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BERGEN COUNTY  
BOARD OF CHOSEN FREEHOLDERS  
HACKENSACK, NEW JERSEY  
WORK SESSION  
WEDNESDAY, JULY 27, 2016  
COMMENCING AT 4:33 P.M.

FREEHOLDERS PRESENT:

- STEVEN A. TANELLI, CHAIRMAN
- TRACY S. ZUR, VICE CHAIRWOMAN
- DAVID L. GANZ
- DR. JOAN M. VOSS
- MAURA R. DeNICOLA
- THOMAS J. SULLIVAN

FREEHOLDERS ABSENT:

- JOHN A. FELICE, CHAIRMAN PRO TEMPORE

KIM O. FURBACHER, C.C.R., R.M.R.  
P.O. BOX 213  
ROCHELLE PARK, NEW JERSEY 07662-0213  
201-336-6200

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ALSO PRESENT:

LISA SCIANCALEPORE  
CLERK TO THE BOARD

LARA RODRIGUEZ  
DEPUTY CLERK TO THE BOARD

STEPHANIE GALLINA  
ADMINISTRATIVE ASSISTANT

JULIEN X. NEALS, ESQUIRE  
ACTING COUNTY ADMINISTRATOR

PAUL SAMOUILIDIS, ESQ.  
COUNSEL TO THE BOARD

JARED LUTZ  
DIRECTOR OF COMMUNICATIONS & POLICY

JOHN DANUBIO  
DEPUTY DIRECTOR OF COMMUNICATIONS & POLICY  
and DIRECTOR OF POLICY RESEARCH

KIM O. FURBACHER, C.C.R., R.M.R.  
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4:35 PM REVIEW OF RESOLUTIONS

6

Joseph Luppino, CFO  
County Treasurer

4:50 PM REVIEW OF ORDINANCES

18

1                   CHAIRMAN TANELLI: The meeting is  
2 called to order.

3                   Before we begin, I ask everyone to  
4 please silence their phones.

5                   Would the Clerk please read the Byron  
6 Baer Open Public Meetings Act.

7                   MS. SCIANCALEPORE: In accordance with  
8 Section 5 of the Sen. Byron Baer Open Public Meetings  
9 Act, adequate notice of this meeting has been  
10 provided in the Annual Notice Schedule, which  
11 contained the time, date, and location of this  
12 meeting, copies of which Notices were forwarded to  
13 the official County newspapers, to wit: The Herald  
14 News; The Record; and the Star Ledger, and a copy of  
15 which was posted on the bulletin board in the Bergen  
16 County Justice Center and Administration Building,  
17 One Bergen County Plaza, Hackensack, New Jersey, and  
18 filed with the Office of the Bergen County Clerk.

19                   CHAIRMAN TANELLI: Please call the  
20 roll.

21                   (At this point in the proceeding roll  
22 call is taken with Freeholders DeNicola, Voss, Ganz,  
23 Sullivan, Voss, Vice-Chairwoman Zur, and Chairman  
24 Tanelli present, with Freeholder Felice absent.)

25                   CHAIRMAN TANELLI: Please rise for the

1 Pledge.

2 (At this point in the proceeding all  
3 rise for a recitation of the Pledge of Allegiance.)

4 CHAIRMAN TANELLI: Before we go over  
5 the resolutions to be voted on tonight, the  
6 administration would like to have three ordinances  
7 pulled.

8 ACTING COUNTY ADMINISTRATOR NEALS: Yes.  
9 Thank you, Chairman.

10 Our CFO just had a conversation with  
11 our bond counsel, who had advised with regard to  
12 Ordinances 16-10, 16-11, and 16-12, they have not had  
13 final Local Finance Board activity yet, so we're not  
14 going to be able to move on those this evening.

15 CHAIRMAN TANELLI: Okay. They were on  
16 here for a Second Reading. Is that going to create  
17 an issue for rescheduling Second Reading?

