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BERGEN COUNTY
BOARD OF CHOSEN FREEHOLDERS
HACKENSACK, NEW JERSEY
WORK SESSION
WEDNESDAY, OCTOBER 5, 2016
COMMENCING AT 4:34 P.M.

FREEHOLDERS PRESENT:

- TRACY S. ZUR, ACTING CHAIRWOMAN
- JOHN A. FELICE, CHAIRMAN PRO TEMPORE
- DAVID L. GANZ
- DR. JOAN M. VOSS
- MAURA R. DeNICOLA
- THOMAS J. SULLIVAN

FREEHOLDERS ABSENT:

- STEVEN A. TANELLI, CHAIRMAN

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

JULIEN X. NEALS, ESQUIRE
ACTING COUNTY ADMINISTRATOR

EDWARD J. FLORIO, ESQ.
COUNSEL TO THE BOARD

JARED LUTZ
DIRECTOR OF COMMUNICATIONS & POLICY

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

I N D E X

PAGE NO.

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4:35 PM REVIEW OF RESOLUTIONS & ORDINANCES 5

Joseph Luppino, CFO
County Treasurer

Mickey Bradley, Director
Division of Safety & Security

Richard Blohm, Director
Public Safety Education, Law & Public Safety
Institute Police, Fire & EMS Academies

4:51 PM CLOSED SESSION 19

1 ACTING CHAIRWOMAN ZUR: The meeting is
2 called to order at 4:34 p.m.

3 Before I begin our meeting, can I ask
4 everyone to please silence their phones.

5 Will the Clerk please read the Sen.
6 Byron 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 ACTING CHAIRWOMAN ZUR: Will the Clerk
20 please call the roll.

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

25 ACTING CHAIRWOMAN ZUR: Will you all

1 please rise for the Pledge of Allegiance.

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

4 4:35 PM REVIEW OF RESOLUTIONS AND ORDINANCES

5 ACTING CHAIRWOMAN ZUR: We will now
6 review the resolutions to be voted on tonight.

7 MS. SCIANCALEPORE: Page 1 starts with
8 #1094-16.

9 FREEHOLDER SULLIVAN: Chairwoman, may I
10 please sponsor #1099-16?

11 ACTING CHAIRWOMAN ZUR: Yes.

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

14 Madam Chair, I did have a question on
15 #1097. Are we going to get a summary of the audit or
16 talk about it at all?

17 ACTING CHAIRWOMAN ZUR: Mr. Luppino?

18 MR. LUPPINO: Joe Luppino.

19 FREEHOLDER DeNICOLA: The Admin and
20 Finance person.

21 MR. LUPPINO: Yes.

22 You received the full audit, and also
23 you received a corrective action plan on there.

24 FREEHOLDER DeNICOLA: Right.

25 MR. LUPPINO: I think your minimum

1 responsibility is to review the comments and
2 recommendations, that's your minimum responsibility;
3 however, you know, if you need me to talk about the
4 audit, to go through the audit, I could give you a
5 synopsis on that. Are you looking at anything in
6 particular?

7 FREEHOLDER DeNICOLA: Well, one thing
8 that was mentioned in the comments was about Public
9 Works and the tickets that are issued.

10 MR. LUPPINO: Yes.

11 FREEHOLDER DeNICOLA: What tickets are
12 they talking about?

13 MR. LUPPINO: You want me?

14 ACTING CHAIRWOMAN ZUR: Please.

15 MR. LUPPINO: Okay. This is the audit
16 of the 2015 operations.

17 So, in 2015, they're talking about the
18 tickets that were from the parking lot that was at
19 The Record facility. There was a third-party
20 administrator administering the parking. And the
21 auditors were not able to -- there were some issues
22 with having the tickets being reconciled --

23 FREEHOLDER DeNICOLA: Okay.

24 MR. LUPPINO: -- with the third-party
25 administrator on that.

1 Now, I can tell you what we did.

2 In 2016, the county took it over. Now
3 it's under the Safety and Security. So we took over
4 the administration of the parking revenue and of the
5 whole parking operations in 2016. Actually, the
6 Safety and Security is working with the Treasury
7 Department, and actually what my staff is doing, I
8 have a staff member that's actually going out and
9 collecting all the cash from the different pay
10 stations on there, and we're going to see a nice
11 bump-up in revenue. We're collecting almost about
12 \$5,000 a month in revenue. And, again, we adopted
13 the fee ordinance in July, so by the time we got that
14 operational -- can I call Mickey Bradley up?

