

BERGEN COUNTY
BOARD OF CHOSEN FREEHOLDERS
HACKENSACK, NEW JERSEY
WORK SESSION
WEDNESDAY, FEBRUARY 27, 2019
COMMENCING AT 4:34 P.M.

FREEHOLDERS PRESENT:

GERMAINE M. ORTIZ, CHAIRWOMAN

MARY J. AMOROSO, VICE CHAIRWOMAN

DR. JOAN M. VOSS, CHAIRWOMAN PRO TEMPORE

TRACY SILNA ZUR

DAVID L. GANZ

THOMAS J. SULLIVAN

STEVEN A. TANELLI

FREEHOLDERS ABSENT:

NONE

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

1
2
3 ALSO PRESENT:
4

5 LARA RODRIGUEZ
6 CLERK TO THE BOARD

7 LAURIE BIANCHI
8 DEPUTY CLERK TO THE BOARD

9 JULIEN X. NEALS, ESQ.
10 ACTING COUNTY ADMINISTRATOR

11 MICHAEL V. BELLUCCI
12 DEPUTY COUNTY ADMINISTRATOR

13 EDWARD J. FLORIO, ESQ.
14 COUNSEL TO THE BOARD

15 MICHAEL SHEINFELD
16 DIRECTOR OF COMMUNICATIONS & POLICY

17 JARED LAUTZ
18 COUNTY EXECUTIVE'S OFFICE

19
20
21
22
23
24 KIM O. FURBACHER, C.C.R., R.M.R.
25 P.O. BOX 213
ROCHELLE PARK, NEW JERSEY 07662-0213
201-336-6200

I N D E XPAGE NO.ROLL CALL

4

PLEDGE OF ALLEGIANCE

5

MOMENT OF SILENCE

5

MINUTES

6

PUBLIC COMMENT

7

Janet Glass

8

Buddy Jenssen

10

Cassandra Worthington

12

Ken Dolsky

14

Matt Smith

19

Mary Walsh

23

RESOLUTIONS

29

Joseph A. Femia, P.E.

County Engineer and

Director of Dept. of Planning & Engineering

ORDINANCES

36

CLOSED SESSION

38

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

3 Before we begin our meeting, I ask that
4 everyone please take a moment to silence their
5 cellphones.

6 Thank you.

7 Will the Clerk please read the
8 Sen. Byron Baer Open Public Meetings Act.

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

21 ROLL CALL

22 CHAIRWOMAN ORTIZ: Will the Clerk
23 please call the roll.

24 (At this point in the proceeding roll
25 call is taken with Freeholders Ganz, Sullivan,

1 Tanelli, Voss, Silna Zur, Vice Chairwoman Amoroso,
2 and Chairwoman Ortiz present.)

3 CHAIRWOMAN ORTIZ: Evidence of a quorum
4 is present.

5 PLEDGE OF ALLEGIANCE

6 CHAIRWOMAN ORTIZ: Will you all please
7 rise for the Pledge of Allegiance.

8 Freeholder Sullivan, would you lead us.

9 FREEHOLDER SULLIVAN: Thank you,
10 Chairwoman.

11 (At this point in the proceeding all
12 rise for a recitation of the Pledge of Allegiance,
13 led by Freeholder Sullivan.)

14 MOMENT OF SILENCE

15 CHAIRWOMAN ORTIZ: Please remain
16 standing as we acknowledge two requests from the
17 Board for a Moment of Silence.

18 We remember the anniversary of the
19 Parkland mass shooting. Seventeen lives, 14 students
20 and 3 staff members were lost during this horrific
21 event. Students and educators across our country
22 marked the anniversary with vigils, moments of
23 silence, and service to others. Our thoughts and
24 prayers go out to the Parkland community and all the
25 families and friends that were impacted by this

1 tragic event.

2 We would also like to remember Mr. Alan
3 Gordon, a longtime resident of Fair Lawn and Ramsey.

4 A World War II Signal Corps veteran,
5 Mr. Gordon's unit transmitted Gen. MacArthur's
6 surrender terms to the Japanese High Command.

7 After leaving the Army, he joined his
8 family's yarn manufacturing business.

9 Mr. Gordon was predeceased in 2007 by
10 Lillian, his wife of 70 years. He is survived by his
11 son, former State Sen. Bob Gordon, his
12 daughter-in-law, Gail Balph Gordon, and his friend
13 and companion of recent years, Mimi Allen.

14 (Whereupon, a Moment of Silence is
15 observed.)

