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Via Facsimile & Regular Mail
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May 22, 2012

Connell Foley
85 Livingston Avenue
Roseland, New Jersey 07068-3702
Attn: Kevin J. Coakley, Esq.

Dear Mr Coakley,

I serve as Deputy Counsel to the Board of Chosen Freeholders of the County of Hudson. Your letter of May 17, 2012 regarding the above referenced matter has been referred to me for the purpose of providing a response.

In view of your objection to the hearing that had been scheduled for May 23, 2012 as out of time, that hearing has been cancelled. Moreover, your analysis of the County Planning Act in the manner by which inaction by the Freeholder Board must be interpreted is incorrect, as is your analysis of the ruling of the Court in AMERADA HESS. Accordingly, the resolution of the County Planning Board shall stand as the final decision on the matter by the County of Hudson. The Freeholder Board shall neither reschedule the Special Meeting nor adopt the resolution you have requested in your letter of May 17. The application of Shipyard Associates is not approved.

Please be guided accordingly,

Very truly yours,


Carmen Mendiola, Esq.

Deputy Counsel

Board of Chosen Freeholders of Hudson County

Cc: Eric Goldberg (Stark and Stark)

Hilary Semel (Eastern Environmental Law Center, 744 Broad Street, Newark NJ 07102)

wschulte@easternenvironmental.org

Donato Battista, County Counsel Via Facsimile & Hand delivery

Alberto Santos, Clerk to the Board Via Facsimile & hand delivery