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# ***Committee Meeting***

of

## **HOMELAND SECURITY AND STATE PREPAREDNESS COMMITTEE**

**ASSEMBLY BILL Nos. 1912 and 2233**

*(Exempts from New Jersey gross income tax the victims who died  
in the September 11, 2001 terrorist attacks against the United States)*

*“Testimony from waterfront community mayors as well as business and community  
representatives on the security of the Hudson River waterfront”*

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**LOCATION:** Merrill Lynch Building  
14th Floor  
Jersey City, New Jersey

**DATE:** September 26, 2002  
10:00 a.m.

**MEMBERS OF COMMITTEE PRESENT:**

Assemblywoman Joan M. Quigley, Chair  
Assemblyman Gary L. Guear, Sr., Vice-Chairman  
Assemblyman Gordon M. Johnson  
Assemblywoman Elba Perez-Cinciarelli  
Assemblyman Christopher “KIP” Bateman



**ALSO PRESENT:**

Assemblyman Matt Ahearn

David J. Lorette  
*Office of Legislative Services  
Committee Aide*

John Milsop  
*Assembly Majority  
Committee Aide*

Eileen M. Mannion  
*Assembly Democratic  
Committee Aide*

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

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**ASSEMBLYWOMAN JOAN M. QUIGLEY (Chair):** I want to thank everyone for coming. And since we are the Homeland Security and Preparedness Committee, we always start our meetings with the pledge to the flag. I'm going to ask Assemblywoman Elba Perez-Cinciarelli to please lead us. (participants recite Pledge of Allegiance)

And don't be seated yet, because we have just heard very sad news, that the most senior member of the Assembly, Tom Smith of Monmouth County -- Assemblyman Tom Smith died this morning. So I would ask for a moment of silence. (moment of silence)

Thank you very much.

I think our next order of business would be to say thank you to Merrill Lynch for hosting this event today. I'm very honored to present, for an official welcome from Merrill Lynch, Mark Alexander, who is the Managing Director of Global Markets for Merrill Lynch. Did I get that right?

**MARK ALEXANDER:** Close enough. Thank you.

I just wanted to, briefly, welcome everybody and just express what a pleasure it is to host you. We're very concerned about security, as you can well imagine, given what we went through in New York. As you know, we have a very big presence in New Jersey, about 11,000 employees. We pay about \$100 million in taxes here. I think we impact the economy by about a billion dollars, so we're very committed to New Jersey. And, obviously, anything you can do to beef up the security, we would greatly appreciate it. We do believe that these difficult times, though, test all of us, but we will, ultimately, emerge stronger.

With that, I will leave you to your business. Best of luck and enjoy.

ASSEMBLYWOMAN QUIGLEY: Well, thank you once again for hosting us. I have to give special credit to Rosa Grossi, who has been an angel to us, that we appreciate that very much.

I want to thank all my colleagues for coming. A few of them are still en route. Some were coming from fairly far away, and they may or may not have ever been to Jersey City before. But we do expect them. I need to thank our partisan and OLS staff for arranging all of this, and we'll make them work right away.

So, David, would you please call the roll.

MR. LORETTE (Committee Aide): I will.

Committee roll call.

Assemblyman Bateman is subbing for Assemblyman Connors, and is en route.

Assemblyman Bodine. (no response) Assemblyman Bodine is marked as absent.

Assemblywoman Perez-Cinciarelli.

ASSEMBLYWOMAN PEREZ-CINCIARELLI: Present.

MR. LORETTE: Assemblyman Ahearn.

ASSEMBLYMAN AHEARN: Present.

MR. LORETTE: Assemblyman Guear.

ASSEMBLYMAN GUEAR: Here.

MR. LORETTE: Assemblywoman Quigley.

ASSEMBLYWOMAN QUIGLEY: Here.

MR. LORETTE: Madam Chair, you have a majority.

ASSEMBLYWOMAN QUIGLEY: Thank you very much.

I will explain what the procedure will be for today. Many of you have signed these forms. I urge anyone who hasn't, to please do so. We will call you up. We're going to limit the testimony to 10 minutes, because there are so many of you. The rules are: We would like you to tell us what it is okay for the world to know. We realize that we're on a very sensitive subject, and we do not expect you to reveal anything that the world should not know. If there are any questions that arise in the minds of any of the members or any concerns that are not appropriate to be addressed in public, we will contact you afterwards and arrange for a private meeting, so that we can learn more about it.

And our first-- All right, let's start with Hudson County.

I also should mention that these microphones up here are for recording purposes only. They're not for amplification. So please speak loudly, and if the audience cannot hear people testifying from this usual witness table, please feel free to use the lectern up there. That will be no problem.

We'll start with Francis Pizzuta, the Hudson County Office of Emergency Management, and Frank Silverio. Are you together, two Franks? Okay.

**FRANCIS J. PIZZUTA:** Yes.

ASSEMBLYWOMAN QUIGLEY: If you can be heard there, Frank. If not, please use that. (indicating lectern)

MR. PIZZUTA: Well, the Merrill Lynch man, I couldn't hear him.

Is this mike on? (referring to recording microphone)

ASSEMBLYWOMAN QUIGLEY: No, it's the little one, I think.

MR. PIZZUTA: Oh, all right. First of all--

ASSEMBLYWOMAN QUIGLEY: It doesn't sound like it is.

MR. LORETTE: Can you hear out there? The microphone should be projecting through the PA. No?

MR. PIZZUTA: Okay. I'll just, first of all, start by thanking Assemblywoman Quigley and her Committee for coming here to Jersey City in Hudson County to hear us speak on our needs for emergency management and to give you a little idea of what we're doing. I'm not going to, particularly, speak on the two bills pending. They're very worthy bills, and I hope they pass and that you get them through.

Just, primarily, to give you an idea about emergency management, which is the primary focus for, I believe, homeland security-- Up until 9/11, emergency management, while it played a major role for natural disasters and problems within our communities -- we have a table of organization that responds, and we follow the four phases of emergency management. We try and mitigate problems before they happen. Then, of course, our biggest area is planning, where we exercise and train our people to handle these disasters when they happen. The response organizations in Hudson County, while they were well-prepared for 9/11 -- I think there's a lot still lacking, that they need, in the way of equipment and training in bioterrorism, chemical, and nuclear conditions that may occur.

The recovery aspect of a terrorism attack, I think, is going to put a tremendous burden on the emergency management and the response

community in general, because the ramifications from these types of attacks are enormous, and to try and recover from them is going to take a lot more than we have right now, I believe, in the way of training and planning. We need a lot more in the way of medical supplies in order to alleviate these biologicals and chemical attacks, if they every occur, God forbid.

To speak a little bit about 9/11 in itself, just to give you an idea of what it was like in here, in Hudson County, the early stages were almost total chaos because of the unknown factor going on, whether everything got shut down. So, because everything got shut down, it was very difficult to communicate, and that was our biggest problem. A lot of our antennas were on the World Trade Center, so they got knocked out in the early stages. It only complicated a condition that existed for confusion.

We were lucky in Hudson County because, prior to the attack, our Hudson County prosecutor had the foresight to put in place a radio communications on the 400 frequency that was self-contained, and Hudson County OEM had one of the only frequencies that was unimpeded by the event. We had Port Authority using it, and we had a lot of the local agencies -- police, fire -- using it when their frequencies were overtaxed. So that was a very good aspect that we had developed prior to it.

So that points out to me the need to further radio communications, probably not only in Hudson County, New Jersey, probably the nation. I think that's one of our weakest points. There's a big term now, interoperability. I think that when we look at communications, we have to make sure that all agencies have the ability to talk to each other, that they're interconnected. I would like to impart one of the biggest requests to you, that

when you consider funding and how this is going to be distributed, that that aspect be given priority. Because if we can't talk to each other, we can't really direct you, our people, to what is going on. Like on 9/11, we had a lot of confusion in a sense of transmission of inaccurate information, and it was hard to verify it and correct it. Because people from New York were telling our people that things had occurred over there that didn't -- that we were getting a lot of recipients, and we didn't get them. We were preparing for that. To speak in terms of the specific area, it was in terms of people that they thought had been killed by the initial attack, and they had no room for them there, and they were going to bring-- Like we have one rumor that said we were getting 1000 bodies. And so to get that kind of information and, then, try and respond to it is impossible. But we're spinning our wheels and then trying to accomplish it, and it didn't turn out that it was totally inaccurate information. So we have to be able to verify information.