16 CHAIRWOMAN ORTIZ: Thank you.

17 MINUTES

18 CHAIRWOMAN ORTIZ: Will the Clerk read
19 the minutes to be accepted.

20 MS. RODRIGUEZ: The minutes to be
21 accepted are:

22 January 7, 2019 - Reorganization Public
23 Session; all present.

24 January 23, 2019 - Work Session; all
25 present.

1 February 6, 2019 - Work Session; all
2 present.

3 CHAIRWOMAN ORTIZ: May I have a motion
4 to accept the minutes?

5 FREEHOLDER GANZ: Move the minutes.

6 FREEHOLDER SILNA ZUR: Second.

7 CHAIRWOMAN ORTIZ: All in favor?

8 (All present Freeholders respond in the
9 affirmative.)

10 CHAIRWOMAN ORTIZ: Opposed?

11 (No response.)

12 PUBLIC COMMENT

13 CHAIRWOMAN ORTIZ: May I have a motion
14 to open the meeting to the public?

15 FREEHOLDER VOSS: So moved.

16 FREEHOLDER TANELLI: Second.

17 CHAIRWOMAN ORTIZ: All in favor?

18 (All present Freeholders respond in the
19 affirmative.)

20 CHAIRWOMAN ORTIZ: We will now have the
21 Hearing of the General Public, with a three-minute
22 time limit in effect, in accordance with the Bergen
23 County Freeholder bylaws.

24 The Board Attorney will keep the time.

25 When the time of the speaker expires, the Board

1 Attorney will announce that the time has expired.

2 Is there anyone from the public who
3 would like to speak?

4 MS. GLASS: Yes.

5 CHAIRWOMAN ORTIZ: Can you please come
6 and sit.

7 MS. GLASS: Sure.

8 CHAIRWOMAN ORTIZ: And state your name,
9 please.

10 MS. GLASS: Sure.

11 My name is Janet Glass.

12 I'm a leader in the GreenFaith
13 organization. The GreenFaith organization is a
14 coalition of faith organizations that are working
15 around the environment. We are: Temple Emeth in
16 Teaneck, Church of Good Shepherd, Grace Lutheran
17 Church, Covenant Ministries, a Buddhist global
18 relief. I'm sure I've forgot some, but there are
19 eight congregations that are here representing.

20 And I'm with a coalition of other
21 environmental leaders who are also waiting to speak.
22 We are here to talk about the Meadowlands power
23 plant, it's also known as the North Bergen Liberty
24 Generating Plant, and we'll be presenting you with
25 some information. We will also be asking you to put

1 a resolution on your agenda for next week.

2 This fracked gas plant, if it's built,
3 would become one of the largest sources of
4 air pollution and greenhouse gases in the State of
5 New Jersey.

6 Now, where I live, I live in
7 North Bergen, and I live not far from where this
8 plant would be built. I have grandchildren, I have a
9 two-year-old, a four-year-old, a six-year-old, and
10 the air quality in that neighborhood is already rated
11 F by the American Lung Association.

12 Bergen County is not better than that.

13 And this ground level ozone and all of
14 the air pollution that would be generated from this
15 plant would double the health risks for my grandkids.

16 There are 46 towns already in Bergen
17 County that have come out passing resolutions in
18 opposition to this power plant. We are calling on
19 you to do the same and to put a resolution on your
20 agenda for next week.

21 We're going to be back with some
22 citizens and some mayors to talk with you at this
23 time next week.

24 Thank you.

25 FREEHOLDER SULLIVAN: Excuse me.

1 Did you guys go to the Hudson County
2 Freeholder Board?

3 I mean, this project is in Hudson
4 County, right? so have you gone to see them yet?

5 MS. GLASS: We haven't gone to the
6 Freeholders yet.

7 FREEHOLDER SULLIVAN: Wouldn't that be
8 a better course to go through, before you come to
9 Bergen County?

10 MS. GLASS: Well, 46 towns in Bergen
11 County have already passed resolutions, so you guys
12 are ahead of the curve.

13 FREEHOLDER SULLIVAN: How many have
14 passed resolutions in Hudson County?

15 MS. GLASS: Two.

16 FREEHOLDER SULLIVAN: Okay.

17 CHAIRWOMAN ORTIZ: Thank you.

18 MS. GLASS: Thank you.

19 MR. JENSSEN: Hello, everyone. I'm
20 Buddy Jenssen, Chairman, North Jersey Sierra Club.

21 You know all about us.

22 I'm going to be very brief.

23 I'm a rabid Democrat, okay, and we
24 supported you guys, we had about 300 or 400
25 environmental people out in the field knocking on

1 doors and getting votes. Now I'm coming to you guys
2 for your help.

3 We need powerful people to be on our
4 side, because this power plant is just ridiculous.
5 The power is going to go to New York City, right?
6 There's three more power plants online, seven
7 pipelines, right? So we need your support. So we
8 urge you to sign the resolution on March 6th.

