

BERGEN COUNTY
BOARD OF CHOSEN FREEHOLDERS
HACKENSACK, NEW JERSEY
WORK SESSION
WEDNESDAY, JANUARY 23, 2019
COMMENCING AT 4:34 P.M.

FREEHOLDERS PRESENT:

GERMAINE M. ORTIZ, CHAIRWOMAN

MARY J. AMOROSO, VICE-CHAIRWOMAN

DR. JOAN M. VOSS, CHAIR PRO TEMPORE

THOMAS J. SULLIVAN

DAVID L. GANZ

TRACY SILNA ZUR

STEVEN A. TANELLI

FREEHOLDERS ABSENT:

NONE

CANDICE A. CARUCCI, S.R.
214 KIPP AVENUE
HASBROUCK HEIGHTS, NJ 07604
201-336-6200

1 ALSO PRESENT:

2
3 JAMES J. TEDESCO III
4 BERGEN COUNTY EXECUTIVE

5 LAURIE BIANCHI
6 DEPUTY CLERK TO THE BOARD

7 JULIEN X. NEALS, ESQUIRE
8 ACTING COUNTY ADMINISTRATOR

9 EDWARD J. FLORIO, ESQUIRE
10 COUNSEL TO THE BOARD

11 JARED LAUTZ
12 COUNTY EXECUTIVE'S OFFICE

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24 CANDICE A. CARUCCI, S.R.
25 214 KIPP AVENUE
 HASBROUCK HEIGHTS, NJ 07604
 201-336-6200

I N D E XPAGE NO.ROLL CALL

4

PLEDGE OF ALLEGIANCE

5

UPDATE ON FEDERAL GOVERNMENT SHUTDOWN
RESOURCES

5

Jared Lautz
County Executive's OfficeUPDATE ON SUEZ WATER AND LEAD PIPES

6

James J. Tedesco III
Bergen County ExecutiveREVIEW OF RESOLUTIONS

19

Joseph A. Femia, P.E., Director &
County Engineer
Department of Planning & EngineeringCLOSED SESSION

22

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 phones.

6 Thank you.

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

9 MS. BIANCHI: 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, Zur, Vice-Chairwoman Amoroso, and
2 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 (At this point in the proceeding all
9 rise for a recitation of the Pledge of Allegiance.)

10 UPDATE ON FEDERAL SHUTDOWN RESOURCES

11 CHAIRWOMAN ORTIZ: Mr. Jared Lautz,
12 would you like to make your presentation, please?

13 MR. LAUTZ: I've never sat on this side
14 of the table.

15 MR. FLORIO: Would you identify
16 yourself for the record, please.

17 MR. LAUTZ: Yes.

18 It's Jared Lautz, L-A-U-T-Z.

19 I will be really brief. I just wanted
20 to let everybody know that tonight we're going to be
21 posting to the county website a list of resources and
22 information we've been compiling for federal and
23 government employees and their families in Bergen
24 County who are affected by the government shutdown.

25 Nothing to announce yet, but we're

1 reaching out to local businesses, banks, non-profits
2 to explore some additional partnerships to get
3 additional assistance to county residents who may be
4 affected, and so if you guys have any suggestions or
5 information, please e-mail me directly. Hopefully
6 you'll remember how to spell my last name.

7 (Laughter.)

8 MR. LAUTZ: And, you know, when we have
9 something more formal to announce, we will obviously
10 include you guys when we reach out to the media.

11 CHAIRWOMAN ORTIZ: Thank you, Jared.
12 I'm so glad, because so many are being affected, it's
13 unbelievable.

14 MR. LAUTZ: Yes.

15 UPDATE ON SUEZ WATER AND LEAD PIPES

16 CHAIRWOMAN ORTIZ: County Executive?

17 COUNTY EXECUTIVE TEDESCO: Thank you,
18 Freeholder Chairwoman and members of the Board.

19 I wanted to just take a minute to talk
20 to you about another issue that is more local, and
21 that's the announcement by Suez Water about the lead
22 in the communities within Bergen and Hudson County,
23 53 communities here in Bergen County. I just wanted
24 to give you a brief overview that I attended a
25 meeting that was put on by Suez. They were

1 explaining what steps they were going to take in
2 regards to the findings, and while there were some
3 real good things that came about from their
4 presentation, there were also some things that raised
5 some concern among the elected officials that were
6 there and myself.