Some of the good things that have happened since 9/11 in Hudson County is that the MMRS, the Metropolitan Medical Response System, has gotten a boost, because we now know the importance of having our medical people together, collectively speaking to each other. It's bringing them together in a lot of different areas: their ability to distribute medicine, their ability to administer the medicine, their ability to effect decontamination. A lot of these areas were very lacking prior to 9/11. I'm not saying they're up on speed now, so all I'm saying is that there's an accent on them now. We shouldn't lose that edge, that's the important thing -- that we shouldn't lose that edge and that we want to continue in Hudson County with Jersey City, having the lead role in a biological tabletop exercise. In April, we conducted

that. Some of you may have even participated in that. I believe Assemblywoman Quigley was at it.

So now we're going to further that. Jersey City is going to have a functional exercise where we -- maybe it's, actually, a full-scale exercise, where we're actually going to move equipment, which makes the operation a lot more burdensome. Even though it's a drill, it's still going to be done on the realism end. We're going to push it -- that this will be like a real event. So we're training for these kinds of events, and we are preparing ourselves as best we can.

One of the real problems that we recognize, and maybe it was the nature of the incident, really, rather than any of these, really, being problems-- I mean, say we prepare ourselves to meet expectations, and then when those demands are doubled, tripled, or I don't know-- They were probably a hundred-time fold with 9/11. So it's not a good comparison to make. What we want to do is prepare ourselves to meet the needs we could.

We had a tremendous problem with the volunteers that just descended upon us like hordes of locusts, because that's America. Everybody wants to do something to help. We got -- all our fellow Americans were in trouble, and the rest of them came to the forefront to help. But controlling them and all the donations that came to Hudson County was a tremendous problem. So we need to develop a network to handle that in the future, and I think plans for that are underway. It's just to give you a heads up, to keep it going more or less, not that it's forgotten, because it was a real big problem.

And then, another big problem was with the schools, and a lot of plans that developed in the area, now working -- a lot of children stranded at

school. The shock of the event caused them to have problems that we had to bring in mental health counselors to assist with them. The mental health network, I think, really got tested to its utmost here in Hudson County. They're still working. They still have counseling going on. Those areas -- you have to look at and see how much more help they need. The bottom line is dollars, really. So we need legislation to--

There's a couple of grant programs coming out now, but I think they're limited in focus. They're more on the response groups. I think we have to go beyond the response groups. We have to go to communications. We have to go to mental health. We have to go to the hospitals and make sure they're prepared to handle it. What good is it if our response people are totally prepared, they get there, and they effect their rescues, and they mitigate the situation, and they bring them to places where these people can't be cared for? So we have to put an accent on that. We don't want our children left unattended.

We are a lot more conscious of terrorism today, so we're conducting a lot more training and drills and evacuations of facilities, training evacuations. We have a terrorism annex in Hudson County. I believe that was a State mandate. I think all the counties had to develop one. So we're pretty much focused on this event, and we know that this Committee has taken the lead, with the State Legislature, to see that we have the necessary tools to perform our duties. I just want to encourage you and thank you for all your efforts and to continue it.

Thank you.

ASSEMBLYWOMAN QUIGLEY: Well, thank you very much, Director Pizzuta. I understand the first step in solving a problem is recognizing it. You seem to have done that very well.

Let me see if any of the members have any questions or comments.

(no response)

No.

Thank you very much

MR. PIZZUTA: You're welcome. Thank you.

ASSEMBLYWOMAN QUIGLEY: Director Carter, are you ready to present your testimony now, or do you want to wait a little bit?

**JAMES H. CARTER:** There's a slide presentation. A presentation that, if I may--

ASSEMBLYWOMAN QUIGLEY: Director Carter is Director of Police from Jersey City. I didn't finish his introduction completely.

MR. CARTER: If I may, there's a presentation that His Honor and I did in Texas. They asked us to come down and speak before the Texas Legislature regarding what happened up here and our being -- more or less, setting up an umbilical cord to downtown, as we were, probably, about seven minutes, probably the closest responders to the disaster area.

What I'd like to do, if I might, I don't know if that's going to work, (indicating slide projector) so I don't have the dog-and-pony show here for you.

ASSEMBLYWOMAN QUIGLEY: Then you just tell us what it was like. Did you want Lieutenant Louf to join you?

MR. CARTER: Yes. What I'd like to do is break it up into two areas, if I might, and just speak about what we did that day. Lieutenant Louf can speak to what we've done as a result of that, if I might.

All of the plaques that I have, I received at my retirement. I retired from the Federal arena. My retirement party was supposed to be 9/11. The most difficult thing I expected I was going to have to do that day was to write down a few lines to say at my retirement party. I was having my teeth cleaned and, of course, had to run over here. Well, what I witnessed was the most miraculous effort, cooperative effort I have ever seen anywhere in my travels all over the world.

I saw the notification to the public as to what was going on. I saw the readiness of the volunteers. I saw the community pitch in 100 percent; I saw industry pitch in 100 percent -- to go and see what they could do, and not even being concerned about their own safety. I saw some new things that were put into effect, which I realize are -- should be instrumental. We instituted the Incident Command System. And that's something that is most likely an issue that -- a system that needs to be put into effect. That is basically, depending on what the disaster is, be it a disaster that the Fire Department would respond to or the Police Department or any other member of Emergency Services -- you should have an Incident Commander. That Incident Commander would be the supervisor on the spot who is the one who is in charge. That person should be, not necessarily, the boss, and it shouldn't be the boss, really. It should be the person who is going to give information or outline the information that goes to the press and will make the decisions as to what needs to be done for

emergency procedures. Obviously, it's better because it coordinates all your efforts, and you make sure that the proper information is disseminated.

Obviously, you need communication with all the other agencies around. We obviously don't have all the radio systems that are compatible with each other. Lieutenant Louf is going to speak about something that's coming our way soon that's probably going to make that a lot more likely. However, because all of the departments around here and Hudson County -- and most of Hudson County being on the river -- we all communicate with each other very well. My friends in Bayonne, our friends down in Hoboken, our friends up in Union City, all of them get right on the phone and they know when there's something that needs to be coordinated. So that was no particular effort, it was second nature for us.

We learned that we had to be very redundant. Everything has to be done over and over and over again. We need to do it that way, because you never know how it's going to affect the outcome. We have to have alternate communications methods, planned back-up systems, and so forth. We knew that we had to do that along the way. As I mentioned before, you turned around and you had 5000 volunteers. You have to know how to supervise them. You have to know how to manage those folks. The 5000 volunteers could be just a logistical nightmare if they weren't managed properly. So we had to have supervisors for the functions.

The people in the food industry were sending truckloads of food down for the rescue workers and so forth. We had to be able to manage that. That's an issue, and I don't want to do this commercial for him, but that was done extremely well by the coordinator for the Police Department, who is also

a member of the Office of Emergency Management, Lieutenant Louf, who is going to come up here and speak.

You can't prepare for everything. You've got to set a standard that could be adapted to any type of disaster. What we knew, that since it affected-- It came from the air. It affected the tunnels. We had to make sure that all of our river crossings were secured. We had to have boats. We had to be able to reach out to people who had boats if we didn't have boats. We had to reach out to people who had helicopters if we didn't have helicopters, and obviously, we don't have helicopters. So we had to be able to do that. You've got to plan for everything.

The transportation systems are something that are very, very important to be able to coordinate, because you've got to be able to move your people out of your disaster areas, or in and out of your staging areas. The Governor spoke, maybe about three weeks ago, and I believe that there is some money that is coming -- about \$58 million -- that's coming in to aid in the transportation system up here. And that's something that's miraculous. That's really good. We definitely need that.

