Resolution was approved unanimously.

3-11 - Building Department and Fire Prevention Bureau Accountant

Mayor Sokolich nominated William Katchen to serve as
Building Department and Fire Prevention Bureau Accountant.

Councilman Cervieri introduced, and Councilman Pohan
seconded, the following Resolution:
Reorganization Meeting

January 3, 2013
Page #34

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, William Katchen possess the requisite expertise and skilled personnel required to provide professional accounting services required by the Borough; and

WHEREAS; the Borough’s Review Team has determined that William Katchen, accounting services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Sokolich has nominated William Katchen to serve as the Accountant for the Building Department and Fire Prevention Bureau for the year 2013; and

WHEREAS, the Borough has received or will receive a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to William Katchen for the provision of professional accounting services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee, that said Accountant be and is hereby appointed for the year 2013 pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said accounting services for the year 2013 shall be at a fee not to exceed $12,825.00 annually at a rate of $100.00 per hour, approved and paid in the manner set forth in NJSA 40A:5-18 as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and
WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of a Risk Management Consultant for the year 2013; and

WHEREAS, N.J.S.A. 40A:11-1 et seg. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the "fair and open" process set forth under N.J.S.A. 19:44A-20.1 et seg.; and

WHEREAS, David J. Vozza of the Vozza Agency, Inc. possess the requisite expertise and skilled personnel required to provide professional risk management services required by the Borough; and

WHEREAS, the Borough's Review Team has determined that David J. Vozza of the Vozza Agency, Inc. risk management consulting services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Sokolich has nominated David J. Vozza of the Vozza Agency, Inc. to serve as the Borough's Risk Management Consultant for the year 2013; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

WHEREAS, N.J.S.A. 40A:11-1 et seg. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to David J. Vozza of the Vozza Agency, Inc., for the provision of risk management services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee:
Reorganization Meeting

BE IT FURTHER RESOLVED, that compensation for said Risk Management Consulting Services for the year 2013 shall be paid in the manner set forth in NJSA 40A:5-18 as per their proposal, and pursuant to an agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

3-13 - Health Benefits Consulting Services

Councilman Goldberg introduced, and Councilman Cervieri seconded, the following Resolution:

WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of a Health Benefits Consultant for the year 2013; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the "fair and open" process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, Brown and Brown Metro, Inc., possess the requisite expertise and skilled personnel required to provide professional risk management services required by the Borough; and

WHEREAS, the Borough's Review Team has determined that Brown and Brown Metro, Inc., health benefits consulting services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Sokolich has nominated Brown and Brown Metro, Inc., to serve as the Borough's Health Benefits Consultant for the year 2013; and
Reorganization Meeting

consulting services is in the best interests of the Borough and
the implementation of this contract is necessary for the
efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the
Borough of Fort Lee, that said Health Benefits Consulting
Services be and is hereby appointed for the year 2013 pursuant to
a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Health
Benefits Consulting Services for the year 2013 shall be paid in
the manner set forth in NJSA 40A:5-18 as per their proposal, and
pursuant to an agreement to be entered into between the parties;
and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a
notice of the adoption of this resolution be printed in a
qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

4-1A - Designation of Depositories

Councilman Cervieri introduced, and Councilman Pohan
seconded, the following Resolution:

WHEREAS, NJSA 40A:5-14 requires the governing body to
designate a depository or depositories for it monies; and

WHEREAS, the Chief Financial Officer of the Borough of Fort
Lee recommended that the following banks be named as
depositories:

Bank of America, Fort Lee, NJ
TD Bank, Fort Lee, NJ
First Constitution Bank, Fort Lee, NJ
State of New Jersey Cash Management Fund
Capital One Bank, Fort Lee, NJ
PNC Bank, Fort Lee, NJ
Noah Bank, Fort Lee, NJ
Wilshire State Bank, Fort Lee, NJ
Wells Fargo, Fort Lee, NJ

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the
Borough of Fort Lee that the above named banks are hereby
designated as depositories for the Current, Trust, Capital and
Welfare sections of the accounts of the Borough of Fort Lee for
2013.
Reorganization Meeting

January 3, 2013
Page #38

4-2 - 'Designation of Depository

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

WHEREAS, NJSA 40A:5-14 requires the governing body to designate a depository for its monies; and

WHEREAS, the Chief Financial Officer of the Borough of Fort Lee recommended that the following bank be named as a depository:

Mariners Bank, Edgewater, NJ.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Fort Lee that the above named bank is hereby designated as a depository for the Borough of Fort Lee for 2013.

BE IT FURTHER RESOLVED, as follows:

1. The custodian of such funds or accounts shall be the Borough Treasurer or such other officials as the governing body may designate.

2. All disbursements from said accounts shall be made by checks signed by the Mayor and Treasurer of the Borough of Fort Lee or such other officials as the governing body may designate.

The Resolution was approved unanimously.

4-3 - Designation of Tax Receiving Agency

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

WHEREAS, NJSA 54:4-122.3 became effective February 8, 1980, allowing municipalities to designate a bank or trust company to receive current tax payments, current water and sewer rents, as well as other public monies under the supervision of the tax collector.

WHEREAS, the Chief Financial Officer of the Borough of Fort Lee has recommended that PNC Bank, Fort Lee, New Jersey be designated as the "Official Tax Receiving Agency" of the municipality;

WHEREAS, the Director of the Division of Local Government Services must give his approval for the authorization of awarding of this contract,

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the
Reorganization Meeting

January 3, 2013
Page #39

4-4 / Designation of Newspapers

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

BE IT RESOLVED, by the governing body of the Borough of Fort Lee that pursuant to NJSA 40:53-1, the following newspapers are hereby designated as official advertisements and notices required by law to be published by the Borough of Fort Lee:

The Record
Jersey Journal

The Resolution was approved unanimously.

COUNCIL APPOINTMENTS

5-1 - Planning Board - Class III

Councilman Cervieri introduced, and Councilwoman Kasofsky seconded, the following Resolution:

WHEREAS, the Borough Ordinance 261-1 of the codified ordinances of the Borough of Fort Lee, provides that the Borough Council shall designate and appoint a member of the Borough Planning Board, pursuant to such ordinance and to New Jersey Statutes in such cases made and provided; and

WHEREAS, the Borough Council does, in its judgment deem it to be in the best interest of the Borough that such appointment be made,

NOW, THEREFORE, BE IT RESOLVED, that Councilman Armand Pohan be and is hereby designated and appointed by the Borough Council and as the Borough Council Member of the Borough Planning Board pursuant to Borough Ord. 261-1 et seq. of the codified ordinances of the Borough of Fort Lee and pursuant to New Jersey Statutes in such cases made and provided, the term of such appointment to be for the period of one year in accordance with the foregoing ordinance and statutes.

The Resolution was approved unanimously.

5-2 - Multiple Dwelling Commission

Councilman Sargenti introduced, and Councilman Pohan seconded, the following Resolution:
appointment to be in accordance with such Ordinance for a period of one year.

The Resolution was approved unanimously.

MAYOR’S NOMINATIONS TO BOARDS

6-1 - Board of Adjustment

Mayor Sokolich nominated Donald Porrino to serve as a member on the Board of Adjustment for a four (4) year term expiring December 31, 2016.

On motion by Councilman Pohan, seconded by Councilman Sargenti, the nomination was confirmed on the following roll call:

AYES: Council Members Pohan, Sargenti, Kasofsky, Cervieri

ABSTENTION: Councilman Goldberg

Mayor Sokolich nominated George Makaroulakis to serve as alternate member #2 on the Board of Adjustment for a two (2) year term expiring December 31, 2014.

On motion by Councilman Cervieri, seconded by Councilman Pohan, the nomination was confirmed unanimously.

6-2 - Environmental and Beautification Committee

Mayor Sokolich nominated Ila Kasofsky to serve as Council Liaison to the Environmental & Beautification Committee for the year 2013.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the nomination was confirmed unanimously.

Mayor Sokolich nominated Marcia Cooper, John Klein & Richard Radoian to serve as members of the Environmental & Beautification Committee for three (3) years terms expiring December 31, 2015.

On motion by Councilman Cervieri, seconded by Councilman Pohan, the nominations were confirmed unanimously.

Mayor Sokolich nominated Neal J. Forshner to serve as a member of the Environmental & Beautification Committee for an
Reorganization Meeting

January 3, 2013
Page #41

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the nomination was confirmed unanimously.

6-4 - Fort Lee Film Commission

Mayor Sokolich nominated Jan Goldberg to serve as Council Liaison to the Fort Lee Film Commission for the year 2013.

On motion by Councilman Cervieri, seconded by Councilman Pohan, the nomination was confirmed unanimously.

Mayor Sokolich nominated Donna Brenna and Marc Perez to serve as members of the Fort Lee Film Commission for two (2) year terms expiring December 31, 2014.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the nominations were confirmed unanimously.

6-5 - Board of Health

Mayor Sokolich nominated Dr. Lawrence Altman and Dr. Alan Port to serve as members of the Board of Health for three (3) year terms expiring December 31, 2015.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, the nominations were confirmed unanimously.

6-6 - Historic Site, Structure, Cultural and Landmark Committee

Mayor Sokolich nominated Councilman Harvey Sohmer to serve as a member of the Historic Site, Structure, Cultural, & Landmark Committee for a one (1) year term expiring December 31, 2013.

On motion by Councilman Cervieri, seconded by Councilman Pohan, the nomination was confirmed unanimously.

Mayor Sokolich nominated Nami Shin and Bert Rosenbluth to serve as members of the Historic Site, Structure, Cultural, & Landmark Committee for three (3) year terms expiring December 31, 2015.

On motion by Councilman Cervieri seconded by Councilman Sargenti, the nominations were confirmed unanimously.
Reorganization Meeting

6-8 - Library Board of Trustees

Mayor Sokolich nominated Helen Saitta to serve as a member of the Library Board of Trustees for a five (5) year term expiring December 31, 2017.

On motion by Councilman Cervieri, seconded by Councilman Pohan, the nomination was confirmed unanimously.

6-9 - Local Assistance Board

Mayor Sokolich nominated Pastor Allison Moore to serve as a member of the Local Assistance Board for a four (4) year term expiring December 31, 2016.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, the nomination was confirmed unanimously.

Mayor Sokolich nominated Patricia Rumi to serve as a member of the Local Assistance Board for a one (1) year term expiring December 31, 2013.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, the nomination was confirmed unanimously.

6-10 - Rent Leveling Board

Mayor Sokolich nominated Susan Wielkocz and Cheryl Karpman to serve as members of the Rent Leveling Board for three (3) year terms expiring December 31, 2015.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, the nominations were confirmed unanimously.

6-11 - Senior Citizens’ Council

Mayor Sokolich nominated Catherine Nest to serve as Director of the Senior Citizens’ Council for a one (1) year term expiring December 31, 2013.

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, the nomination was confirmed unanimously.

Mayor Sokolich nominated Elaine Grant and James Viola to serve as members of the Senior Citizens’ Council for two (2) year terms expiring December 31, 2014.
6-12 - Sign/Façade Review Committee

Mayor Sokolich nominated Frank Patti and Jason Oh to serve on the Sign/Façade Review Committee for a two (2) year term expiring December 31, 2014.

On motion by Councilman Cervieri, seconded by Councilman Pohan, the nominations were confirmed unanimously.

MAYOR’S APPOINTMENTS

7-1 - Planning Board

Mayor Sokolich appointed the following to the Fort Lee Planning Board:

- Neal J. Forshner - Class II - One (1) Year Term Through December 31, 2013
- Byong J. Suh - Class IV - Four (4) Year Term Through December 31, 2016
- Herbert Greenberg - Class IV - Four (4) Year Term Through December 31, 2016
- Jimmy Kim - Class IV Alternate #1 - Two (2) Year Term December 31, 2014

7-2 - Sign/Façade Review Committee

Mayor Sokolich appointed Paul Leale as his representative to the Sign/Façade Review Committee for a one (1) year term expiring December 31, 2013.

Mayor Sokolich appointed Donald Porrino as his designee to the Sign/Façade Review Committee for a one (1) year term expiring December 31, 2013.

RESOLUTIONS

8-1 - Police Physicians

Councilman Cervieri introduced, and Councilwoman Kasofsky seconded, the following Resolution:

BE IT RESOLVED, by the governing body of the Borough of Fort Lee that the following are hereby appointed as Police Physicians
Reorganization Meeting

January 3, 2013
Page #44

Dr. Alan Barry Port
Dr. Samuel Suede
Dr. Gino S. Ramundo
Dr. Parmod K. Sharma
Dr. Gerald Lee
Dr. Julia Yu
Dr. Tina Fadil
Dr. Andrew Weissman

Dr. Michael Friedman
Dr. Anna J. Lavotshkin
Dr. Kyu S. Wang
Dr. Richard Weiner
Dr. John Hwang
Dr. Nazila Biria
Dr. Stephen Brunquell

The Resolution was approved unanimously.

8-2 - School Crossing Guards

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

BE IT RESOLVED by the governing body that the following be appointed as School Crossing Guards in the Borough of Fort Lee without authority to carry a firearm:

Ahmed, Laique
Bauer, Arnold
Bove, Patrick
Cerchio, Mary
D’Ambrosio, Lucia
Deliberto, Michael
Di Perna, Vito
Fernandez, Hilda
Garay, Lira
Hansen, Erik
Khemlani, Deepa
Kokkinos, George
Naughton, Patricia
Ochipinti, Joann
Pacheco, Jairo
Percontino, Anna
Scrivanich, Yolanda
Talocco, Ursula

Alessio, Dorothy
Bianchetto, Dennis
Cabrera, Yolanda
Ciecierski, Rose
Davidson, Fred
DePancis, Armand
Elisberg, Harriet
Flisfeder, Valentin
Greenberg, Herb
Huang, Jennifer
Karabatsos, Dionysios
Magnone, Joseph
Nam, Yoongson
Ok, Bong Hi
Patrick, Susan
Rose, Edward
Silvia Barbara
Triantafillou, Athena

Barrerio, Lidia
Bottini, Albert
Campolongo, Ronald
Cohen, Deborah
DeLiberto, Carmine
DeVito, Deborah
Emadzadeh, Maria
Garay, Jazmine
Harbus, Susan
Kaufman, Philip
Ko, Wai Ping
Medaglia, Donna
Nola, James
Ok, Young S.
Penn, Marge
Scrivanich, Steven
Stephens, Marie

The Resolution was approved unanimously.

8-3 - Police Guards (Matrons)

Councilman Cervieri introduced, and Councilman Sargenti seconded, the following Resolution:

BE IT RESOLVED, by the governing body of the Borough of Fort Lee that the following are hereby appointed as Police Guards (Matrons) in the Borough of Fort Lee for the year 2013:
Reorganization Meeting

January 3, 2013
Page #45

WHEREAS, the provisions of NJSA 54:4-67 direct that the governing body of each municipality may fix the rate of interest to be charged for the non-payment of taxes or assessments on or before the date when they would become delinquent, and may further provide that no interest shall be charged if on payment of any installment is made within the tenth calendar day following the date upon which the same became payable; and

WHEREAS, NJSA 54:4-67 further provides that the rate of interest so fixed shall not exceed eight percent (8%) on the first one thousand five hundred dollars ($1,500) of the delinquency and eighteen percent (18%) per annum on any amount in excess of one thousand five hundred dollars ($1,500).

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee do hereby fix, in accordance with the provisions of NJSA 54:4-67 the rate of interest to be charged for the non-payment of taxes or assessments at eight percent (8%) per annum on the first one thousand five hundred dollars ($1,500) of the delinquency, provided, however, that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became payable.

The Resolution was approved unanimously.

8-5 - Re-establishing Petty Cash Fund

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee do hereby authorize and establish a petty cash fund for the Borough Treasurer and other various departments; and

WHEREAS, the Mayor and Council authorize the Borough Treasurer to draw a check from the current account in the amount of $500.00 payable to Joseph Iannacconi, Jr., petty cash, and various authorized amounts for the other various departments,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with NJSA 40A:5-21 said petty cash funds be established.

The Resolution was approved unanimously.

8-6 - Cash Management Plan

Councilman Cervieri introduced, and Councilman Pohan seconded the following Resolution:
reorganizations; and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Fort Lee
Cash Management Plan be continued for 2013.

The Resolution was approved unanimously.

8-7 - Borough Clerk (PACO Officer)

Councilman Cervieri introduced, and Councilwoman Kasofsky
seconded, the following Resolution:

WHEREAS, the Borough of Fort Lee is required to designate a
Public Agency Compliance Officer to insure that proper forms are
distributed and completed before contracts are awarded by the
Borough and documents and manuals are made available to
prospective contractors,

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk is
hereby appointed to serve as the Public Agency Compliance Officer
(PACO) for the year 2013 in the Borough of Fort Lee.

The Resolution was approved unanimously.

INTRODUCTION OF ORDINANCE

Ordinance #2013-1 - Amending Chapter 90-2 Police Department
Formation and Rank

Mayor Sokolich broke down the individual numbers so as to
let the public know that the Police Department’s Table of
Organization is being increased from eighty nine (89) officers to
ninety-two (92) officers.

On motion by Councilman Cervieri, seconded by Councilman
Sargenti, and carried, Ord. #2013-1 entitled, “AN ORDINANCE
AMENDING CHAPTER 90-2, POLICE DEPARTMENT, FORMATION AND RANK, OF
THE CODE OF THE BOROUGH OF FORT LEE,” was introduced and passed
on first reading.

The Ordinance was approved unanimously, and the public
hearing relative to this ordinance was scheduled for January 17,
2013.

COUNCIL REPORTS

Councilman Pohan - “First and foremost, Harvey Schmer, get back
here, we miss you already. Congratulations to Harvey on his
Reorganization Meeting

January 3, 2013
Page #47

and building codes. He’s been a great asset to the Planning Board and I know he will be to the Board of Adjustment. Fortunately, I consider the Planning Board is very lucky to have Neil Forshner returning to the Planning Board where he served many years ago and would have continued to serve had it not been that his business required him to travel all over the place. But he has a great engineering background and I know he will be, once again, an asset to the Planning Board. And with respect to the Planning Board, I thank my colleagues for reappointing me to the Class III seat on the Planning Board.”

Councilman Goldberg – “I also wish Harvey to get well quickly. Harvey is the fourth on our golf team and we can’t go out without him.

And I want to congratulate Joe on your reelection. I look forward to working with you again.

And these past few days we lost Congressman Steven Rothman as everybody knows. His last day was his last vote, which was the Fiscal Cliff. And he’s been a great friend to Fort Lee and we’re going to miss him. We have a good Congressman replacing him, Bill Pascrell. And what happened was neither person’s fault; it was just redistricting.

And, Mr. Mayor, I would strongly urge us to have Congressman Rothman here to honor him for his service and for what he did for Fort Lee.

And, on that note, I’m looking forward to some exciting things that are going to happen. And I agree with the Mayor when he said in his statement we don’t sit on our laurels.

So I am looking forward this year with working with everybody and thank you. We didn’t get a chance because the meeting was so far before. But I hope everybody had a great New Year and we’re back ready to work.”

Councilman Sargenti – “To everyone, happy New Year.

It was a tough 2012, as the Mayor went through.

Take a look as we lost Halloween again from the storm. And then we had Hurricane Sandy. Then, of course, what everybody would like to forget but can never forget what had happened to Newtown. But moving on to 2013, congratulations to Joe; looking forward to working with you again, especially as a partner in the foursome.
Reorganization Meeting

Mayor Sokolich - wished Mr. Sargenti good luck in his retirement which took place in 2012.

Councilwoman Kasofsky - "Harvey, if you’re watching this, we’re all thinking about you, we’re sending you our love to get well. We miss you. Congratulations.

And congratulations, Joe. Welcome back.

I think our Mayor summed up this past year; it was a very, very busy year. We elected a President. We’ve got a new Police Chief and a new Deputy Chief. We had Sandy. We had so much happen that all I could tell you is if I have to be somebody’s mother, let’s all be prepared. Let’s have our little transistor radios. Let’s be as prepared because the way life is, it’s not the same. And if we’re prepared, especially for emergencies, we won’t be sorry.

So, I’ve got loads of batteries and radios and water; it’s the least I could do. And if, God forbid, I know everybody can always call me and I’m happy to come out and bring water, juice, soda.

This Saturday, at the Fort Lee Library ‘The Charmer’. They have a wonderful program. It’s a book written by a Fort Lee resident who committed a murder, written by the former Mayor of Ramsey, Richard Muti.

And the Fort Lee Health Department says this year is going to be a bad flu year. They still have flu shots. So if anybody needs a flu shot, you can go to the Health Department, they have loads of them in stock. We have them.

And on that note, I wish everybody a happy and healthy New Year and I’m looking forward to only good things for 2013.

Councilman Cervieri - I’d like to thank everybody that’s here tonight, especially Judge Desheplo. Six times in a row you’ve had me up here to swear to serve the people and I thank you each time and I hope I haven’t let anybody down.

I’d also like to thank my wife for letting me out of the house one night a week to attend Council meetings. That’s an inside joke; it’s more than one night a week. But, JoAnn, thank you; thanks for being here tonight, thanks for being understanding and being a great partner.

I’d like to thank my colleagues up here because without them, this is not possible. Their talents and dedication and sincerity and
Reorganization Meeting

January 3, 2013
Page #49

I’d like to also recognize our new Chief and Deputy Chief. That’s a fabulous Department that you are going to run and you’re going to run it in the best way possible. And we have all the confidence in the world that you’re going to do that for us. People of Fort Lee can know that they’re safe and that they have some very dedicated people working for them 24/7. I’d also like to mention one thing that the Mayor skipped in his brief presentation earlier tonight; something that we did in 2012. We hosted an Ironman competition that really was a spectacular event.

And it was something that put Fort Lee back on the map, it didn’t put us on the map, we were already on the map, but it put us a little bit more in the forefront of some of the good things that Fort Lee has to offer.

And we talked about thanking the volunteers. The number of people that were involved in putting that together and serving and the people, not only in the front but in the back, it was just a tremendous event that took lots of coordination from our police, fire, and emergency services. Everybody was out there and did a great job. And it was something that made us feel good.

We always look for things to make the community feel like a community and pull us all together and our Mayor’s made sure that that’s happened and he gets the support of all of us up here. As I’ve said before that our Police Department is second to none and is one of the best teams that we know.

And I’d like to also mention that we have our Super Bowl team returning and I would say using the Super Bowl analogy because you have eleven dedicated people that I have the privilege to serve with and that’s Armand, Harvey, Jan, Mike, Ila, Mark our Mayor, Peggy, Neil, Joe Iannaccon and Lee Cohen. There’s 11 people there, including myself, and I think that we turn good things for people each and every year because that’s what we strive to do. And we may not be perfect but we try, we try hard.

Once again thank you all for returning me back to the Council. Harvey, I miss you. I wish you were up here with me right now and I know that you’re going to come back stronger than ever. At least Roberta is there to make sure that you get out of bed and get back to work. We look forward to it. Thank you all and God bless.”

Mayor Sokolich - thanked all of his colleagues and the same folks Councilman Cervieri just recognized. He stated it’s a pleasure serving with everyone and he’s very grateful to be able to serve the people of Fort Lee.
Reorganization Meeting

January 3, 2013
Page #50

Neil Grant
Municipal Clerk
REGULAR MEETING

MAYOR AND COUNCIL

Thursday, January 17, 2013 @7:00 p.m.

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargent, Cervieri

ABSENT: Councilwoman Kasofsky

ALSO PRESENT: Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR’S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013, a copy of said schedule was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the $10.00 fee for the year 2013 to cover the cost of providing notice.

MAYOR’S REPORT AND ANNOUNCEMENTS

Mr. Grant read the following statement from Councilwoman Ila Kasofsky.

"She just wanted to let everyone know that she is sick with the flu and said that she supports the expected hiring of the eight new police officers as well as the expected nine police promotions.

In addition she’s supportive of the rehiring of Lee Cohen of the firm of DeCotiis, Fitzpatrick & Cole as the Borough’s Labor Counsel as well as the other professional appointments expected to be approved later tonight."

Mayor Sokolich stated that over the last few weeks’ people have been hearing what initiatives other towns have been put in place and may be doing with regard to safety initiatives for
the Fort Lee Board of Education. There are some initiatives that will be put in place and there is another meeting he’s scheduling next week to discuss further initiatives. It’s a joint meeting between the Borough and the Fort Lee Board of Education. After that meeting he is going to schedule a town hall meeting so the public can be informed to what is being done. There are a few things that are not going to be done, but he’s not going to discuss that at this time. He reminded the public there are many tools to attack this issue. There is a reason why the school children have been so safe generally over the past years. That’s because of the dedication and efforts of the Police Department, which a majority of those members are present tonight. He thanked the Police Department. The Borough is going to continue to keep the children as safe as possible.

PUBLIC HEARING

Ordinance #2013-1 - Amending Chapter 90-2 Police Department Formation and Rank

Mayor Sokolich explained what this ordinance entails.

Councilman Cervieri offered a motion, seconded by Councilman Pohan to amend the Ordinance as follows:

Mr. Cohen deemed the following amendment to be minor in nature.