15 ACTING CHAIRWOMAN ZUR: Certainly.

16 MR. LUPPINO: Mickey, when did we start
17 the operations, was it in September?

18 MR. BRADLEY: No, second week of
19 August.

20 MR. LUPPINO: Second week of August.

21 I can give you an update. I know the
22 revenue's coming in nicely on that. But, like I
23 said, and there's little things that we're working on
24 now, because I'm waiting for the software vendor.
25 They have where we can check online with the credit

1 cards. So we're kind of trying to, you know, get
2 that off the ground, but, like I said, now Treasury
3 and Mickey, we'll be in control of that operation.

4 ACTING CHAIRWOMAN ZUR: Thank you.

5 FREEHOLDER DeNICOLA: Great.

6 MR. LUPPINO: So hopefully you won't
7 get that comment next year.

8 FREEHOLDER DeNICOLA: Good.

9 MR. LUPPINO: That's my hope.

10 FREEHOLDER DeNICOLA: So two things
11 then.

12 Are we on track with revenue like it
13 was coming in before we had the parking garage, when
14 it was just a parking lot?

15 MR. LUPPINO: Well, we didn't get any
16 revenue the beginning of the year, because -- well,
17 first, you know, we didn't charge -- when did we open
18 up the garage, when we had the --

19 MR. BRADLEY: October.

20 MR. LUPPINO: October of?

21 MR. BRADLEY: '15.

22 MR. LUPPINO: But we didn't charge. We
23 weren't collecting any revenue.

24 MR. BRADLEY: Until August.

25 MR. LUPPINO: Until August. But I

1 budgeted low.

2 FREEHOLDER DeNICOLA: Okay.

3 MR. LUPPINO: Yes, I budgeted low.

4 FREEHOLDER DeNICOLA: In terms of
5 revenue?

6 MR. LUPPINO: Yes.

7 But I think we're going to exceed what
8 I budgeted. I can get you that amount. I think the
9 way it's looking, I think I'm going to exceed what we
10 budgeted for.

11 FREEHOLDER DeNICOLA: Okay. For this
12 year and for the coming year?

13 MR. LUPPINO: Yes, for '16.

14 FREEHOLDER DeNICOLA: And then the last
15 question is: Given the way this is written, are you
16 confident that, whoever the vendor was, paid the
17 county all the receipts that were collected while
18 they were in charge? Because that's what it sounds
19 like.

20 MR. LUPPINO: Right.

21 Well, like I said, it wasn't under my
22 control at the time.

23 FREEHOLDER DeNICOLA: Okay.

24 MR. LUPPINO: So, you know, I guess the
25 comment was that they weren't able to reconcile all

1 the ticket revenue --

2 FREEHOLDER DeNICOLA: Right.

3 MR. LUPPINO: -- on that. So there was
4 probably some issue with the documentation, yes.

5 FREEHOLDER DeNICOLA: Okay.

6 MR. LUPPINO: Yes, yes.

7 FREEHOLDER DeNICOLA: Okay.

8 MR. LUPPINO: But, like I said, going
9 forward, that's why we stepped in, Treasury stepped
10 in with Mickey Bradley. So I'm pretty confident
11 going forward we'll get more money and we have it
12 under control.

13 FREEHOLDER VOSS: Sounds good.

14 ACTING COUNTY ADMINISTRATOR NEALS: Joe,
15 just again, this is related to the third-party vendor
16 that was managing the parking, while the lot was no
17 longer active.

18 MR. LUPPINO: Right. I think the
19 third-party was there for a number of years. The
20 third-party was the same. My understanding was when
21 we had the original lot, I don't know exactly, I know
22 that it was at least a few years they were managing.
23 Then when we moved to The Record, they took over on
24 that.

25 FREEHOLDER DeNICOLA: Right.

1 And just the last thing is that their
2 recommendation that an ordinance shall be obtained
3 and tied to the minutes. But since this is
4 parking --

5 MR. LUPPINO: Yes.

6 FREEHOLDER DeNICOLA: We did adopt an
7 ordinance. So that's done?

8 MR. LUPPINO: Yes, I think in my
9 response I put July 6th, we did the ordinance.

10 ACTING CHAIRWOMAN ZUR: Correct.

11 MR. LUPPINO: So I put that in the
12 response, yes. I have it actually right here, that
13 on July 6th we did pass that ordinance. And I sent
14 that to the auditor, so he's satisfied with that.