You need to record the events as they happen. A lot of times you respond to things. Your response is good, but you never know what caused that response in the first place, because you're running and you're doing everything on the fly. You've got to keep those things recorded. You've got to keep those in your mind.

And just to sum up, real quickly, I have a photograph here of a police officer. His name is John Foy. As our volunteers went over, we recorded all of the volunteers as they went over, and we recorded the times they went

over so that we could make sure that all of them came back. We went over looking for John Foy, because John wouldn't come back. John spent a lot of time over there. When he came back -- there's a photograph here -- I was hoping I was going to be able to put it up and project it. But you've got a man there, and the look on his face is unbelievable.

You've got to keep in mind, in the aftermath of situations like this, employee assistance is essential. All of these folks-- It may not show immediately, and I believe the statistics show that the average person shows that they might need some assistance approximately six months after the event itself. People are not going to admit -- they're not readily going to admit that they might need some assistance. You've got to make it available in some kind of a training session, something to relieve the stress, make it a program that you introduce into the weekly program in your organization, and so forth. It's something that is extremely necessary.

I'd like to call Lieutenant Louf up now, if I might.

ASSEMBLYWOMAN QUIGLEY: Does anyone have any questions for Director Carter? (no response)

No. All right.

Lieutenant.

**LIEUTENANT MICHAEL R. LOUF:** Good morning. I'm Lieutenant Mike Louf with the Jersey City Police Department. I was Jersey City's Incident Commander on 9/11. I was in charge of the waterfront effort. I know what our shortcomings were, and I'd like to relate to you what we've done since then to overcome some of these shortcomings.

Frank Pizzuta gave you a lot of the Office of Emergency Management stuff, which we do jointly. But some of the things that we in Jersey City have got now -- we started with \$12.5 million worth of Federal funding towards a new radio system for both the police, fire, and EMS, where we're all on the joint system and a joint dispatch system, so we can all communicate with each other. We would like to spread this, and we probably will spread this countywide over a period of time, but right now there's not the funding for it.

Jersey City is also putting on 60 new police officers in November, probably another 40 to 60 in the spring, to enhance our police efforts in the policing of the areas. We have more police officers presently assigned to outside agencies than we ever had before: Joint Terrorism Task Force, the FBI, the Secret Service, the ATF. It's also using up some of our manpower.

We have started a community anti-terrorism training program for the residential buildings. It's just starting to get under way. This is to teach or help the people that live in these residential buildings to identify things that are out of the ordinary that they wouldn't normally be looking for. It's a program we're just getting started with now.

We've done and we're conducting, presently, classes on mail handling and being alert for suspicious packages and stuff. The Police Department, along with the Postal Services -- we started this back during the middle of the anthrax scare. We are also doing inter-agency training and preparedness with the Port Authority New York City Police and different agencies. Some people in this room are a part of that. I'm not going to elaborate on that at this time. We have an increase in our bomb unit, in

personnel. We have more people trained and more people we've sent for training, and we've got a new bomb robot. That cost us \$150,000. Our last robot was being used by the Port Authority. When we got it back, it wasn't in good shape.

We've done threat assessments to all city neighborhoods and all critical sights, and that includes all these buildings in this neighborhood, in the waterfront, and in the financial areas. We've also increased our vigilance. We have more patrols, both undercover and marked, in all of these areas. We've increased our training of weapons of mass destruction for first responders. So by April, our entire department of close to 900 people will have been trained. We are also doing outside agencies from around the county and the northern part of the state.

We are trying to start a community emergency response team. We are looking for funding for this through either grants or, possibly, just from the Federal Government. These are teams of community-based organizations that are volunteers that, in the event there is a disaster of some kind, these people will be able to respond and pick up the slack where we may not be able to respond, because we may be overwhelmed by an event or an incident, such as happened in September.

In the past, we've been doing, and as some of you know, we've been doing a lot of random sweeps of the waterfront in the financial areas. We're checking things that we didn't check before. We're checking for ordinance bombs, just doing walk-throughs where we weren't before, and we're getting a good response from the waterfront people on this. We've been interacting with the Port Authority Police for security of the tunnels and the

PATH stations, and that's throughout the county. A lot of our Port Authority Police are tied up at the airports and things like that, so we've been supplementing them. I know the State Police has also been supplementing them.

We've also -- part of the Phoenix Group, which is the mental health program which the Director elaborated on-- Jersey City Police and Fire is also involved in the Metropolitan Medical Response System, and I believe you have people here who are going to speak on that.

My final note is, we're out of money. So we can't go much further without money.

Thank you.

ASSEMBLYWOMAN QUIGLEY: Thank you, Mike. Message delivered.

Does anyone have any questions for the Lieutenant?

ASSEMBLYMAN AHEARN: Madam Chairwoman, I do.

Assemblyman Ahearn.

ASSEMBLYMAN AHEARN: Yes. The area I want to focus on, I guess, is the communications issue. I've got a background of 10 years in tactical communications for the military and then 3 years for the Defense Department writing doctrine for joint operations-communications. Like I said, the field will be spectrum management in terms of that aspect of (indiscernible). You mentioned the funding of a Federal radio system. I guess my thought is, even if you have new equipment, we need, I think, and I want to get your thoughts on this, some sort of standard operating procedures or standard doctrine that would be able to apply to interagency communications.

For example, you have units that may be coming, different response teams, different areas. You've got a situation where there may be different distances from a disaster site or a task site. In the military sense, you have a standard doctrine, such as you have a higher headquarters that's responsible for establishing communications with the lower headquarters, and somebody has an equipment problem, it's still their responsibility to make that happen. A police unit that's supporting a unit and facing a disaster area, the one to the left is responsible for establishing communications to the right.

I'm wondering if one of the things that the State needs to do is to look at how different communities operate, different county OEM systems, and come up with a standardized doctrine. Do you think that would be helpful, based on your experience?

LIEUTENANT LOUF: Well, I would rather have the Director answer that.

ASSEMBLYMAN AHEARN: That's fine.

MR. CARTER: I think, as far as the OEM procedures are concerned, I think they're pretty well coordinated out there, pretty much.

LIEUTENANT LOUF: Right now, we have a radio system that, with the Office of Emergency Management, we can share throughout the county. We're not all on the same frequencies, not at all.

ASSEMBLYMAN AHEARN: I'm not saying -- because that would be a problem, and that's my concern.

LIEUTENANT LOUF: Yes.

ASSEMBLYMAN AHEARN: There's a lot of people who think that's the answer. Let's spend \$5 million and get everybody on a satellite phone, and everybody uses it and jams the satellite.

LIEUTENANT LOUF: But then one satellite phone goes down and everything is down.

ASSEMBLYMAN AHEARN: Exactly. And that's my concern, is -- inter-operability is a spectrum management issue and that's--

MR. CARTER: The \$12.4 or \$12.5 million, that's the figure, and I'm very proud to mention that, because I don't know that any municipality has gotten that kind of money for anything for public safety. It is supposed to be a combined public safety communication center, that involves EMS, the fire department, everyone along the lines. What we're doing is, on top of having the vendor create this system, we're having an outside agency come in, do the oversight, and, kind of, coordinate with the adjacent counties and other facilities so that we can put this state-of-the-art system into effect so that it can reach out and communicate with the other systems should they upgrade their systems, or deal with them as they are right now.

ASSEMBLYMAN AHEARN: Okay. In the event that there are units responding and they don't have compatible systems, I understand Jersey City -- I'm thinking broader now, not just you guys with this grant -- on a broader state level, how do we establish-- Who takes-- Is it the fire department that sends somebody with a radio to stand next to the police command center and relay those messages, or do the police go to the fire department? In Bergen County, there was an exercise, and everybody thought they were in charge of the nets.

LIEUTENANT LOUF: Well, presently, you pretty much hit the nail on the head. That's what we do. We grab a fire person, we grab a police officer, we grab an EMS person, everybody brings their own radio. That seems to be the system we've been working on. It's a horrible system, but it's the only one we have right now, and it does have to be changed.