In the table of organization the total number of police officers is to be changed from seventy-two police officers with an overall number of ninety-two total officers,

    to:

seventy-four police officers thereby increasing the entire police table of organization to ninety-four total officers.

The motion to amend the Ordinance was approved unanimously.

On motion by Councilman Cervieri, seconded by Councilman Pohan and carried, the public hearing was opened relative to Ord. #2013-1 entitled, “AN ORDINANCE AMENDING CHAPTER 90-2, POLICE DEPARTMENT, FORMATION AND RANK, OF THE CODE OF THE BOROUGH OF FORT LEE as amended.”

There being no public discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Pohan.

On motion by Councilman Cervieri, seconded by Councilman Pohan, the Ordinance was adopted unanimously.
current Table of Organization; and

WHEREAS, it has been determined that the following
individuals be appointed to the position of Police Officer with an
effective hiring date of January 17, 2013,

Peter Chong
Andres Kim
Laki Pothos
David G. Tropea
Stephen G. Domenick
Zachary D. Joseph
Dillon S. Turner
John J. Gallo

NOW, THEREFORE, BE IT RESOLVED that these appointments are
made in accordance with a New Jersey Civil Service Commission
Certification of Eligibles for Appointment List, for the title of
Police Officer, and salaries shall be in accordance with the
current P.B.A. Contract.

The Resolution was approved unanimously.

OATHS OF OFFICE

Chief Bendul stated that the Borough is very fortunate in
having a Mayor and Council that is dedicated to public safety.
He’s honored as the new Police Chief that his first ceremony is to
involve the hiring of new officers as well as promoting current
officers into supervisory positions. The eight new officers have
undergone a grueling process the past few months to get to this
point tonight. There were over 19,000 applicants in the State
who applied to become police officers. The eight hires tonight
are the top of the Fort Lee residents that are eligible. After
tonight they will begin the police academy which will take them
through June. He has the utmost confident that the eight
officers will adhere to the high standards that have been
established by the officers before them. He thanked their family
and friends for being present and supporting this special night
for them.

Chief Bendul read brief biographies of each of the new
officers before they were sworn in to office.

Peter Chong was sworn in as a Police Officer by Mayor
Sokolich. His father, Yong Chong, held the Bible and his mother,
Mary Chong, pinned on his badge.

Andres Kim was sworn in as a Police Officer by Mayor
Sokolich. His sister, Dory Kim, held the Bible and pinned on his
badge.

Laki Pothos was sworn in as a Police Officer by Mayor...
Regular Meeting

January 17, 2013
Page #4

Zachery D. Joseph was sworn in as a Police Officer by Mayor Sokolich. His father, Arthur, held the Bible, and his mother, Denise, pinned on his badge.

Dillon S. Turner was sworn in as a Police Officer by Mayor Sokolich. His mother, Annamarie, held the Bible and pinned on his badge.

John J. Gallo was sworn in as a Police Officer by Mayor Sokolich. His mother, Marietta, held the Bible, and his father, retired Fort Lee Police Officer Joseph Gallo, pinned on his badge.

Chief Bendul thanked the Mayor and Council by giving the Police Department more resources so as to be able to continue to service the community.

OATH OF OFFICE

Harvey Sohmer was sworn in as a Councilman by Mayor Sokolich. His wife, Roberta, and their grandchildren, Lindsey and Rachel Kurtz held the Bible, as he took his Oath of Office.

As requested by the Mayor, on motion by Councilman Sohmer, seconded by Councilman Sargenti, with no objections, a recess was taken at 7:37 p.m.

On motion by Councilman Cervieri, seconded by Councilman Sohmer, the meeting reconvened at 8:00 p.m.

RESOLUTIONS/OATHS OF OFFICE

R-B - Authorizing Police Promotions - Three ( Sergeants)

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Police Officers James K. Lee, Michael Pappachristou and Sean M. Peppard be promoted to the rank of Police Sergeant with an effective date of January 17, 2013; and

BE IT FURTHER RESOLVED that these promotions will be certified by the New Jersey Civil Service Commission and shall be at a salary outlined in the P.B.A. Contract.

The Resolution was approved unanimously.

Chief Bendul said that as a leader "you have to have people to lead". He added that in order to manage the department a key command staff is needed as well as middle managers and direct line
Regular Meeting

January 17, 2013
Page #5

his wife, Sophia, pinned on his badge.

Michael Pappachristou was sworn in as a Police Sergeant by Mayor Sokolich. His wife, Jennifer, along with his sons, Michael Jr. and Niko, held the Bible, and his mother, Christina, and his father, Chris, pinned on his badge.

Sean M. Peppard was sworn in as a Police Sergeant by Police Officer by Mayor Sokolich. His wife, Janet, held the Bible, and his mother Lynsay, pinned on his badge.

R-C - Authorizing Police Promotions - Three (Lieutenants)

Councilman Cervieri introduced, and Councilman Sohmer seconded, the following Resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Sergeants Andrea J. Cappola, Leonard R. Cottrell and Kenneth R. Porrino be promoted to the rank of Police Lieutenant with an effective date of January 17, 2013; and

BE IT FURTHER RESOLVED that these promotions will be certified by the New Jersey Civil Service Commission and shall be at a salary outlined in the P.B.A. Contract.

The Resolution was approved unanimously.

Chief Bendul read biographies of each of the new lieutenant before they were sworn into their new rank.

Andrea J. Cappola was sworn in as a Police Lieutenant by Mayor Sokolich. Her husband, Fort Lee Police Officer Gabriel Cappola and their children, William and Casey Lynn, along with her mother, Adeline, held the Bible, and her father, retired Palisade Interstate Parkway Sergeant William Krautheim, pinned on her badge.

Leonard R. Cottrell was sworn in as a Police Lieutenant by Mayor Sokolich. His daughter, Jamie, held the Bible, and his wife, MaryBeth, pinned on his badge.

Kenneth R. Porrino was sworn in as a Police Lieutenant by Mayor Sokolich. His wife, Dawn, and daughter, Victoria, held the Bible, and his son, Matthew, pinned on his badge. Also at the podium were his brother, Mark, his father, Donald and his fiancé Jacqui.

R-D - Authorizing Police Promotions - Three (Captains)

Councilman Cervieri introduced, and Councilman Sohmer
Regular Meeting

January 17, 2013
Page #6

Chief Bendul read biographies of each of the new captains before they were sworn into their new rank.

Stanley A. Zon was sworn in as a Police Captain by Mayor Sokolich. His wife, held the Bible, and his brother, Passaic City Police Officer Joseph Zon, pinned on his badge.

Robert Zevits was sworn in as a Police Captain by Mayor Sokolich. His sister, Patricia Kelly, held the Bible, and his brother, former Fort Lee Police Captain Joseph Zevits, pinned on his badge.

Thomas D. Ottina was sworn in as a Police Captain by Mayor Sokolich. His wife, Dot, and his son, Thomas, held the Bible, and his father, retired Fort Lee Police Sergeant Primo Ottina, pinned on his badge.

PRESENTATION

Chief Bendul presented Police Officer T.J. Cullen with his Detective Shield.

As requested by the Mayor, on motion by Councilman Schmer, seconded by Councilman Pohan, with no objections, a recess was taken at 8:45 p.m.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the meeting reconvened at 9:00 p.m.

APPROVAL OF MINUTES

On motion by Councilman Cervieri, seconded by Council, and carried unanimously, the minutes of the December 20, 2012/January 3, 2013 Recessed Meeting were approved with Councilman Schmer abstaining.

INTRODUCTION OF ORDINANCES

Ordinance #2013-2 - Amending Bus Stop Ordinance on Main Street by Center Avenue (Mid-Block) Westbound

Mr. Grant explained the ordinance for the public.

On motion by Councilman Cervieri, seconded by Councilman Pohan, and carried, Ord. #2013-2 entitled, "AN ORDINANCE AMENDING CHAPTER 388, SECTION 57, SCHEDULE XIII, OR THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE ENTITLED 'BUS STOPS' IN THE BOROUGH OF FORT LEE," was introduced and passed on first reading.

The Ordinance was approved unanimously, and the public hearing relative to this ordinance was scheduled for February 14, 2013.
SPACES," was introduced and passed on first reading.

The Ordinance was approved unanimously, and the public hearing relative to this ordinance was scheduled for February 14, 2013.

**PROPOSED CONSENT AGENDA**

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-17.

**CA-1 - Payment of Claims**

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<table>
<thead>
<tr>
<th>ACCOUNT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>$16,995,768.07</td>
</tr>
<tr>
<td>Capital</td>
<td>2,243,931.69</td>
</tr>
<tr>
<td>Road Improvement Plan</td>
<td>n/a</td>
</tr>
<tr>
<td>Multiple Dwelling</td>
<td>n/a</td>
</tr>
<tr>
<td>Construction Fees</td>
<td>n/a</td>
</tr>
<tr>
<td>COAH Fees</td>
<td>n/a</td>
</tr>
<tr>
<td>Trust Account (Old)</td>
<td>n/a</td>
</tr>
<tr>
<td>Senior Citizen Advisory Council</td>
<td>2,475.00</td>
</tr>
<tr>
<td>Trip Admissions</td>
<td>n/a</td>
</tr>
<tr>
<td>Wedding Fees</td>
<td>n/a</td>
</tr>
<tr>
<td>Trust Account (Accutrack)</td>
<td>19,537.78</td>
</tr>
<tr>
<td>Special Dog Account</td>
<td>n/a</td>
</tr>
<tr>
<td>Centennial Fund</td>
<td>n/a</td>
</tr>
<tr>
<td>Disability Insurance Trust</td>
<td>n/a</td>
</tr>
<tr>
<td>Unemployment Compensation Trust</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Assistance Trust Fund</td>
<td>n/a</td>
</tr>
<tr>
<td>Police Activity Trust</td>
<td>n/a</td>
</tr>
<tr>
<td>Fort Lee Film Commission</td>
<td>800.00</td>
</tr>
<tr>
<td>Redemption Account</td>
<td>525,494.27</td>
</tr>
<tr>
<td>School Resource Account</td>
<td>n/a</td>
</tr>
<tr>
<td>Dedicated Penalties</td>
<td>n/a</td>
</tr>
<tr>
<td>FOAA</td>
<td>n/a</td>
</tr>
<tr>
<td>Cop Card Donation</td>
<td>n/a</td>
</tr>
<tr>
<td>Police Treasury</td>
<td>n/a</td>
</tr>
<tr>
<td>Police Justice</td>
<td>n/a</td>
</tr>
<tr>
<td>Flexible Spending</td>
<td>n/a</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>$18,786,393.31</strong></td>
</tr>
</tbody>
</table>
NOW, THEREFORE, BE IT RESOLVED that Police Chief Ripoli’s retirement will be effective retroactively to January 1, 2013 with the Borough of Fort Lee.

CA-4 - Accepting Retirement Notice from Roy Bortolus, Police Captain - Effective February 1st

BE IT RESOLVED that Police Captain Roy Bortolus with the Police Department has submitted a retirement notice dated December 27, 2012 and the Mayor and Council have accepted same.

NOW, THEREFORE, BE IT RESOLVED that Captain Bortolus’ retirement will be effective February 1, 2013 with the Borough of Fort Lee.

CA-5 - Authorizing Hiring of John Candelmo, Jack Peters, Jorge Gonzales, Nick Lordo, Paul Albanese and Frank Giordano as Part-Time Building, Electric and Plumbing Inspectors - $30.00 Per Hour

WHEREAS, due to the increased development in Fort Lee with some new projects, including Redevelopment Area # 5, the Mayor and Council have determined the need to hire part-time inspectors to work under the Building Department; and

WHEREAS, the following individuals will be hired on a part-time basis under the respective discipline:

Building:
John Candelmo
Jack Peters

Electrical:
Jorge Gonzalez
Nick Lordo

Plumbing:
Paul Albanese
Frank Giordano

NOW, THEREFORE BE IT RESOLVED that these Inspectors will be paid $30.00 hourly.

CA-6 - Authorizing Salary Increase for Mary Jean Cannarsa, Part-Time Employee for the Senior Center and Parks Department - $12.00 Hourly

WHEREAS, Mary Jean Cannarsa, is employed by the Fort Lee Richard A. Nest Senior Center as well as part-time in the Parks Department.
Regular Meeting
January 17, 2013
Page #9

CA-7 - Authorizing Full Time Hiring of Erik Jaikissoon as a Building Maintenance Worker for the Community Center - Grade 6, Step A, in the Blue Collar Bargaining Unit - $35,075.00 Annually

WHEREAS, Eric Jaikissoon, has been employed by the Borough of Fort Lee as a part time seasonal worker, and has become an integral part of the supervisory technical staff at the Jack Alter Community Center; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee, have authorized Eric Jaikissoon to be appointed to a full time position of Building Maintenance Worker at the Community Center, with an effective date of January 21, 2013,

NOW, THEREFORE, BE IT FURTHER RESOLVED that this appointment shall be provisional pending certification from the New Jersey Civil Service Commission and shall be at an annual salary of $35,075.00 - Grade 6, Step A, in compliance with the Salary Ordinance of the Blue Collar Contract.

CA-8 - Authorizing Establishment of a Stipend for Stephen Ferraro, Emergency Management Coordinator - $7,500 Annually

WHEREAS, Stephen M. Ferraro, has been serving as the Emergency Management Coordinator since May 6, 2005,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that they wish to establish a stipend for the duties which Coordinator Ferraro performs in this capacity, and hereby authorize a stipend of $7,500.00 annually, with an effective date commencing January 17, 2013.

CA-9 - Authorizing Title Change and Salary Increase for Cathy Umrichin From Clerk Typist to Keyboarding Clerk 2 (Senior Clerk Typist) in the Office of Emergency Management - 7% Salary Increase

WHEREAS, Cathy Umrichin, Clerk Typist, of the Office of Emergency Management, has assumed additional responsibilities in the office,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that Cathy Umrichin will be promoted to Keyboarding Clerk 2 (Senior Clerk Typist), and receive a 7% promotional increase, effective January 17, 2013; and

BE IT FURTHER RESOLVED that this promotion is provisional pending certification from the State of New Jersey Civil Service Commission.
Regular Meeting

BE IT FURTHER RESOLVED that this promotion is provisional pending certification from the State of New Jersey Civil Service Commission.

CA-11 - Authorizing Salary Increase for Steven Curry, Fire Sub-Code Official & Safety Officer - $10,000.00

BE IT RESOLVED by the Mayor and Council that they hereby authorize a salary merit increase to Steven J. Curry, Fire Sub-Code Official & Safety Officer, of the Fire Prevention Bureau, based on his accomplishments in the department under his supervision, with a $10,000.00 increase on his base salary, effective January 17, 2013.

CA-12 - Authorizing Settlement of Tax Appeal Litigation With Linwood Realty Inc., at 2115 Linwood Avenue, Block 5151, Lot 1 for Tax Years 2010-2012

WHEREAS, Linwood Realty LLC is the owner and taxpayer of property located at 2115 Linwood Avenue, also known as Block 5151, 1; and

WHEREAS, the taxpayer filed tax appeals against the Borough of Fort Lee in a matter entitled Linwood Realty LLC vs. Borough of Fort Lee, for tax years 2010, 2011 and 2012, which are presently pending in the Tax Court; and

WHEREAS, it has been recommended by the Tax Appeal Attorney, The Borough Appraiser and the Borough Assessor that the matter be settled at this time, and that such settlement is in the best interests of the Borough,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation entitled Linwood Realty LLC vs. Borough of Fort Lee, so that the complaint for tax year 2010 will be withdrawn, and the assessment of $9,583,700 will remain intact; the assessment for tax year 2011 will be reduced from $9,583,700 to $9,150,000 and the assessment for tax year 2011 will be reduced from $9,583,700 to $9,150,000 and the assessment for tax year 2012 will be reduced from $9,583,700 to $9,000,000; and

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon a waiver of any and all pre-judgment interest by the taxpayer.

CA-13 - Authorizing Settlement of Tax Appeal Litigation With
Regular Meeting

mater be settled at this time, and that such settlement is in the
best interests of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of
the Borough of Fort Lee that the Tax Appeal Attorney be and he is
hereby authorized and directed to execute any and all documents
necessary in order to finalize the settlement of litigation
entitled BFE Polygon Partners vs. Borough of Fort Lee, so that the
assessment for 2010 will be reduced from $12,000,000.00 to
$11,500,000.00, resulting in a refund of $9,735.00; the assessment
for 2011 will be reduced from $12,000,000.00 to
$11,500,000.00, resulting in a refund of $9,940.00 and the
assessment for 2012 will be reduced from $12,000,000.00 to
$10,500,000.00, resulting in a refund of $30,780.00; and

BE IT FURTHER RESOLVED that the settlement is predicated upon
the taxpayer waiving any and all prejudgment interest.

CA-14 - Authorizing Purchasing Consultant to Prepare
Specifications and Advertise for Bids for Computer Consoles for
the Police Department

BE IT RESOLVED by the Mayor and Council of the Borough of
Fort Lee, that the Purchasing Consultant is hereby authorized and
directed to obtain specifications and advertise for bids for:

. Computer Consoles for the Police Department Communications
Center

Rock, New Jersey to Prepare an Appraisal Report for Property
Located at 1435 Bergen Boulevard in Litigation Entitled Oakdene &
Sixty Realty vs. Borough of Fort Lee - 3,500.00

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH
OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL APPRAISAL SERVICES

WHEREAS, the owners of property located at 1435 Bergen
Boulevard ("Property") in the Borough of Fort Lee ("Borough")
filed a complaint with the Tax Court challenging the Borough's
total assessment for the property; and

WHEREAS, on prior occasion, the Borough authorized the
preparation of an appraisal of the property and in order for the
Borough to successfully defend the assessment of the Property,
also known as Block 2751, Lot 2, on the tax map of the Borough,
there exists a need for the Borough to retain the services of a
licensed appraiser to prepare an update to the appraisal; and

WHEREAS, said services are recognized as "professional
WHEREAS, the Borough wishes to retain the services of Robert McNerney of McNerney Associates ("McNerney") to perform such professional appraisal services in accordance with its proposal, dated January 2, 2013, attached hereto; and

WHEREAS, McNerney possesses the requisite expertise and skilled personnel required to provide professional appraisal services related to the preparation of an appraisal with regard to the Property; and

WHEREAS, the Mayor and Council of the Borough are desirous of awarding a contract for professional appraisal services to McNerney in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the professional appraisal services will be performed by McNerney at a cost of $3,500, including all out-of-pocket expenses, which amount is less than the threshold of $17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Mayor and Council have determined that funds are available for this purpose, and

WHEREAS, the award of a contract for preparation of an appraisal with regard to the Property in the Borough is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That McNerney, 266 Harristown Road, Glen Rock, New Jersey 07452 shall be and is hereby appointed to perform professional appraisal services related to the preparation of an appraisal with regard to the Property in the Borough, in accordance with its proposal, dated January 2, 2013, attached hereto and made a part hereof.

2. That McNerney is specifically placed on notice that it will be required to comply with the Affirmative Action regulations of P.L. 1975 c. 127.

3. That a notice of the contract award shall be published, and this resolution must be available for public inspection, in accordance with the requirements of N.J.S.A. 40A:11-1 et seq.

4. That the Chief Financial Officer has certified that
Regular Meeting

January 17, 2013

Page #13

Consumption license number 0219-33-019-007, located at a mailing address of 1550 Lemoine Avenue, Fort Lee, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the applicant has complied with N.J.S.A. Title 33, and the license has been properly renewed for the current license term; and

WHEREAS, said application has been approved by the Building Sub-Code Official and the Fire Official,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee does hereby approve, effective January 17, 2013, the place to place transfer of the aforesaid Plenary Retail Consumption license, to include the premises located at 1550 Lemoine Avenue, Suite 106, Fort Lee, New Jersey.

CA-17 - Approving Person-to-Person Liquor License Transfer from Pizza Chef Inc. to DCH Fort Lee, Inc., t/a Dong Chun Hong at 144 Main Street

WHEREAS, an application has been filed for a person-to-person transfer of plenary retail consumption license 0219-33-026-003, heretofore issued to Pizza Chef Inc, (Inactive) a New Jersey corporation for premises located at 144 Main Street, Fort Lee, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

WHEREAS, the applicant has received a tax clearance certificate for person-to-person transfer from the State of New Jersey, Department of the Treasury, Division of Taxation, Trenton, New Jersey; and

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Fort Lee does hereby approve the person-to-person transfer of the aforesaid plenary retail consumption license to DCH Fort Lee, Inc. t/a Dong Chun Hong at 144 Main Street, Fort Lee, New Jersey 07024 effective January 17, 2013 and does hereby direct the Manager of the Borough to issue the license certificate to the new...
MAYOR'S NOMINATIONS/RESOLUTIONS

R-1 - Awarding Contract to J. Sheldon Cohen of the Firm DeCotiis, Fitzpatrick & Cole LLP to Serve as the Borough's Labor Attorney for 2013


Councilman Cervieri introduced, and Councilman Sargenti seconded, the following Resolution:

WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of a labor negotiator for the year 2013 to serve as Labor Attorney; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006 and

WHEREAS, the Borough has fully complied with the "fair and open" process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, J.S. Lee Cohen and the firm of DeCotiis, Fitzpatrick, & Cole, LLP, possess the requisite expertise and skilled personnel required to provide professional legal services required by the Borough; and

WHEREAS, the Borough's Review Team has determined that the firm of DeCotiis, Fitzpatrick, & Cole, LLP, Teaneck and Trenton, New Jersey legal services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Sokolich has nominated J.S. Lee Cohen of the firm of DeCotiis, Fitzpatrick, & Cole, LLP to serve as Labor Attorney for the year 2013; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,
NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee, that said Labor Attorney be and is hereby appointed for the year 2013 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Labor Attorney for the year 2013 shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18 as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

R-2 - Awarding Contract to Boswell McClave Engineering, South Hackensack, New Jersey to Serve as the Borough’s Traffic Engineer for 2013

Mayor Sokolich nominated Boswell McClave Engineering to serve as the Borough’s Traffic Engineer for 2013.

Councilman Goldberg introduced, and Councilman Sargenti seconded, the following Resolution:

WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of engineer for the year 2013 to serve as Traffic Engineer on an as needed basis; and

WHEREAS, N.J.S.A. 40A:11-1 et seg., exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seg., commonly known as the "State Pay to Play" law, took effect on January 1, 2006; and

WHEREAS, Boswell McClave possesses the requisite expertise and skilled personnel required to provide professional traffic engineering services required by the Borough; and

WHEREAS, the Borough has fully complied with the "fair and Open" process set forth under N.J.S.A. 19:44A-20.1 et seg., by issuing a Request for Qualifications for Traffic Engineering.
Regular Meeting

WHEREAS, Mayor Sokolich has nominated Boswell McClave Engineering, to serve as the Borough's Traffic Engineer for the Borough of Fort Lee for the year 2013; and

WHEREAS, the Borough received timely and complete Qualification Statements from Boswell McClave Engineering including a Business Registration Certificate and Certificate of Affirmative Action compliance prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to Boswell McClave Engineering for the provision of professional traffic engineering services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee that the aforesaid firm is hereby appointed as Traffic Engineer for the year 2013 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that funds will be available by the way of the municipal budget to compensate said Traffic Engineers on an as needed basis by the Borough; and

BE IT FURTHER RESOLVED that compensation for said Traffic Engineers for the year 2013 shall be approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to an agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

R-3 - Awarding Contract to Paul Phillips of the Firm Phillips Preiss Grygiel LLC., Hoboken, New Jersey, to Serve as the Borough's Planner for 2013 - Fee Not to Exceed $42,750.00

Mayor Sokolich nominated Paul Phillips of the firm Phillips Preiss Grygiel LLC, as the Borough's Planner for 2013.

Councilman Pohan introduced, and Councilman Sohmer seconded, the following Resolution:
Regular Meeting

January 17, 2013
Page #17

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, Paul Phillips and the firm of Phillips Preiss Grygiel LLC possesses the requisite expertise and skilled personnel required to provide professional planning services required by the Borough; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., the Borough may not award contracts with a value in excess of $17,500.00 to a business entity which has made reportable contributions in excess of $300.00, in the aggregate, to the member municipality’s political parties or to any candidate’s committee of any person serving in an elective public office of the member municipality when such contract was awarded unless said business entity is awarded a contract under a “fair and open process” pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, a “fair and open process” constitutes the following: (1) public advertisement of a Request for Qualification (hereinafter the “RFQ”); (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the public entity prior to the solicitation of qualifications; and (4) the public entity shall publicly open and announce the qualifications when awarded; and

WHEREAS, an RFQ for Borough Planner services was previously authorized by the Borough and issued under a “fair and open process” commencing on November 21, 2012, returnable by December 20, 2012 and publicly opened on December 21, 2012; and

WHEREAS, the Borough’s Review Team has determined that the Borough Planner services of Paul Phillips and the firm of Phillips Preiss Grygiel LLC., 33-41 Newark Street, Third Floor, Suite D, Hoboken, New Jersey 07030 will be the most advantageous to the Borough all relevant factors considered; and

WHEREAS, Mayor Sokolich has nominated Paul Phillips and the firm of Phillips Preiss Grygiel LLC to serve as Borough Planner for the Borough of Fort Lee for the year 2013; and

WHEREAS, the Borough has received a timely and complete Qualification Statement, including a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to Paul
BE IT FURTHER RESOLVED, that funds will be available by the way of the municipal budget to compensate said Borough Planner; and

BE IT FURTHER RESOLVED that compensation for said Borough Planner for year 2013 shall be a fee not to exceed $42,750.00; and that all claims shall be approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to an agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was approved unanimously.