9 Any questions?

10 FREEHOLDER SULLIVAN: No, she answered
11 the question. You guys have not gone to Hudson
12 County.

13 MR. JENSSEN: We will be going there.
14 They know us there too as well.

15 But, guys, this is the air that we
16 breathe, you know what I mean? This is our kids'
17 air. You know, this has nothing to do with politics,
18 right? And, listen, I'm a union guy, I was a
19 stagehand in Local 1, right, so I support the unions
20 100 percent, but the union guys should be doing solar
21 panels and wind turbines and refitting all the
22 structures that we need.

23 FREEHOLDER SULLIVAN: That's a
24 discussion for another day, because you can't compare
25 to the amount of power generated with solar power and

1 wind turbines. It doesn't even compare.

2 MR. JENSSEN: But we don't even need
3 the power. The power is going to go to New York
4 City.

5 FREEHOLDER SULLIVAN: The power in
6 Ridgefield is going to New York as well. I don't
7 know if you're aware of that.

8 MR. JENSSEN: Right, and they're only
9 separated by one mile.

10 Like Janet said, the air pollution is
11 rated F.

12 FREEHOLDER SULLIVAN: You were aware,
13 though, right, that they send power from Public
14 Service in Ridgefield to New York? You're aware of
15 that, right?

16 MR. JENSSEN: Sure, sure, I know. And
17 what do we gain by it, though?

18 FREEHOLDER SULLIVAN: That's another
19 discussion. It just seems that no one was aware that
20 Ridgefield produces power for New York as well.

21 MR. JENSSEN: Yeah, only when they need
22 it, though, yeah, on demand.

23 Okay. Thank you.

24 MS. WORTHINGTON: Hi. My name is
25 Cassandra Worthington. I'm with Food & Water Watch.

1 Janet spoke about the compounding
2 health effects of putting a gas plant one mile from
3 the PSE&G plant. I want to go into what that would
4 look like for your constituents.

5 This plant will emit hundreds of tons
6 of pollutants annually, including particulate matter,
7 toxic chemicals and carcinogens such as benzene and
8 Formaldehyde. We know all of these things, what they
9 lead to, respiratory illnesses, cancers.

10 But going beyond that, we're talking
11 about specific populations that are in jeopardy of
12 health effects, specifically developing fetuses and
13 children.

14 The DEP has already issued wetlands and
15 flood hazard permits, and they are now reviewing the
16 applicant's air quality permits.

17 We urge you to take a stance against
18 the power plant by passing the resolution for next
19 week's meeting.

20 And as of why it's important for
21 Bergen County, you know, we've talked about the 46
22 towns that have passed their own resolutions against
23 the power plant, and, you know, we talk about the
24 radius of this plant, it's hitting Bergen County
25 towns and specifically the areas that already have

1 failing ozone levels. And these are our most
2 vulnerable populations, and we really need to protect
3 them.

4 So, any questions?

5 Thank you.

6 MR. DOLSKY: Good afternoon. My name
7 is Ken Dolsky. I'm with the Don't Gass the
8 Meadowlands Coalition.

9 I'd like to talk to you a little bit
10 about the 800-pound gorilla that's sitting in this
11 room that generally has a lot of control over whether
12 projects like this get built or not, and that's union
13 jobs. And we talked about this with the Pilgrim
14 Pipeline issue.

15 We understand the sensitivity of the
16 Bergen Freeholders and Gov. Murphy for the need for
17 jobs and the political power of the construction
18 trades in Bergen County. And, like I said, we saw
19 you struggle with this issue with the Pilgrim
20 Pipeline. And we understand the importance of jobs.
21 We all need jobs. But we cannot support
22 environmental and public health disasters just
23 because they produce some jobs.

24 We hope that you're open to a way out
25 of this conundrum that is better for all than a very

1 weak resolution.

2 We have another new coalition called
3 "Empower New Jersey," and we just demonstrated to the
4 Murphy administration that allowing 12 planned fossil
5 fuel projects that are on the drawing board right
6 now, including this Meadowlands power plant, allowing
7 them to proceed will make it impossible for him to
8 meet his clean energy goals, because it would
9 increase greenhouse gases in the state by 32 percent
10 at a time when he's trying to cut it.

11 These projects will harm the health and
12 welfare of the people of this state, with virtually
13 no benefit. And the governor is between a rock and a
14 hard place, between unions and keeping his word to
15 cut greenhouse gas and fight climate change. So what
16 we propose was a carrot and stick approach that we
17 hope the governor will take.

18 The stick is to declare a moratorium on
19 new fossil fuel projects and put in place the means
20 to regulate greenhouse gases in line with the
21 administration's goals and laws like the Global
22 Warming Response Act. Effectively this is saying to
23 the unions, we just can't continue to build fossil
24 fuel projects because of the impact on our world,
25 including our health and welfare and that of them and

1 oppose the Meadowlands power plant and help the
2 governor take this step.

3 I will leave you a lot of information.

4 And our objective is to influence the
5 governor in all this. That's how we're looking for
6 your help. He's the one who is going to make the
7 call on this.