ASSEMBLYMAN AHEARN: Would it be helpful to take that experience so-- In this area, you went through a trial by fire and have that experience. There may be areas, Trenton and Camden, where they didn't go through that. Would it be helpful to get the information you have in some sort of after-action report and get distributed around the state?

LIEUTENANT LOUF: By all means, and it should be.

MR. CARTER: Absolutely.

ASSEMBLYMAN AHEARN: Okay. That's what I'm looking at in terms of an SOP.

LIEUTENANT LOUF: A lot of these communities did participate, especially in their volunteer ambulance corps, and such, and the hospitals that sent personnel, because we all were on different radio frequencies. So they are familiar with it, and that's one of the reasons why the hospitals went through that command band where they can communicate with each other. Because we can't always talk with each other.

On that day, other than the fact that I had a New York firefighter with me and a police officer with me, we had no communications with New York at all, because their fire system was, actually, completely out and their police department system was only working on the outer borough frequencies,

which was the Brooklyn and the Bronx and stuff. So they were actually using a messenger system.

MR. CARTER: Yes, we're still pretty much operating on the communication center so that everyone is sitting in -- a representative from each of the agencies is sitting in one room and has communications with their people, and then you do have to, from time to time, send someone to the location to communicate. Absolutely.

ASSEMBLYMAN AHEARN: Can you, if possible -- you mentioned a vendor for this. Who is the vendor, if that is not something that -- is that something that can be mentioned, I guess, here?

MR. CARTER: It's a company called CCMS.

ASSEMBLYMAN AHEARN: Okay, I know them. The agency that's working with them? You mentioned that there's a vendor and an agency on the system.

MR. CARTER: The other agency I don't want to mention just yet, because I haven't taken it through the council. (laughter)

ASSEMBLYMAN AHEARN: Okay, that's fine.

ASSEMBLYWOMAN QUIGLEY: Okay. That will be one of those subjects that you and Assemblyman Ahearn can talk about later.

ASSEMBLYMAN AHEARN: We'll do that off the side, okay. And actually, there is a--

MR. CARTER: Actually, the good thing about it is, it is their expertise also. It helps for them to be the major portion of the oversight committee, because they're not in competition for the agency who is the vendor, but they know how this whole system can be streamlined.

ASSEMBLYMAN AHEARN: Is this the same group, by any chance, that did the Superbowl last year, do you know?

MR. CARTER: I'm not sure.

ASSEMBLYMAN AHEARN: Okay. And I guess, maybe off-line too, I'd like to discuss the hardware in terms of whether or not it meets certain, what we would have called, military standards, in terms of EMP resistance, that type of thing.

MR. CARTER: You know what? It would be my pleasure to invite you to a meeting that we're going to have on the -- a week from yesterday, on Wednesday. What's that date? The Wednesday coming?

LIEUTENANT LOUF: The 2nd of October.

MR. CARTER: The Wednesday coming. The folks -- they're going to come down-- The vendors are going to come down and do a broad overview of the center, of the communication center, as it's supposed to be.

ASSEMBLYMAN AHEARN: I would appreciate that. I think that would be helpful.

MR. CARTER: We want some of the employees to see what we're going to put together here. It would be my pleasure to have you come, okay?

ASSEMBLYMAN AHEARN: Fantastic. Thank you very much.

MR. CARTER: Please contact my office.

ASSEMBLYWOMAN QUIGLEY: Thank you.

Thank you, Director, Lieutenant.

Oh, sorry. Assemblyman Guear.

ASSEMBLYMAN GUEAR: Just one quick one. Director, you mentioned post-traumatic stress syndrome. I've heard that can take or come

into play up to a year after an incident such as 9/11. Does the Jersey City Police Department have any protocol for police, fire, EMS personnel? And speaking as a retired law enforcement officer, as cops, if you just ask them how you're doing, they're going to say, "I'm fine. I'm okay. I'll be all right." But sometimes you might actually need to sit down with a professional and actually talk to these people who are involved, personnel, to make sure that they are okay. Is there some sort of protocol or one in the plans?

MR. CARTER: We're in the process of trying to set up a protocol. But as you know, we're also macho in the field that we're not going to tell anybody that we're hurting when we're hurting, until it becomes really obvious. In most cases, it's going to take an incident, of sorts, for someone to respond to and for you to have to start asking a person about it. But we are in the process of dealing with a new group that's coming in, and we're going to try to put something together so that they can do some type of assessment when we do our semi-annual qualifications. Those are mandatory. So, when you can get everybody in that one spot that they have to be, and we can get a few -- maybe give them half a day and get somebody to talk to them for about 15 or 20 minutes. That might be the best we can do right now without having a full plan.

ASSEMBLYWOMAN QUIGLEY: Thank you very much.

Director of Public Safety for Weehawken, Jeff Welz, I know has had, perhaps, a different type of experience with radio communications.

Director Welz, are you here someplace? There you are. Welcome.

By the way, speaking of welcome, I would like to welcome Assemblyman Johnson, who has joined us, and Assemblyman Bateman.

Jeff.

**J E F F W E L Z:** Thank you, Madam Chair.

Again, I'd like to thank the Committee for taking the time. I was a year in Hudson County. I know this is very rare in Hudson County, but I wear a couple of different hats. I'll be here speaking on behalf of several organizations that I represent.

First, I think, as you heard from my predecessors in Public Safety, I think we should be very proud of Hudson County's response to 9/11. The genesis of that response goes back some 20 years. Nineteen seventy-six was the first OpSail on the Hudson River. It forced the communities of Hudson County to get together -- police, fire, EMS -- and develop a plan to deal with this large event in the river. Shortly after that, the State Police mandated an Emergency Management Plan, emergency operating plan, around 1980. I was given that task in Weehawken. And honestly, it was another task and, "Oh, it's a big plan, and we'll never use it." Well, guess what? We've used it quite often. Successive OpSails and, obviously, 9/11 was a major, major reason why the response -- police, fire, EMS -- we followed. As Director Carter said, we followed our emergency and county OEM Coordinator Pizzuta. We followed, as the genesis for our response that day, that Emergency Management Plan. We've rehearsed it in the past. We used the Incident Command System to establish a structure so we could deal.

Hudson County was hit in multiple areas. We had Liberty State Park, a major incident. Hoboken had a major incident. The Ferry Terminal in Weehawken, where I'm the Public Safety Director, had a major-- We were able, by using the various resources that the State plan, the State Police

mandates, that asks one question: If you have an incident, how are you going to handle it, and, if you don't have it, where are you getting it? All right. And it forces you to think about that. Not the day the incident occurs, but long before. Where are your resources? Where are they coming from? Who's your mutual aid? And Hudson County, being a very urban county, uses mutual aid day in and day out. The fire is very active.

Through the prosecutor, he established and redefined the mutual aid command for the police. The EMS community has been doing it for years. We have a Hudson County EMS Council. We have a police chiefs' and a prosecutors' meeting, and we have a fire chiefs' meeting. I'm the Fire Coordinator. We're redefining our fire mutual aid on the countywide, just to fine tune it, because we want to make sure that we'd be able to provide the resources to the community that has a problem and, yet, not leave any other community unprotected.

Frank Pizzuta touched upon it. A lot of this freelancing on 9/11-- Everyone rushed to New York City and left their towns unprotected. It was an issue in several areas of the state. All right, that's why the Incident Command and the Emergency Management Plan becomes very important. It says who goes, who gives what, what the concept is. Look, we didn't know -- I'm putting on my police hat -- was there going to be another terrorist attack in Hudson County. We're a major transportation hub. The tunnels were closed. The bridges were closed. The PATH was shut down, Amtrak, and New Jersey Transit.