15 FREEHOLDER DeNICOLA: Okay. Great.

16 MR. LUPPINO: Yes.

17 ACTING CHAIRWOMAN ZUR: Thank you,
18 Mr. Luppino.

19 FREEHOLDER DeNICOLA: Thank you very
20 much.

21 MR. LUPPINO: You're welcome.

22 ACTING CHAIRWOMAN ZUR: Thank you,
23 Mr. Bradley.

24 Anything else on Page 1?

25 (No response.)

1 ACTING CHAIRWOMAN ZUR: I'd like to
2 sponsor #1100.

3 FREEHOLDER DeNICOLA: I'll co-sponsor
4 that with you.

5 FREEHOLDER SULLIVAN: I'll co-sponsor
6 that with you.

7 MS. SCIANCALEPORE: Page 2.

8 FREEHOLDER VOSS: I'd like to sponsor
9 #1101.

10 FREEHOLDER SULLIVAN: I'll do that with
11 you too.

12 FREEHOLDER FELICE: Madam Chair, I'd
13 like to sponsor #1107, please.

14 FREEHOLDER DeNICOLA: I'll co-sponsor
15 that with you.

16 ACTING CHAIRWOMAN ZUR: I'd like to
17 sponsor #1106.

18 FREEHOLDER SULLIVAN: I'll co-sponsor
19 that with you.

20 FREEHOLDER DeNICOLA: I just had a
21 question, Madam Chair, on the last resolution on Page
22 2, and then all the resolutions on Page 3, just the
23 terminology that's used, "Land Use and Development
24 Review," is that a new division or just a new phrase
25 or new wording that we're using?

1 ACTING CHAIRWOMAN ZUR: County
2 Administrator?

3 FREEHOLDER DeNICOLA: It's under
4 "Planning & Engineering," but --

5 ACTING CHAIRWOMAN ZUR: I think it's
6 just an overarching review that was done of all the
7 different bus stops and their concurrence with the
8 new plan on county roadways, with that language
9 though.

10 ACTING COUNTY ADMINISTRATOR NEALS: Yes.
11 Again, in the smaller bracket it still
12 says "Planning & Engineering." In looking at that,
13 I'm wondering why that is bold for the "Land Use
14 Development Review," because to my knowledge that is
15 not any separate division or anything.

16 FREEHOLDER DeNICOLA: Or a plan that is
17 attached to it.

18 MS. SCIANCALEPORE: I think that's how
19 it appeared on the resolution.

20 ACTING CHAIRWOMAN ZUR: Let's just
21 switch that to "Planning & Engineering" in bold, to
22 be in accordance with our practice.

23 MS. SCIANCALEPORE: Okay.

24 FREEHOLDER DeNICOLA: Maybe it's a
25 committee.

1 MS. SCIANCALEPORE: Anything else on
2 Page 2?

3 (No response.)

4 MS. SCIANCALEPORE: Page 3.

5 FREEHOLDER SULLIVAN: Madam Chair, I'd
6 like to sponsor #1111-16, please.

7 FREEHOLDER DeNICOLA: I'll co-sponsor
8 that with you.

9 I'd like to sponsor #1110, please.

10 FREEHOLDER VOSS: And I'd like to
11 sponsor #1109. And I'll co-sponsor with you, if you
12 co-sponsor with me.

13 FREEHOLDER DeNICOLA: I'll do the same
14 for you there.

15 FREEHOLDER VOSS: Okay.

16 FREEHOLDER DeNICOLA: I'd like to also
17 sponsor #1115.

18 FREEHOLDER SULLIVAN: I'll co-sponsor
19 that with you.

20 FREEHOLDER DeNICOLA: Why don't we do
21 #1113 too?

22 FREEHOLDER SULLIVAN: Why don't we just
23 do all of them, the rest of them as a Body of the
24 Whole? How is that?

25 ACTING CHAIRWOMAN ZUR: We can do all

1 of them as Body of the Whole. Does anyone have any
2 objection to that?