R-4 - Awarding Contract to Administrative Purchasing Consultants, 214 Main Street, Fort Lee, New Jersey, as the Borough’s Purchasing Consultant for 2013 - $75,000.00

Mayor Sokolich nominated Maureen Holtje of Administrative Purchasing Consultants to serve as the Borough’s Purchasing Consultant for 2013.

Councilman Cervieri introduced, and Councilman Sohmer seconded, the following Resolution:

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts such services from the requirements of public bidding, provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and.

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" law, took effect on January 1st, 2006; and

WHEREAS, Maureen Holtje of Administrative Purchasing Consultants possesses the requisite expertise and skilled personnel required to provide professional purchasing services required by the Borough; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., the Borough may not award contracts with a value in excess of $17,500.00 to a business entity which has made reportable contributions in excess of $300.00, in the aggregate, to the member municipality’s political parties or to any candidate’s committee of any person serving in an elective public office of the member municipality when such contract was awarded unless said
WHEREAS, an RFQ for Purchasing Consultant services was previously authorized by the Borough and issued a "fair and open process" commencing on November 21, 2012, returnable by December 20, 2012 and publicly opened on December 21, 2012; and

WHEREAS, the Borough’s Review Team has determined that the Purchasing Consulting Services of Administrative Purchasing Consultants, 214 Main Street, 3rd Floor, Fort Lee, New Jersey 07024 will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Sokolich has nominated Administrative Purchasing Consultants to serve as the Borough’s Purchasing Consultant for the Borough of Fort Lee for the year 2013; and

WHEREAS, the Borough has received a timely and complete Qualification Statement, including a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to Administrative Purchasing Consultants for the provision of professional purchasing consulting services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough, and

WHEREAS, funds will be available by the way of the municipal budget to compensate said Purchasing Consultant,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fort Lee that said Purchasing Consultant is hereby appointed for the year 2013 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Purchasing Consultant for the year 2013 shall be $75,000 as listed below.

Borough of Fort Lee $58,500
Richard A. Nest Senior Citizens’ Center 16,500

; and

BE IT FURTHER RESOLVED that all claims shall be approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to an agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a
Regular Meeting

Bhalla & Cho, LLC to serve as the Borough’s Conflict Counsels for 2013 on an as-needed basis.

Councilman Cervieri introduced, and Councilman Sargenti seconded, the following Resolution:

A RESOLUTION OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF CONTRACTS FOR PROFESSIONAL LEGAL SERVICES

WHEREAS, there exists a need to retain the services of a licensed attorney to serve as the Borough's Conflict Counsel and provide professional legal services as may be required to the Borough during 2013; and

WHEREAS, said services are recognized as “professional services” as same shall be rendered by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, an RFQ for Conflict Counsel services was authorized by the Borough and issued through a “fair and open process” commencing on November 21, 2012 returnable by December 20, 2012 and publicly opened on December 21, 2012; and

WHEREAS, the Borough wishes to retain the services of the following counsel to perform professional legal services as Conflict Counsel to the Borough during 2013:

Gittleman, Muhlstock & Chewcaskie, L.L.P.
2200 Fletcher Avenue
9W Office Center
Fort Lee, New Jersey 07024

Dario, Yacker, Suarez & Albert, LLC
345 Union Street
Hackensack, New Jersey 07601

Joseph M. Ariyan, Esq, LLC
594 Valley Health Plaza
Paramus, New Jersey 07652

Bhalla & Cho, LLC
333 Washington Street, Suite 203
Jersey City, New Jersey 07302
WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the contracts for professional legal services to be performed by conflict counsel are awarded pursuant to a "fair and open" process in accordance with the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Borough has determined that funds are available for this purpose, and

WHEREAS, the award of contracts by the Borough to each of the attorneys listed above for the provision of professional legal services is in the best interests of the Borough and the implementation of these contract are necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Borough of the Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That the following attorneys shall be and are hereby appointed to serve as Conflict Counsel to the Borough and perform such professional legal services as may be necessary during 2013:

Gittleman, Muhlstock & Chewcaskie, L.L.P.
2200 Fletcher Avenue
9W Office Center
Fort Lee, New Jersey 07024

Dario, Yacker, Suarez & Albert, LLC
345 Union Street
Hackensack, New Jersey 07601

Joseph M. Ariyan, Esq, LLC
594 Valley Health Plaza
Paramus, New Jersey 07652

Bhalla & Cho, LLC
333 Washington Street, Suite 203
Jersey City, New Jersey 07302

2. That each attorney is specifically placed on notice that it will be required to comply with the Affirmative Action regulations of P.L. 1975 c. 127.

3. That a notice of the award of a contract to all such attorneys shall be published in accordance with the requirements of N.J.S.A. 40A:11-1 et seq.

4. That the Borough Clerk is authorized and directed, in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(1) to
Mayor Sokolich recused himself on this matter and left the podium.

Councilman Cervieri chaired this portion of the meeting.

Councilman Pohan introduced, and Councilman Sargenti seconded, the following Resolution:

A RESOLUTION DECLINING REVIEW IN ZONING BOARD OF ADJUSTMENT APPEAL, 1026 MORNSIDE, LLC., LOCATED AT 1018 MORNSIDE LANE, DOCKET #23-12

WHEREAS, the Mayor and Council have received a request to review the Fort Lee Zoning Board of Adjustment's decision to approve variances with respect to the premises located at 1018 Morningside Lane, Block 159, Lot 4; and

WHEREAS, it is the desire of the Mayor and Council to decline review because the request for an appeal was not timely filed in accordance with N.J.S.A. 40:55D-17 and §261-37 of the Code of the Borough of Fort Lee; and

WHEREAS, this determination by the Mayor and Council shall constitute a decision affirming the action of the Zoning Board, in accordance with N.J.S.A. 40:55D-17;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that the Borough Clerk is hereby authorized and directed to advise all parties interested in the appeal of the Zoning Board's decision on Docket #23-12 of the determination of the Mayor and Council of Fort Lee to decline review in this matter, and the Applicant before the Zoning Board shall cause to be timely published a brief notice of this decision in an official newspaper of the Borough.

The Resolution was approved unanimously.

Mayor Sokolich returned to the podium and chaired the remainder of the meeting.

R-7 - Authorizing Settlement of Tax Appeal Litigation With Mediterranean West Coop Association, at 555 North Avenue, Block 3453, Lot 2 for Tax Year 2012

Councilman Cervieri introduced, and Councilman Sohmer seconded, the following Resolution:

WHEREAS, Mediterranean West Coop Association is the owner and taxpayer of property located at 555 North Avenue, also known as Block 3453, Lot 2; and

WHEREAS, the taxpayer filed tax appeals for 2012 against the
necessary in order to finalize the settlement of litigation entitled Mediterranean West Coop Association vs. Borough of Fort Lee, so that the assessment for tax year 2012 will be reduced from $91,058,000 to $86,000,000, and the tax book will be changed for 2013 to a total assessment of $80,000,000; and

BE IT FURTHER RESOLVED that the settlement is predicated upon the taxpayer waiving any and all prejudgment interest.

The Resolution was approved unanimously.

R-8 - Authorizing Pursuant to the Local Redevelopment and Housing Law that Block 4355, Lots 17, 18 & 19 and a Portion of Lot 13 be Designated as Redevelopment Area 7

Councilman Pohan introduced, and Councilman Sargent seconded, the following Resolution:


WHEREAS, Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-6 provides that "No area of a municipality shall be determined to be a redevelopment area unless the Governing Body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5;" and

WHEREAS, on August 23, 2012 the Borough Council, by way of resolution, did authorize the Fort Lee Planning Board to undertake a preliminary investigation with regard to the properties known as Block 4355, Lots 17, 18 and 19, and a portion of Block 4355, Lot 13 (the "Study Area") to determine if they may be deemed "an area in need of redevelopment"; and

WHEREAS, the Planning Board has conducted a preliminary investigation of the Study Area in accordance with the guidelines set forth in N.J.S.A. 40A:12A-6 to determine whether the Study Area is an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to the requirements set forth in N.J.S.A. 40A:12A-6 and current case law, the Planning Board caused notice of the hearing to be published and caused a copy of the notice to be mailed at least ten days prior to the date set for the
WHEREAS, Elizabeth Leheny of Phillips Preiss Grygiel, LLC, a licensed professional planner was accepted as an expert and presented extensive testimony supporting and supplementing the aforesaid report and addressing the statutory criteria at each of the public hearings; and

WHEREAS, no written objections were received; and

WHEREAS, no testimony was presented by members of the public; and

WHEREAS, as a result of its finding of fact, the Planning Board, by action taken on January 7, 2013, which action is reflected in correspondence dated January 8, 2013 from Barbara Klein, Planning Administrator to the Borough Clerk, concluded, based on the evaluations, findings and conclusions set forth in the December 2012 report on the Study Area prepared by Phillips Preiss Grygiel, LLC and the testimony of Elizabeth Leheny of Phillips Preiss Grygiel, LLC, a licensed professional planner that:

1. Certain properties in the Study Area suffer from faulty design; overcrowding; physical deterioration/dilapidation; and deleterious land use.

2. These conditions further exert a negative influence on the adjacent properties and discourage investment on Main Street and in immediately adjoining areas as well.

3. Such conditions are inconsistent with the Borough’s land use policy objectives for the area (i.e. to attract high-rise, multi-family affordable housing development

4. As a result, the properties, in their current state, are detrimental to the public health, safety and welfare of the community.

WHEREAS, the Planning Board recommends, based on its preliminary investigation and the factual findings made by the Planning Board, that the Study Area be designated an “area in need of redevelopment” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Fort Lee, hereby accepts the findings of the Planning Board as made at a public hearing on January 7, 2013 and as further set forth in the Planning Board correspondence dated January 8, 2013 and determines that Block 4355, Lots 17, 18 and 19, and a portion of Block 4355, Lot 13, as shown on the Tax Map of the Borough of Fort Lee, referred to herein as the Study Area, qualifying as an “area in need of redevelopment” pursuant to the
an "area in need of redevelopment" pursuant to the provisions of the Local Redevelopment Act and Housing Law (N.J.S.A. 40A:12A-1 et seq.), the Borough Clerk shall serve, a notice of the determination, upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent; and

BE IT FURTHER RESOLVED, that upon the adoption of this Resolution, the Borough Clerk shall serve a notice of the determination upon the last owner of the properties within the Study Area according to the assessment records of the Borough, which notice shall be in accordance with the requirements set forth in Harrison Redevelopment Agency v. DeRose, 398 N.J. Super. 361 (App. Div. 2008); and

BE IT FURTHER RESOLVED that this determination shall be binding and conclusive upon all persons affected by such determination.

The Resolution was approved unanimously.

R-9 - Authorizing Agreement Between the Port Authority and the Borough for Funding for Edgewater Ferry Landing Shuttle Bus Service

Messrs. Pohan and Sargenti recused themselves on this matter and left the podium.

Mayor Sokolich explained the current shuttle bus service for the ferry. This agreement will bring on an additional bus route.

Councilman Cervieri introduced, and Councilman Sohmer seconded, the following Resolution:

2013 AGREEMENT BETWEEN THE PORT AUTHORITY AND BOROUGH OF FORT LEE: FUNDING FOR EDGEWATER FERRY LANDING SHUTTLE BUS SERVICE

WHEREAS, from time to time, the Port Authority has taken action in connection with the creation of new ferry service routes, operated by private sector entities under agreements with the Port Authority pertaining to such service, and the Port Authority has undertaken various ferry projects in the New York and New Jersey portions of the Port District to enhance interstate mass transit capacity; and

WHEREAS, the Borough has implemented a shuttle bus service (the "Bus Service") to provide access between Fort Lee and the ferry landing in Edgewater, New Jersey, which is a terminal for trans-Hudson ferry service (the "Ferry Service") to and from midtown Manhattan at West 39th Street, and is committed to operating the Bus Service for a period of at least three years.
WHEREAS, in February 2008, the Port Authority and the Borough entered into an agreement (the "2008 Agreement") pursuant to which the Port Authority has provided the Borough with up to $160,000, through the Port Authority's Regional Transportation Management Program, toward the Borough's costs in connection with the purchase of buses and related equipment to be used in operating the Bus Service; and

WHEREAS, the Board of Commissioners of the Port Authority, at its meeting of October 22, 2009, adopted a Resolution, attached hereto as Exhibit A, authorizing the Executive Director of the Port Authority to enter into agreements with appropriate entities as may be necessary to effectuate, consistent with existing legislation and agreements with the holders of the Port Authority's obligations, projects designated by the Governor of the State of New Jersey in the New Jersey portion of the Port District in connection with the allocation of the remaining $2.2 million of funds for previously authorized commitments for projects and initiatives in the State of New Jersey; and

WHEREAS, Governor Chris Christie of the State of New Jersey has requested the Port Authority to provide up to $162,000 toward the Borough's costs in connection with the purchase of additional buses and related equipment to be used in operating the Bus Service; and

WHEREAS, the Port Authority has agreed, pursuant to the above-mentioned authorization and under the terms of this Agreement, to provide the Borough with up to $162,000 toward the Borough's costs in connection with the purchase of additional buses and related equipment to be used in operating the Bus Service,

NOW, THEREFORE, the Port Authority and the Borough hereby agree as follows:

SECTION A - DEFINITION OF PROJECT

The Project, as used in this Agreement, shall refer to the acquisition by the Borough of two passenger bus vehicles and related equipment for use on the Bus Service between Fort Lee and the Edgewater ferry landing. Any bus vehicles and related equipment acquired by the Borough using the funds provided by the Port Authority pursuant to the 2008 Agreement shall not be included as part of the Project, as referred to in this Agreement.

SECTION B - PAYMENTS BY THE PORT AUTHORITY

The Port Authority's sole responsibility under this Agreement in connection with the Project shall be to allocate and make available, as subsequently requested in properly drawn invoices, up to $162,000 to the Borough toward the Borough's expenditures in connection with the Project.
If the Port Authority questions or disputes a charge or charges on an invoice for which payment was made, and it is determined through the dispute resolution procedures provided for in this Agreement that the Borough is required to reimburse the Port Authority for the disputed charge(s), the Port Authority will deduct such amount from its future reimbursement to the Borough, or the Borough will reimburse the Port Authority within 30 days of the Borough's receipt of notification of the resolution of the dispute.

SECTION C - RESPONSIBILITIES OF THE BOROUGH

The Borough shall be obligated to place all of the passenger bus vehicles and related equipment acquired under the Project in service on the Bus Service between Port Lee and the Edgewater ferry landing, as soon as practicable after it has acquired and performed any necessary testing procedures on the vehicles and related equipment, and shall operate the Bus Service on a regular schedule for a period of at least three years, provided that the Ferry Service remains in operation during that time period.

SECTION D - REPORTING REQUIREMENTS

The Borough shall provide the Port Authority with quarterly reports regarding the progress of the Project. The form of such quarterly reports shall contain such information as the Port Authority may reasonably request. The Port Authority may, upon reasonable notice, during regular business hours, examine all records of the Borough relating to the Project or any agreements entered into by the Borough in connection with the Project.

SECTION E - NO PORT AUTHORITY LIABILITY

The Port Authority shall have no responsibility of any kind for any agreement, contract or project utilizing funds provided under this Agreement. Without limiting the generality of the foregoing, the Port Authority shall have no responsibility for the design, effectuation, maintenance, ongoing operation or any other aspect (including all environmental matters) of the Project, any contract entered into in connection with the Project, or the operation of any bus vehicles or related equipment during or following completion of the Project. Between the Port Authority and the Borough, only the Borough hereby assumes the following risks, whether or not they arise from acts or omissions of the Borough: all risks of loss or damage to property or injury to or death of persons, and risks of other damages, to whomsoever occurring, arising out of or in any way connected with or related to the Project and/or the operation of any bus vehicles or related equipment during or following completion of the Project, including, without limitation, the design, effectuation, maintenance, operation or any other aspect (including all environmental matters) of the Project. The Port Authority shall have no responsibility for providing any monies for the Project except as provided in this Agreement.
Regular Meeting

January 17, 2013

The Borough, in indemnifying the Port Authority, shall, if so requested by the Port Authority, defend against such claims at no cost and expense to the Port Authority, in which event the Borough shall not, without obtaining express advance written permission from General Counsel of the Port Authority, raise any defense involving in any way the jurisdiction of the tribunal over the Port Authority, the immunity of the Port Authority, the governmental nature of the Port Authority, or the provisions of any statutes respecting suits against the Port Authority.

SECTION G - GENERAL

1. By execution, delivery and performance of this Agreement, each party represents to the other that it has been duly authorized by all requisite action on the part of the Port Authority and the Borough, respectively. This Agreement constitutes the legal, valid and binding obligation of the parties hereto.

2. It is expressly understood and agreed that the Port Authority has not reviewed and shall not review any plans, specifications, drawings, or other similar documents relating to the work performed or to be performed in connection with the effectuation of the Project or any agreement entered into in connection with or relating in any way to the Project.

3. No payment, approval, failure to approve or make payment, act, or omission to act on the part of either the Port Authority or the Borough shall preclude either party from subsequently asserting that any payment, approval, or act on its part was incorrect and requesting an adjustment to remedy same or seeking all remedies allowed by law.

4. All disagreements under this Agreement shall be submitted to the Executive Director of the Port Authority and the Mayor of the Borough for their review and decision, which decision shall be binding upon the parties. In the event that the Executive Director of the Port Authority and the Mayor of the Borough shall disagree, then either party may seek all legal or equitable remedies to the extent permitted by applicable law, with venue for such disputes being rested solely in the Superior Court of New Jersey, Law Division, Bergen County.

5. Notices and communications under this Agreement shall be in writing and sent via certified mail, return receipt requested, and shall be directed as follows, or to such other address as the party receiving such notice shall have previously specified by notice to the party sending such notice:

If to the Port Authority:
The Port Authority of New York and New Jersey
233 Park Avenue South -12th Floor
New York, New York 10003
Attn: Michael Vozza, Manager, Program Review and Grant Management, Office of Management and Budget
7. a) No Commissioner, director, officer, agent or employee of the Port Authority shall be held personally liable under any provision of this Agreement or because of its execution or attempted execution or because of any breach or alleged breach hereof.

b) No official, agent or employee of the Borough shall be held personally liable under any provision of this Agreement or because of its execution or attempted execution or because of any breach or alleged breach hereof.

8. If any provision of this Agreement shall be such as to destroy its mutuality or to render it invalid or illegal, then, if it shall not appear to have been so material that without it this Agreement would not have been made by the parties, it shall not be deemed to form a part hereof, but the balance of this Agreement shall remain in full force and effect, and a reviewing court may reform this Agreement as necessary to carry out the intention of the parties.

9. The entire agreement between the parties is contained herein and no change or modification, termination or discharge of this Agreement shall be effective unless in writing and signed by both parties.

10. This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey, without reference to choice of law principles.

The Resolution was approved on the following roll call:

AYES: Council Members Sohmer, Goldberg, Cervieri

Messrs. Pohan and Sargenti returned to the podium at this point in the meeting.

COUNCIL REPORTS

Councilman Pohan - congratulated the new police officers and the promoted officers who were sworn in this evening. It makes him very optimistic about the future of the Police Department about seeing the caliber of the people hired and the caliber of the people promoted tonight.

He thanked Captain Bortolus for his many years of service to the Borough. He served the Police Department in numerous capacities over the years and when the ranks of the Police Department were thinned by many retirements he performed many roles and he performed them well.

Councilman Sohmer - congratulated the new police officers as well as the officers who were promoted earlier this evening. It’s well deserved and it has been a long time in coming.

He offered his congratulations to Captain Bortolus. He served with him on the ADA Board for the past four years and it
He also thanked Kay Nest, Democratic Chairperson, for her efforts. He really appreciates everything she does for the Democratic Party.

He also thanked his family for enduring while he serves the people of Fort Lee. It's a full time job and he didn't take this position until he could give all of his time to this job.

He also thanked the Mayor and Council for swearing him in while he was in the hospital. It was a pleasure to see all of them while he was in hospital. It was really appreciated.

He wished everyone a happy and healthy New Year.

**Councilman Goldberg** - also offered his congratulations to the newly hired officers as well the promoted officers. He stated it's a new era in the Police Department and he feels very secure with the people the Mayor and Council have put into the new positions.

He stated that there is a blood drive on Friday, January 25th at the Fort Lee Recreation Center from 2:00 p.m. to 8:00 p.m. For further information call 201-440-3900.

He announced that on Friday, February 15th, the Fort Lee Film Commission will be celebrating legendary actor John Barrymore's birthday with an event being held at In Napoli restaurant at 116 Main Street. The event runs from 6:00 p.m. to 8:00 p.m. Tickets are $15.00. For further information call 201-693-2763 or visit www.fortleefilm.org.

**Councilman Sargenti** - congratulated Roy Bortolus on his retirement.

He offered his best wishes to everyone promoted and hired earlier this evening.

He congratulated Councilman Sohmer on being re-sworn in tonight.

**Councilman Cervieri** - also thanked Roy Bortolus for all of his years of dedicated service to the Borough.

He sent his best wishes and prayers for safety for the new officers hired and to all those promoted tonight. He thanked the Police Department for keeping the people of Fort Lee and Bergen County safe.

He also recognized former Police Chiefs Thomas Ripoli and Thomas Tessaro who were present for tonight's ceremonies.
safe place to live, work and raise a family. Tonight, was a step to preserve the safe environment already in place in the Borough.

He welcomed Councilman Sohmer back.

He also congratulated Roy Bortolus on his retirement. He said that he probably served the Police Department in as many capacities then any other police officer who preceded him. He has an incredible record that he amassed with the Police Department, and he served the Police Department with pride and honor.

He thanked the Port Authority for the buses being given to the Borough which action was approved earlier this evening.

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman, and carried unanimously, the meeting was opened to the public for discussion.

No one from the public chose to speak during this portion of the meeting.

There being no further discussion, on motion by Councilman Sargenti, seconded by Councilman Cervieri, the meeting was adjourned with no objections at 9:20 p.m.

Neil Grant, RMC
Municipal Clerk
REGULAR MEETING

MAYOR AND COUNCIL

Thursday, February 14, 2013 @8:00 p.m.

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Council Members Pohan, Sohmer, Sargenti, Kasofsky, Cervieri

ABSENT: Mayor Sokolich, Councilman Goldberg

ALSO PRESENT: Peggy Thomas, Borough Administrator
                Neil Grant, Borough Clerk
                J. Sheldon Cohen, Borough Attorney

MAYOR’S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the $10.00 fee for the year 2013 to cover the cost of providing notice.

MAYOR’S REPORT AND ANNOUNCEMENTS

Council President Kasofsky chaired the meeting in the Mayor’s absence and had no report tonight.

FIRE CHIEFS’ SWEARING IN CEREMONY (OATHS OF OFFICE)

Ms. Kasofsky administered the Oaths of Office to the newly elected Lieutenants, Captains, Battalion Chief, Deputy Chief and Chief for the Fort Lee Volunteer Fire Department.

2nd Lieutenants: Mary Boujotas, John T. Klein, (Not Present)
                Eric Jaikissoon and Robert DeVito

1st Lieutenants: Richard Onufrey (Not Present) Don Sauvageot,
                 Bryan Penzone (Not Present) and Patrizia Dolce
Regular Meeting

February 14, 2013
Page #2

Chief: Mark Sulcov - His daughter, Sara, and his son, Steven held the Bible, and his wife, Lisa, pinned on his badge.

OUTGOING FIRE CHIEF’S SPEECH (Keith Sabatino)

"2012 was a very busy year for the Fire Department. We responded to 1536 calls last year. These calls included seven (7) working fires, two (2) major extrications, along with a few minor ones. In addition to fire calls, we had two Repel calls off the Palisades Cliffs, we were on stand-by for the NY/NJ Ironman Triathlon, and we were also on stand-by for hurricane Sandy, putting in over 5000 hours.

During Sandy we responded to 236 calls in one week alone, working around the clock to ensure the safety of the residents of Fort Lee. During that time of emergency a town with no power, no heat, we left our own families in the cold and dark to keep your families safe, sleeping on floors, couches, chairs, any space that a firefighter could find to grab some much needed sleep before the next call. Our firehouses are not equipped to accommodate sleeping, but you all did it without question, without complaint. It was through the efforts of these volunteers that we pulled through together, averting what really could have been catastrophic events.