I'm going to get into that a little later as far as responsibility. And now we have the light rail coming on line and moving north. We, as a Hudson

County community, probably our biggest assets besides the waterfront is our transportation center. We have Port Authority Police that cover all the Port Authority facilities. But the responsibility for all the other facilities-- And the ferries, most of them are privately operated. The last thing, I think some 60,000 people go through Hudson County at the various departure sites and use a ferry. There's no police agency other than the local police department to provide security for that. So like with the Port Authority -- the Port Authority collects fees and tolls to pay for the police to guard their facility. We don't have that with the ferries. They're all private run.

It's back to the local PD for normal security. And, obviously, with 9/11, those become heightened areas of potential incidents. So that's something that has to be dealt with. Because as Mike Louf said, security in this day and age should not be borne by the local taxpayer. We need help. The second thing, the river, Hudson River. Almost all Hudson County, other than West Hudson and Union City, border Hudson River. There is no fire boat. There is no police patrol on a regular basis. Our waterfront throughout Hudson County is booming. We have the mandated public walkway, yet we don't have a mechanism. Again, it's back on the local municipality.

What is our police patrols for that waterfront area? What is our fire response? North Hudson Fire, which obviously I represent also, took a pleasure craft, modified it to a fire boat. Is it effective? It works. Is it what we need? Not really. All right. But if you have nothing, something is better than nothing. It will put out fires, but it isn't big enough. It can't do a rescue. Its capacity is limited. So you have all these components that impact all the Hudson River communities in Hudson County, and we are, as the local

taxpayer and the local governing bodies, usually the ones responsible for paying for this.

We're going to need help. Mike Louf is right. We need help. We cannot do it alone, because those 60,000 people going through the ferry system; the 10,000 that use New Jersey Transit, through the Amtrak Tunnel at the Penn Station; and then with the PATH Station; and now the light rail. A good majority of them are not Hudson County residents. They are commuters who are using Hudson County as the step-off point for Manhattan and the financial district. So we're going to need help. We're going to need help, and we need to get the assistance so we can improve.

The last area I want to talk about, and I know the hospital people, is we're very good at fighting fires. We're very good at doing investigations. We're very good at doing a mass casualty incident. The one area that we're weak on in all areas is, and this is what Director Carter and Mike talked about, NBC -- nuclear, biological, and chemical warfare. None of us have the training, the equipment to do, if we have a siren gas attack like they had in Japan. We don't have the resources. We don't have the training. It should not be the responsibility of the individual town to do it. It has to be done, if not on a county basis, on a statewide basis, and I hope your Committee will help us in achieving those goals.

ASSEMBLYWOMAN QUIGLEY: Thank you, Jeff.

Does anyone have any questions.

ASSEMBLYMAN JOHNSON: Yes.

ASSEMBLYWOMAN QUIGLEY: Assemblyman Johnson.

ASSEMBLYMAN JOHNSON: Director Welz.

MR. WELZ: Yes, sir.

ASSEMBLYMAN JOHNSON: How many sworn personnel do you have in Weehawken?

MR. WELZ: Weehawken -- 54 police officers.

ASSEMBLYMAN JOHNSON: Fifty-four. And when there's an incident that requires assistance from other jurisdictions, do the neighboring towns, kind of, respond to the incident, so to speak?

MR. WELZ: Yes.

ASSEMBLYMAN JOHNSON: And that's pretty much--

MR. WELZ: And, again, the problem -- when an incident impacts-- If it just impacts Weehawken, it's not the problem. The problem is when you have a large-scale incident, like 9/11, that impacts an entire region. I know one town -- I won't mention the name -- requested assistance. Couldn't get it from anywhere in Hudson County. Wound up getting assistance from Essex County. Weehawken, we got assistance from West New York, West Union City, but West Union City in North Bergen had a major commitment when they closed the Lincoln Tunnel. All the approaches to the Lincoln Tunnel go through Union City in North Bergen, so they had to commit officers because Port Authority Police, obviously, were committed trying to rescue their own brethren that were buried in the rubble.

So my concern is this two-fold issue. And that's what the Emergency Management Plan-- I have, right now, standing here, if an incident happens, I can have, through Emergency Management -- get resources from Cape May County if I need them. There's going to be a time line getting them up here, but that's what that plan calls for. That if you can't do it locally, you

can't do it with your contiguous communities, you go to the county, you go to the adjacent county, and then you go to the state. That's where the State Police come in. When you have a large scale, they take over. That day, the Governor declared a state of emergency. Everything worked out of their Emergency Operating Center in Trenton, with a sub-base at Liberty State Park.

So we have the resources. But what I'm concerned about is, that's an issue that we think we can handle for most other than the NBC-type of incidence, but what about the routine patrol right now, as we try to secure our waterfront. You're not going to get mutual aid. I'm not going to get a Cape May County cop to come up and patrol the waterfront in Weehawken. That's where I need the assistance, that I can put additional people on, or hire overtime people to patrol my ferry terminal and stuff like that.

ASSEMBLYMAN JOHNSON: Do you receive assistance in manpower from the Hudson County Sheriff's Department?

MR. WELZ: In an emergency, we do. But during the regular day, they're patrolling the parks and all the county facilities, the county courthouse, and all that stuff. That day the county sheriff was a tremendous asset. We used him extensively around the Lincoln Tunnel. But everyday we are faced with a yellow alert, orange alert. The press keeps calling, "What are you doing different?" Well, how much different can I do than I did the day before? The resources -- we put additional personnel, we added a patrol sector on the waterfront, but, again, I would like to have a cop. During the hours of the ferry terminal, I have 25,000 people go through the ferry terminal in Weehawken. I'd love to station a cop there, the hours that ferry is operating, but do I put that on my local taxpayers?

ASSEMBLYMAN JOHNSON: Are you requesting more personnel?

MR. WELZ: Yes. I'm requesting funding for more personnel.

ASSEMBLYMAN JOHNSON: Is that what I'm hearing? Okay. Let me ask the magic question. How many more personnel do you feel is necessary to patrol your jurisdiction properly?

MR. WELZ: Approximately 10 men.

ASSEMBLYMAN JOHNSON: Ten additional?

MR. WELZ: Ten men. So you figure--

ASSEMBLYMAN JOHNSON: We don't use the term men, but go ahead.

MR. WELZ: Yes, men -- officers. Yes.

ASSEMBLYMAN JOHNSON: Okay. Approximately 10 more personnel you feel would suffice?

MR. WELZ: And that could be -- with the cost of fringe benefits. Sometimes, since the ferry operation isn't 24/7, it may be cheaper to fund the overtime than to fund new personnel and all the side benefits.

ASSEMBLYMAN JOHNSON: Well, personally, I find using overtime to fund different posts is not really a good idea. It's just my personal opinion. I feel that you, kind of -- after a while, those officers are pretty much worn out and become less effective.

MR. WELZ: That's a valid concern. If you run them into the ground, how effective--

ASSEMBLYMAN JOHNSON: Yes. It is cheaper, but I think in the long run, it--

MR. WELZ: Yes. I would prefer the--

ASSEMBLYMAN JOHNSON: The additional personnel.

MR. WELZ: --additional personnel.

ASSEMBLYMAN JOHNSON: Okay. Thank you.

ASSEMBLYWOMAN QUIGLEY: Thank you, Assemblyman.

Thank you, Director.

Someone brought up that terrible phrase, WMD, the weapons of mass destruction, and how prepared are we to handle them. Well, we have some representatives here from the Bon Secours New Jersey Hospitals, Dr. Angelo Caprio, Marie Duffy, and Mary DeAngelo, both RNs.

And do I need to get out of your way? (referring to moving for slide presentation)

**A N G E L O C A P R I O, M.D.:** I hope we can get it working, Assemblywoman. (referring to slide projector)

ASSEMBLYWOMAN QUIGLEY: It's only a few minutes. We can stand. It's not a problem.

DR. CAPRIO: Do you want to put the first slide up, please?

Good morning. My name is Angelo Caprio. I'm the Disaster Management Committee Chairman. I'm the Medical Disaster Management Chairman for the Bon Secours and Canterbury Partnership for Care, and I proudly serve in our nation's military reserve. (begins slide presentation)

This is a presentation that we call, "The Hospital System That Did..." It intentionally bears resemblance to that famous book, *The Little Engine that Could*.