18 ACTING COUNTY ADMINISTRATOR NEALS: No,  
19 we'll just have to readvertise the Second Reading  
20 date.

21 CHAIRMAN TANELLI: I just want to make  
22 sure it's done within the window.

23 ACTING COUNTY ADMINISTRATOR NEALS: Yes.

24 MS. SCIANCALEPORE: The First Reading  
25 was advertised. We're okay.

1 4:35 PM REVIEW OF RESOLUTIONS:

2 CHAIRMAN TANELLI: Now we'll review  
3 resolutions to be voted on tonight.

4 MS. SCIANCALEPORE: Page 1.

5 CHAIRMAN TANELLI: I'd like to ask the  
6 Board, if you look over your agendas, #782, all the  
7 way to #791 are all grants. I wanted to know if  
8 everybody, rather than jockeying who is going to  
9 support what, if we all do that as a Body of the  
10 Whole, if that's okay?

11 VICE-CHAIRWOMAN ZUR: Absolutely.

12 FREEHOLDER SULLIVAN: Absolutely.

13 FREEHOLDER VOSS: Yes.

14 CHAIRMAN TANELLI: Also #793?

15 VICE-CHAIRWOMAN ZUR: Absolutely.

16 CHAIRMAN TANELLI: Thank you.

17 MS. SCIANCALEPORE: Page 2.

18 Page 3.

19 FREEHOLDER SULLIVAN: I just want to  
20 sponsor #798-15, Chairman.

21 FREEHOLDER VOSS: I'll co-sponsor that  
22 with you.

23 MS. SCIANCALEPORE: Page 3.

24 FREEHOLDER SULLIVAN: I ask that we do  
25 #801 as a Body of the Whole.

1 FREEHOLDER DeNICOLA: Could we go back  
2 to Page 2, please?

3 MS. SCIANCALEPORE: Sure.

4 FREEHOLDER DeNICOLA: #797, I'd like to  
5 ask that that be on Nonconsent, please.

6 CHAIRMAN TANELLI: Freeholder, which  
7 one did you want to do as Body of the Whole? I'm  
8 sorry.

9 FREEHOLDER SULLIVAN: On Page 3,  
10 #801-16.

11 CHAIRMAN TANELLI: Is everybody okay  
12 with that?

13 FREEHOLDER VOSS: Uh-huh.

14 CHAIRMAN TANELLI: Body of the Whole.

15 FREEHOLDER SULLIVAN: I would also like  
16 to sponsor #803-16.

17 FREEHOLDER VOSS: I'll co-sponsor that  
18 with you.

19 MS. SCIANCALEPORE: Page 4.

20 CHAIRMAN TANELLI: I would like to  
21 sponsor #813-16.

22 FREEHOLDER GANZ: I'll co-sponsor with  
23 you.

24 FREEHOLDER DeNICOLA: I'd like to ask  
25 that #810 and #811 be on Nonconsent, please.

1 MS. SCIANCALEPORE: Okay.

2 Page 5.

3 Page 6.

4 CHAIRMAN TANELLI: I'm going to ask if  
5 we can do #824 as a board appointment, if we could do  
6 that as a Body of the Whole?

7 And I'd like to sponsor #825.

8 FREEHOLDER DeNICOLA: And I had a  
9 question on Page 5, please.

10 CHAIRMAN TANELLI: Can I get a  
11 co-sponsor on #825?

12 FREEHOLDER SULLIVAN: I'll co-sponsor  
13 that with you.

14 FREEHOLDER DeNICOLA: I'd like to ask  
15 that #825 be placed on Nonconsent, and I did have a  
16 question about it.

17 And then I'll go back to Page 5.

18 MS. SCIANCALEPORE: There is nobody  
19 here from Open Space.

20 CHAIRMAN TANELLI: #825.

21 ACTING COUNTY ADMINISTRATOR NEALS:  
22 Let's see.

23 CHAIRMAN TANELLI: One second, it's  
24 under review.

25 ACTING COUNTY ADMINISTRATOR NEALS: I

1 have some general knowledge of it.

2 Freeholder, what was your question?

3 FREEHOLDER DeNICOLA: Well, my first  
4 question is, it's a \$4 million boathouse project on  
5 the Passaic River that we have not discussed yet, and  
6 the resolution is for a grant application for  
7 \$1.25 million; it's not a part of the capital  
8 projects or the capital budgets for the Parks  
9 Department; my question was: What is the project?