8 FREEHOLDER TANELLI: I just want to
9 note for the record that you made some assumptions
10 tonight in regards to the pipeline and our struggling
11 with the pipeline at the time.

12 If you recall, nothing was going on
13 with the pipeline except the county had issued a
14 couple of survey permits to people that were
15 interested in doing the pipeline, and, at the same
16 time, we were struggling with a situation where we
17 had fuel trains coming through the county without any
18 identification on what was on those trains.

19 So this Board was struggling not only
20 with the pipelines, but with the trains. But there
21 was never any comments by this Board that we were
22 struggling over any type of union work or union
23 labor, it was strictly an environmental situation
24 where that pipeline may have jeopardized some Clean
25 Water quality, and, more specifically, in Mahwah.

1 I just wanted to make sure the record
2 reflects that I don't appreciate your assertion in
3 the beginning that the reason we were struggling with
4 the pipeline was because of union contracts, when
5 that's never been discussed by this Board.

6 MR. DOLSKY: It was our assumption, and
7 you passed the weakest resolution of any that we had
8 on the Pilgrim Pipeline.

9 FREEHOLDER TANELLI: And the pipeline
10 didn't get built and it didn't get relocated, and
11 this Board took it seriously from day one.

12 Thank you.

13 MR. DOLSKY: Like about 100 towns took
14 it very seriously. The state took it very seriously.

15 FREEHOLDER SULLIVAN: And, Freeholder,
16 I just want to add for the record too that I don't
17 know why the unions are being brought into this.
18 This is something that Hudson County is involved in.
19 I don't know why you continue to say the unions are
20 the driving factor, because they're not.

21 This will be done whether it's approved
22 by the DEP, the governor, whomever, and I think
23 you're just giving the unions a bad name, and that's
24 something I take offense to.

25 We're very educated people, and you

1 make your decisions and we make ours, but there's
2 also a lot of misconceptions of how to produce power
3 in this area where land is limited.

4 You want to continue to talk about
5 solar plants and windmills. You tell me where to put
6 them, where you can put a windmill, other than where
7 it's right now, in Atlantic City. It takes a lot of
8 space and it costs a lot of energy to produce those.

9 So I wanted just for the record to say
10 the union is not the driving force on whether this
11 gets built or not.

12 MR. DOLSKY: Unions have come out very
13 strongly in favor of this plant.

14 FREEHOLDER SULLIVAN: You had your
15 three minutes and I didn't interrupt you.

16 I made my statement. You can agree
17 with it or you don't agree with it.

18 MR. FLORIO: Mr. Dolsky, your three
19 minutes have expired.

20 CHAIRWOMAN ORTIZ: Yes, please.

21 MR. SMITH: Good afternoon.

22 So, my name is Matt Smith. I'm a
23 senior organizer with Food & Water Watch. We
24 represent 40,000 members in New Jersey, 7,000 here in
25 Bergen County.

1 It's nice to be back in front of the
2 Freeholder Board. I see some familiar faces, and I
3 think we did work together on the Pilgrim Pipeline
4 issue.

5 And as Freeholder Tanelli expressed,
6 that support from Bergen County was instrumental to
7 stopping that project that endangered the drinking
8 water supply for Bergen County residents.

9 The Meadowlands power plant is very
10 similar, right? This is power for New York.

11 We do not need to find ourselves in the
12 position to provide an alternative, because the power
13 is not for us. Yet the pollution impact, regardless
14 of where it's built, just over the line in Hudson
15 County, certainly that pollution plume will be
16 impacting residents, and in no small reason that's
17 why 46 towns now have come out passing strong
18 resolutions. That's 46 of the 70 townships that make
19 up the county. We anticipate that opposition to
20 continue to grow. It also includes now state
21 representatives, Sen. Weinberg, Assemblywoman Huttler,
22 Assemblyman Gordon Johnson, and Assemblyman Clinton
23 Calabrese have all come out strongly against this
24 project.

25 We did go to the North Bergen Township

1 Council meeting and present our case there. We're
2 not holding out any great hopes that it will result
3 in something. And we do plan to also bring the issue
4 to the Hudson County Freeholders.

5 There was just a couple of additional
6 points that I wanted to make.

7 One is that if this power plant is
8 built, it would be the single largest source of
9 climate pollution not only New Jersey, but also in
10 New York State.

11 Here we are in 2019, we have the U.S.
12 National Climate Assessment in plain English telling
13 us that if we build and continue to expand fossil
14 fuels and greenhouse gas emissions in they state,
15 that we will be crossing irreversible tipping points
16 on climate change that would have dramatic
17 consequences for the future survival of Bergen County
18 residents.

19 We don't need to come up with an
20 alternative. This power isn't for us. But there is
21 certainly immense potential, as is for renewable
22 energy development, as is recognized by the
23 governor's Executive Order #28, which commits the
24 state to get to 100 percent renewable energy by the
25 year 2050, as well as legislation passed that

1 requires the state to source 50 percent of that
2 electricity from renewable sources from 2035.