Next slide, please.

We are three hospitals within Hudson County: St. Mary Hospital, in Hoboken; Christ Hospital, in Jersey City; and the St. Francis free-standing Emergency Room, in downtown Jersey City.

Next slide.

This slide depicts where we are within the three-mile radius of everything that happened on 9/11.

Next slide, please.

What is our road to emergency preparedness? We started an active disaster preparedness team in 1986. We've participated in every drill that there was in the county, at that time -- Port Authority, Newark Airport, the tunnels. In 1998, we went to the HEICS Training System, the HEICS type of reporting of our disasters. In 1999, we expand to a Y2K, and 2000 we went into reorganization plan, and no one ever thought what happened on 9/11 was going to happen. We started PPE training courses immediately thereafter, and weapons of mass destruction. We modified our disaster plan. We liaised with the local agencies, and we purchased our own Decon units and equipment. We participated in the countywide tabletop, and we assisted MMRS with various committees. We have a central stockpile of specialized equipment.

Next.

What did we do on 9/11? We deconed over 10,000 at the Hoboken Ferry Terminal. We triaged 2201. We sent 253 to the emergency department. We had 15 admissions. We had over 3000 volunteers, hospital and field volunteers. We had 1800 people go through our mental health system, which is still up and running and is a phone call away for anyone with

post-traumatic stress syndrome. We handled more than 5000 calls from family members that day.

Next slide, please.

We've lost over \$4 million in revenue. Our direct expenses were over 650,000, and, to date, we've received \$277,000. We need money.

Next slide.

What are the threats that we face? We face natural disasters -- hurricane, earthquakes, non-terror related mass casualties. If there's a bus that goes into a wall -- a bus full of children goes into a wall, that is a non-terror related mass casualty. Terrorism, small and large. Weapons of mass destruction: nuclear, biological, and chemical.

Next slide, please.

What have we done? We've developed and enhanced an Emergency Management Plan using a modular matrix system. What that basically is, is we have a loose-leaf book with every possible, imaginable scene in it. You can just pull it out and start everything rolling. We developed protocols for nuclear agents, biological agents, and chemical agents. We have developed a Decon protocol, as well as a universal triage protocol.

Next slide, please.

As was stated here a few times, we also use an Incident Command System.

Next slide, please.

We've done some proactive stuff. We've gone around the community and said, "What is there in our community that can cause a problem" -- with some proactive risk management. We assessed the

community potential, and we're in the process of developing a computerized model for both internal and external disasters.

Next slide, please.

Training. This is not people wearing duck suits. These are people in actual NBC masks with drinking canteens. We have, to date, at our expense, trained 250 employees across the system in PPE, plus the principles and management of biological, chemical, and radiation casualties. We've also trained a good number of the local EMS.

Next slide, please.

What did we purchase? We purchased three full Decon units, at our own expense. We purchased 150 Level C respirators and Level B suits, that's what you saw the person being tested in before. We bought 14 Level B masks with a cascade system and 4 SCBA packs, that's the self-contained tanks. We have an ADP 2000 sniffer for each of the facilities, and it has a radiological capability and disposable post-Decon suits. When you Decon someone, they're as naked as -- they're supposed to be as naked as when they come into this world, so we give them clothes. Okay. This was, again, purchased all by Bon Secours.

Our communication. We are presently using Nextel phones with radio capabilities. If you can't recognize that good-looking gentleman up there, it is me. (laughter) Behind me, you can see -- that's at the Hoboken PATH Terminal and the bus terminal. That's where we set up our field hospital. That was taken -- actually, we were treating patients. If you look over to the left side, you can see people with IVs in. We're presently using Nextel phones. We have closed-circuit VHS purchased, with installation in

2003. We're going to be on the 800 MHz, trunked, two-way radio system. I am a big believer in a health system's e-mail capabilities system, where each health system can e-mail each other.

Next slide, please.

Expenses to date. We've spent \$250,000. We have 150,000 more we have to spend. The funding is blank because we haven't gotten any funding.

Next slide.

We liaised with the Hoboken Fire Department and the HAZMAT Team, as well as the OEM and the Police Department, Hoboken Health Department, and Hudson Regional Health Care, as well as MMRS. We have people on the steering committee, the Decon committee, and the hospital committee, the planning committee, and the pharmacy committee.

Next slide, please.

Things are identified -- disaster management and the HEICS system. They are effective in handling mass casualties. We did not have, other than the volume of people, any problems in handling the casualties. Communication needs improvement, between the teams and amongst all modalities.

Next slide, please.

This was covered by a few people in different ways. Credentialing, documentation. First of all, we documented the patients. But, more importantly, is credentialing of medical and professional personnel. This is the New Jersey State Consumer Affairs physician ID card. It needs a picture. I had a problem at the scene with people coming up to me saying, "I'm a doctor.

I'm a doctor. Can I help?" We had to credential these people on the spot. Ideally, as I said, this should contain an ID, and there should be some type of statewide ID card for anyone who is either in the armed forces for health, or a physician, or a nurse.

Next slide, please.

So what did we do? We identified our volunteers. How did we identify physicians? They needed this license and a photo-ID card. If they did not have the license, they needed a photo ID card and a driver's license. If they did not have a photo ID card and a driver's license, they had to show us something with a photo and a major credit card. Then what we did was, everyone had what they did written on their back in magic marker. That says, "RN." One thing we also did was -- the EMT dispatcher was wonderful and we cued the ambulances-in-waiting.

Next slide, please.

What do we need to do? Well, we needed inter-hospital relationships. We have that established already. We need better communication with the State. We need on-going communication.

Next slide, please.

Okay, again, communication, communication, communication. We need to have a survey that shows the improvement all hospitals have done. We need to standardize all the resources at the hospital. I make a big point for this. Everyone remembers Grenada when the Navy couldn't speak to the Marines who couldn't speak to the Army. We don't need that to happen. We need to all be able to communicate with each other.

Next slide, please.

These are supplies and equipment that are needed. We need a 800 mHz radio system, and we should have a vendor fair to show the supplies to everyone. And that is Mary holding up the ADP 2000, which is a sniffer and also for radiological purposes.

Education and training: Again, we've trained 250 people in our system. There needs to be more education. There needs to be more training. We need to train as many people as we can, public employees and private sector, in how to use the equipment that can save their life -- the PPE equipment, how to use it. We need to have drills. We need to have a Website for staff. But again, training is the utmost importance.

Next slide, please.

We need money. We need money. We need money. We also need to have a minimum standard for equipment and staffing. Criteria are needed to direct hospitals. And more than anything else, we need communication with legislators.

Next slide. (end of slide presentation)

Are there any questions?

ASSEMBLYMAN JOHNSON: Question, doctor. You mentioned in one of the slides -- this 800 mHz two-way radio system. Is that e-mail enhanced, or is e-mail sent to this system, or is that separate, the e-mail?

DR. CAPRIO: That's separate, sir. That's the State system that we need.

ASSEMBLYMAN JOHNSON: That would be a separate-- Okay. All right. And another quick question. Which unit are you in the Army Reserve?

DR. CAPRIO: I'm with the Third Battalion, 14th Marines. I'm the Battalion surgeon.

ASSEMBLYMAN JOHNSON: Oh, Marine. (laughter)

DR. CAPRIO: Thank you, sir, very much.

ASSEMBLYMAN JOHNSON: Doctor, I won't hold that against you.

ASSEMBLYWOMAN QUIGLEY: But don't go away, Doctor. Assemblyman Ahearn.

ASSEMBLYMAN AHEARN: Actually, I just want to thank you for bringing up that point about the communication situation in Grenada. It goes back to what I said earlier. I was there in the Army Communications, 82nd Airborne Headquarters. The Army plans called for us to be on upper-side band. The Navy's plans called for lower-side band. My concern is that we eliminate any chance of that happening in the State -- not that specifically, technology has changed -- but that type of situation where OEM may have a certain type of doctrine and perhaps the medical doctrine isn't the same, and they get those kind of standards.