I stand here today in Uniform with Pride and honor. With all these incidents that we responded to I am extremely proud of the members of Fort Lee Fire Department. The residents should be very proud to have a department like this. Our volunteers come through time and time again, day or night; answering calls in the blistering heat and the freezing cold to protect and serve the residents of Fort Lee. No matter what call or incident we are asked to respond to whether car fire or house fire, extrication or repel when we arrive we are not just firefighters we’re the face of Fort Lee. And no group of volunteers can match the level of service consistently provided by the men and women who serve in the Fort Lee Fire Department.

We are a highly trained department with the best equipment around and I personally want to thank the Mayor, Mark Sokolich, the governing body and our Borough Administrator, Peggy Thomas, for the total support you give to the fire department. Working hand and hand, we give you, the residents of Fort Lee, the best Volunteer Fire Department around.

Brotherhood is the word that we use in the fire service. It's what makes us all family. I want to say thank you to Rescue Co. #2 for putting me up for Chief last year, and the entire fire department for supporting me throughout 2012. Without all of you, I could not be the Chief that I was. I appreciate every one of you for all the support and help throughout the year. I truly love being a firefighter and absolutely loved serving you all as your
Regular Meeting

February 14, 2013

Page #3

Chief Sabatino with two gifts. One was a set of photographs from his year as Chief and the second was a collection of his helmet shields and badges.

FIRE CHIEF'S SPEECH (Mark Sulcov)

Chief Sulcov thanked everyone for attending the swearing in for the officers. He thanked the members of Fire Company #3, the entire Fire Department, Mayor and Council, Borough Administrator, Borough Clerk, fellow fire instructors along with friends and family. He said without everyone's help "he cannot be what he is today". He invited everyone back to Fire Company #3 for refreshments.

Council President Kasofsky requested a brief recess at this point in the meeting.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, a short recess was approved and taken at 7:25 p.m.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the meeting was reconvened at 7:30 p.m.

APPROVAL OF MINUTES

On motion by Councilman Cervieri, seconded by Councilman Pohan, and carried unanimously, the minutes of the January 3, 2013 Reorganization Meeting were approved with Councilman Sohmer abstaining.

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the minutes of the January 10, 2013 Executive Session were approved.

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the minutes of the January 17, 2013 Regular Meeting were approved.

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the minutes of the February 7, 2013 Executive Session were approved.

PUBLIC HEARINGS

Ordinance #2013-2 - Amending Bus Stop Ordinance on Main Street by Center Avenue (Mid-Block) Westbound

On motion by Councilman Cervieri, seconded by Councilman
Regular Meeting

February 14, 2013

Page #4

Ordinance #2013-3 - Amending Chapter 388, Sections 14 and 69, Schedule XXIII - Additional Handicapped Parking Spaces on North Central Road

On motion by Councilman Cervieri, seconded by Councilman Sohmer and carried, the public hearing was opened relative to Ord. #2013-3 "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED HANDICAPPED PARKING SPACES."

There being no public discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Sohmer.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the Ordinance was adopted unanimously.

PROPOSED CONSENT AGENDA

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-14.

CA-1 - Payment of Claims

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<table>
<thead>
<tr>
<th>ACCOUNT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>$12,453,420.88</td>
</tr>
<tr>
<td>Capital</td>
<td>125,525.75</td>
</tr>
<tr>
<td>Road Improvement Plan</td>
<td>n/a</td>
</tr>
<tr>
<td>Multiple Dwelling</td>
<td>n/a</td>
</tr>
<tr>
<td>Construction Fees</td>
<td>1,860.00</td>
</tr>
<tr>
<td>COAH Fees</td>
<td>n/a</td>
</tr>
<tr>
<td>Trust Account (Old)</td>
<td>n/a</td>
</tr>
<tr>
<td>Senior Citizen Advisory Council</td>
<td>1,556.50</td>
</tr>
<tr>
<td>Trip Admissions</td>
<td>n/a</td>
</tr>
<tr>
<td>Wedding Fees</td>
<td>n/a</td>
</tr>
<tr>
<td>Trust Account (Accutrack)</td>
<td>45,442.28</td>
</tr>
<tr>
<td>Special Dog Account</td>
<td>n/a</td>
</tr>
<tr>
<td>Centennial Fund</td>
<td>n/a</td>
</tr>
<tr>
<td>Disability Insurance Trust</td>
<td>n/a</td>
</tr>
<tr>
<td>Unemployment Compensation Trust</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Assistance Trust Fund</td>
<td>n/a</td>
</tr>
<tr>
<td>Police Activity Trust</td>
<td>n/a</td>
</tr>
<tr>
<td>Fort Lee Film Commission</td>
<td>300.00</td>
</tr>
<tr>
<td>Redemption Account</td>
<td>94,868.21</td>
</tr>
</tbody>
</table>
CA-2 - Approving Two-Year Special Bingo License for the Jewish Community Center of Fort Lee at 1449 Anderson Avenue

The two-year special bingo license for the Jewish Community Center for the license period from February 14, 2013 through February 13, 2014 was approved.

CA-3 - Approving Jr. Auxiliary Firefighter Application for Steven Tufaro for Fire Company #1

The Jr. auxiliary firefighter application for Steven Tufaro for Fire Company #1 was approved.

CA-4 - Accepting Retirement Notice From Ivan Francin, Senior Maintenance Repairer, in General Services - Effective March 1st

BE IT RESOLVED that Ivan Francin, Senior Maintenance Repairer, of the General Services Department has submitted a retirement notice dated February 7, 2013 and the Mayor and Council have accepted same; and

BE IT RESOLVED that Mr. Francin’s retirement will be effective March 1, 2013 with the Borough of Fort Lee.

CA-5 - Authorizing Title Change and Salary Increase for Joseph Rodriguez in the DPW - From Laborer to Truck Driver, Grade 10, Step E - $1,189.00 Salary Increase

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that Joseph Rodriguez, Laborer, with the Department of Public Works, be promoted to Truck Driver, Grade 10, Step E, at a salary increase of $1,189.00, pursuant to the 2012 Blue Collar Salary Ordinance; and

BE IT FURTHER RESOLVED that this promotion be effective February 18, 2013, and this title is provisional pending certification by the New Jersey Civil Service Commission

CA-6 - Authorizing Title Change and Salary Increase for Joseph Calabro in the DPW - From Laborer to Truck Driver, Grade 10, Step D - Salary Increase $1,343.00

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that Joseph Calabro, Laborer, with the Department of Public Works, be promoted to Truck Driver, Grade 10, Step D, at a salary increase of $1,343.00, pursuant to the 2012 Blue Collar Salary Ordinance; and
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that Simone Kosuda be promoted to Senior Clerk Typist, with a 7% salary increase, effective February 18, 2013, and this title is provisional pending certification by the New Jersey Civil Service Commission.

CA-8 - Authorizing Salary Increase for Michael Maresca, Assistant Superintendent of Public Works/Parks for Additional Supervisory Duties - $5,033.00 Salary Increase

WHEREAS, Michael Maresca, Assistant Superintendent of Public Works/Parks, has assumed supervisory duties for some time in the Department of Public Works and under the restructuring of the General Services Department, and provides a leadership role in this capacity under the Property Management Group of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that Michael Maresca be given a salary increase of $5,033.00, effective February 18, 2013.

CA-9 - Authorizing Settlement of Tax Appeal Litigation Entitled CCA Crest vs. Borough at 3 Executive Drive, Block 6451, Lot 6, for Tax Years 2009-2012

WHEREAS, CCA Crest at Fort Lee is the owner of premises located at 3 Executive Drive, also known as Block 6451, Lot 6; and

WHEREAS, the taxpayer filed tax appeals against the Borough of Fort Lee in a matter entitled CCA Crest vs. Borough of Fort Lee, for tax years 2009, 2010, 2011 and 2012, which are presently pending in the Tax Court; and

WHEREAS, it is has been recommended by the Tax Appeal Attorney, The Borough Appraiser and the Borough Assessor that the matters be settled at this time, and that such settlement is in the best interests of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation entitled CCA Crest vs. Borough of Fort Lee, so that the complaint for tax year 2009 will be withdrawn, and the assessment of $83,825,300 will remain intact; the assessment for tax year 2010 will be reduced from $83,825,300 to $81,000,000, resulting in a refund of $54,867; the assessment for tax year 2011 will be reduced from $83,825,300 to $81,000,000, resulting in a refund of $56,167; and the assessment for tax year 2012 will be reduced from $83,825,300 to $81,000,000, resulting in a refund of $57,975.00; and
WHEREAS, the computer equipment is available from Hewlett-Packard Company through New Jersey State Contract #A70262 (WSCA/NASPO PC Contracts 2009-2014); and

WHEREAS, the total cost of the expenditure is over the bid threshold amount of $36,000.00 and must be authorized by resolution of the governing body; and

WHEREAS, this contract may be awarded without competitive bidding as a recognized exception under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., since the goods and/or services are to be provided as a result of a contract to be entered into with the State of New Jersey, pursuant to and in accordance with N.J.S.A. 40A:11-5(2); and

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Fort Lee previously authorized (March 8, 2012) the purchase of MS Exchange Migration and Virtualization Startup equipment plus various project related HP computer equipment and software, from Hewlett-Packard Company, Government Product Sales, 10810 Farnam Drive, Omaha, Nebraska 68154, and this purchase is for additional virtual storage for the same project in the amount of $40,470.80; and

WHEREAS, the Local Public Contracts Law requires that the resolution awarding a contract without competitive bidding must be available for public inspection; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for this purchase through the Police Department’s Current Account.

CA-11 - Awarding Contract to Dr. Barbara Schreibman, Assistant Director of Emergency Medicine at Englewood Hospital as the Borough’s Medical Director as Required by State Law – $5,000.00

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AWARDING A CONTRACT TO AND APPOINTING DR. BARBARA SCHREIBMAN TO THE POSITION OF MEDICAL DIRECTOR OF THE FORT LEE AMBULANCE AND THE FORT LEE VOLUNTEER AMBULANCE CORPS

WHEREAS, the Borough of Fort Lee ("Borough") is required pursuant to State law and the regulations of the State Department of Health and Senior Services to employ a medical director certified in emergency medicine for the Fort Lee Ambulance and the Fort Lee Volunteer Ambulance Corps; and

WHEREAS, on prior occasion, pursuant to duly adopted Resolution #CA-7, the Mayor and Council of the Borough determined that employment of a part-time Medical Director for the Fort Lee Ambulance and the Fort Lee Volunteer Ambulance Corps is in the
Regular Meeting
February 14, 2013
Page #8

Borough may determine to be necessary for its efficient operation; and

WHEREAS, in accordance with Chapter 132, Ambulance Services, of the Municipal Code of the Borough, the Borough is authorized to appoint members of the Fort Lee Ambulance; and

WHEREAS, the Borough wishes to reappoint Dr. Barbara Schreibman, Assistant Director of Emergency Medicine at Englewood Hospital and Medical Center, to the position as Medical Director for the Fort Lee Ambulance and the Fort Lee Volunteer Ambulance Corps to perform such professional medical services on the same terms as her original retention, as described in a document attached hereto from the Chief of the Fort Lee Volunteer Ambulance Corps and the EMS Coordinator of the Fort Lee Ambulance; and

WHEREAS, Dr. Schreibman possesses the requisite expertise and licenses to serve as Medical Director; and

WHEREAS, the Mayor and Council of the Borough are desirous of awarding a contract to Dr. Schreibman to serve as Medical Director in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the services as Medical Director will be performed by Dr. Schreibman at an annual cost of $5,000, which amount is less than the threshold of $17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq., and, therefore, the contract is not subject to the provisions of the New Jersey Local Unit Pay-To-Play Law; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, as follows:

1. That Dr. Barbara Schreibman be awarded a contract and reappointed to the position of Medical Director for the Fort Lee Ambulance and the Fort Lee Volunteer Ambulance Corps.

2. That Dr. Schreibman shall continue to perform the services described in a proposal attached hereto from the Chief of the Fort Lee Volunteer Ambulance Corps and the EMS Coordinator of the Fort Lee Ambulance for the annual compensation in the amount of $5,000.

3. That a notice of the contract award shall be published,
BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the Purchasing Consultant is hereby authorized and directed to obtain specifications and advertise for bids for:

. Pedestrian Countdown Signals for the Main Street/Center Avenue Intersection

. Upgrade of Four Tennis Courts and the Basketball Court in William T. Birch Park

CA-13 - Approving Extension of Liquor License to Chapter 7 Trustee Gary Jacobson for Picco Inc. (Debtor in Possession)

WHEREAS, an applications has been filed for the extension of Plenary Retail Consumption License Number 0219-33-001-009 to Chapter 7 Trustee Gary S. Jacobson for Picco Inc. (Debtor in Possession);

WHEREAS, the submitted application form is complete in all respects including proof of appointment to act as Chapter 7 Trustee;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee does hereby approve, effective February 14, 2013, the extension of aforesaid Plenary Retail Consumption License to Gary S. Jacobson to conduct business under the privileges, terms and conditions of the license as Chapter 7 Trustee for Picco Inc. (Debtor in Possession) for the benefit of the corporation until such time as Chapter 7 status is concluded. The license may be transferred in compliance therewith and directs the Borough Clerk to endorse the License Certificate as follows: "This license is hereby extended, subject to all its terms and conditions to Gary Jacobson, Chapter 7 Trustee, until June 30, 2013.

CA-14 - Authorizing Execution of a Shared Services Agreement with the Borough of Palisades Park for an Interconnection of Property at 1475 Bergen Boulevard Within the Borough to the Palisades Park Sanitary Sewer System

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF PALISADES PARK FOR AN INTERCONNECTION OF SPECIFIC PROPERTY LOCATED WITHIN THE BOROUGH OF FORT LEE WITH THE PALISADES PARK SANITARY SEWER SYSTEM

WHEREAS, the Borough of Fort Lee ("Borough") is a municipal corporation of the State of New Jersey in the County of Bergen, established in accordance with N.J.S.A. 40A:60-1 et seq.; and

WHEREAS, the Borough of Palisades Park is a municipal corporation
WHEREAS, the Borough has requested that Palisades Park accept the connection of the Property into its sanitary sewer system, subject to reimbursement by the Borough to offset the costs associated with the additional flow introduced into Palisades Park's sanitary sewer system for processing at the Bergen County Utilities Authority ("BCUA") sewerage treatment plant; and

WHEREAS, the Borough's engineer has review the details of the interconnection and the estimated costs for sewerage treatment services for sanitary sewage generated from the Property and determined that the interconnection will have a de minimis impact on the Borough, and that the reimbursement methodology is reasonable; and

WHEREAS, the Borough has requested that Palisades Park enter into a shared services agreement whereby Palisades Park would accept the connection of the Property into its sanitary sewer system and the Borough would reimburse Palisades Park for the costs associated with the additional flow introduced into its sanitary sewer system; and

WHEREAS, all costs for the interconnection to the Palisades Park's sanitary sewer system will be the sole responsibility of Makatto.com; and

WHEREAS, the Borough wishes to enter into a shared services agreement, substantially similar to the agreement attached hereto, permitting the connection of the Property into Palisades Park's sanitary sewer system, subject to reimbursement by the Borough for the costs associated with the additional flow introduced into Palisades Park's sanitary sewer system; and

WHEREAS, the entry into a shared services agreement with Palisades Park is in accordance with the Uniform Shared Services and Consolidation Act and is in the best interests of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That entry into a shared services agreement with Palisades Park, upon terms substantially similar to the agreement attached hereto, is pursuant to and in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., and is hereby authorized.

2. That the Mayor shall be and is hereby authorized to execute an agreement, in substantially the same form as that attached hereto, between the Borough and Palisades Park, memorializing the terms and conditions for the interconnection of the Property with the Palisades Park sanitary sewer system.

3. That upon execution of such shared services agreement, this resolution and the agreement between the parties shall be available for public inspection in the Office of the Borough Clerk.
There being no further discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Sargenti, and the Consent Agenda (items CA-1 through CA-14) was approved unanimously.

RESOLUTIONS

R-1 - Awarding a Non-Fair and Open Contract to Robert Mc Nerney of Mc Nerney & Mc Nerney Associates, to Provide Professional Appraisal Services Related to Complaints Filed with the Tax Court Challenging the Borough’s Total Assessments for Individual Properties (As-Needed Basis)

Councilman Pohan introduced, and Councilman Sohmer seconded, the following Resolution:

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT FOR THE PROVISION OF PROFESSIONAL APPRAISAL SERVICES

WHEREAS, there exists a need for the Borough to retain the services of a licensed appraiser to provide professional appraisal services related to complaints filed with the Tax Court challenging the Borough’s total assessment for individual properties; and

WHEREAS, said services are recognized as “professional services” as same shall be rendered by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, the Borough wishes to retain the services of Robert Mc Nerney of Mc Nerney Associates (“Mc Nerney”) to perform such professional appraisal services from time to time as the need arises; and

WHEREAS, Mc Nerney possesses the requisite expertise and skilled personnel required to provide professional appraisal services related to the preparation of an appraisal with regard to the Property; and

WHEREAS, the Mayor and Council of the Borough are desirous of awarding a contract for professional appraisal services to Mc Nerney in accordance with the procedures mandated under the
WHEREAS, pursuant to the New Jersey Local Unit Pay-To-Play Law, McNerney is required to complete and submit at least ten (10) days prior to the award of a contract a Political Contribution Disclosure Form in accordance with N.J.S.A. 19:44A-20.26, a Stockholder Disclosure Certification, and a Business Entity Disclosure Certification, certifying that it has not made any reportable contributions to a political or candidate committee in the prior year, and that the contract will prohibit it from making any reportable contributions through the term of the contract; and

WHEREAS, the Political Contribution Disclosure Form, Stockholder Disclosure Certification, and Business Entity Disclosure Certificate and the certification have been submitted by McNerney and shall be placed and maintained on file at the office of the Borough Clerk; and

WHEREAS, the retention of McNerney on an as needed basis shall be according to proposals for each individual matter as approved by the Mayor and Council; and

WHEREAS, the award of a contract for professional appraisal services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That McNerney, 266 Harristown Road, Glen Rock, New Jersey 07452 shall be and is hereby appointed to perform professional appraisal services on an as needed, subject to the submittal of proposals for each individual matter and the approval of the Mayor and Council.

2. That McNerney is specifically placed on notice that it will be required to comply with the Affirmative Action regulations of P.L. 1975 c. 127.

3. That a notice of this contract award shall be published, and this resolution must be available for public inspection, in accordance with the requirements of N.J.S.A. 40A:11-1 et seq.

4. That no further action of the Borough shall be required.

The Resolution was approved on the following roll call:

AYES: Council Members Pohan, Schmer, Sargenti, Cervieri, Kasofsky

R-2 - Awarding Bid to Alliance Bus Group, Inc., Carlstadt, New Jersey for the Purchase of Two 2012 Adult Passenger Mini Buses as
WHEREAS, the Mayor and Council of the Borough of Fort Lee ("Borough") are desirous of contracting for the provision of two 2012 adult passenger mini-buses; and

WHEREAS, on September 6, 2012, pursuant to resolution and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Parking Authority of the Borough of Fort Lee solicited bids on behalf of the Borough for the provision of 2012 adult passenger mini-buses; and

WHEREAS, on September 20, 2012, bid packages were received from the three following vendors in response to the Borough’s public solicitation for bids for the provision 2012 adult passenger mini-buses

<table>
<thead>
<tr>
<th>Company</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wolfington Body Company, Inc.</td>
<td>$119,988.00</td>
</tr>
<tr>
<td>Mt. Holly, New Jersey</td>
<td></td>
</tr>
<tr>
<td>Alliance Bus Group, Inc.</td>
<td>$123,420.00</td>
</tr>
<tr>
<td>Carlstadt, New Jersey</td>
<td></td>
</tr>
<tr>
<td>Rohrer Enterprises, Inc.</td>
<td>$124,282.00</td>
</tr>
<tr>
<td>Duncannon, Pennsylvania</td>
<td></td>
</tr>
</tbody>
</table>

and

WHEREAS, the Borough engaged in negotiations with the Port Authority of New York and New Jersey ("Port Authority") with regard to the terms and conditions of an agreement whereby the Port Authority will provide funding for expenses incurred in establishing shuttle bus service for mass transportation, such as a new trans-Hudson ferry operation; and

WHEREAS, the Borough was unable to award a contract for the mini-buses within the 60-day time frame required pursuant to N.J.S.A. 40A:11-24 due to the immediate unavailability of funding from the Port Authority, and requested the consent of all parties to extensions of the contract award date; and

WHEREAS, after a review of the bid, it was determined that the bid of the ostensible low bidder - Wolfington Body Company, Inc. - failed to include an extended warranty on the engine for the mini-buses as required by the Technical Specifications, and the bid specifically stated that the cost of the extended warranty was not included in the bid price; and

WHEREAS, the failure to include and price an extended warranty in accordance with the material requirements of the Technical Specifications necessitates a rejection of the bid as non-complying and non-responsive under the Local Public Contracts Law; and

WHEREAS, the Borough has determined that the bid submitted
Regular Meeting

from midtown Manhattan at West 39th Street; and

WHEREAS, the Borough has reviewed its available funds and has determined, based upon the funding to be provided by the Port Authority, that sufficient funds are available for the provision of two 2012 adult passenger mini buses; and

WHEREAS, the Borough has determined that the award of this contract is necessary for its efficient operations,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, in the County of Bergen, State of New Jersey that the bid submitted by Wolfington Body Company, Inc. is hereby rejected for failure to include an extended warranty on the engine for the mini-buses as required by the Technical Specifications, and its bid specifically stated that the cost of the extended warranty was not included in the bid price.

BE IT FURTHER RESOLVED that Alliance Bus Group, Inc., 51 Kero Road, Carlstadt, New Jersey 07072, is hereby determined to be the lowest responsible and compliant bidder and is awarded the contract for the provision of two 2012 adult passenger mini buses in accordance with the applicable bid documents and specifications for the amount of $123,420.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the provision of two 2012 adult passenger mini-buses; and

BE IT FURTHER RESOLVED that the original bid proposal and contract are available in the Borough Clerk’s Office; and

BE IT FURTHER RESOLVED that the Borough Clerk shall advertise the award of the contract in a legal newspaper as may be required by applicable law.

The Resolution was approved on the following roll call:

AYES: Council Members Sohmer, Cervieri, Kasofsky

Messrs. Pohan and Sargenti returned to the podium at this point in the meeting.

R-3 - Authorizing Naming of Future Cinema/Film Museum on Western Parcel of Redevelopment Area 5 as “The Barrymore Theatre”

Councilman Pohan introduced, and Councilman Sohmer seconded, the following Resolution:

A RESOLUTION AUTHORIZING THE NAMING OF A TO-BE-BUILT MUSEUM/THEATER AS THE BARRYMORE THEATER ONCE BUILT
The Resolution was approved on the following roll call:

AYES: Council Members Pohan, Sohmer, Sargenti, Cervieri, Kasofsky

COUNCIL REPORTS

Councilman Pohan - stated that related to R-3 above, the Barrymore Family (Maurice, John, Lionel & Ethel) all spent time as residents in the Borough. They were all involved in the film industry in the Borough in its early days and John did his first acting on a stage in the Borough as a very young man. In celebration of the naming of the theater as part of an annual celebration of John’s birthday, the Fort Lee Film Commission will hold a Barrymore bash at Napoli on Saturday, February 16th about a block where the theatre will eventually be built within Redevelopment Area 5. The cost is $15.00 and the proceeds go to the Fort Lee High School drama program.

Councilman Sohmer - congratulated Ivan Francin on his retirement. He’s a very large part of the General Service staff. He will be sorely missed.

He also congratulated Tom Meyers on his appointment to the New Jersey Hall of Fame Advisory Commission. Mr. Sohmer’s goal is to see Alice Guy Blache, the first women director in cinema history, be voted into the New Jersey Hall of Fame.

He stated that there are various countywide hazardous waste collection days in March and April in Little Ferry and Paramus respectively. For further information please visit the Bergen County Utilities website at www.bcua.org.

He also congratulated the DPW members for doing a great job during the snowstorm last week. He reminded residents if they are parked on a posted snow street that during a snowfall their cars will be towed as the plows cannot get down various streets when cars are parked on them.

Councilman Sargenti - congratulated all the fire department officers sworn in earlier this evening.

He stated that last night there was a town hall meeting held at the Jack Alter Fort Lee Community Center. Roughly 125 people showed up. He thanked all the people who showed up including the people who represented their Borough positions. He believes that people went home with an understanding that the Borough is prepared for any emergency situation that could arise with the hope that no such emergency will ever arise.
dedicated volunteers who provide such outstanding service to the residents.

He also congratulated Tom Meyers on his appointment.

He wished everyone a happy Valentine’s Day.

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried unanimously, the meeting was opened to the public for discussion.