3 One piece that's in addition to just
4 Bergen County sort of using its bully pulpit to weigh
5 in on this issue that's impacting its residents is
6 the fact that there's a proposed wastewater treatment
7 pipeline that would go from the Little Ferry plant to
8 the power plant in Edgewater and back to cool the
9 towers for the power plant.

10 We believe that Bergen County taxpayer
11 money should not be used to facilitate the
12 construction of a power plant that would pollute our
13 air, that the majority of towns are opposed to, and
14 that really serves no long-term benefit for the
15 residents of Bergen County.

16 We did submit an Open Public Records
17 request to try to better understand the county's role
18 in the pipeline. That was submitted over a month
19 ago, we haven't yet received any documents but we're
20 hopeful.

21 MR. FLORIO: Three minutes, Mr. Smith.

22 MR. SMITH: Thank you very much for the
23 time.

24 I do have copies of the resolution that
25 we're hoping that you'll put on the agenda for

1 March 6th, so I can leave them.

2 CHAIRWOMAN ORTIZ: You can leave them
3 with Kim.

4 MR. SMITH: Great. Thank you.

5 CHAIRWOMAN ORTIZ: We understand your
6 concerns, and, as a Board, we're doing our own due
7 diligence and we're monitoring the situation. I
8 mean, nothing has been presented to us as of yet
9 except for what I'm saying as in, you know, on a
10 state matter, on a county matter, nothing has been
11 presented to us as far as to make any decisions at
12 the moment. Like I said, we're just doing our own
13 due diligence at the moment and we are monitoring the
14 situation, but thank you for all your comments.

15 MR. SMITH: Right. Thank you.

16 CHAIRWOMAN ORTIZ: Thank you.

17 MS. WALSH: Mary Walsh, Hackensack,
18 New Jersey.

19 Hello.

20 FREEHOLDER TANELLI: Welcome back.

21 MS. WALSH: First, I would like to say
22 thanks for your decision on the lack of dinosaurs.
23 We're so happy that they're going to stay extinct.

24 FREEHOLDER AMOROSO: You're welcome.

25 FREEHOLDER SULLIVAN: We told you all

1 along -- never mind, I'm not rehashing that.

2 FREEHOLDER TANELLI: Well, let her
3 finish.

4 MS. WALSH: I am a little concerned
5 about the parking lot in Area II, and I hope that
6 it's not going to be 300 spaces.

7 So, beyond that, in 2014, the county
8 negotiated an agreement with the pipeline company to
9 put that pipeline in Ramapo Reservation. Part of the
10 agreement was that the pipeline people would give
11 money to the county to buy replacement land.

12 So, a couple of months ago I talked to
13 Adam Strobels and I asked him if the land had been
14 purchased yet, and he said no. So I was wondering if
15 there is anything that you can do about it, because
16 that money is sitting in an account, it's been there
17 since 2014.

18 ACTING COUNTY ADMINISTRATOR NEALS: So
19 with regard to the money, first of all, for whatever
20 land that we purchase, we would determine whether we
21 would want to use Open Space Funds to purchase
22 additional land, but any money that's been received
23 to this point would have been placed in an interest
24 bearing account and we would be earning money on top
25 of that now. So it's not like that we're going to

1 lose it. They paid it. They were responsible to pay
2 it for land replacement. But we're going to find
3 opportunities that we think are in the county's best
4 interests, and whether we use the Open Space Funds or
5 whether we use that trust money, it's still there and
6 available for the county.

7 MS. WALSH: Oh, sure, I'm not
8 questioning whether it has been spent, because I know
9 that it has not been spent.

10 FREEHOLDER TANELLI: Chairwoman?

11 CHAIRWOMAN ORTIZ: Yes.

12 FREEHOLDER TANELLI: Just two quick
13 points.

14 One is, we're always looking to acquire
15 open space and enhance our park systems. I mean,
16 Freeholder Zur can tell you the exact amount of
17 acreage that we currently have in the county.

18 The other thing is, I just wanted to
19 tell you, we didn't make any decisions on the
20 dinosaur relocation. We kept telling everyone that
21 kept coming to the meeting that nothing was ever
22 presented to this Board to make any changes. That's
23 why we kept telling you, as you guys were coming up
24 saying make sure you don't vote for it, there was
25 nothing put before us to vote on. And the County

1 Executive now has suspended any discussions on that
2 for the time being. So I appreciate you thanking us,
3 but you're thanking us for doing nothing.

4 MS. WALSH: Okay.

5 So, regarding the money, though, that's
6 in that special account, is there any way that that
7 could be rolled -- because what Mr. Strobel told me
8 is that it's a very small amount of money in terms of
9 purchase power in the county. So what I'm thinking
10 is, if it could be rolled into some other kind of
11 purchase, you know, because we deserve to have that
12 land replaced, where the pipeline destroyed all those
13 trees.