So I want to thank you for raising those issues. It's very important.

ASSEMBLYMAN JOHNSON: Oh, one other question for the Doctor. Do you feel that we should use, possibly, the military model, so to speak? No, seriously, because they've been doing it for years.

DR. CAPRIO: I certainly do feel we should use the military model.

ASSEMBLYMAN JOHNSON: I believe it's a model that we should use, and if you concur with that, I go in that direction.

DR. CAPRIO: I certainly do. Not only in communication, but also in training and triage.

ASSEMBLYWOMAN QUIGLEY: Dr. Caprio has had experience with that in Operation -- which was it?

DR. CAPRIO: Desert Storm.

ASSEMBLYWOMAN QUIGLEY: Desert Storm.

DR. CAPRIO: Thank you so very much.

ASSEMBLYMAN JOHNSON: Thank you.

ASSEMBLYWOMAN QUIGLEY: Thank you very much.

Deputy Fire Chief August Schwarz, the Hoboken Fire Department.

**DEPUTY FIRE CHIEF AUGUST SCHWARZ:** Thank you, Assemblywoman.

ASSEMBLYWOMAN QUIGLEY: You're welcome.

DEPUTY FIRE CHIEF SCHWARZ: I'll keep my remarks short, because the gentlemen from OEM -- Frank Pizzuta, Jeff Welz -- they've pretty much -- and of course, Dr. Caprio -- they've covered the bases pretty much with the 9/11 incident. Suffice it to say, the City of Hoboken was a major port of debarkation for the evacuees from the World Trade Center incident. While everything up there, the incident management itself, went remarkably smooth for such a large-scale event, there were three key areas that everyone here seems to have zeroed in on. That is hazardous materials, communications, and, basically, preparedness and waterfront protection.

What I want to limit my remarks to is that the City of Hoboken -- things the City of Hoboken has done in regards to the incident. What we've done with the cooperation of Mayor Roberts and his administration is, we've purchased over \$50,000 in hazardous material equipment. We're fully capable of mitigating any hazardous material incidents that may occur within the City of Hoboken or the outlying jurisdictional areas.

What it seems is that, within Hudson County itself, there was a severe limitation on our ability to respond to a HAZMAT incident. There is one hazardous material team that I know of in Jersey City that could respond. I believe Bayonne may have one. But aside from Jersey City, no one was available, were there to be an additional hazardous material event, which, certainly, would have been within the scope of the 9/11 disaster to have another event occur. We've trained 28 members of our department as hazardous material technicians, with the cooperation of the New Jersey State Police and the International Association of Firefighters.

We've gone out of our way to secure all the necessary training that we can at limited or no cost to the taxpayers. But what we're doing now is, we're looking into purchasing a special custom-order hazardous material response unit. Given the vast amount of equipment that we've purchased, we need a vehicle to complement it. So, basically, again, what it comes down to is funding. It's a heavy burden for a local municipality to purchase all the equipment and the apparatus necessary to keep ourselves domestically prepared.

In addition to that, we've also taken the time to examine our communications system. We've secured a license for a 400 MHz system,

which is the system, I believe, that Jersey City operates on. What we're doing now is looking into the feasibility of converting our system now, which operates on a 170 MHz, to a 400 MHz spectrum, in order to bring us within the scope of interoperability that was stated by the gentleman from Jersey City.

The other question in preparedness is our waterfront. Director Welz hit on a key spot. There is no fire suppression units available. Everything that you would have to do in the event of an incident on a waterfront, on a pier, you're limited to land-based operations, which could prove ineffective. We rely, typically, on the Coast Guard and the City of New York fire boats to assist us in these things, but you have the added factor of the development of the waterfront. It's all mixed use, commercial, residential, and now is recreational.

In Hoboken, we have kayaks and people using it with jet skis. So what we're looking to purchase, also looking to go in, is to purchase a rescue-type jet ski, which would support two victims and also support firefighting functions, because what's on it -- it also has a 750-gallons-per-minute pump on it. So it's a significant little piece of equipment that could be enjoyed up and down a waterfront in the event that it was needed.

That's the scope of my testimony here, if anyone has any questions.

ASSEMBLYWOMAN QUIGLEY: Thank you, Chief.

Does anyone have any questions for the Fire Chief? (no response)

You've been dealing quite a bit with HAZMAT incidents in Hoboken as well, haven't you?

DEPUTY FIRE CHIEF SCHWARZ: Yes, we've had several HAZMAT incidents that have come up. They've turned out to be relatively minor incidents or non-HAZMAT related incidents. But what is it is, given the nature of what's going on, we're getting more reports of it, and it's actually good training and good preparation for an incident, should it occur.

ASSEMBLYWOMAN QUIGLEY: Thank you very much.

DEPUTY FIRE CHIEF SCHWARZ: Thank you.

ASSEMBLYWOMAN QUIGLEY: We have the Honorable Albert LiCata, who is the Mayor of Bernards Township; and Captain Robert Kumpf of the Bernards Township Police Department.

Welcome. Welcome to Hudson County.

**MAYOR ALBERT LICATA:** Thank you.

**CAPTAIN ROBERT KUMPF:** Thank you.

ASSEMBLYWOMAN QUIGLEY: I see you've brought an assistant with you?

MAYOR LICATA: Yes. It's daddy-daughter day, so I hope you can bear with us today. She has the hiccups. (referring to baby daughter) (laughter)

Madam Chairman, Committee members, ladies and gentlemen, my name is Al LiCata. I am the Mayor of Bernards Township, in Somerset County. I'd just like to start by thanking you for holding these hearings today. It's with great pride we come before you to support the two bills, the Assembly bills before you, and we urge your support on these bills.

On September 11, one year ago, our OEM plan worked within our Township. On the downside of that day, a little shy of two dozen of our

residents did not come home that day, and the effect still lingers on. We have a support group in our town, through our churches, and, to date, 74 families are still meeting weekly for counseling sessions.

I don't care what happens after today. I thank Senator Turner. I thank Senator Inverso. I thank Assembly members Biondi, Bateman, and the other sponsor of A-2233. Whichever version you pass, please pass it soon. Please, do the right thing. These are people bills. New York passed the bills. Some of our families don't want to bring the money back across the border and get the check from New York, because, if they did, they'd have to pay it right back to New Jersey.

Now these are simple bills, I think, because above and beyond normal tragedies, normal situations -- which would happen where insurance would cover most of these things, these families can mourn properly and move on -- our families have had to live in the spotlight for over a year. They didn't choose to run for public office. They're not athletic stars. They're not heads of corporations, where they're expected to be in the forefront of things.

I brought my daughter today. A little less than a dozen of our families had babies since September 11. It's been hard on me today. Imagine what it's been like for them, living in the spotlight for a year, trying to raise their newborn children, set aside their existing children, trying to make financial decisions that will affect their life, whether they're going to move away from the schools and the neighbors and friends who have been taking care of them for a year, with unknowns in there.

I mean, we hear all the wonderful things. I'm sure all of the companies that were affected in New York want to do its best for their

employees. Unfortunately, some of them can't. All the insurance companies would like to do something, but they can't. Our community has reached out in ways that I am so proud to be their Mayor. The general area has been tremendous. Please, please, do the right thing. I ask you for those families, because they just don't have it within them to come before you and beg. Please do the right thing.

ASSEMBLYWOMAN QUIGLEY: Thank you, Mayor.

This is Captain Bob Kumpf.

CAPTAIN KUMPF: Good morning. Thank you very much for allowing me to speak. Since September 11-- My name is Captain Robert Kumpf, with the Bernards Township Police. Since that day, September 11, I was pretty much the point person, assigned with my Chief of Police, to deal directly with our families. If you recall, in the beginning, there was a lot of misinformation being bantered back and forth. My Chief basically assigned me to deal directly with our 17 families that had lost a loved one.