3 FREEHOLDER FELICE: No.

4 ACTING CHAIRWOMAN ZUR: Okay.

5 MS. SCIANCALEPORE: Page 4.

6 FREEHOLDER SULLIVAN: Madam Chairwoman,
7 may I please sponsor #1118 and #1121?

8 ACTING CHAIRWOMAN ZUR: I'll co-sponsor
9 that with you.

10 FREEHOLDER SULLIVAN: Thank you.

11 FREEHOLDER DeNICOLA: I'd like to
12 sponsor #1119, please.

13 FREEHOLDER VOSS: I'll co-sponsor that
14 with you.

15 FREEHOLDER DeNICOLA: Thank you.

16 MS. SCIANCALEPORE: Page 5.

17 FREEHOLDER SULLIVAN: Madam Chairwoman,
18 may I please sponsor #1123 and #1124?

19 ACTING CHAIRWOMAN ZUR: I'll co-sponsor
20 #1123 with you.

21 FREEHOLDER VOSS: And I'll co-sponsor
22 #1124 with you.

23 MS. SCIANCALEPORE: Anything else on
24 Page 5?

25 (No response.)

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MS. SCIANCALEPORE: Page 6.

ACTING CHAIRWOMAN ZUR: May I ask that we have a review of #1129 in Closed Session?

ACTING COUNTY ADMINISTRATOR NEALS: Yes.

ACTING CHAIRWOMAN ZUR: Thank you.

FREEHOLDER FELICE: I'd like to sponsor, Madam Chair, #1136.

ACTING CHAIRWOMAN ZUR: I will co-sponsor that with you.

FREEHOLDER DeNICOLA: I'd like to sponsor #1135, please.

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

FREEHOLDER DeNICOLA: Thank you.
And #1134, please.

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

FREEHOLDER DeNICOLA: Thank you.

MS. SCIANCALEPORE: Page 7.

ACTING CHAIRWOMAN ZUR: Might I suggest that we do #1137 and #1138 as a Body of the Whole?

FREEHOLDER SULLIVAN: Okay with me.

Madam Chairwoman, may I sponsor #1140?

ACTING CHAIRWOMAN ZUR: Yes.

I'll co-sponsor that with you.

1 MS. SCIANCALEPORE: There's also a Late
2 List, #1143-16.

3 ACTING CHAIRWOMAN ZUR: While this one
4 was late from the administration, I think this one is
5 something that we can break our normal policy in
6 needing to get things in early for. If we did not
7 put this on the agenda today, this would have been a
8 grant that we would not have been able to accept the
9 funds from. I know that none of us ever want to turn
10 away money that comes to the county for free, so I
11 would ask that we put this on the agenda, and then I
12 would be willing to sponsor this as well, unless we
13 want to do this as a Body of the Whole?

14 FREEHOLDER VOSS: Body of the Whole.

15 FREEHOLDER FELICE: Body of the Whole.

16 ACTING COUNTY ADMINISTRATOR NEALS: And
17 administration appreciates your consideration of this
18 late item, as October 8th apparently became the end
19 date for when the grant acceptance will take place.
20 So apologies for that.

21 FREEHOLDER SULLIVAN: When was the
22 original end date? You said it was moved up to
23 October 8th. Was that changed?

24 ACTING COUNTY ADMINISTRATOR NEALS: I am
25 not sure if it was changed, Freeholder.

1 Director Blohm, do you have any
2 information on that?

3 MR. BLOHM: Yes.

4 I'd like to apologize for that, as the
5 director. I thank the County Counsel for letting the
6 administration take it on the chin, but it's really a
7 series of conflicts that occurred.

8 Our data analyst, Gert Stern (phonetic)
9 moved from our division over to the PSOK, and he was
10 on vacation when this document came in on August 8th,
11 and he has the data that's necessary to get these to
12 have funds that came in each year for every candidate
13 that goes through the Academy that's police training
14 certified. This money comes from the tickets that
15 the state accumulates, and we get a portion of that,
16 and in order to get that done, we have to fill out
17 this application.

18 So he was on vacation. When he came
19 back from vacation, Lt. Divine, who's the officer in
20 charge on the police side, went on vacation. When he
21 came back from vacation, I was on vacation.

22 I promise you, this will never happen
23 again. I appreciate your consideration. This
24 obviously falls on my shoulders, as the director up
25 there, so I just wanted to explain that for you.