10 And then I had a follow-up question to  
11 that.

12 ACTING COUNTY ADMINISTRATOR NEALS: So  
13 with regard to the actual project, I will defer, we  
14 could get more information with regard to the  
15 project. This is just being a grant application.

16 I understand the Freeholder's questions  
17 are broader than this, so I would defer to the Open  
18 Space and Parks people for the additional project  
19 information.

20 I don't know, if your follow-up  
21 questions, if you wanted to get those in the record  
22 now, and then we could see what answers we can come  
23 up with between now and the meeting.

24 FREEHOLDER DeNICOLA: Sure.

25 Well, my first question is the most

1 important one.

2           The second question is, while I don't  
3 have any information about the project, I have been  
4 attending EPA meetings down there, and I know that  
5 the EPA has a dredging project that's going to take  
6 place on the Passaic River right in that location  
7 there; how would that impact whatever project this  
8 is?

9           FREEHOLDER SULLIVAN: I have a question  
10 about that also.

11           Just by applying for the grant, does  
12 that mean we have to go through with the project or  
13 is this just a formality to see if we're able to get  
14 a grant and then go through with the project?

15           Because, like the Freeholder said, if  
16 we haven't had any information on it, is this just a  
17 way to get ahead of it, in case we're going to do the  
18 project, or, if we get the grant, does it bind us to  
19 do the project?

20           ACTING COUNTY ADMINISTRATOR NEALS: No,  
21 the grant wouldn't bind us to do the project. The  
22 grant would have been tied into an overall  
23 description of the project for qualifications  
24 purposes. So there would have had to have been some  
25 description that accompanied the grant application,

1 to qualify for the grant. They would have seen that  
2 it would meet all the grant requirements.

3 But the grant certainly wouldn't  
4 obligate us, no.

5 FREEHOLDER SULLIVAN: So it wouldn't  
6 hurt us to just apply for the grant, and, if this  
7 body decides they don't want to go through with the  
8 project, we can just deny the grant. Is that  
9 accurate?

10 ACTING COUNTY ADMINISTRATOR NEALS:  
11 That's accurate, because this resolution is just for  
12 purposes of permission to apply for the grant.

13 FREEHOLDER VOSS: Right.

14 FREEHOLDER DeNICOLA: However, if I  
15 could follow-up, it does obligate the county to  
16 whatever costs the grant doesn't cover.

17 CHAIRMAN TANELLI: If we went through  
18 with the project.

19 VICE-CHAIRWOMAN ZUR: That's contrary  
20 to what counsel said.

21 CHAIRMAN TANELLI: I believe it's time  
22 sensitive, that's why they wanted to get it on, so  
23 they could actually apply for the grant. If they  
24 don't get the grant, it's a nonstarter, but in order  
25 to at least try to secure the grant, that's why they

1 went on for tonight.

2 FREEHOLDER DeNICOLA: Do we know that?

3 CHAIRMAN TANELLI: That's how it was  
4 expressed to me. I will find out whatever we can  
5 find out and get it to you before 7:00 or 7:30.

6 FREEHOLDER SULLIVAN: I think I still  
7 have the floor.

8 CHAIRMAN TANELLI: Sure.

9 FREEHOLDER SULLIVAN: I agree with her  
10 concerns.

11 If we're not bound to do the project, I  
12 see no harm in applying for it. However, if we're  
13 bound to do it if we get the grant, then we need more  
14 discussion on this.

15 CHAIRMAN TANELLI: Understood.

16 FREEHOLDER SULLIVAN: Good.

17 FREEHOLDER VOSS: I was just going to  
18 say, it's like applying for a scholarship, you don't  
19 know if you're going to get it, you just make the  
20 application.

21 CHAIRMAN TANELLI: Freeholder Zur.

22 VICE-CHAIRWOMAN ZUR: But to clarify  
23 what counsel said is that this does not make us bound  
24 in any way, shape or form to this project. We're  
25 not, by applying for this grant, indicating we are.