<table>
<thead>
<tr>
<th>Speaker</th>
<th>Subject</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Martha Cohen</td>
<td>R-2 Funding for Purchase of Mini-Buses</td>
<td>Ms. Thomas</td>
</tr>
<tr>
<td>1530 Palisade Ave.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tom Meyers</td>
<td>Thanked the Mayor &amp; Council for Approving R-3</td>
<td></td>
</tr>
<tr>
<td>1590 Anderson Ave.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wished Ivan Francin Well on His Retirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Thanked Everyone for Keeping The Municipal Parking Lot Open and Cleaned up so Residents Could Use the Lot During the Snowstorm</td>
<td></td>
</tr>
</tbody>
</table>

There being no further public discussion, on motion by Councilman Cervieri, seconded by Councilman Pohan, and there being no further discussion, the meeting was adjourned with no objections at 7:47 p.m.

______________________________
Neil Grant, RMC
Municipal Clerk
EXHIBIT 36
CLIENT NUMBER: [REDACTED]  
MATTER NUMBER: [REDACTED]  

THE NEW JERSEY STATE LEGISLATURE  
GENERAL ASSEMBLY  

ATTN: STEVEN GARDNER AND KEVIN DRENNAN  

SPECIAL COUNSEL TO THE GENERAL ASSEMBLY  

FOR PROFESSIONAL SERVICES RENDERED THROUGH FEBRUARY 28, 2014  

$272,556.25  

DISBURSEMENTS  

$11,084.40  

TOTAL INVOICE  

$283,640.65  

MARCH 31, 2014  

INVOICE # [REDACTED]  

REMITTANCE COPY  

PLEASE RETURN THIS COPY WITH YOUR PAYMENT AND PLACE IN THE ENCLOSED ENVELOPE.  

ALL PAYMENTS DUE WITHIN 30 DAYS OF INVOICE  

Federal Identification No. 36-2192554
THE NEW JERSEY STATE LEGISLATURE
GENERAL ASSEMBLY

ATTN: STEVEN GARDNER AND KEVIN DRENNAN

CLIENT NUMBER - 123456

FOR PROFESSIONAL SERVICES RENDERED
THROUGH FEBRUARY 28, 2014

SPECIAL COUNSEL TO THE GENERAL ASSEMBLY

2/1/2014 CMD 7.50 Researched and drafted letter to Committee with recommendations re [redacted].

2/1/2014 CRW 0.75 Confereed with team re creation of witness files and began determining which files and correspondence were applicable to same.

2/1/2014 ASB 4.00 Communicated with client, including chairs and other members of committee, via conference call; confereed with R. Schar re same and re [redacted].

2/1/2014 RJS 3.75 Initial review of B. Stimpson subpoena letter; correspondence re [redacted]; correspondence re response to motion to withdraw subpoena; conference call with Chairs and others re [redacted]; telephone conference with L. Greenwald; telephone conference with [redacted]; telephone conference with [redacted]; correspondence re a variety of investigative issues; reviewed updated response for next round of subpoenas.

MATTER NUMBER - 789012

2,250.00
93.75
1,400.00
1,312.50

ALL PAYMENTS DUE WITHIN 30 DAYS OF INVOICE

Page 1

INVOICE # 123456

MARCH 31, 2014

Federal Identification No. 36-2192564
<table>
<thead>
<tr>
<th>Date</th>
<th>Code</th>
<th>Hours</th>
<th>Description</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/1/2014</td>
<td>MDC</td>
<td>5.25</td>
<td>Reviewed legal documents; revised subpoena riders; revised subpoena riders.</td>
<td>1,575.00</td>
<td></td>
</tr>
<tr>
<td>2/1/2014</td>
<td>MWK</td>
<td>2.50</td>
<td>Reviewed documents re drafts of subpoena statement; prepared riders specifying subpoena requests; communicated with Jenner attorneys re same.</td>
<td>750.00</td>
<td></td>
</tr>
<tr>
<td>2/1/2014</td>
<td>JMP</td>
<td>6.25</td>
<td>Drafted letter to committee re subpoena recipients; reviewed and revised.</td>
<td>1,125.00</td>
<td></td>
</tr>
<tr>
<td>2/1/2014</td>
<td>JMP</td>
<td>3.75</td>
<td>Conducted legal research re subpoena recipients; reviewed and revised.</td>
<td>1,400.00</td>
<td></td>
</tr>
<tr>
<td>2/1/2014</td>
<td>JRA</td>
<td>4.00</td>
<td>Researched issues re subpoena language, riders, and recipients; multiple emails re same.</td>
<td>3,225.00</td>
<td></td>
</tr>
<tr>
<td>2/2/2014</td>
<td>CMD</td>
<td>10.75</td>
<td>Drafted letter to Committee re subpoena language, riders, and recipients; reviewed and revised.</td>
<td>156.25</td>
<td></td>
</tr>
<tr>
<td>2/2/2014</td>
<td>CRW</td>
<td>1.25</td>
<td>Reviewed/revised letter to subpoena recipients re subpoena language, riders, and recipients; conferred with team re subpoena.</td>
<td>525.00</td>
<td></td>
</tr>
<tr>
<td>2/2/2014</td>
<td>ASB</td>
<td>1.50</td>
<td>Reviewed and responded to various correspondence; drafted letter in response to subpoena issues re</td>
<td>525.00</td>
<td></td>
</tr>
<tr>
<td>2/2/2014</td>
<td>MDC</td>
<td>4.50</td>
<td>Reviewed legal documents; revised subpoena response letter.</td>
<td>1,350.00</td>
<td></td>
</tr>
<tr>
<td>2/2/2014</td>
<td>MWK</td>
<td>1.75</td>
<td>Reviewed and revised riders specifying subpoena requests; reviewed and revised list of potential subpoena recipients.</td>
<td>525.00</td>
<td></td>
</tr>
<tr>
<td>2/2/2014</td>
<td>JMP</td>
<td>6.50</td>
<td>Drafted letter to committee re subpoena language, riders, and recipients.</td>
<td>1,950.00</td>
<td></td>
</tr>
<tr>
<td>2/2/2014</td>
<td>JMP</td>
<td>0.50</td>
<td>Reviewed new version of letter to committee re subpoena language, riders, and recipients.</td>
<td>150.00</td>
<td></td>
</tr>
<tr>
<td>2/2/2014</td>
<td>MCR</td>
<td>2.75</td>
<td>Revised document tracking log.</td>
<td>343.75</td>
<td></td>
</tr>
</tbody>
</table>

ALL PAYMENTS DUE WITHIN 30 DAYS OF INVOICE.
<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Description</th>
<th>Rate</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/2/2014</td>
<td>JRA</td>
<td>6.50 Researched, drafted and edited response to subpoena; multiple emails re same; sent response to R. Schar and T. Barkow for review.</td>
<td></td>
<td>2,275.00</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>RJS</td>
<td>9.50 Conference call with Co-Chairs and staff re investigation; telephone conference with attorney for subpoena; telephone conference with attorney for subpoena; multiple telephone conferences with Jenner personnel re investigation and various letter and memos; reviewed memo on subpoena; produced letter to Jenner re subpoena; reviewed draft letter to Committee re subpoena; telephone conference with attorney for subpoena; reviewed and edited letter to Committee re subpoena extensions; reviewed and produced correspondence re various investigative matters.</td>
<td></td>
<td>3,325.00</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>ASB</td>
<td>9.00 Conferred with client in conference call re subpoena; reviewed/revised letter re subpoena; reviewed/revised subpoena riders; reviewed materials responsive to subpoena; conferred with R. Schar re investigative strategy and legal issues; reviewed documents; reviewed research re subpoena; reviewed/revised template for subpoena extension.</td>
<td></td>
<td>3,150.00</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>MDC</td>
<td>7.50 Reviewed and processed and drafted summary of documents received from subpoena; correspondence and prepared chart re subpoena extensions. Communicated with R. Schar, T. Barkow and M. Khoo re strategy.</td>
<td></td>
<td>2,250.00</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>PMS</td>
<td>0.50 Reviewed draft recommendation letter re subpoena.</td>
<td></td>
<td>175.00</td>
</tr>
</tbody>
</table>

ALL PAYMENTS DUE WITHIN 30 DAYS OF INVOICE
<table>
<thead>
<tr>
<th>Date</th>
<th>Code</th>
<th>Rate</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/3/2014</td>
<td>MWK</td>
<td>7.25</td>
<td>Reviewed and revised riders specifying subpoena requests; reviewed documents from and analyzed evidence; prepared new entries for re same; communicated with Jenner attorneys re same.</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>JMP</td>
<td>4.50</td>
<td>Prepared exhibits for letter to Committee re and revised letter to Committee re</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>drafted memorandum re legislative counsel's recommendations; reviewed subpoena responses.</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>DS</td>
<td>2.50</td>
<td>Reviewed documents produced by and analyzed evidence; conference with R. Schar, M. Khoo, M. Cipolla, and A. Barkow re document review protocols; conducted legal research re information development and document review.</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>CRW</td>
<td>1.00</td>
<td>Conferred with team re review and processing of subpoena response documents; conferred with on setup and processing of documents in response to subpoenas.</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>MCR</td>
<td>3.00</td>
<td>Utilized and organized production documents for attorney review.</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>CMD</td>
<td>3.75</td>
<td>Reviewed email correspondence re subpoena returns; conferred with R. Schar et al. re correspondence; reviewed and revised memorandum re and sent same to R. Schar and T. Barkow for review; reviewed and edited correspondence to and discussed same by email with team; teleconference with team re</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>JRA</td>
<td>5.50</td>
<td></td>
</tr>
</tbody>
</table>
2/3/2014 ALR 8.75 Drafted letter re subpoena extensions; prepared production documents for review and production; conferred with team re same; revised document to reflect productions.

2/3/2014 RHM 4.00 Prepared document; prepared document; utilized production documents for review.

2/3/2014 CDZ 2.50 Pulled recently obtained documents and organized for purposes of review.

2/4/2014 RJS 5.50 Telephone conference with T. Barkow re documents; reviewed documents; reviewed documents provided by the other party; correspondence with attorney for opposing party; correspondence with attorney for opposition; telephone conference with S. Gardner re Committee meeting; telephone conference with N. Gill re documents; correspondence re various investigative issues.

2/4/2014 PMS 0.50 Confred with J. Ammon re status.

2/4/2014 ASB 5.00 Confred with R. Schar re documents; reviewed documents; reviewed law re documents; reviewed letter re documents; reviewed documents; developed search terms and parameters.

2/4/2014 MWK 7.00 Reviewed documents from Favorable and analyzed evidence; reviewed and revised document re same; prepared document re same; reviewed document review protocol.

2/4/2014 JMP 6.00 Reviewed memorandum to committee re document production; conducted legal research re document production; conducted legal research re document production; conducted legal research re document production; conducted legal research re document production; drafted equal memorandum re same.

2/4/2014 DS 4.25
<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Hours</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/4/2014</td>
<td>MDC</td>
<td>8.00</td>
<td>Reviewed documents produced by [redacted]; drafted summary re same; drafted summary re documents produced by [redacted]; personnel; revised subpoena riders; communicated with T. Barkow, R. Schar, and M. Khoo re strategy; revised memorandum.</td>
</tr>
<tr>
<td>2/4/2014</td>
<td>CMD</td>
<td>1.25</td>
<td>Reviewed correspondence re responses to subpoenas; conferred with J. Amunson and J. Parker re responses to subpoenas.</td>
</tr>
<tr>
<td>2/4/2014</td>
<td>IRA</td>
<td>6.50</td>
<td>Reviewed and revised [redacted]; researched and drafted response re [redacted]; multiple emails re [redacted]; and revised memorandum re same; met with C. DeCell and J. Parker re research projects.</td>
</tr>
<tr>
<td>2/4/2014</td>
<td>ALR</td>
<td>4.00</td>
<td>Prepared production documents for review, [redacted] and [redacted]; updated [redacted]. defense counsel list and [redacted]; reviewed and filed correspondence and updated [redacted] accordingly.</td>
</tr>
<tr>
<td>2/4/2014</td>
<td>RHM</td>
<td>2.50</td>
<td>Prepared [redacted]; unitized production documents for review.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>RJS</td>
<td>5.50</td>
<td>Conference call with Co-chairs re [redacted]; telephone conference with attorney for [redacted]; attempted phone calls to L. Sokol and attorney for [redacted]; telephone conference with J. Amunson re [redacted]; correspondence re various investigative issues; multiple telephone conferences with T. Barkow re various investigative matters; reviewed revised protocol memo re [redacted]; reviewed research on [redacted].</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>PMS</td>
<td>1.00</td>
<td>Reviewed [redacted]; telephone call with R. Schar re status.</td>
</tr>
<tr>
<td>Date</td>
<td>Name</td>
<td>Hours</td>
<td>Description</td>
</tr>
<tr>
<td>--------</td>
<td>------</td>
<td>-------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>ASB</td>
<td>5.00</td>
<td>Communicated with client during conference call; conferred with J. Ammonson and others re Ammonson documents; reviewed Ammonson documents; reviewed Ammonson documents; reviewed subpoena riders and related issues; revised Ammonson return to Ammonson production; conferred with R. Schar re investigative strategy and subpoenas; reviewed document review protocol; reviewed legal research re Ammonson and conferred with R. Schar re same; reviewed/analyzed Ammonson documents and analysis of evidence.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>MWK</td>
<td>2.00</td>
<td>Communicated with Jenner attorneys re Ammonson documents; revised Ammonson re same; reviewed and Ammonson Ammonson Ammonson; commenced review of Ammonson documents and analysis of evidence.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>JMP</td>
<td>10.00</td>
<td>Conducted legal research re Ammonson Ammonson Ammonson Ammonson; revised guide for Committee re Ammonson Ammonson Ammonson; conducted legal research re Ammonson Ammonson Ammonson Ammonson; conducted legal research re Ammonson Ammonson Ammonson Ammonson.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>DS</td>
<td>3.00</td>
<td>Drafted email memorandum re Ammonson Ammonson Ammonson Ammonson Ammonson Ammonson Ammonson Ammonson; edited and proofread same; reviewed 2/5/14 anonymous publics complaint letter.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>MCR</td>
<td>2.00</td>
<td>Unitized and organized Ammonson Ammonson Ammonson Ammonson Ammonson Ammonson Ammonson Ammonson Ammonson Ammonson Ammonson Ammonson production documents for attorney review.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>MDC</td>
<td>9.50</td>
<td>Revised subpoena riders; revised subpoena recipient Ammonson; drafted production specifications; drafted review protocol; communicated with R. Schar, T. Barkow and M. Khoo re case management and strategy; reviewed Ammonson Ammonson Ammonson Ammonson Ammonson documents and Ammonson Ammonson Ammonson Ammonson Ammonson documents.</td>
</tr>
<tr>
<td>Date</td>
<td>Code</td>
<td>Hours</td>
<td>Description</td>
</tr>
<tr>
<td>------</td>
<td>------</td>
<td>-------</td>
<td>-------------</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>CMD</td>
<td>8.00</td>
<td>Confereed with J. Amunson re Committee decision re the Committee's responsibilities, researched the legal issues, and drafted section of letter to Committee re same.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>CLO</td>
<td>3.75</td>
<td>Cita checked letter re the Committee's responsibilities, met with C. DeCell re revisions.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>JRA</td>
<td>7.50</td>
<td>Teleconference with team re the Committee's responsibilities, reviewed and revised memorandum re the Committee's responsibilities; discussed same with team; revised and edited the memorandum; multiple e-mails with team re same; reviewed research re same.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>FJA</td>
<td>1.25</td>
<td>Unitized and organized the Committee's responsibilities and production documents for attorney review.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>CDZ</td>
<td>2.50</td>
<td>Pulled recently obtained documents and organized for purposes of review.</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>ALR</td>
<td>3.00</td>
<td>Reviewed and filed correspondence and updated accordingly; coordinated with team for preparation of production documents for upload to the Committee's responsibilities.</td>
</tr>
<tr>
<td>2/6/2014</td>
<td>MWX</td>
<td>2.50</td>
<td>Communicated with Jenner attorneys re the Committee's responsibilities; reviewed same; reviewed transcript of the Committee's responsibilities.</td>
</tr>
<tr>
<td>2/6/2014</td>
<td>JMP</td>
<td>3.75</td>
<td>Conducted legal research re the Committee's responsibilities. Reviewed R. Schar's comments on letters to Committee re the Committee's responsibilities; reviewed memorandum to Committee re the Committee's responsibilities and prepared appendix for memorandum; revised letter to Committee re the Committee's responsibilities; prepared letter to Committee re the Committee's responsibilities.</td>
</tr>
<tr>
<td>2/6/2014</td>
<td>ASB</td>
<td>4.00</td>
<td>Reviewed subpoena and subpoena riders; reviewed NJ law re summonability; reviewed other documents.</td>
</tr>
</tbody>
</table>
Multiple telephone conferences with Chair; review and editing of revised letters re response to _____; telephone conference with L. Sokol re _____; production of letter to _____; attorney re _____; telephone conference with _____; reviewed revised memo on _____; correspondence re various investigative issues; multiple telephone conferences re Committee re _____; telephone conference with _____; attorney; reviewed _____; document production.

Unitized and organized _____ production documents for attorney review.

Prepared _____; prepared documents for _____; revised subpoena riders and proposed subpoena recipients _____.

Revised letters to Committee re _____, respectively.

Cite checked letter re _____; reviewed and revised letter re _____.

Teleconference with R. Schar and L. Sokol; teleconference with OLS; worked on responses to _____; multiple teleconferences and emails re same; finalized same for distribution to Committee.

Pulled recently obtained documents and organized for purposes of ______.

Unitized and organized _____ production documents for attorney review.
<table>
<thead>
<tr>
<th>Date</th>
<th>Client</th>
<th>Hours</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/6/2014</td>
<td>ALR</td>
<td>5.25</td>
<td>Reviewed and filed correspondence and updated accordingly; coordinated with team for preparation of production documents for upload to and updating witness files and updating defense counsel list; communicated with particularly; updated production.</td>
</tr>
<tr>
<td>2/7/2014</td>
<td>MWK</td>
<td>4.00</td>
<td>Continued reviewing documents from and analyzing evidence; reviewed and updated case.</td>
</tr>
<tr>
<td>2/7/2014</td>
<td>ASB</td>
<td>2.00</td>
<td>Prepared and embedded documents; prepared for client meetings and hearing re correspondence.</td>
</tr>
<tr>
<td>2/7/2014</td>
<td>RJS</td>
<td>2.75</td>
<td>Preparation of correspondence re; preparation of correspondence re; preparation of correspondence re; correspondence re various issues; telephone conference with; reviewed message from telephone conference with K. Drennan.</td>
</tr>
<tr>
<td>2/7/2014</td>
<td>MCR</td>
<td>2.00</td>
<td>Utilized and organized production documents for attorney review.</td>
</tr>
<tr>
<td>2/7/2014</td>
<td>MDC</td>
<td>9.50</td>
<td>Reviewed documents; updated managed database.</td>
</tr>
<tr>
<td>2/7/2014</td>
<td>CMD</td>
<td>1.25</td>
<td>Reviewed letters to Committee re and memorandum re.</td>
</tr>
<tr>
<td>2/7/2014</td>
<td>IRA</td>
<td>0.50</td>
<td>Reviewed final submissions to Committee; emailed team re same.</td>
</tr>
<tr>
<td>2/7/2014</td>
<td>ALR</td>
<td>4.50</td>
<td>Reviewed and filed correspondence and subpoenas and updated accordingly; coordinated with team for preparation of production documents for upload to and conferred with re production documents in development and ongoing assignments with project assistant team.</td>
</tr>
<tr>
<td>Date</td>
<td>initials</td>
<td>Time</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>----------</td>
<td>-------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2/8/2014</td>
<td>ASB</td>
<td>1.00</td>
<td>Reviewed, prepared for meetings in NJ re: connection; reviewed legal research re: electronic discovery.</td>
</tr>
<tr>
<td>2/8/2014</td>
<td>RJS</td>
<td>1.00</td>
<td>Reviewed case law re: (state law here).</td>
</tr>
<tr>
<td>2/8/2014</td>
<td>MDC</td>
<td>3.50</td>
<td>Researched and drafted memorandum re: [specific topic]; reviewed (state law here) documents.</td>
</tr>
<tr>
<td>2/8/2014</td>
<td>JRA</td>
<td>0.50</td>
<td>Reviewed and responded to R. Schar comments re Committee submissions; emailed OLS re: same.</td>
</tr>
<tr>
<td>2/8/2014</td>
<td>ALR</td>
<td>0.50</td>
<td>Reviewed and filed correspondence and updated accordingly.</td>
</tr>
<tr>
<td>2/9/2014</td>
<td>ASB</td>
<td>0.50</td>
<td>Reviewed email re: proceedings and law surrounding (state law here) issue; conferred with R. Schar re: (state law here) issue; re: (state law here), and re: (state law here) and state law here.</td>
</tr>
<tr>
<td>2/9/2014</td>
<td>RJS</td>
<td>0.50</td>
<td>Telephone conference with (last name) attorney.</td>
</tr>
<tr>
<td>2/10/2014</td>
<td>RJS</td>
<td>6.00</td>
<td>Correspondence re: various investigative issues; met with T. Barkow; telephone conferences with (state law here) re: (state law here); met with Co-Chairs re: Committee meeting; correspondence re: (state law here); subpoenas and consideration of same; attendance at Committee meeting and Executive session; travel from Chicago to New Jersey for meetings; travel from New Jersey to Chicago.</td>
</tr>
<tr>
<td>2/10/2014</td>
<td>ASB</td>
<td>7.00</td>
<td>Met with client, including J. Wisniewski and L. Weinberg and staff, and all members of investigative committee and staff, in multiple meetings; conferred with R. Schar in multiple meetings re: (state law here); attended committee meetings; prepared for and followed up on same.</td>
</tr>
<tr>
<td>2/10/2014</td>
<td>IMP</td>
<td>4.25</td>
<td>Conducted legal research re: (state law here) re: (state law here); attended (state law here) deposition; prepared (state law here) submissions.</td>
</tr>
<tr>
<td>2/10/2014</td>
<td>MDC</td>
<td>9.75</td>
<td>Prepared outline for (state law here) interview; reviewed documents for same; reviewed documents for witness folders.</td>
</tr>
</tbody>
</table>

---

All Payments Due within 30 days of invoice.
<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Hours</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/10/2014</td>
<td>MWK</td>
<td>5.75</td>
<td>Communicated with M. Cipolla re review of documents; continued review of documents from 2/5/2014 and analyzed evidence.</td>
<td>1,725.00</td>
</tr>
<tr>
<td>2/10/2014</td>
<td>CMD</td>
<td>1.25</td>
<td>Researched question re investigation; reviewed email correspondence re procedural requirements for investigation.</td>
<td>375.00</td>
</tr>
<tr>
<td>2/10/2014</td>
<td>MCR</td>
<td>2.00</td>
<td>United and organized production documents for attorney review.</td>
<td>250.00</td>
</tr>
<tr>
<td>2/10/2014</td>
<td>JRA</td>
<td>4.50</td>
<td>Multiple emails re language for Committee motions; reviewed and revised same; reviewed and responded to J. Parker re subpoena.</td>
<td>1,575.00</td>
</tr>
<tr>
<td>2/10/2014</td>
<td>ALR</td>
<td>2.50</td>
<td>Reviewed production documents and prepared same for signature and accuracy; updated Bates numbers; reviewed production documents in JRA.</td>
<td>312.50</td>
</tr>
<tr>
<td>2/11/2014</td>
<td>RJS</td>
<td>5.50</td>
<td>Produced and sent correspondence to attorneys for signature and accuracy; reviewed and responded to various investigatory correspondence; multiple telephone conferences with attorney for subpoena; conference with Chair.</td>
<td>1,925.00</td>
</tr>
<tr>
<td>2/11/2014</td>
<td>ASB</td>
<td>6.00</td>
<td>Communicated with attorney and prepared for and followed up on same; reviewed documents and summaries of same; reviewed legal research re investigation; coordinated and reviewed legal research re investigation.</td>
<td>2,100.00</td>
</tr>
<tr>
<td>Date</td>
<td>Name</td>
<td>Hours</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td>-------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2/11/2014</td>
<td>MDC</td>
<td>10.25</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MWK</td>
<td>5.50</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CMD</td>
<td>4.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MCR</td>
<td>5.75</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>JRA</td>
<td>5.50</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2/12/2014</td>
<td>RJS</td>
<td>4.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ASB</td>
<td>4.25</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Summary:**

- **MDC (2/11/2014):** Revised letter re [redacted]; prepared for and called deposition; reviewed evidence and called [redacted] re same; reviewed documents for witness folders.

- **MWK (2/11/2014):** Reviewed draft letter to counsel for *Estate* re [redacted]; conducted legal research re scope of *Estate* re [redacted]; reviewed documents from *Estate* and analyzed evidence; prepared summary re same.

- **CMD (2/11/2014):** Reviewed email correspondence re [redacted]; drafted complaint for [redacted].


- **JRA (2/11/2014):** Teleconference with L. Sokol; teleconference with A. Bocchi; reviewed and revised correspondence to counsel for [redacted]; researched and drafted court filings re [redacted]; multiple emails with team re same.