14 ACTING COUNTY ADMINISTRATOR NEALS: I
15 guess what I'm saying is that there's no rush
16 necessarily to spend that money, because as open
17 space or other lands become available, we have
18 resources available to address that. So especially
19 in light of the fact that this money may not be
20 significant in terms of the amount, in terms of
21 purchase power or anything else, we have Open Space,
22 we have other resources available. So whether we
23 roll that money over, that's not going to delay in
24 any way our ability to find replacement land for what
25 was lost at the pipeline.

1 MR. FLORIO: Three minutes has expired.

2 MS. WALSH: The reason I brought it up,
3 it's been five years.

4 ACTING COUNTY ADMINISTRATOR NEALS: So
5 that's five years of additional --

6 MR. FLORIO: Your time has expired.

7 MS. WALSH: Right, but the land should
8 be replaced.

9 MR. FLORIO: Your time has expired,
10 that's all I'm telling you. Your time for speaking
11 has expired.

12 MS. WALSH: Oh, thank you. I thought
13 you were talking about the money.

14 MR. FLORIO: No.

15 ACTING COUNTY ADMINISTRATOR NEALS: As
16 you go back to your seat, just be assured that that
17 is not holding us back from being able to find and
18 purchase replacement land for that. Wherever we see
19 opportunities to purchase land, we can use our Open
20 Space Funds, whether we touch that money or not, it
21 may be in a great interest bearing account that's
22 ahead of where the market is today, so we're actually
23 getting more bang out of our buck for that money. So
24 I don't want you to be overly concerned with that
25 money.

1 MS. WALSH: I won't. I'm only
2 concerned about the land, not the money.

3 ACTING COUNTY ADMINISTRATOR NEALS:
4 Right, and so are we, that's why Freeholder Zur has
5 all those thousands of acres that we're buying, and
6 whether you want to consider that replacing what we
7 lost or otherwise, it's still land that we're
8 finding, constantly recapturing land.

9 So that's already a priority of ours,
10 which is not impacted by that account that came in
11 connection with the pipeline.

12 FREEHOLDER SILNA ZUR: County
13 Administrator, one of the things, though, that may be
14 helpful for the administration to put together is a
15 breakdown of all of the land that we have purchased
16 in the last four years with our Open Space dollars,
17 so that we can have an actual number to demonstrate,
18 I mean, the 9,003 -- whatever acres that we have.

19 In addition to that, we are providing
20 constant dollars both to municipalities as well as to
21 the county portfolio as well as increasing the
22 preservation of open space, and I think that having
23 those numbers demonstrable might be helpful to be
24 able to show.

25 ACTING COUNTY ADMINISTRATOR NEALS: And

1 we do have that, so we would provide that.

2 FREEHOLDER SILNA ZUR: Thank you.

3 CHAIRWOMAN ORTIZ: Okay. If there's no
4 one else, may I have a motion to close the hearing to
5 the public?

6 VICE-CHAIRWOMAN AMOROSO: So moved.

7 FREEHOLDER SILNA ZUR: Second.

8 CHAIRWOMAN ORTIZ: All in favor?

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

11 RESOLUTIONS

12 CHAIRWOMAN ORTIZ: We will now review
13 the Resolutions to be voted on tonight.

14 MS. RODRIGUEZ: Resolutions to be
15 reviewed are: #131-19 through #160-19.

16 CHAIRWOMAN ORTIZ: #131 through #133.

17 #134 through #136.

18 #137 through #140.

19 FREEHOLDER TANELLI: Chairwoman, may I
20 sponsor #139-19?

21 VICE-CHAIRWOMAN AMOROSO: And may I
22 speak to it?

23 FREEHOLDER SULLIVAN: Can we do #138 as
24 a Body of the Whole?

25 CHAIRWOMAN ORTIZ: Yes.

1 Any opposed?

2 (No response.)

3 CHAIRWOMAN ORTIZ: #141 through #144.

4 FREEHOLDER TANELLI: Chairwoman, may I
5 sponsor #141, #142, and #143, please?

6 CHAIRWOMAN ORTIZ: I'll co-sponsor that
7 with you.

8 FREEHOLDER TANELLI: Thank you.

9 CHAIRWOMAN ORTIZ: #145 through #148.

10 VICE-CHAIRWOMAN AMOROSO: Chairwoman, I
11 would like to ask a question about #145, which
12 is site plan approval for the Apple Ridge.

13 CHAIRWOMAN ORTIZ: Mr. Femia.

14 Thank you.

15 VICE-CHAIRWOMAN AMOROSO: This has
16 become a hot topic in Mahwah.

17 FREEHOLDER TANELLI: It looks like
18 everything is a hot topic in Mahwah.

19 VICE-CHAIRWOMAN AMOROSO: Well, that's
20 true but it's not all on the agenda.

21 So, Mr. Femia, this site plan approval,
22 what do we have control over for this? It's the
23 Apple Ridge development, right?