1                   ACTING COUNTY ADMINISTRATOR NEALS:

2       Correct.

3                   And with regard to, even if we were  
4       approved for the grant, the county would still have  
5       the opportunity to determine whether we had the  
6       balance of the funding in place before we go forward  
7       with the project. So this is just to give us a  
8       potential offset for particular costs associated with  
9       the project, but the grant application and the grant  
10      itself is separate and apart from any obligation or  
11      requirement to go forward with the construction.

12                  VICE-CHAIRWOMAN ZUR: Okay.

13                  CHAIRMAN TANELLI: Most grants require  
14      you to secure your funding or they won't give you the  
15      money anyway at the end of the day. If you can't  
16      secure your funding, they're not going to give you  
17      the money.

18                  FREEHOLDER DeNICOLA: Thank you, Mr.  
19      Chairman, but just to follow-up. In the backup that  
20      we have, the project is named with a county official  
21      as a project manager, so something does exist and  
22      that's what my questions are in regard to.

23                  ACTING COUNTY ADMINISTRATOR NEALS: Oh,  
24      absolutely, yes, because there would have had to have  
25      been sufficient description of what the project was

1 previous, and probably I'm assuming that would have  
2 had to accompany the application as well. So that's  
3 the information I understood as your first question,  
4 that I would want to get the specific project  
5 description information to you, Freeholder, between  
6 now and the 7:30 meeting.

7 FREEHOLDER DeNICOLA: Thank you.

8 And then, since it does exist, my last  
9 question would be: Why doesn't it exist in our  
10 capital budget or the plan for the Parks Department?

11 Thank you.

12 CHAIRMAN TANELLI: Thank you.

13 MS. SCIANCALEPORE: Okay. Page 7.

14 CHAIRMAN TANELLI: Mr. Luppino.

15 MR. LUPPINO: From what I understand,  
16 this is a grant, so when we went through our capital  
17 budget -- again, first of all, it's Open Space, from  
18 what I understand.

19 FREEHOLDER DeNICOLA: The grant?

20 MR. LUPPINO: The grant, right. So it  
21 would go through our trust account. So normally our  
22 projects through the trust account, it's not going to  
23 be bonded, so it wouldn't be part of the capital  
24 plan. And we could always amend it, if we have to do  
25 a capital ordinance, because the budget law allows us

1 to amend our capital plan. So if we do get the grant  
2 and we have to do a capital ordinance, and then there  
3 would be an accompanying resolution to amend our  
4 capital plan to reflect that, and so it would be  
5 funded hopefully through grants.

6 FREEHOLDER DeNICOLA: The entire  
7 \$4 million?

8 MR. LUPPINO: Well, that I don't know,  
9 it depends on what we get approved, and it comes back  
10 to the board as an ordinance, and then you have the  
11 ultimate decision.

12 Again, if it is short, let's say, and  
13 you need a piece of it through bonding, and then it's  
14 up to the Board and the administration to see if they  
15 want to amend their capital plan to see if we can go  
16 forward with the project.

17 FREEHOLDER DeNICOLA: Right.

18 I still don't understand, like your  
19 budget is your bible for what you want to accomplish  
20 over the year, and your capital budget is your plan  
21 for capital projects.

22 MR. LUPPINO: Right.

23 FREEHOLDER DeNICOLA: It does not exist  
24 in the capital budget for the Parks Department.

25 MR. LUPPINO: That's why you have the

1 opportunity to amend your capital budget. You know,  
2 if there's a situation that arises throughout the  
3 year --

4 CHAIRMAN TANELLI: Like a grant  
5 opportunity.

6 FREEHOLDER VOSS: Right.

7 MR. LUPPINO: Right. If there's a  
8 grant opportunity, you can go back and amend your  
9 capital plan on there.

10 Again, there's other constraints,  
11 because if there is a piece of it that has to be  
12 bonded, it may require a down payment, so we need to  
13 make sure that we have enough down payment on that.

14 I always keep extra in reserve in there  
15 in case there's an emergency and we need to do --  
16 again, if there's an emergency, we need to do, you  
17 know, a capital ordinance. We do have extra, we do  
18 have surplus where we can, in the capital improvement  
19 fund, to finance any down payment on that. So it  
20 gives us flexibility.