- **RJS (2/12/2014):** Conference call re investigation update; telephone conference with [redacted]; reviewed and edited letter to [redacted]; telephone conference with attorney for [redacted]; telephone conference with attorney for [redacted]; reviewed subpoena attachment for [redacted]; correspondence re various investigative issues; telephone conference with Chair, correspondence with OLS; reviewed documents provided by OLS.

- **ASB (2/12/2014):** Participated in conference call with client and staff; reviewed [redacted] documents; reviewed [redacted] documents; prepared for [redacted] meeting; communicated with [redacted], counsel for [redacted], re [redacted], possible [redacted], and related matters; drafted letter to [redacted], counsel for [redacted], re [redacted].
<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Rate</th>
<th>Description</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/12/14</td>
<td>JMP</td>
<td>2.00</td>
<td>Drafted motion to enforce subpoena against William Stepies.</td>
<td>600.00</td>
</tr>
<tr>
<td>2/12/14</td>
<td>MDC</td>
<td>8.50</td>
<td>Prepared and reviewed documents for [Redacted]. Prepared for and called [Redacted] to re [Redacted]. Reviewed documents for witness folder preparation.</td>
<td>2,550.00</td>
</tr>
<tr>
<td>2/12/14</td>
<td>MWK</td>
<td>5.75</td>
<td>Prepared language for subpoena to [Redacted], communicated with J&amp;B attorneys re same; communicated with J&amp;B attorneys re [Redacted]; reviewed and revised same re [Redacted]; reviewed documents re role of [Redacted]; commenced drafting [Redacted].</td>
<td>1,725.00</td>
</tr>
<tr>
<td>2/12/14</td>
<td>CMD</td>
<td>2.50</td>
<td>Confurred with J. Parkor re [Redacted]; conferred with J. Amunson re same; drafted complaint.</td>
<td>750.00</td>
</tr>
<tr>
<td>2/12/14</td>
<td>JRA</td>
<td>4.25</td>
<td>Researched and drafted court filings re subpoena enforcement; multiple emails re same.</td>
<td>1,487.50</td>
</tr>
<tr>
<td>2/12/14</td>
<td>ALR</td>
<td>5.50</td>
<td>Reviewed production documents in [Redacted]; communicated with [Redacted] re production documents; prepared protocol for production documents and new subpoenas; reviewed same time entries; reviewed [Redacted] libraries for revisions and updates; revised subpoena [Redacted] chart and discovery [Redacted].</td>
<td>687.50</td>
</tr>
<tr>
<td>2/13/14</td>
<td>ASB</td>
<td>2.00</td>
<td>Reviewed [Redacted] and related documents.</td>
<td>700.00</td>
</tr>
<tr>
<td>2/13/14</td>
<td>RJS</td>
<td>3.75</td>
<td>Telephone conference with [Redacted] attorney; reviewed articles re investigation; multiple telephone conferences with Chair; telephone conference with [Redacted]; reviewed and responded to various investigative correspondence.</td>
<td>1,312.50</td>
</tr>
<tr>
<td>2/13/14</td>
<td>JMP</td>
<td>5.75</td>
<td>Drafted motions to enforce and accompanying letter briefs.</td>
<td>1,725.00</td>
</tr>
</tbody>
</table>
2/13/2014 MDC 8.50 Reviewed and updated documents received from subpoena tracker.

2/13/2014 MWK 0.50 Complied drafting documents.

2/13/2014 CMD 9.50 Researched and drafted complaint, summons, and affidavit in support of motion to enforce Stepken subpoena.

2/13/2014 JRA 4.50 Edited materials from J. Parker and C. DeStefano re subpoena enforcement court filings; multiple emails re same.

2/14/2014 ASB 1.00 Confurred with R. Schaefer re conferences and related matters; reviewed conference, communicated with re status.

2/14/2014 RJS 1.75 Telephone conference with K. O'Toole; telephone conference with L. Greenwald; telephone correspondence re various investigative issues.

2/14/2014 JRA 3.50 Revised motions to enforce and accompanying letter briefs.

2/14/2014 MDC 7.50 Reviewed and provided custodian and custodian documents; reviewed.

2/14/2014 MWK 4.50 Completed draft of conference summary; completed review of documents from conference and analysis of evidence; reviewed.

2/14/2014 CMD 5.75 Reviewed J. Amundson edits to complaints, summons, and motions to enforce Stepken and Kelly subpoenas; revised same.

2/14/2014 JRA 4.50 Edited materials re court filings in Stepken and Kelly cases; multiple emails re same.

2,550.00

150.00

2,850.00

1,575.00

350.00

612.50

1,050.00

2,250.00

1,350.00

1,725.00

1,575.00
<table>
<thead>
<tr>
<th>Date</th>
<th>Lawyer</th>
<th>Hours</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/14/2014</td>
<td>ALR</td>
<td>2.50</td>
<td>Reviewed correspondence, subpoenas and production documents; prepared production files; revised subpoena.</td>
</tr>
<tr>
<td>2/15/2014</td>
<td>ASB</td>
<td>0.50</td>
<td>Reviewed W. Stepie and B. Kelley subpoena enforcement pleadings and related emails.</td>
</tr>
<tr>
<td>2/15/2014</td>
<td>RJS</td>
<td>2.50</td>
<td>Edited materials for court filing on W. Stepie motion to enforce subpoena; correspondence re same.</td>
</tr>
<tr>
<td>2/15/2014</td>
<td>JRA</td>
<td>3.50</td>
<td>Edited materials re Stepie and Kelly filings and sent same to R. Schar and T. Barkow for review; reviewed and responded to R. Schar comments re same.</td>
</tr>
<tr>
<td>2/16/2014</td>
<td>PMS</td>
<td>2.00</td>
<td>Studied edited Stepie brief in support of motion to compel.</td>
</tr>
<tr>
<td>2/16/2014</td>
<td>ASB</td>
<td>1.50</td>
<td>Reviewed/revised W. Stepie subpoena enforcement pleadings and conferred with team re same; reviewed and conferred with R. Schar re strategy and related issues.</td>
</tr>
<tr>
<td>2/16/2014</td>
<td>RJS</td>
<td>0.75</td>
<td>Correspondence re motion to enforce subpoena and consideration of same; returned phone call of interested party.</td>
</tr>
<tr>
<td>2/16/2014</td>
<td>MDC</td>
<td>0.50</td>
<td>Reviewed and commented on Stepie brief; updated subpoena response tracker.</td>
</tr>
<tr>
<td>2/16/2014</td>
<td>CMD</td>
<td>9.50</td>
<td>Researched case law; revised draft of memorandum in support of motion to enforce Stepie subpoena per R. Schar et al.'s comments.</td>
</tr>
<tr>
<td>2/16/2014</td>
<td>MWK</td>
<td>2.75</td>
<td>Reviewed and revised updated list of outstanding subpoenas and extensions granted; drafted section for brief in support of motion to enforce subpoena against W. Stepie.</td>
</tr>
<tr>
<td>2/16/2014</td>
<td>JRA</td>
<td>4.25</td>
<td>Edited drafts of Stepie and Kelly filings per comments from R. Schar and T. Barkow; sent same for review.</td>
</tr>
<tr>
<td>Date</td>
<td>Code</td>
<td>Hours</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td>-------</td>
<td>-------------</td>
</tr>
<tr>
<td>2/16/2014</td>
<td>ALR</td>
<td>2.50</td>
<td>Updated subpoena tracking chart and conferred with M. Cipolla and M. Khoo re same.</td>
</tr>
<tr>
<td>2/17/2014</td>
<td>PMS</td>
<td>1.50</td>
<td>Reviewed new draft of Stepien brief and conferred; telephone call with R. Schar and team re edits.</td>
</tr>
<tr>
<td>2/17/2014</td>
<td>ASB</td>
<td>5.75</td>
<td>Reviewed and revised W. Stepien and B. Kelley subpoena enforcement pleadings; reviewed and analyzed case law re same; conferred with team in conference call re same; conferred with team in conference call re subpoenas; communicated with Review of documents produced pursuant to court order; conferred with R. Schar on multiple occasions re strategy, legal issues.</td>
</tr>
<tr>
<td>2/17/2014</td>
<td>RJS</td>
<td>4.50</td>
<td>Correspondence with Review of documents produced pursuant to court order; telephone conference with R. Schar re same; reviewed potential legal issues; conference call re subpoenas; telephone conference with R. Schar re same; edited brief on subpoena enforcement.</td>
</tr>
<tr>
<td>2/17/2014</td>
<td>CMD</td>
<td>5.75</td>
<td>Reviewed revised draft of brief in support of motion to enforce Stepien subpoena; reviewed email correspondence re same; conferred with R. Schar et al. re same; revised same.</td>
</tr>
<tr>
<td>2/17/2014</td>
<td>CRW</td>
<td>7.50</td>
<td>Reviewed and filed daily correspondence; unitized production documents; processed production documents for attorney review.</td>
</tr>
<tr>
<td>2/17/2014</td>
<td>JMP</td>
<td>2.75</td>
<td>Reviewed comments and revisions of motion to enforce; communicated with R. Schar, J. Amunson, P. Smith, C. DeCell, and A. Barkow re motion to enforce.</td>
</tr>
<tr>
<td>2/17/2014</td>
<td>MCR</td>
<td>7.25</td>
<td>Unitized and organized correspondence and productions documents for attorney review.</td>
</tr>
<tr>
<td>Date</td>
<td>Code</td>
<td>Hours</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td>-------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| 2/17/2014  | MWK  | 4.75  | Communicated with M. Cipolla re potential subpoenas re current and past matters; teleconference with J&B attorneys re same; reviewed documents produced by defendants; prepared summary of same; prepared additional deposition questions; prepared.
|            |      |       | Drafted potential subpoena recipients re same; reviewed and revised same per comments in call; recirculated same for review.
| 2/17/2014  | MDC  | 7.50  | Teleconference with team re [[[unnecessary]]]; reviewed and revised same per comments in call; recirculated same for review.
| 2/17/2014  | JRA  | 3.50  | Prepared PDF copy of Subpoena Tracking Chart per R. Schar request; reviewed and filed correspondence and updated accordingly; conferred with project assistant team re [[[unnecessary]]] on [[[unnecessary]]].
| 2/18/2014  | ALR  | 5.00  | Reviewed new draft of Stepien motion to enforce brief; telephone conference with L. Sokol, R. Schar, et al.; reviewed briefs and other filings as edited by Sokol firm.
| 2/18/2014  | PMS  | 1.50  | Reviewed/revised Stepien enforcement materials and related materials; communicated with L. Sokol, R. Schar, P. Smith, and J. Amunson re filing of subpoena enforcement materials; conferenced with R. Schar re same; reviewed email correspondence with client re same; communicated with and memorized and followed up on same, and conferred with R. Schar re same; conferenced with R. Schar re same; conferenced with R. Schar re same and with M. Cipolla re same; reviewed/revised letter to [[[unnecessary]]] re same; conferenced with [[[[unnecessary]]] re same; reviewed [[[[unnecessary]]]] and modifications proposed thereto, and related correspondence.
<p>| 2/18/2014  | ASB  | 6.00  | |</p>
<table>
<thead>
<tr>
<th>Date</th>
<th>Initials</th>
<th>Hours</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/18/2014</td>
<td>RJS</td>
<td>4.75</td>
<td>Correspondence re various investigative issues; telephone conferences with T. Barkow re investigation; telephone conference with L. Sokol; telephone conference with Chair; edited correspondence with X. Todd re competitors; correspondence re competitors; reviewed and edited documents; telephone conference with C. Olson re documents; edited brief in support of motion to enforce subpoena.</td>
</tr>
<tr>
<td>2/18/2014</td>
<td>CMD</td>
<td>3.25</td>
<td>Coordinated with C. Olson re site check of brief in support of motion to enforce Stepien subpoena; conferred with J. Parker and J. Amunson re same; revised draft of complaint against Kelly.</td>
</tr>
<tr>
<td>2/18/2014</td>
<td>CRW</td>
<td>8.50</td>
<td>Reviewed and filed daily correspondence; unitized production documents; processed production documents for attorney review; logged subpoena responses.</td>
</tr>
<tr>
<td>2/18/2014</td>
<td>JMP</td>
<td>6.00</td>
<td>Revised Order to Show Cause against W. Stepien and prepared appendix and accompanying materials.</td>
</tr>
<tr>
<td>2/18/2014</td>
<td>JMP</td>
<td>7.00</td>
<td>Revised Order to Show Cause against B. Kelly and prepared appendix and accompanying materials.</td>
</tr>
<tr>
<td>2/18/2014</td>
<td>MCR</td>
<td>5.50</td>
<td>Unitized and organized production documents for attorney review.</td>
</tr>
<tr>
<td>2/18/2014</td>
<td>MWK</td>
<td>2.50</td>
<td>Reviewed and edited production documents; communicated with I&amp;B attorneys re same; communicated with J. Parker re exhibits for brief in support of order to comply with subpoena issued to W. Stepien; reviewed additional documents produced by complainant; prepared summary of same.</td>
</tr>
<tr>
<td>2/18/2014</td>
<td>MDC</td>
<td>7.50</td>
<td>Reviewed demand and drafted summary; reviewed and coded documents; prepared letter to complainant; prepared request re subpoena; reviewed Stepien brief and provided comments.</td>
</tr>
<tr>
<td>Date</td>
<td>Employee</td>
<td>Hours</td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>-------</td>
<td></td>
</tr>
<tr>
<td>2/18/2014</td>
<td>CLO</td>
<td>3.25</td>
<td></td>
</tr>
<tr>
<td>2/18/2014</td>
<td>JRA</td>
<td>11.50</td>
<td></td>
</tr>
<tr>
<td>2/18/2014</td>
<td>ALR</td>
<td>3.25</td>
<td></td>
</tr>
<tr>
<td>2/19/2014</td>
<td>PMS</td>
<td>0.50</td>
<td></td>
</tr>
<tr>
<td>2/19/2014</td>
<td>RJS</td>
<td>5.50</td>
<td></td>
</tr>
<tr>
<td>2/19/2014</td>
<td>CMD</td>
<td>0.50</td>
<td></td>
</tr>
<tr>
<td>2/19/2014</td>
<td>CRW</td>
<td>4.00</td>
<td></td>
</tr>
<tr>
<td>2/19/2014</td>
<td>JMP</td>
<td>1.00</td>
<td></td>
</tr>
<tr>
<td>2/19/2014</td>
<td>MWK</td>
<td>0.75</td>
<td></td>
</tr>
<tr>
<td>2/19/2014</td>
<td>ASB</td>
<td>4.00</td>
<td></td>
</tr>
</tbody>
</table>

- Clio checked memorandum in support of motion to enforce subpoena duces tecum.
- Reviewed and responded to multiple edits re Stepien and Kelly filings; multiple calls and emails re same; finalized same for filing.
- Confereed with C. Ward and M. Cippola re SharePoint, productions and additional case particulars; provided instructions to team re correspondence files on SharePoint.
- Reviewed filings.
- Telephone conference with attorney for correspondence re various investigative issues and filings; reviewed and edited B. Kelly enforcement documents; telephone conference with attorney for correspondence re various investigative issues and filings; attempted phone calls to and telephone conference with [REDACTED]; reviewed filing materials; telephone conference with N. Gill; correspondence re [REDACTED] and other investigative matters; multiple telephone conference with [REDACTED].
- Reviewed email correspondence re [REDACTED] and other investigative matters; conferenced with J. Amunson re same.
- Unitized production documents; processed production documents for attorney review; logged subpoena responses; began finalization of document libraries on [REDACTED] site.
- Revised brief in support of order to show cause for W. Stepien.
- Reviewed exhibits to briefs in support of order to enforce subpoenas against W. Stepien and B. Kelly.
- Confereed with team re [REDACTED]; communicated with [REDACTED]; reviewed/revised/finalized Stepien/Kelly pleadings and accompanying declaration; conferred with R. Schar on multiple calls re investigative matters; communicated with [REDACTED].
<table>
<thead>
<tr>
<th>Date</th>
<th>Code</th>
<th>Hours</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/19/2014</td>
<td>MDC</td>
<td>7.00</td>
<td>Reviewed and coded [redacted] documents; communicated with T. Barkow, M. Khoo, and R. Schar re matter strategy and timeline; updated [redacted] prepared draft [redacted] for [redacted].</td>
</tr>
<tr>
<td>2/19/2014</td>
<td>JRA</td>
<td>4.50</td>
<td>Finalized Kelly and Stepens papers for filing; multiple emails and teleconferences re same.</td>
</tr>
<tr>
<td>2/19/2014</td>
<td>CDZ</td>
<td>2.00</td>
<td>Pulled recently obtained documents and organized for purposes of [redacted].</td>
</tr>
<tr>
<td>2/19/2014</td>
<td>ALR</td>
<td>3.75</td>
<td>Reviewed correspondence folders on [redacted]; updated Bates number [redacted] conferred with [redacted] re [redacted] database; updated production files on [redacted].</td>
</tr>
<tr>
<td>2/20/2014</td>
<td>PMS</td>
<td>0.75</td>
<td>Reviewed emails re [redacted]; telephone call with R. Schar re same; telephone call with Sokol, et al. re same.</td>
</tr>
<tr>
<td>2/20/2014</td>
<td>RJS</td>
<td>4.75</td>
<td>Telephone conferences with Committee members; telephone conferences with [redacted]; telephone conferences with T. Barkow; telephone conference with OLS; conference call with L. Sokol; correspondence re [redacted]; correspondence re [redacted]; telephone conference with attorney for [redacted]; telephone conference with attorney with [redacted].</td>
</tr>
<tr>
<td>2/20/2014</td>
<td>CRW</td>
<td>4.50</td>
<td>Created binders of Order to Show Cause pleadings, and circulated same to team; continued finalizing SharePoint libraries.</td>
</tr>
<tr>
<td>2/20/2014</td>
<td>ASB</td>
<td>5.00</td>
<td>Communicated with Chairs in conference call re [redacted]; reviewed summary of [redacted] communicated on multiple occasions with [redacted] communicated with [redacted] conferred with R. Schar on multiple occasions re investigative and strategic matters.</td>
</tr>
<tr>
<td>Date</td>
<td>Code</td>
<td>Hours</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td>-------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2/20/2014</td>
<td>MDC</td>
<td>6.75</td>
<td>Reviewed and coded documents; communicated with T. Barkow re strategy</td>
</tr>
<tr>
<td>2/20/2014</td>
<td>JRA</td>
<td>0.75</td>
<td>Reviewed final filings; emailed A. Bocchi re next steps</td>
</tr>
<tr>
<td>2/20/2014</td>
<td>ALR</td>
<td>1.50</td>
<td>Reviewed and prepared public documents</td>
</tr>
<tr>
<td>2/21/2014</td>
<td>CRW</td>
<td>3.75</td>
<td>Completed production documents and circulated same; reviewed and filed Order</td>
</tr>
<tr>
<td>2/21/2014</td>
<td>CRW</td>
<td>4.00</td>
<td>Reviewed news alerts re recent events and related topics, and pulled</td>
</tr>
<tr>
<td>2/21/2014</td>
<td>MCR</td>
<td>1.75</td>
<td>Reviewed documents from and analyzed evidence</td>
</tr>
<tr>
<td>2/21/2014</td>
<td>RJS</td>
<td>2.50</td>
<td>Telephone conference with L. Weinberg; telephone conference with A. Bocchi</td>
</tr>
<tr>
<td>2/21/2014</td>
<td>ASB</td>
<td>1.00</td>
<td>Confereed with R. Schar and other team members re strategy</td>
</tr>
<tr>
<td>2/21/2014</td>
<td>MDC</td>
<td>7.50</td>
<td>Reviewed and coded documents; added documents to the strategy; att to emails</td>
</tr>
<tr>
<td>2/21/2014</td>
<td>JRA</td>
<td>0.75</td>
<td>Emails with team re strategy cases</td>
</tr>
</tbody>
</table>

ALL PAYMENTS DUE WITHIN 30 DAYS OF INVOICE

Federal Identification No. 36-2152554
2/22/2014  DS  0.75  Edited and proofread letter to J. Wismieski and L. Weinberg re: [redacted].

2/22/2014  RJS  2.00  Production of letter to co-chairs for [redacted]; telephone conference with [redacted] attorney; production of letter to [redacted] attorney and correspondence re same.

2/22/2014  MDC  0.50  Reviewed proposed search terms for [redacted] and drafted [redacted].

2/22/2014  ASB  0.75  Reviewed letters to [redacted] and co-chairs; conferred with R. Schar re same; coordinated legal research re: [redacted]; communicated with J&B attorneys re same.

2/23/2014  RJS  0.25  Correspondence re: [redacted] and other investigative matters.

2/23/2014  MWK  5.00  Conducted legal research re: [redacted]; prepared summary re same; prepared proposal re: [redacted] and review strategy for [redacted]; communicated with J&B attorneys re same.

2/24/2014  RJS  3.25  Corresponded re various investigative issues; conference call with chairs re investigation; multiple telephone conferences with OLS; multiple telephone conferences with [redacted] telephone conference with L. Sokol; reviewed [redacted] correspondence; telephone conference with [redacted].

2/24/2014  MDC  7.75  Revised search terms for [redacted] documents; reviewed and coded [redacted] documents; reviewed [redacted] documents and provided summary; drafted letter to counsel for [redacted].

2/24/2014  ASB  1.00  Communicated with co-chairs and staff in [redacted] call; conferred with R. Schar re status, [redacted] employees.

2/24/2014  CMD  1.00  Reviewed email correspondence re subpoena returns; reviewed briefing and hearing schedule for Stepen and Kelly subpoena enforcement actions.
<table>
<thead>
<tr>
<th>Date</th>
<th>Lawyer</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/24/2014</td>
<td>CRW</td>
<td>5.25</td>
</tr>
<tr>
<td>2/24/2014</td>
<td>MCR</td>
<td>4.00</td>
</tr>
<tr>
<td>2/24/2014</td>
<td>ALR</td>
<td>1.50</td>
</tr>
<tr>
<td>2/25/2014</td>
<td>RJS</td>
<td>6.00</td>
</tr>
<tr>
<td>2/25/2014</td>
<td>MDC</td>
<td>8.25</td>
</tr>
<tr>
<td>2/25/2014</td>
<td>ASB</td>
<td>4.25</td>
</tr>
</tbody>
</table>

Unitized and organized production documents for attorney review.

Unitized and organized production documents for attorney review; reviewed news alerts re and related topics, and pulled substantive articles for team.

Reviewed and prepared production files received for and conferred with team re same.

Edited and sent correspondence to attorney for 2014; telephone conference with chair; telephone conference with attorneys for ; conference call with Jenner personnel on document productions; telephone conference with OLS; attempted telephone conferences to ; attempted telephone conference to ; attempted telephone conference with ; attempted telephone conference with ; telephone conference with attorney for ; reviewed, edited, and sent correspondence to attorneys for ; reviewed ;

Revised letter to counsel; reviewed and coded documents from the ; revised subpoena participated in call with counsel for D. Samson; drafted letter to counsel for ; reviewed and provided documents received from .

Communicated with re investigation, document production, and investigative report, on multiple occasions, and memorialized same; reviewed/analyzed document production by for subpoenas to .