24 MR. FEMIA: Let me just clarify.

25 The Apple Ridge development previously

1 received approval. The application that's on tonight
2 is for a site plan approval for townhouses on a
3 previously developed piece of property at a different
4 location. This is not Apple Ridge that's on here
5 tonight.

6 FREEHOLDER AMOROSO: Okay. But we
7 control -- we're interested in traffic flow? What
8 are the things that we --

9 MR. FEMIA: Yes, the items that we look
10 for at the Planning Board level are: Access to and
11 from the county road, the county road infrastructure
12 improvements, whether it's road widening, turning
13 lanes, intersections, signalization, things like
14 that. So it's basically limited to the road network
15 as well as the drainage that's associated with the
16 road network.

17 VICE-CHAIRWOMAN AMOROSO: So we do have
18 some control over drainage?

19 MR. FEMIA: Yes, the drainage that's
20 within the county roadway, yes.

21 FREEHOLDER SILNA ZUR: But not
22 regarding streams or waterways that are on the
23 property?

24 MR. FEMIA: Correct.

25 VICE-CHAIRWOMAN AMOROSO: Okay. Thank

1 you.

2 FREEHOLDER VOSS: Very limited.

3 FREEHOLDER AMOROSO: Yes.

4 Okay. Thank you, Mr. Femia.

5 ACTING COUNTY ADMINISTRATOR NEALS: Joe,
6 with regard to Apple Ridge, knowing that it was
7 rezoned accordingly, that is under the jurisdiction,
8 I understand, of the municipality and DEP at this
9 point?

10 MR. FEMIA: Correct. Yes.

11 ACTING COUNTY ADMINISTRATOR NEALS: And
12 Boswell Engineering, what's their role with regard to
13 that?

14 MR. FEMIA: Well, Boswell is the
15 borough engineer for both Mahwah and Saddle River,
16 which is, there's two phases of the project, there's
17 a phase in each town.

18 I was in communication with Boswell
19 Engineering, and they indicated to me that they have
20 looked at this numerous times following up on their
21 inquiries from the public, and they've been in
22 communication with the DEP many times.

23 So, basically, the summary is, the site
24 was remediated properly under DEP guidance, it was
25 done under a licensed site remediation professional,

1 and the DEP has indicated that there are no
2 violations of their cleanup requirements and the site
3 is basically in good standing in the DEP's eyes.

4 ACTING COUNTY ADMINISTRATOR NEALS: So
5 it's not under our jurisdiction, but we have been
6 getting reports out of Boswell and from DEP?

7 MR. FEMIA: I've gotten updates from
8 Boswell in the last few days only when this came to
9 be a public issue.

10 ACTING COUNTY ADMINISTRATOR NEALS: So
11 as you get those reports, we'll keep the
12 administration and the Freeholders advised with
13 regard to that.

14 MR. FEMIA: Yes.

15 FREEHOLDER SILNA ZUR: Thank you.

16 CHAIRWOMAN ORTIZ: Thank you.

17 FREEHOLDER SULLIVAN: Chairwoman, if I
18 may?

19 CHAIRWOMAN ORTIZ: Sure.

20 FREEHOLDER SULLIVAN: #147 is a
21 subdivision, what is that one? We own property that
22 we're subdividing?

23 MR. FEMIA: No, this is a subdivision
24 application that was before the Planning Board.

25 FREEHOLDER SULLIVAN: Okay. So just the

1 normal subdivision?

2 MR. FEMIA: Yes, normal approval of the
3 developer's agreements for projects that were
4 approved by the Planning Board.

5 FREEHOLDER SULLIVAN: So the reason it
6 comes to us is because of the drainage and stuff like
7 that?

8 VICE-CHAIRWOMAN AMOROSO: It's a county
9 road, Paramus Road.

10 MR. FEMIA: Yes.

11 FREEHOLDER SULLIVAN: Okay. Thanks,
12 Joe.

13 CHAIRWOMAN ORTIZ: Thank you.

14 MR. FEMIA: You're welcome.

15 CHAIRWOMAN ORTIZ: #149 through #151.

16 FREEHOLDER TANELLI: Chairwoman, may I
17 sponsor #149-19, please?

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

20 CHAIRWOMAN ORTIZ: #152 through #154.

21 #155 through #157.

22 FREEHOLDER SILNA ZUR: May I ask a
23 question regarding the scope of #155?

24 ACTING COUNTY ADMINISTRATOR NEALS: Yes.

25 That is for existing matters that are

1 being handled by that firm. They still have a number
2 of personnel related and union related matters that
3 are in litigation in the courts and in PERC.