Since that time, it's been over a year now, and in some regards it seems like time has flown and time has stood still. I know all the families. There's probably not a day that doesn't go by that I speak with one of the families. I'm a police officer, obviously. I have been for over 22 years. None of these families were from law enforcement, fire, or EMS. It was all business people from the World Trade.

I can assure you there's one common denominator at this point, right now, with all the families -- is that their financial future is very uncertain at this point. It's a concern for them. They don't know what tomorrow is

going to bring. Ultimately, hopefully, things will work out, but there's still that uncertainty that's pervasive right now.

Again, I'd just like to thank you for these bills. And, again, in dealing and speaking with the families on a daily basis, it's something that they certainly appreciate, and they wanted me to convey that to you folks today. So thank you for allowing me to speak.

Thank you.

ASSEMBLYWOMAN QUIGLEY: Thank you very much, Captain.

I think that's the perfect lead-in to our recessing the public hearing for just a minute or two, a couple of minutes maybe, and taking a vote on the bills.

Assemblyman Ahearn is one of the sponsors and Assemblyman Bateman. There are two bills. They are very similar, so I will ask David Lorette to explain them, start the voting process, and then, if there is anyone else who would like to give testimony on those bills, we'd be glad to hear it.

MR. LORETTE: Explain now?

ASSEMBLYWOMAN QUIGLEY: Let's do it right now.

MR. LORETTE: Explain now, okay.

As the Chair mentioned, the two bills are very similar. Both bills would exempt the income of victims who died in the September 11, 2001, terrorist attacks, their gross income tax for the years 2000 and for 2001, and the bill would also provide an income tax exemption for any victims who died at a later date, resulting from the wounds or injuries suffered in those horrific attacks. The victims would not owe income tax for the taxable year in which

they died, and their income would become exempt for every previous taxable year going back to the year 2000. The bill would allow for refunds of any State gross income tax paid by the victims in those years.

Assembly Bill No. 2233 would allow a claim for a refund to be filed, on behalf of a victim, within four years after the taxable year in which the individual died. Assembly Bill No. 1912 would allow for a claim of refund on behalf of a victim within three years. So there's a one-year difference between the two bills. That is the only difference between the two bills.

ASSEMBLYWOMAN QUIGLEY: Suppose we hear from the sponsors.

Assemblyman Bateman.

ASSEMBLYMAN BATEMAN: Madam Chairwoman, first of all, thank you very much for posting this legislation. It's so important, and it's something that we can do to help alleviate some of the financial crisis that these families have suffered.

As the Mayor indicated -- and actually he's the Mayor of one of my larger towns -- he came to me shortly after the 9/11 attacks with this idea, and I thank him for that. Somerset County lost 36 individuals, 17 in Bernards Township. I know that this has great interest. As a matter of fact, I think there are now 27 cosponsors on our bill. I think there are 17 Democrats, some members of this Committee, and I thank them for going onboard. I think this is important. I think we should send it to the Governor as soon as possible, because I know he's taken a public position on the legislation. I want to thank you, because I think that we have to do everything we can, and we can't just

let this legislation stop. We have to do whatever we can to alleviate some of the financial losses and some of the problems that these individuals are facing.

So I urge you to move the bill out. Thank you.

ASSEMBLYWOMAN QUIGLEY: Thank you, Assemblyman.

Assemblyman Ahearn.

ASSEMBLYMAN AHEARN: Thank you, Madam Chairwoman.

Just for the record, I came here because, obviously, with the members arriving, I'm certainly not able to sit as a representative and vote on this bill. I do thank you for posting the bill. It is modeled after 26 U.S. Code annotated, Section 692 and other subsections after that. That's the Federal law that provides a similar refund of taxes to the family members of military service men and women who are killed in action under certain defined circumstances. That's really the concept here. This was a terrorist attack of an outside -- not a nation state, but in the 21st century that we live in, warfare is not anymore a matter of differences, necessarily, between nation states.

The victims of this attack, here in the United States, even just getting up and going to work in their jobs, and certainly the civil servants -- the police, the fire, the emergency service workers, who were victims, regardless of status, I think really deserve this type of status under the law equal to what we accord those who serve overseas in the uniformed armed forces. Certainly, in terms of the differences in the bills, they are insignificant. We need to give as much as we can back to these families.

So I would urge the members to pass this bill out of Committee, and let us get it up on the floor. Both bills, however you want to do it,

Madam Chairwoman, get it to the floor, get it to a vote, get it through the Senate, get the Governor to sign it, and do everything we can for these people.

Thank you.

ASSEMBLYWOMAN QUIGLEY: Do any of the members have any comments, questions?

Gordon.

ASSEMBLYMAN JOHNSON: Madam Chair, I will support this bill. I think it's the right thing to do. I congratulate those, my colleagues, who have penned this, and we've heard the testimony from the Mayor. We know that as the governing body, the legislative body of this state, it is our job to protect our constituents and take care of our constituents as best as we can. So I'm kind of touched by this, but I'm supporting it.

ASSEMBLYWOMAN QUIGLEY: Would everyone agree to a merger of the bills, perhaps, with an extended deadline?

Would you agree to four years, Assemblyman?

ASSEMBLYMAN BATEMAN: Absolutely. Absolutely.

ASSEMBLYWOMAN QUIGLEY: Do we have a motion on that?

ASSEMBLYMAN GUEAR: Motion to amend.

ASSEMBLYMAN JOHNSON: Second.

ASSEMBLYWOMAN QUIGLEY: David.

MR. LORETTE: This would be, then, a motion to substitute Assembly Bill Nos. 2233 and 1912, using the provision from Assembly Bill No. 2233, be four years following the tax year when the victim died -- the longer period, okay.

ASSEMBLYMAN JOHNSON: That's correct.

MR. LORETTE: On the motion to substitute Assembly Bill No. 2233 and Assembly Bill No. 1912.

Assemblyman Bodine. (no response) Assemblyman Bodine is absent.

Assemblyman Bateman.

ASSEMBLYMAN BATEMAN: Yes.

MR. LORETTE: Assemblywoman Perez-Cinciarelli.

ASSEMBLYWOMAN PEREZ-CINCIARELLI: Yes.

MR. LORETTE: Assemblyman Johnson.

ASSEMBLYMAN JOHNSON: Yes.

MR. LORETTE: Assemblyman Guear.

ASSEMBLYMAN GUEAR: Yes.

MR. LORETTE: Assemblywoman Quigley.

ASSEMBLYWOMAN QUIGLEY: Yes.

MR. LORETTE: The motion to substitute passes.

ASSEMBLYWOMAN QUIGLEY: And on the bill?

ASSEMBLYMAN JOHNSON: Move the bill.

ASSEMBLYWOMAN PEREZ-CINCIARELLI: Second.

MR. LORETTE: Motion to release the substitute.

Assemblyman Bodine. (no response) Assemblyman Bodine is absent.

Assemblyman Bateman.

ASSEMBLYMAN BATEMAN: Yes.

MR. LORETTE: Assemblywoman Perez-Cinciarelli.

ASSEMBLYWOMAN PEREZ-CINCIARELLI: Yes.

MR. LORETTE: Assemblyman Johnson.

ASSEMBLYMAN JOHNSON: Yes.

MR. LORETTE: Assemblyman Guear.

ASSEMBLYMAN GUEAR: Yes.

MR. LORETTE: Assemblywoman Quigley.

ASSEMBLYWOMAN QUIGLEY: Yes.

MR. LORETTE: Bill is released.

ASSEMBLYWOMAN QUIGLEY: Mayor, thank you.

ASSEMBLYMAN AHEARN: Thank you. Thank you all.

ASSEMBLYWOMAN QUIGLEY: Thank you to Assemblymen Sarlo and Ahearn and Bateman and Biondi.

ASSEMBLYMAN BATEMAN: Thank you.

ASSEMBLYWOMAN QUIGLEY: We appreciate that.

We have run out of people who wish to testify. Is there anyone in the audience who would like to ask a question or express an opinion on what's been going on in your towns or what you've heard today? (no response)

Well, the meeting, then, is adjourned.

Thank you all for coming.

**(MEETING CONCLUDED)**