ALL PAYMENTS DUE WITHIN 30 DAYS OF INVOICE
<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Hours</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/25/2014</td>
<td>MWK</td>
<td>7.75</td>
<td>Communicated with counsel for [REDACTED] re [REDACTED]; communicated with R. Scharr and M. Cipolla re same; reviewed and revised letter to counsel for [REDACTED] re same; reviewed subpoena to [REDACTED] re [REDACTED]; reviewed production; prepared [REDACTED] re [REDACTED]; prepared [REDACTED] of [REDACTED]; reviewed documents produced by [REDACTED]; analyzed evidence; prepared [REDACTED] for each custodian; reviewed privilege logs for each custodian.</td>
</tr>
<tr>
<td>2/25/2014</td>
<td>CMD</td>
<td>0.25</td>
<td>Reviewed email correspondence re [REDACTED] re [REDACTED].</td>
</tr>
<tr>
<td>2/25/2014</td>
<td>CRW</td>
<td>4.75</td>
<td>Calendared upcoming response and hearing dates re Order to Show Cause; processed production documents for attorney review; logged subpoena responses; reviewed and filed correspondence.</td>
</tr>
<tr>
<td>2/25/2014</td>
<td>DS</td>
<td>2.00</td>
<td>Conducted research re [REDACTED] re [REDACTED].</td>
</tr>
<tr>
<td>2/25/2014</td>
<td>JRA</td>
<td>2.50</td>
<td>Emailed team re [REDACTED] re [REDACTED]; researched issues for reply brief.</td>
</tr>
<tr>
<td>2/25/2014</td>
<td>MCR</td>
<td>3.00</td>
<td>Reviewed news alerts re [REDACTED]; related topics, and pulled substantive articles for team; unified and organized [REDACTED] re [REDACTED]; revised [REDACTED] re [REDACTED].</td>
</tr>
<tr>
<td>2/25/2014</td>
<td>ALR</td>
<td>4.25</td>
<td>Reviewed and filed correspondence and productions received and updated [REDACTED] accordingly; coordinated with team for preparation of production documents for upload to [REDACTED]; revised [REDACTED] re [REDACTED].</td>
</tr>
<tr>
<td>Date</td>
<td>Code</td>
<td>Hours</td>
<td>Description</td>
</tr>
<tr>
<td>--------</td>
<td>------</td>
<td>-------</td>
<td>-------------</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>RJS</td>
<td>3.25</td>
<td>Conference call with chairs; attempted multiple telephone conferences to attorney for correspondence re various investigative issues; telephone conference with OLS; correspondence re various investigative issues; telephone conference with Jenner personnel re various investigative issues; drafted correspondence to [redacted]; edited correspondence to [redacted].</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>MWK</td>
<td>6.50</td>
<td>Prepared summary of [redacted] for follow up; reviewed and revised same; reviewed documents produced by and analyzed evidence; prepared [redacted]; reviewed [redacted]; drafted subpoena language re [redacted]; [redacted] evidence collected to date.</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>CMD</td>
<td>2.00</td>
<td>Reviewed email correspondence re [redacted]; researched questions for reply briefs in Steppen and Kelly subpoena enforcement actions.</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>MDC</td>
<td>6.50</td>
<td>Reviewed and coded [redacted]; prepared for [redacted]; reviewed draft letter to [redacted].</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>CRW</td>
<td>8.50</td>
<td>Unitized production documents; processed production documents for attorney review; logged subpoena responses; reviewed and filed correspondence; created privilege logs.</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>DS</td>
<td>1.00</td>
<td>Conducted research re [redacted].</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>JRA</td>
<td>2.50</td>
<td>Researched issues for reply briefs.</td>
</tr>
<tr>
<td>Date</td>
<td>Initials</td>
<td>Hours</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>----------</td>
<td>-------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>MCR</td>
<td>4.50</td>
<td>Reviewed news alerts re management and related topics, and pulled substantive articles for team; utilized and organized production documents for attorney review; prepared hard case file.</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>ASB</td>
<td>6.50</td>
<td>Communicated with stakeholders; reviewed summary of documents and correspondence; conferred in multiple conference calls with R. Schar; communicated with OLS re correspondence; reviewed many emails from last several days; reviewed correspondence with律所.</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>FJA</td>
<td>4.00</td>
<td>Utilized and organized documents for attorney review.</td>
</tr>
<tr>
<td>2/26/2014</td>
<td>CDZ</td>
<td>3.00</td>
<td>Utilized and organized production documents for attorney review.</td>
</tr>
<tr>
<td>2/27/2014</td>
<td>RJS</td>
<td>10.00</td>
<td>Prepared for meeting; reviewed new documents provided by the attorneys; met with attorney for telephone conference with attorney for D.</td>
</tr>
<tr>
<td>2/27/2014</td>
<td>MWK</td>
<td>0.50</td>
<td>Teleconference with R. Schar and M. Cipolla re case.</td>
</tr>
<tr>
<td>2/27/2014</td>
<td>CMD</td>
<td>6.00</td>
<td>Researched questions for the investigation and interviewed various witnesses re same. Conferred with J. Parker re same.</td>
</tr>
<tr>
<td>2/27/2014</td>
<td>MDC</td>
<td>6.50</td>
<td>Prepared for and participated in the interview with the witness.</td>
</tr>
<tr>
<td>Date</td>
<td>Code</td>
<td>Hours</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td>-------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2/27/2014</td>
<td>CRW</td>
<td>5.75</td>
<td>Processed production documents for attorney review; logged subpoena responses;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>updated investigation plan and defense counsel list re</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>reviewed and filed correspondence; reviewed transcripts, then</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>calendared dates and filed same.</td>
</tr>
<tr>
<td>2/27/2014</td>
<td>JMP</td>
<td>4.00</td>
<td>Conducted legal research re</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2/27/2014</td>
<td>DS</td>
<td>2.25</td>
<td>Drafted email memorandum re</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2/27/2014</td>
<td>IRA</td>
<td>2.50</td>
<td>Researched issues for reply briefs; emailed J. Parker and C. DeCell re same.</td>
</tr>
<tr>
<td>2/27/2014</td>
<td>MCR</td>
<td>5.75</td>
<td>Reviewed news alerts re and related topics, and pulled substantive articles for</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>attorney review.</td>
</tr>
<tr>
<td>2/27/2014</td>
<td>ASB</td>
<td>6.00</td>
<td>Reviewed notes re various matters; prepared for and followed up on same;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>analyzed and prepared for and followed up on same; analyzed</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>reviewed various email correspondence.</td>
</tr>
<tr>
<td>2/27/2014</td>
<td>RHM</td>
<td>0.50</td>
<td>Prepared documents for review.</td>
</tr>
<tr>
<td>2/27/2014</td>
<td>ALR</td>
<td>1.00</td>
<td>Updated Bates number</td>
</tr>
<tr>
<td>2/28/2014</td>
<td>MWK</td>
<td>0.25</td>
<td>Communicated with J&amp;B attorneys and staff re</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>production of documents from</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2/28/2014</td>
<td>CMD</td>
<td>4.50</td>
<td>Researched questions for reply briefs in Stepian and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kelly subpoena enforcement actions; outlined</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>responses to same.</td>
</tr>
<tr>
<td>2/28/2014</td>
<td>MDC</td>
<td>7.50</td>
<td>Reviewed documents produced by the</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total:** 718.75

**Total:** 1,200.00

**Total:** 675.00

**Total:** 875.00

**Total:** 718.75

**Total:** 2,100.00

**Total:** 62.50

**Total:** 125.00

**Total:** 75.00

**Total:** 1,350.00

**Total:** 2,250.00
<table>
<thead>
<tr>
<th>Date</th>
<th>Code</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/28/2014</td>
<td>CRW</td>
<td>7.75</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>RJS</td>
<td>2.75</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>JMP</td>
<td>2.25</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>JRA</td>
<td>1.50</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MCR</td>
<td>4.25</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ASB</td>
<td>2.50</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CDZ</td>
<td>6.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>RHM</td>
<td>0.50</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ALR</td>
<td>2.50</td>
</tr>
</tbody>
</table>

Processed production documents for attorney review; logged subpoena responses; updated investigation plan and defense counsel lists re
reviewed and filed correspondence.

Telephone conference with; revised letter to
conference with; telephone conference with
conference with correspondence re various investigative issues; telephone conference with OLS.

Conducted legal research re

Conducted research re reviewed materials from J. Parker and C. DeCell re same.

Reviewed news alerts re and related topics, and pulled substantive articles for
team; unitized and organized production documents for attorney review.

Conferred with R. Schar re various strategic matters; reviewed letter to communicated with analyzed and reviewed legal memorandum re communications.

Pulled recently obtained documents and organized for purposes of.

Prepared documents for review.

Prepared additional production documents for.

**PROFESSIONAL SERVICES**

$272,556.25
<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/28/2014</td>
<td>Out of Town Travel, REID J. SCHAR, 01/28-29/2014 to</td>
<td>926.78</td>
</tr>
<tr>
<td></td>
<td>Meetings.</td>
<td></td>
</tr>
<tr>
<td>1/31/2014</td>
<td>Out of Town Travel, REID J. SCHAR, 01/31/2014 to</td>
<td>921.78</td>
</tr>
<tr>
<td></td>
<td>Meeting with</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/31/2014</td>
<td>In-City Transportation;</td>
<td>100.76</td>
</tr>
<tr>
<td></td>
<td>01/31/2014; A. Barkow 1/28/14</td>
<td></td>
</tr>
<tr>
<td>2/3/2014</td>
<td>Color Network Printing</td>
<td>6.75</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>Photocopy</td>
<td>22.77</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>Photocopy</td>
<td>37.29</td>
</tr>
<tr>
<td>2/3/2014</td>
<td>Photocopy</td>
<td>40.00</td>
</tr>
<tr>
<td>2/4/2014</td>
<td>Publication Charges;</td>
<td>14.70</td>
</tr>
<tr>
<td></td>
<td>02/04/2014 Book Loans: V1 &amp; V2 of the New Jersey Final Reports</td>
<td></td>
</tr>
<tr>
<td>2/4/2014</td>
<td>UPS tracking#</td>
<td>4.40</td>
</tr>
<tr>
<td>2/5/2014</td>
<td>Photocopy</td>
<td>4.07</td>
</tr>
<tr>
<td>2/6/2014</td>
<td>Photocopy</td>
<td>7.59</td>
</tr>
<tr>
<td>2/6/2014</td>
<td>Photocopy</td>
<td>30.58</td>
</tr>
<tr>
<td>2/7/2014</td>
<td>Photocopy</td>
<td>13.86</td>
</tr>
<tr>
<td>2/7/2014</td>
<td>In-City Transportation;</td>
<td>283.05</td>
</tr>
<tr>
<td></td>
<td>02/07/2014; A. Barkow 1/31/14</td>
<td></td>
</tr>
<tr>
<td>2/7/2014</td>
<td>In-City Transportation;</td>
<td>81.90</td>
</tr>
<tr>
<td></td>
<td>02/07/2014; M. Cipolla 1/31/14</td>
<td></td>
</tr>
<tr>
<td>2/7/2014</td>
<td>In-City Transportation;</td>
<td>73.08</td>
</tr>
<tr>
<td></td>
<td>02/07/2014; M. Cipolla 1/31/14</td>
<td></td>
</tr>
<tr>
<td>2/10/2014</td>
<td>Out of Town Travel, REID J. SCHAR, 02/10/2014 to</td>
<td>934.78</td>
</tr>
<tr>
<td></td>
<td>Trenton, NJ for Meetings with client.</td>
<td></td>
</tr>
<tr>
<td>2/10/2014</td>
<td>Business Meals, REID J. SCHAR, 02/10/2014 while on travel.</td>
<td>10.31</td>
</tr>
<tr>
<td>2/11/2014</td>
<td>Photocopy</td>
<td>18.15</td>
</tr>
<tr>
<td>2/11/2014</td>
<td>Photocopy</td>
<td>5.72</td>
</tr>
<tr>
<td>2/12/2014</td>
<td>Photocopy</td>
<td>1.10</td>
</tr>
<tr>
<td>2/12/2014</td>
<td>Photocopy</td>
<td>4.92</td>
</tr>
<tr>
<td>2/12/2014</td>
<td>Telephone Expense;</td>
<td>35.97</td>
</tr>
<tr>
<td>2/14/2014</td>
<td>Photocopy</td>
<td>123.02</td>
</tr>
<tr>
<td>2/14/2014</td>
<td>In-City Transportation;</td>
<td>1.43</td>
</tr>
<tr>
<td></td>
<td>02/14/2014; R. Schar 1/31/14</td>
<td></td>
</tr>
<tr>
<td>2/17/2014</td>
<td>Photocopy</td>
<td>18.92</td>
</tr>
<tr>
<td>2/20/2014</td>
<td>Photocopy</td>
<td>313.50</td>
</tr>
<tr>
<td>2/20/2014</td>
<td>Outside Professional Services-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Blow Back B&amp;W 8.5x11 Requested by</td>
<td></td>
</tr>
</tbody>
</table>

**ALL PAYMENTS DUE WITHIN 30 DAYS OF INVOICE**
LAW OFFICES
JENNER & BLOCK LLP
353 N. CLARK STREET
CHICAGO, ILLINOIS 60610-3458
(312) 782-1000

2/21/2014  In-City Transportation; 02/21/2014 A. Barkow 2/10/14 Car Service  221.40
2/21/2014  In-City Transportation; 02/21/2014 Anthony Barkow - 2/10/14 Car Service  232.32
2/23/2014  Color Network Printing  5.25
2/23/2014  Photocopy  1.98
2/26/2014  Photocopy  6.49
2/27/2014  Out of Town Travel, REID J. SCHAR, 02/27/2014 for meetings re New Jersey State Legislature matter.  1,012.34
2/28/2014  Westlaw Research  421.14
2/28/2014  Westlaw Research  3,868.93
2/28/2014  Westlaw Research  359.60
2/28/2014  Westlaw Research  749.64
2/28/2014  Westlaw Research  154.74
2/28/2014  Lexis Research  10.31
2/28/2014  Special Messenger Service, 02/28/2014  11,084.40
TOTAL DISBURSEMENTS

$283,640.65

<table>
<thead>
<tr>
<th>NAME</th>
<th>HOURS</th>
<th>RATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANTHONY S. BARKOW</td>
<td>97.00</td>
<td>350.00</td>
<td>33,950.00</td>
</tr>
<tr>
<td>JESSICA RING AMUNSON</td>
<td>98.50</td>
<td>350.00</td>
<td>34,475.00</td>
</tr>
<tr>
<td>PAUL M. SMITH</td>
<td>8.25</td>
<td>350.00</td>
<td>2,887.50</td>
</tr>
<tr>
<td>REID J. SCHAR</td>
<td>109.75</td>
<td>350.00</td>
<td>38,412.50</td>
</tr>
<tr>
<td>CAROLINE M. DECELL</td>
<td>94.25</td>
<td>300.00</td>
<td>28,275.00</td>
</tr>
<tr>
<td>DEVLIN SU</td>
<td>15.75</td>
<td>300.00</td>
<td>4,725.00</td>
</tr>
<tr>
<td>JOSHUA M. PARKER</td>
<td>79.75</td>
<td>300.00</td>
<td>23,925.00</td>
</tr>
<tr>
<td>MATTHEW D. CIPOLLA</td>
<td>174.75</td>
<td>300.00</td>
<td>52,425.00</td>
</tr>
<tr>
<td>MICHAEL W. KHOO</td>
<td>81.50</td>
<td>125.00</td>
<td>7,718.75</td>
</tr>
<tr>
<td>AUBREY L. ROTTING</td>
<td>61.75</td>
<td>125.00</td>
<td>1,125.00</td>
</tr>
<tr>
<td>CHERYL L. OLSON</td>
<td>9.00</td>
<td>125.00</td>
<td>7,906.25</td>
</tr>
<tr>
<td>CHRISTOPHER R. WARD</td>
<td>63.25</td>
<td>125.00</td>
<td>2,531.25</td>
</tr>
<tr>
<td>COREY D. ZOLDAN</td>
<td>20.25</td>
<td>125.00</td>
<td>2,531.25</td>
</tr>
<tr>
<td>FRANCIS J. AUL</td>
<td>57.75</td>
<td>125.00</td>
<td>7,218.75</td>
</tr>
<tr>
<td>MARTHA C. RHILLY</td>
<td>15.00</td>
<td>125.00</td>
<td>1,875.00</td>
</tr>
<tr>
<td>REBECCA H. MILLER</td>
<td>991.75</td>
<td></td>
<td>272,556.25</td>
</tr>
</tbody>
</table>

INVOICE TOTAL

ALL PAYMENTS DUE WITHIN 30 DAYS OF INVOICE

Federal Identification No. 38-2152554
EXHIBIT 37
January 24, 2014

Via Email

General Assembly of New Jersey State Legislature
Attn: Steve Gardner, Executive Director

State Senate of New Jersey Legislature
Attn: Kevin Drennan, Executive Director

Re: Special Counsel to the New Jersey Legislature

Dear Sirs,

This engagement letter confirms the engagement of Jenner & Block LLP, an Illinois limited liability partnership (“Jenner & Block”), by the General Assembly and by the State Senate of the New Jersey Legislature (“you”), and the basis on which Jenner & Block will represent you. We appreciate your confidence and thank you for selecting Jenner & Block as counsel. This letter supersedes the previous engagement letter dated and executed January 15, 2014.

1. Scope of Representation. Except as we may agree otherwise in writing, Jenner & Block will be representing only you and will not be representing the State of New Jersey or any of its agencies or departments. Jenner & Block will advise you in connection with, and the scope of Jenner & Block’s engagement and duties to you shall relate solely to assisting the Select Committee on Investigations in its ongoing investigative work and defending the Committee’s actions in court (“this matter”).

Because the representation is limited to a specific undertaking, Jenner & Block’s acceptance of this engagement does not involve an undertaking to represent you or your interests in any other matter unless specifically requested by you and agreed by Jenner & Block. Also, after completion of this matter, changes may occur in pertinent laws or regulations that will have an impact upon your future rights and liabilities. Unless you engage us after completion of this matter to provide additional advice on issues arising from this matter, Jenner & Block will have no continuing obligation to advise you with respect to future legal developments.

You may limit or expand the scope of Jenner & Block’s representation from time to time, provided that Jenner & Block must agree to any expansion of scope. Except as we may otherwise agree in writing, the terms of this engagement letter apply to all expansions in the scope of representation and to all additional engagements for you which Jenner & Block may undertake. Fees and Expenses. Our fees are based substantially upon hours charged, recorded in quarter of an hour increments. For this matter only, we have agreed that the rate applying to partners will be $350 and the rate applying to non-partner attorneys will be $300. Any paralegal and project assistant work will be billed at a rate of $125.

In addition to fees, our statements include out-of-pocket expenses and internal charges which Jenner & Block incurs in connection with the representation. Also, it is our standard practice to have certain
January 24, 2014
Page 2

charges for outside retained services (such as for expert witnesses, local counsel and consultants) invoiced directly to you. This letter acknowledges your agreement to pay all such invoices in a timely manner and to hold Jenner & Block harmless from your failure to do so. To the extent such third party charges are paid directly by Jenner & Block, they will be included on our statements. The hiring of outside retained services will only occur if authorized by the client in advance in writing.

The fees and other charges for this matter are not in any way contingent upon its successful completion or outcome. Unless we otherwise expressly agree in writing, any advance estimates by us of fees and expenses in connection with services to be performed, and any deposits, retainers or advances which we may require for work to continue are not a limitation nor binding commitment on our part as to the total fees and other charges for which you are responsible under the terms of this engagement.

Jenner & Block's statements are submitted monthly, unless the amount to be billed is not significant. Jenner & Block's statements are due and payable on receipt. If you question or dispute any entry on a statement, we ask that the matter be brought to our attention promptly, so that any disputes or problems can be fairly and amicably resolved in a timely manner. You agree that each statement will be paid within 30 days of the date on which the statement was sent to you. Subject to the requirement of applicable rules of professional conduct, Jenner & Block reserves the right to stop work and close the files on all matters being handled for you if any amount invoiced to you is sixty (60) days or more past due.

Jenner & Block acknowledges that the General Assembly's and the State Senate's obligations under this agreement are subject to the appropriation of funds. If the legal entities appropriating funds for the General Assembly and the State Senate do not allocate funds for any payment due hereunder despite a request by the General Assembly and the State Senate to do so, the General Assembly and the State Senate will not be obligated to pay the balance under this agreement remaining unpaid. The General Assembly and the State Senate agree to notify Jenner & Block at the earliest possible moment of the possibility that the firm will not be paid. Jenner & Block's only remedy for non-appropriation of funds shall be to terminate this agreement.

If you substantially fail to fulfill this agreement as to fees and expenses, Jenner & Block may withdraw or seek leave to withdraw from its representation of you.

If as a result of the engagement, Jenner & Block is required to produce documents or appear as a witness in connection with any litigation, arbitration, mediation, investigation or regulatory proceeding involving you, you also agree to pay to Jenner & Block the costs and expenses (including attorney and staff time at then scheduled hourly rates) reasonably incurred by Jenner & Block in connection with such a requirement. This provision survives the termination of Jenner & Block's representation of you.

2. **Termination of Representation.** Either of us may terminate the engagement at any time for any reason by providing written notice, subject on the part of Jenner & Block to the requirements of applicable rules of professional conduct. Unless we agree to render additional legal services for you, Jenner & Block's representation of you and the attorney-client relationship will terminate upon Jenner & Block sending its final statement for attorney services rendered in this matter.

3. **Document Retention.** During the course of the representation, Jenner & Block shall maintain a file on your behalf. The file may include material such as pleadings, transcripts, exhibits, reports, contracts, wills, certificates and other documents as are determined to be reasonably necessary to the
January 24, 2014
Page 3

representation ("Your File"). Your File shall be and remain your property. Jenner & Block may also include in the file its attorney work product, mental impressions and notes (collectively "Work Product"). The Work Product shall be and remain the property of Jenner & Block.

At the termination of the representation and for a period of seven (7) years thereafter, and provided there are no outstanding unpaid statements for fees and charges owed by you to Jenner & Block, you shall have the right on request to take possession of Your File, not including the Work Product. In such event, Jenner & Block at its expense may make and retain copies of all or portions of Your File. If you do not request possession of Your File within such seven (7) year period, Jenner & Block will have no further responsibility for the retention and maintenance of Your File and may at its option dispose of all or parts of Your File without further notice to you.

4. Approval and Return of Signed Letter. Please signify your agreement to the arrangement for legal services described in this letter by returning to us a signed copy of the engagement letter. In most instances, we will not commence work on your behalf unless and until we have received the signed copy of this engagement letter. If, for some reason, we are required to commence work before you sign and return this letter, the effective date of our agreement to provide services will be the date on which we first performed services on your behalf. If you then fail to sign and return the letter, we will stop work, close the file and seek to recover from you the reasonable value of any services performed to that point.

We look forward to working with you.

Very truly yours,

JENNER & BLOCK LLP

By: ________________________________
    Reid J. Scher, Partner

Accepted: GENERAL ASSEMBLY OF NEW JERSEY STATE LEGISLATURE

By: ________________________________
    Steven Garbarz, Executive Director

Accepted: STATE SENATE OF NEW JERSEY STATE LEGISLATURE

By: ________________________________
    Kevin Drennan, Executive Director

Date: 1/27/2014
EXHIBIT 38
Fort Lee Mayor Meets With Prosecutors About 'Bridgegate'

February 24, 2014 6:13 PM

FORT LEE, N.J. (CBSNewYork/AP) — Fort Lee Mayor Mark Sokolich has met with federal prosecutors about the deliberate, gridlock-causing lane closures at the George Washington Bridge in September.

Tim Donohue, an attorney for Sokolich, confirmed the meeting in a statement issued Monday.

Donohue said Sokolich voluntarily met with members of the U.S. Attorney's Office in Newark on Friday to discuss the lane closures last September. But Donohue said neither he nor Sokolich would provide further comment on the meeting due to the ongoing criminal investigation.

Emails and text messages subpoenaed by a New Jersey legislative committee have revealed that an aide to Christie emailed a high-level Port Authority of New York and New Jersey official and told him, "Time for some traffic problems in Fort Lee."

Documents show Bridget Kelly, a since-fired aide to New Jersey Gov. Chris Christie gave the go-ahead to shut down lanes to the George Washington Bridge in Fort Lee, creating four days of traffic gridlock, possibly as a political vendetta against Sokolich for not endorsing Christie for re-election.

In an e-mail she told former high-level Port Authority of New York and New Jersey official David Wildstein, "Time for some traffic problems in Fort Lee," documents showed.

Christie has denied knowledge of the planning or execution of the lane closings.
EXHIBIT 39
SENATE CONCURRENT RESOLUTION No. 169

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JANUARY 6, 2014

Sponsored by:
Senator LORETTA WEINBERG
District 37 (Bergen)
Senator LINDA R. GREENSTEIN
District 14 (Mercer and Middlesex)

Co-Sponsored by:
Senator Gordon

SYNOPSIS
Urges Congress to reexamine structure and management at PANYNJ and take measures to increase accountability and transparency for safety of region’s residents.

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 1/14/2014)
A Concurrent Resolution urging the United States Congress to reexamine the organizational structure and management of the Port Authority of New York and New Jersey and to take measures to increase the accountability and transparency of the Port Authority for the safety of the region’s residents.