4 FREEHOLDER SILNA ZUR: Okay.

5 Could we get a briefing on #157 in
6 Closed?

7 ACTING COUNTY ADMINISTRATOR NEALS: Yes.

8 FREEHOLDER VOSS: And #158.

9 VICE-CHAIRWOMAN AMOROSO: And #158 in
10 Closed.

11 FREEHOLDER SILNA ZUR: Yes.

12 CHAIRWOMAN ORTIZ: #158 through #160.

13 FREEHOLDER TANELLI: Chairwoman, may I
14 sponsor #160-19, please?

15 CHAIRWOMAN ORTIZ: Sure.

16 I'll co-sponsor that with you.

17 FREEHOLDER SULLIVAN: That's the
18 Chairwoman's job to do it now.

19 MR. FLORIO: Thank you, Chairwoman.

20 FREEHOLDER SULLIVAN: I think that if
21 everyone's okay, #159, can we do that as a Body of
22 the Whole?

23 CHAIRWOMAN ORTIZ: Yes.

24 FREEHOLDER SILNA ZUR: Yes.

25 FREEHOLDER SULLIVAN: Thank you.

1 CHAIRWOMAN ORTIZ: May I have a motion
2 to accept the Resolutions on the Consent Agenda as
3 read by the Clerk?

4 FREEHOLDER GANZ: So moved.

5 FREEHOLDER TANELLI: Second.

6 CHAIRWOMAN ORTIZ: Roll call, please.

7 (At this point in the proceeding roll
8 call is taken and the Resolutions of Consent are
9 passed by a unanimous vote.)

10 MS. RODRIGUEZ: With seven ayes, the
11 Consent Agenda is approved.

12 CHAIRWOMAN ORTIZ: Are there any
13 Resolutions of Nonconsent, pulled or tabled?

14 MS. RODRIGUEZ: There are none.

15 CHAIRWOMAN ORTIZ: Thank you.

16 ORDINANCES

17 CHAIRWOMAN ORTIZ: We will now go to on
18 our Ordinances for First Reading and Introduction,
19 Ordinances 19-03 and 19-04.

20 Will the Clerk read our first
21 Ordinance, 19-03, by title only.

22 MS. RODRIGUEZ: 19-03 is a:

23 "BOND ORDINANCE PROVIDING FOR VARIOUS
24 ROADWAY IMPROVEMENTS THROUGHOUT THE COUNTY OF BERGEN,
25 APPROPRIATING THE AGGREGATE AMOUNT OF \$1,000,000

1 to introduce Ordinance 19-04 as read by the Clerk?

2 FREEHOLDER GANZ: So moved.

3 VICE-CHAIRWOMAN AMOROSO: Second.

4 CHAIRWOMAN ORTIZ: All in favor?

5 (All present Freeholders respond in the
6 affirmative.)

7 CHAIRWOMAN ORTIZ: Roll call, please.

8 (At this point in the proceeding roll
9 call is taken and the Introduction and First Reading
10 of Ordinance 19-04 is passed by a unanimous vote.)

11 MS. RODRIGUEZ: With seven ayes, 19-04
12 passes First Reading.

13 CHAIRWOMAN ORTIZ: Thank you.

14 CLOSED SESSION

15 CHAIRWOMAN ORTIZ: We will now go into
16 Closed Session for approximately 20 minutes, and we
17 will return to Public Session.

18 Will the attorney briefly state the
19 matters which for we will be discussing in Closed
20 Session.

21 MR. FLORIO: Thank you, Chairwoman.

22 The Board will receive updates from
23 County Counsel on existing litigation in the
24 Resolutions #157 and #158, and will also receive a
25 briefing on a matter of potential litigation.

1 CHAIRWOMAN ORTIZ: May I have a motion
2 to go into Closed Session?

3 FREEHOLDER VOSS: So moved.

4 FREEHOLDER SILNA ZUR: Second.

5 CHAIRWOMAN ORTIZ: All in favor?

6 (All present Freeholders respond in the
7 affirmative.)

8 CHAIRWOMAN ORTIZ: We are Closed at
9 5:10 p.m.

10 (Whereupon, Closed Session is held.)

11 (Open Session resumes at 5:27 p.m.)

12 MR. FLORIO: We're on the record,
13 Chairwoman.

14 CHAIRWOMAN ORTIZ: Okay. There being
15 nothing further to come before this meeting, may I
16 have a motion to adjourn?

17 FREEHOLDER TANELLI: So moved.

18 FREEHOLDER SILNA ZUR: Second.

19 CHAIRWOMAN ORTIZ: All in favor?

20 (All present Freeholders respond in the
21 affirmative.)

22 CHAIRWOMAN ORTIZ: Opposed?

23 (No response.)

24 CHAIRWOMAN ORTIZ: We are adjourned at
25 5:27 p.m.

1 (Whereupon, the Work Session is
2 adjourned at 5:27 p.m.)
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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