21 CHAIRMAN TANELLI: But this may all be  
22 taken care of with Open Space.

23 MR. LUPPINO: Exactly.

24 FREEHOLDER SULLIVAN: By the time we  
25 get the application done, we'll be in the 2017

1 budget.

2 MR. LUPPINO: Right. And then if the  
3 project is undertaken in '17, then we'll put it in  
4 the '17 capital plan.

5 FREEHOLDER SULLIVAN: Right.

6 VICE-CHAIRWOMAN ZUR: And make those  
7 decisions on that for next year.

8 MR. LUPPINO: Yes, for next year,  
9 exactly.

10 CHAIRMAN TANELLI: All right.

11 FREEHOLDER DeNICOLA: If I could, Mr.  
12 Chairman, just for the record, very briefly, I want  
13 to state, given those details, and my ultimate  
14 concern is that this is a project that in my six  
15 years has not been discussed, despite the fact that  
16 I'm on the Parks Committee and we have an application  
17 now that outlines a \$4 million boathouse on the  
18 Passaic River on Bergen County property.

19 Thank you.

20 CHAIRMAN TANELLI: Okay.

21 MS. SCIANCALEPORE: Page 7.

22 CHAIRMAN TANELLI: I'd like to sponsor  
23 #834-16.

24 FREEHOLDER SULLIVAN: What page?

25 MS. SCIANCALEPORE: Page 7.

1 FREEHOLDER VOSS: I only have #833.

2 CHAIRMAN TANELLI: The new agenda would  
3 be below that in your package.

4 That's from your original packet.

5 FREEHOLDER VOSS: I got it.

6 VICE-CHAIRWOMAN ZUR: I'll co-sponsor  
7 that, Mr. Chairman.

8 CHAIRMAN TANELLI: Thank you.

9 VICE-CHAIRWOMAN ZUR: May I sponsor  
10 #830 as well?

11 CHAIRMAN TANELLI: Sure.

12 FREEHOLDER SULLIVAN: I'll co-sponsor  
13 that with you, Freeholder Zur.

14 FREEHOLDER DeNICOLA: And I would like  
15 to sponsor #831, please.

16 FREEHOLDER SULLIVAN: I'll co-sponsor  
17 that.

18 MS. SCIANCALEPORE: Page 1 on the  
19 additions list, which starts at #835.

20 4:50 PM REVIEW OF ORDINANCES:

21 MS. SCIANCALEPORE: Then back to Page  
22 8.

23 There's two ordinances on, 16-08 and  
24 16-13, which are both Second Readings.

25 And then Page 1 on the additions list

1 starts with 16-14, which is a First Reading.

2 CHAIRMAN TANELLI: All right.

3 MS. SCIANCALEPORE: That's it.

4 CHAIRMAN TANELLI: Okay. So there  
5 being nothing further to come before this Board, may  
6 I have a motion to adjourn to the 7:30 meeting?

7 FREEHOLDER GANZ: So moved.

8 FREEHOLDER SULLIVAN: Second.

9 CHAIRMAN TANELLI: All in favor?

10 (All present Freeholders respond in the  
11 affirmative.)

12 CHAIRMAN TANELLI: Opposed?

13 (No response.)

14 CHAIRMAN TANELLI: The ayes have it.

15 We are adjourned to 7:30.

16 (Whereupon the Work Session is  
17 adjourned at 4:51 p.m.)

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C E R T I F I C A T I O N

I, KIM O. FURBACHER, License No. XIO1042, a Certified Court Reporter, Registered Merit Reporter, Certified Realtime Court Reporter, and Notary Public of the State of New Jersey, hereby certify that the foregoing is a verbatim record of the testimony provided under oath before any court, referee, board, commission or other body created by statute of the State of New Jersey.

I am not related to the parties involved in this action; I have no financial interest, nor am I related to an agent of or employed by anyone with a financial interest in the outcome of this action.

This transcript complies with Regulation 13:43-5.9 of the New Jersey Administrative Code.

\_\_\_\_\_  
KIM O. FURBACHER, CRCR, CCR, RMR  
License #XIO1042, and Notary Public  
of New Jersey

My Commission Expires:  
7/11/19