1 ACTING CHAIRWOMAN ZUR: Can you please
2 identify yourself for the record.

3 MR. BLOHM: Richard Blohm. I'm the
4 Director of the Law & Public Safety Institute.

5 ACTING CHAIRWOMAN ZUR: Thank you.
6 Okay.

7 MS. SCIANCALEPORE: Then if you skip to
8 Page 8 is the review of Ordinances for First and
9 Second Reading.

10 ACTING CHAIRWOMAN ZUR: Any questions
11 regarding the Ordinances?

12 (No response.)

13 ACTING CHAIRWOMAN ZUR: Okay.

14 MS. SCIANCALEPORE: That's it.

15 4:51 PM CLOSED SESSION

16 ACTING CHAIRWOMAN ZUR: We will now go
17 into Closed Session, and we'll return to the public
18 session in approximately 20 minutes.

19 Am I being overaggressive?

20 MR. FLORIO: Five minutes. County
21 Counsel Neals is going to give his briefly.

22 ACTING CHAIRWOMAN ZUR: Will the
23 attorney briefly state the matter for which we're
24 going into Closed Session?

25 MR. FLORIO: To review resolution

1 #1129, which is the assignment of an attorney for a
2 litigated matter involving the Sheriff's Office.

3 ACTING CHAIRWOMAN ZUR: Strategy will
4 never be disclosed.

5 We need a motion for that.

6 FREEHOLDER SULLIVAN: So moved.

7 FREEHOLDER GANZ: So moved.

8 ACTING CHAIRWOMAN ZUR: All in favor?

9 FREEHOLDER DeNICOLA: I'll second the
10 motion, but one comment.

11 Could we also include one case that's
12 in the audit that's described as potentially costly
13 litigation that I'm not sure we discussed before?

14 MR. FLORIO: If it's in the audit, it
15 can be discussed in Closed Session.

16 FREEHOLDER DeNICOLA: Okay. Thank you.

17 ACTING CHAIRWOMAN ZUR: So we have a
18 first and a second.

19 All in favor?

20 (All present Freeholders respond in the
21 affirmative, with Freeholder Ganz abstaining.)

22 ACTING CHAIRWOMAN ZUR: Any opposed?

23 (No response.)

24 ACTING CHAIRWOMAN ZUR: Seeing none,
25 we're going --

1 FREEHOLDER GANZ: Abstain.

2 ACTING CHAIRWOMAN ZUR: Okay. We are
3 now going into Closed Session.

4 Thank you.

5 (Whereupon Closed Session is held.)

6 (Open Session resumes at 4:58 p.m.)

7 ACTING CHAIRWOMAN ZUR: Yes.

8 FREEHOLDER DeNICOLA: Just one point of
9 old business, the Bergen Regional --

10 MR. FLORIO: We're on the record.

11 ACTING CHAIRWOMAN ZUR: Now we're on
12 the record.

13 FREEHOLDER DeNICOLA: The Bergen
14 Regional Medical Center legislation. I know I had
15 spoken to Mr. Florio, I want to say a Work Session
16 ago, and we were going to try to put that overview
17 together.

18 ACTING COUNTY ADMINISTRATOR NEALS: We
19 actually are. I spoke with Chairman Tanelli about
20 arriving at a date for it. We had discussed today,
21 but he advised me he was not going to be here today,
22 so obviously we default to another date. Once he
23 comes back, we're going to work with him to schedule
24 a date. But definitely now that the Governor has
25 signed the legislation and now that it's in effect,

1 it's a perfect opportunity to really go through the
2 nuts and bolts of it.

3 FREEHOLDER DeNICOLA: Great. Thank you
4 very much.

5 ACTING CHAIRWOMAN ZUR: Any other
6 business before we adjourn?

7 (No response.)

8 ACTING CHAIRWOMAN ZUR: May I have a
9 motion to adjourn to the 7:30 Public Session?

10 FREEHOLDER VOSS: So moved.

11 FREEHOLDER GANZ: So moved.

12 FREEHOLDER FELICE: Second.

13 ACTING CHAIRWOMAN ZUR: All in favor?

14 (All present Freeholders respond in the
15 affirmative.)

16 ACTING CHAIRWOMAN ZUR: Any opposed?

17 (No response.)

18 ACTING CHAIRWOMAN ZUR: All right. We
19 will adjourn to the 7:30 Public Session.

20 (Whereupon, the Work Session is
21 adjourned at 4:59 p.m.)
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C E R T I F I C A T I O N

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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