Whereas, Recent events have highlighted serious issues with the organizational structure and management of the Port Authority of New York and New Jersey (Port Authority) and have suggested that additional measures are necessary to increase the accountability and transparency at the Port Authority; and

Whereas, On August 5, 2011 the Port Authority announced new proposed toll and fare increases and held 10 public hearings to receive public comment about the proposed increase on one day, August 16, 2011, leaving the public little time to learn of, and comment on, these proposed toll and fare increases; and

Whereas, On August 18, 2011, the Governors of New York and New Jersey submitted a letter to the Port Authority expressing their disapproval of the proposal and providing an alternate toll and fare increase plan, which the Board of Commissioners of the Port Authority approved the next day; and

Whereas, A report issued by the United States Government Accountability Office in August 2013, entitled “Interstate Compacts: Transparency and Oversight of Bi-State Tolling Authorities Could Be Enhanced,” was critical of the conditions surrounding the approval of the toll and fare increases, suggesting that the Port Authority lacked a transparent process for involving the public in the decision making; and

Whereas, In response to toll and fare increases approved in August 2011, the Governors of New York and New Jersey ordered the Port Authority to undertake a comprehensive review and audit of the agency; and

Whereas, The first part of that review concluded that the Port Authority “must conduct a meaningful top-to-bottom organizational redesign focused on operating efficiencies and rooted in clearly defined roles and responsibilities, transparency, accountability, and aligned incentives”; and

Whereas, Despite the recommendations in the Government Accountability Office report and the review and audit conducted at the behest of the Governors of New York and New Jersey, the Port Authority continues to operate in ways that do not honor the public trust and suggest that the Port Authority’s organizational management and structure fail to provide sufficient safeguards against employees engaging in activities which do not further the agency’s mission; and

Whereas, Then, on September 9, 2013, the Port Authority reduced the number of access lanes from Fort Lee, New Jersey onto the George Washington Bridge from three lanes to one; and
WHEREAS, The lane closures which were in effect between September 9th and September 13th of 2013 caused considerable traffic delays, significantly inconvenienced motorists, and had the potential to impair public safety; and

WHEREAS, Testimony received by the Assembly Transportation, Public Works, and Independent Authorities Committee has revealed that the decision to reduce access lanes in Fort Lee appears to have been made by one Port Authority appointee, circumventing the normal protocols in place for undertaking changes that impact traffic congestion and public safety at Port Authority facilities; and

WHEREAS, The Board of Commissioners and high-level staff at the Port Authority are appointed by either the Governor of New Jersey or the Governor of New York; and

WHEREAS, This system of appointments has led to a dual structure which is inefficient and unable to protect the best interests of Port Authority toll and fare payers; and

WHEREAS, The reduction of lanes from Fort Lee onto the George Washington Bridge in September 2013 provides ample evidence that the current organizational structure and management of the Port Authority has failed to honor the public trust and that the Port Authority would benefit from efforts to improve its accountability and transparency; and

WHEREAS, The New Jersey Legislature attempted to improve accountability and transparency at the Port Authority by passing Senate Bill No. 1761 through both the Senate and General Assembly during the 2012-2013 Legislative Session; and

WHEREAS, Instead of supporting the Legislature’s attempts to address the issues at the Port Authority, Governor Christie issued a conditional veto of Senate Bill No. 1761 which would have stripped the bill of all provisions relating to the Port Authority had the Legislature approved the conditional veto; and

WHEREAS, It is fitting and proper for the Legislature to urge the United States Congress to reexamine the organizational structure and management of the Port Authority of New York and New Jersey and to take measures to increase accountability and transparency at the Port Authority for the safety of the region’s residents; now, therefore.

BE IT RESOLVED by the Senate of the State of New Jersey (the General Assembly concurring):

1. The Congress of the United States is respectfully urged to reexamine the organizational structure and management of the Port Authority of New York and New Jersey and to take measures to increase accountability and transparency at the Port Authority for the safety of the region’s residents.
2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Secretary of the Senate to the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, the Chair of the Senate Commerce, Science and Transportation Committee, the House of Representatives Transportation and Infrastructure Committee, and every member of Congress elected from this State.

STATEMENT

This resolution urges the Congress of the United States to reexamine the organizational structure and management of the Port Authority of New York and New Jersey and to take measures to increase accountability and transparency at the Port Authority for the safety of the region’s residents.
12th congressional district: Watson Coleman beats Greenstein for Democratic nod

gao419barchi murray
State Assemblywoman Bonnie Watson Coleman attends a meeting in Trenton last year. (Ed Murray/The Star-Ledger)

Brent Johnson | The Star-Ledger By Brent Johnson | The Star-Ledger
Email the author | Follow on Twitter
on June 03, 2014 at 10:22 PM, updated June 03, 2014 at 11:28 PM

TRENTON — Bonnie Watson Coleman is now poised to become New Jersey's first female member of Congress in more than a decade.

The state Assemblywoman tonight secured the Democratic nomination in the race to replace retiring U.S. Rep. Rush Holt in the state's 12th District, according to projections by the Associated Press.

COMPLETE ELECTION COVERAGE

Watson Coleman (D-Mercer) edged another veteran female lawmaker, state Sen. Linda Greenstein (D-Middlesex), in what was possibly the state's tightest primary this year.

She also beat Assemblyman Upendra Chivukula (D-Somerset) and Princeton University physics professor Andrew Zwicker in the four-way race.

A woman has not represented New Jersey in Congress since Marge Roukema retired in 2003.

But that is guaranteed to change with November's general election. Watson Coleman, a member of the Assembly since 1998, will face Republican Alieta Eck, a Somerset-County doctor who was unopposed in the GOP primary.

Because the district — which covers parts of Mercer, Middlesex, Somerset, and Union counties — is heavily Democratic, Watson Coleman is considered the favorite to win Holt's seat.

She would also become the first African-American congresswoman in New Jersey history.

"I believe that Congress and our Legislature can always benefit from having someone that sees the issues and the needs and opportunities through the lens of both women and the minorities," Watson Coleman said in her victory speech tonight. "We have a big step to climb over, but we have time."

Experts expected today's primary to go down to the wire. A poll released by Monmouth University last month showed Watson Coleman and Greenstein in a dead heat.

But Watson Coleman attracted about 42 percent of the vote today, while Greenstein drew only 28 percent.
Chivukula had 21 and Zwicker 7.

"I'll figure out what I'm going to do and continue to be a senator," Greenstein said tonight. "I must enjoy my life with or without Congress, though I sure would have liked to go."

Holt, a Democrat, is retiring after eight terms in the U.S. House of Representatives.

"We've been fortunate in this election to have a field of thoughtful Democratic candidates who have run really good campaigns," he said in a statement tonight. "I look forward to talking with voters about Bonnie Watson Coleman, who I'm confident will be a fierce advocate for progressive issues in Washington as she has been in the Legislature."

Times of Trenton reporters Mike Davis and Brendan McGrath contributed to this report.

RELATED COVERAGE

- Congressional battle: 4 candidates vie for Rush Holt's seat in tight Democratic primary race

- More Politics

FOLLOW STAR-LEDGER POLITICS:  TWITTER • FACEBOOK • GOOGLE+

© 2014 NJ.com. All rights reserved.
EXHIBIT 41
Watson Coleman steps down from bridgegate investigation committee after calling for Gov. Chris Christie to resign

Watson Coleman.jpg
Assemblywoman Bonnie Watson Coleman has resigned her seat on the committee investigating bridgegate (Ed Murray/The Star-Ledger)

Darryl Isherwood/NJ.com By Darryl Isherwood/NJ.com
Email the author | Follow on Twitter
on February 28, 2014 at 9:34 PM, updated February 28, 2014 at 9:42 PM

Democratic Assemblywoman Bonnie Watson Coleman today withdrew from the panel investigating the lane diversions at the George Washington Bridge, a day after she called on the governor to resign from his office.

Her comments, made during an appearance on MSNBC Thursday, drew fire from Republicans, who called on Watson Coleman to take back the statement. Committee Chairman John Wisniewski said he understood her frustration, but said he would not echo her call for Christie’s resignation.

But even as she stepped aside from the committee, she continued her attack on the governor.

"As we all learn more - particularly with the most recent public release of information surrounding the George Washington Bridge lane closings - about the bully environment and brazen callousness and disrespect this administration has shown toward the people of our state, I have become even more disgusted," she said in a statement. "In fact, I find it disturbing."

The Mercer County Assemblywoman said she refuses to stop advocating for the people of New Jersey.

"Therefore, I have informed Speaker Prieto that I will no longer serve on the Legislative Select Committee on Investigation. I will remain focused on promoting and advancing Democratic legislation and causes.

As she exits, Watson Coleman, who is running for the 12th District congressional seat, had some harsh words for a fellow member of the committee.

"Meanwhile, those who criticize me for speaking my mind should take a long hard look at their hypocrisy and lack of credibility," she said "Questioning my standing while keeping silent on the role one committee member - Sen. O'Toole - played in this situation, as it unfolded, is both inexcusable and dishonest."

During her appearance on MSNBC’s PoliticsNation, Watson Coleman railed against the culture of bullying she says was fostered under Gov. Chris Christie. Christie, she said must be held accountable for the culture and for the people who work for him.
"And this really is what they're all about, transactional deals, dismissiveness, remarks that are totally, totally unacceptable in a civilized society. And you know what? The governor needs to think about resigning, and he needs to take all his friends with him because this is sickening," she said.

Newly minted Assembly Speaker Vincent Prieto, who originally named Watson Coleman to the post, thanked the Assemblywoman for her service to the committee and said he will name her replacement soon.

"I appreciate Assemblywoman Watson Coleman's efforts on the New Jersey Legislative Select Committee on Investigation," Prieto said. "I will announce a replacement soon and look forward to Assemblywoman Watson Coleman continuing to be a leading voice for progressive causes."

© 2014 NJ.com. All rights reserved.
EXHIBIT 42
MEMORANDUM

TO:       Honorable Jennifer McQuaid
          Secretary of the Senate

FROM:     Honorable Stephen M. Sweeney
          Senate President

DATE:     January 29, 2014

RE:       New Jersey Legislative Select Committee on Investigation

Please be advised that I have made the following appointment to the New Jersey Legislative Select Committee on Investigation:

Senator Kevin J. O’Toole

Respectfully,

Hon. Kim Guadagno, Secretary of State
Hon. Thomas H. Kean, Jr., Senate Minority Leader
Hon. Vincent Prieto, Speaker of the General Assembly
Hon. Jon M. Bramnick, Assembly Minority Leader
Hon. David P. Rible, Assembly Minority Conference Leader
Ms. Christine Shipley, Executive Director, Senate Republican Office
Mr. Steven Gardner, Executive Director, Assembly Majority Office
Mr. Mark Duffy, Executive Director, Assembly Minority Office
Hon. Dana M. Burley, Clerk, General Assembly
Mr. Albert Porrone, Esq., Executive Director, Office of Legislative Services
Mr. Matt McDermott, Director of Appointments, Governor’s Office
Mr. Chris Porrino, Chief Counsel, Governor’s Office
Ms. Lori Van Driesen, Director, Office of Public Information
Mr. Marvin W. Jiggetts, Director, Central Management, Office of Legislative Services
Ms. Susan Swords, Senior Coordinator, Legislative Services
Mr. James Biesiada, Office of Public Information
Mr. Jerry Clancy, Legislative Journal
Mr. Kevin Drennan, Executive Director, Senate Democratic Office
Hon. Kevin J. O’Toole
New Jersey Legislative Select Committee on Investigation
Ms. Michelle Coryell
EXHIBIT 43
FOR RELEASE
1/24/2014
847-3500

CONTACT
Press
(609)

Assembly Speaker Prieto & Senate President Sweeney
Appoint Members of New Jersey Legislative Select
Committee on Investigation

(TRENTON) - Assembly Speaker Vincent Prieto and Senate
President Steve Sweeney on Friday announced the members
appointed to the New Jersey Legislative Select Committee on
Investigation.
Sweeney (D-Gloucester/Salem/Cumberland) and Prieto (D-
Hudson/Bergen) appointed:
- Asm. John Wisniewski (D-Middlesex), co-chair;
- Senate Majority Leader Loretta Weinberg, co-chair;
- Asw. Marlene Caride (D-Bergen/Passaic);
- Asm. Michael Patrick Carroll (R-Morris/Somerset);
- Sen. Nia Gill (D-Essex/Passaic);
- Sen. Linda Greenstein (D-Middlesex/Mercer);
- Assembly Majority Leader Lou Greenwald (D-
Camden/Burlington);
- Asw. Amy Handlin (R-Monmouth);
- Asw. Holly Schepisi (R-Bergen/Passaic);
- Asw. Valerie Vainieri Huttle (D-Bergen);

The Senate Republican appointment is still to be announced.
The Assembly Republican appointments were made per
recommendation of Assembly Minority Leader Jon Bramnick (R-
Union/Morris/Somerset).
On the Net:
The Assembly Democratic Office Web site
NJ Assembly Dems on YouTube
NJ Assembly Dems on Vimeo
NJ Assembly Dems on Facebook
NJ Assembly Dems on Twitter
NJ Assembly Dems e-mail alerts

ShareThis
EXHIBIT 44
GWB inquiry fuels frustration

Heated hearing yields no explanation of why lanes closed without notice

By Steve Strunsky

One of the Port Authority's top executives yesterday acknowledged that the agency's failure to warn commuters of lane closures that created a traffic nightmare in September at the George Washington Bridge was "unacceptable."

Deputy Executive Director Bill Baroni also said the agency was developing protocols to make sure the same kind of unannounced traffic nightmare doesn't happen again.

And, Baroni added, the agency had learned "a valuable lesson" from the closures, which he said were ordered by his direct subordinate, the agency's director of interstate capital projects,

David Wildstein.

But for all that, Baroni failed to say why the whole thing happened in the first place.

Asked by the Democratic lawmaker who chaired the hearing if he could explain why the lane closures were not announced ahead of time—the agency's usual practice—Baroni replied, "No."

The unannounced closures two months before this month's gubernatorial election, along with the Port Authority's failure to explain them, have fueled suspicions that the closures were retaliation for Fort Lee Mayor Mark Sokolich's failure to endorse the re-election of Gov. Chris Christie.

Assemblyman John Wisniewski (D-Middlesex), chairman of the Assembly Transportation, Public Works and Independent Authorities Committee, said he convened yesterday's hearing to get at just what had happened that week in September, when the abrupt closure of two out of three local toll lanes clogged Fort Lee streets starting on the first day of school.

But in spite of Baroni's nearly two hours of testimony—in feet, because of it—Wisniewski and other Democrats said their suspicions had only been heightened.

"I think that, at best, this was clumsy and ham-handed," Wisniewski told reporters after the hearing. "At worst, this was political mischief by a political appointee and another political appointee who was not made available here today."

The hearing ended with Wisniewski saying he hoped Port Authority Executive Director Patrick Foye would still testify before the committee. He had cited a scheduling conflict in declining to appear yesterday. Foye is an appointee of Gov. Andrew Cuomo of New York, and ordered the closures lifted in an outraged e-mail to bridge managers that was copied to Baroni, a Christie appointee.

At one point, Wisniewski asked if Baroni knew what Foye meant in the e-mail when he criticized the closures as possible violations of state and federal law. Baroni said he did not know.

Wisniewski is also weighing whether to subpoena Wildstein. Like Foye and Baroni, Wildstein was sent a Nov. 20 letter inviting him to testify, under the threat of subpoena if he declined.

Baroni repeated the authority's contention that it closed the access lanes as part of a traffic study, but remained silent on why no notice was given.

During his opening statement, Baroni said less than 5 percent of morning inbound commuters on the bridge were from Fort Lee, even though the three specially designated local access lanes make up 25 percent of the 12 lanes on the bridge's upper level. "If that's fair?" Baroni asked committee members.

Allowing all upper-deck motorists to use the two access lanes that were closed to Fort Lee commuters reduced their approach time by four minutes, Baroni said, demonstrating that the access provided solely to Fort Lee was at the expense of other commuters.

Baroni said Wildstein had been prompted to order the closures after the fairness issue was brought to his attention by police officers familiar with bridge traffic.

Republicans on the committee, led by Assemblyman John Amodeo (R-Atlantic), said the Port Authority should be commanded for addressing the lane fairness issue.

Sen. Kevin O'Toole (R-Essex), who was not at the hearing, later issued a statement criticizing Democrats for a "discriminatory hearing" that demonstrated a bias in favor of Fort Lee commuters, an assertion later rejected by Wisniewski.

Steve Strunsky:
(973) 365-1544 or sstrunsky@starledger.com

Baroni said Wildstein had been prompted to order the closures after the fairness issue was brought to his attention by police officers familiar with bridge traffic.

Republicans on the committee, led by Assemblyman John Amodeo (R-Atlantic), said the Port Authority should be mandated for addressing the lane fairness issue.

Sen. Kevin O'Toole (R-Essex), who was not at the hearing, later issued a statement criticizing Democrats for a "discriminatory hearing" that demonstrated a bias in favor of Fort Lee commuters, an assertion later rejected by Wisniewski.

Steve Strunsky:
(973) 365-1544 or sstrunsky@starledger.com

TONEY KURZAWITZ/SThe STAR-LEDGER

Bill Baroni, deputy executive director of the Port Authority of New York and New Jersey, answers questions regarding the agency's failure to warn commuters of lane closures that have snarled traffic on the George Washington Bridge.

CONTINUED
Using an aerial photo to demonstrate his point, Bill Baroni, deputy executive director of the Port Authority of New York and New Jersey, testifies before an Assembly Transportation, Public Works and Independent Authorities Committee hearing yesterday at the Statehouse. Top left and right, Assemblyman John Wisniewski (D-Middlesex), committee chairman, and Assemblywoman Linda Stanger (D-Union) question Baroni.
EXHIBIT 45
LAW OFFICES
JENNER & BLOCK LLP
353 N. CLARK STREET
CHICAGO, ILLINOIS 60654-0166
(312) 222-3450

CLIENT NUMBER  51033
MATTER NUMBER  10007 & 10015

DEMOCRATIC CAUCUS OF NEW JERSEY
LEGISLATIVE APPORTIONMENT COMMISSION
C/O JOHN WISNIEWSKI, CHAIRMAN
194-196 WEST STATE STREET
TRENTON, NJ 08608

OCTOBER 18, 2012
INVOICE # 9209553
INVOICE # 9211784
INVOICE # 9225860
INVOICE # 9228285
INVOICE # 9230622

TEA PARTY LAWSUIT and NEW JERSEY LEGISLATIVE REDISTRICTING

FOR PROFESSIONAL SERVICES RENDERED
THROUGH APRIL 30, 2012

$ 75,130.00

DISBURSEMENTS

$ 563.17

TOTAL INVOICE

$ 75,693.17

REMITTANCE COPY
PLEASE RETURN THIS COPY WITH YOUR PAYMENT AND PLACE IN THE ENCLOSED ENVELOPE.
ALL PAYMENTS DUE WITHIN 30 DAYS OF INVOICE
Profile for 2012 Election Cycle

View totals for other cycles: 2012

⚠️ NOTE: Figures on this page include contributions and spending by affiliates of this organization.

CONTRIBUTIONS

$417,827
ranks 991 of 20,731

LOBBYING

$0 (2012)
$0 (2011)

OUTSIDE SPENDING

$0

MEMBERS INVESTED

0

(*) Explain these rankings to me

CONTRIBUTIONS: $417,827
To Candidates
To 527 Grps
To Party Cntrs
To LeadPACs
To Outside Grps

Contributions to candidates: $318,573
Contributions to Leadership PACs: $7,650
Contributions to parties: $78,454
Contributions to 527 committees: $8,150
Contributions to outside spending groups: $5,000

Top Recipients

<table>
<thead>
<tr>
<th>Recipient</th>
<th>Total</th>
<th>From Indiv</th>
<th>From Orgs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barack Obama (D)</td>
<td>$152,494</td>
<td>$152,494</td>
<td>$0</td>
</tr>
<tr>
<td>DNC Services Corp</td>
<td>$68,710</td>
<td>$68,710</td>
<td>$0</td>
</tr>
<tr>
<td>Dick Durbin (D-IL)</td>
<td>$31,305</td>
<td>$31,305</td>
<td>$0</td>
</tr>
<tr>
<td>Mitt Romney (R)</td>
<td>$26,196</td>
<td>$26,196</td>
<td>$0</td>
</tr>
<tr>
<td>Don Bivens (D-AZ)</td>
<td>$17,150</td>
<td>$16,650</td>
<td>$500</td>
</tr>
<tr>
<td>Mike Quigley (D-IL)</td>
<td>$9,823</td>
<td>$9,823</td>
<td>$0</td>
</tr>
<tr>
<td>Gay &amp; Lesbian Victory Fund</td>
<td>$8,400</td>
<td>$8,400</td>
<td>$0</td>
</tr>
<tr>
<td>Democratic Senatorial Campaign Cmte</td>
<td>$6,450</td>
<td>$1,450</td>
<td>$5,000</td>
</tr>
<tr>
<td>Baldwin, Tammy</td>
<td>$6,250</td>
<td>$6,250</td>
<td>$0</td>
</tr>
</tbody>
</table>

Top Candidate Recipients, 2011-2012
Barack Obama (D) $152,494
Dick Durbin (D-IL) $31,305
Mitt Romney (R) $26,196
Don Bivens (D-AZ) $17,150
Mike Quigley (D-IL) $9,823

The total of contributions to candidates from Jenner & Block individuals is 90 times larger than contributions from PACs

Contributions from Individuals
$315,073

Contributions from PACs
$3,500

Search for an organization:
Enter at least 3 characters

We follow the money. You make it possible.

Thanks to support from individuals like yourself, our work makes possible the daily examination of the industries, organizations, and individuals trying to influence the democratic process.

Make a Donation Today

Find Your Representatives
Street City, State Zip Code

Pay now and save up to 30%

Campaign finance totals for the current election cycle were released by the FEC on September 24, 2014 and by the IRS on August 04, 2014, lobbying data was released by the Senate Office of Public Records on https://www.opensecrets.org/orgs/summary.php?id=D000000814&cycle=2012
September 22, 2014, outside spending data was released by the FEC on October 21, 2014, and PFD data was released by the House, Senate, and US Office of Government Ethics starting in June 2011.

Feel free to distribute or cite this material, but please credit the Center for Responsive Politics. For permission to reprint for commercial uses, such as textbooks, contact the Center.

See something wrong or want to suggest an improvement? Contact us.

Count Cash & Make Change.

OpenSecrets.org is your nonpartisan guide to money’s influence on U.S. elections and public policy. Whether you’re a voter, journalist, activist, student or interested citizen, use our free site to shine light on your government.

The Center for Responsive Politics
Except for the Revolving Door section, content on this site is licensed under a Creative Commons Attribution-Noncommercial-Share Alike 3.0 United States License by OpenSecrets.org. To request permission for commercial use, please contact us.
EXHIBIT 47
Profile for 2014 Election Cycle

View totals for other cycles: 2014

NOTE: Figures on this page include contributions and spending by affiliates of this organization.

CONTRIBUTIONS

$143,653
ranks 1,484 of 15,885

LOBBYING

$0 (2014)
$0 (2013)

OUTSIDE SPENDING

$0

MEMBERS INVESTED

0

Explain these rankings to me

CONTRIBUTIONS: $143,653

From Orgs

From Indivs
To Candidates

To Outside Grps
To PACs
To LeadPACs
To Party Crtes

Contributions to candidates: $75,303
Contributions to Leadership PACs: $3,250
Contributions to parties: $34,200
Contributions to 527 committees: $12,500
Contributions to outside spending groups: $6,400

Top Recipients

<table>
<thead>
<tr>
<th>Recipient</th>
<th>Total</th>
<th>From Indvs</th>
<th>From Orgs</th>
</tr>
</thead>
<tbody>
<tr>
<td>DNC Services Corp</td>
<td>$31,450</td>
<td>$31,450</td>
<td>$0</td>
</tr>
<tr>
<td>Ready for Hillary</td>
<td>$12,000</td>
<td>$12,000</td>
<td>$0</td>
</tr>
<tr>
<td>Booker, Cory</td>
<td>$11,000</td>
<td>$6,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Gay &amp; Lesbian Victory Fund</td>
<td>$7,000</td>
<td>$7,000</td>
<td>$0</td>
</tr>
<tr>
<td>Warner, Mark</td>
<td>$6,750</td>
<td>$6,750</td>
<td>$0</td>
</tr>
<tr>
<td>Tea Party Patriots Citizens Fund</td>
<td>$6,400</td>
<td>$6,400</td>
<td>$0</td>
</tr>
<tr>
<td>ActBlue Non-Federal</td>
<td>$5,500</td>
<td>$5,500</td>
<td>$0</td>
</tr>
<tr>
<td>Maloney, Sean Patrick</td>
<td>$5,350</td>
<td>$5,350</td>
<td>$0</td>
</tr>
<tr>
<td>Collins, Susan M</td>
<td>$5,000</td>
<td>$0</td>
<td>$5,000</td>
</tr>
<tr>
<td>Quigley, Mike</td>
<td>$4,978</td>
<td>$4,978</td>
<td>$0</td>
</tr>
</tbody>
</table>

Top Candidate Recipients, 2013-2014

Cory Booker (D-NJ) $11,000
Mark Warner (D-VA) $6,750
Sean Patrick Maloney (D-NY) $5,350
Susan Collins (R-ME) $5,000
Mike Quigley (D-IL) $4,978

The total of contributions to candidates from Jenner & Block individuals is 7 times larger than contributions from PACs.
Contributions from Individuals
$65,303

Contributions from PACs
$10,000

Search for an organization:
Enter at least 3 characters

Money talks.
We translate.
You make it possible.

Make a Donation Today

Find Your Representatives
Street City, State Zip Code

Business Circle
A community where small businesses and experts help each other with tech.

Campaign finance totals for the current election cycle were released by the FEC on September 24, 2014 and by the IRS on August 04, 2014, lobbying data was released by the Senate Office of Public Records on September 22, 2014, outside spending data was released by the FEC on October 21, 2014, and PFD data was released by the House, Senate, and US Office of Government Ethics starting in June 2011.
Count Cash & Make Change.

OpenSecrets.org is your nonpartisan guide to money’s influence on U.S. elections and public policy. Whether you’re a voter, journalist, activist, student or interested citizen, use our free site to shine light on your government.

The Center for Responsive Politics
Except for the Revolving Door section, content on this site is licensed under a Creative Commons Attribution-Noncommercial-Share Alike 3.0 United States License by OpenSecrets.org. To request permission for commercial use, please contact us.