7 I know that the congressman from the
8 5th District, that he doesn't represent everybody,
9 but from the 5th District has written to the
10 president and CEO of Suez making some requests or
11 demands. I wanted the board to know that during that
12 meeting I offered some suggestions to Suez. I've
13 been in contact with Suez. I'm hoping to have a
14 meeting with the president and CEO in the very near
15 future to be able to expand on some of the
16 suggestions that I had and have a dialogue with them
17 without taking it in a different area. Hopefully
18 that will spur some commitment on their part to do
19 some other things that I think will benefit the folks
20 that are most impacted by this, and I say that
21 because those are the people, the 8,600 that actually
22 have lead services. And then those that have a
23 potential for a gooseneck, which is about a foot-long
24 piece of lead, those 30,000, you know, from a
25 priority standpoint, I believe that they have to

1 prioritize it and do some things that way, but then
2 there should be commitment as to how they propose to
3 address that issue.

4 So I wanted the board to know, though,
5 that from a county perspective, we are engaging, and
6 I am looking at trying to help the people of Bergen
7 County and Hudson County that are affected by this,
8 but also let you know that Suez hopefully will be
9 supportive and receptive to some of the ideas that I
10 may have. So I just wanted the board to know that
11 there is a dialogue happening.

12 CHAIRWOMAN ORTIZ: Thank you, because
13 so many are being affected, thousands, especially in
14 my area.

15 FREEHOLDER SULLIVAN: Chairwoman?

16 CHAIRWOMAN ORTIZ: Sure.

17 FREEHOLDER SULLIVAN: County Executive,
18 I was told that you were pretty aggressive, and thank
19 you for that. I did have a meeting with one of the
20 members from Suez, and they're proposing 7 percent to
21 be replaced a year, to which I know you told them
22 that you felt that was low. So I appreciate you
23 going --

24 COUNTY EXECUTIVE TEDESCO: Yes, I mean,
25 that was an agreement they had with the DEP, and when

1 you play that out over time, I just think that that's
2 way too long to do. I think that what I am proposing
3 to them, I hope that they will be receptive to this.
4 I think there's a way they can do it, and, you know,
5 I challenge them from a standpoint of, you know, if
6 they're basing a lot of their decisions on economics,
7 then I think they're going in the wrong direction.

8 FREEHOLDER VOSS: Right.

9 COUNTY EXECUTIVE TEDESCO: This
10 shouldn't be about economics, this should be about
11 the health of the people. I think they got that
12 message, and I'm hoping that with what I'm going to
13 propose, that that will encourage them to go back to
14 the DEP, because anything that happens,
15 unfortunately, cannot be done just based on what Suez
16 chooses to do, it's got to go back to the DEP, and
17 the DEP has to actually approve every single step of
18 this. They have to actually approve every word that
19 they put out in public now on this.

20 So from that standpoint, I'm hoping
21 that once I can sit down with them and talk to them
22 and put my proposal together for them, that they can
23 then take that and then, you know, from the other
24 side, I'll talk to the DEP also and say that, you
25 know, from my belief this is a much better option,

1 and, you know, I'm looking at within five years all
2 8,600 should be gone. I mean, that's what I believe.
3 I believe that's rational. I believe it's fair.

4 And then the other gooseneck pieces,
5 the 30,000, that's a whole different ball game right
6 there, but in my mind there needs to be a sense of
7 urgency for the 8,600.

8 FREEHOLDER SULLIVAN: So my suggestion,
9 and you can pass it along, again, if you'd like, but
10 the question was posed to me, well, how do you plan
11 on doing all this construction at once?

12 They asked me what I thought a fair
13 number was. I said 20 percent a year, in that area,
14 right? Well, how do you plan on doing that?

15 Well, you don't do it, we don't have
16 the manpower, you hire companies. Suez does not
17 perform the work, so you can subcontract this out.

18 Well, you're going to tie-up all the
19 roads.

20 So my suggestion is 5 percent in the
21 north, 5 percent in the south, 5 percent in the east,
22 and 5 percent in the west, right? If you spread it
23 all out, then you're not affecting all the major
24 roads.

25 So it's just a suggestion. You're

1 there more, you know better.

2 COUNTY EXECUTIVE TEDESCO: And now,
3 listen, you know, they kind of try to say, well, you
4 know, this and that, and I'm like, "Whoa, timeout. I
5 understand this, I know this."

6 So we know the locations. Pretty much
7 we know where all 8,600 are, and so, you know, I
8 believe that you also have to look at it and do some
9 more fine-tuning, but if they do some water quality
10 tests and they find the highest levels, well, it
11 would make sense to me that you attack those first,
12 right?

13 So there's many things that they can do
14 that I don't think they thought about, and this isn't
15 taking a shot at them. I think they wanted to get
16 the information out. I think they got it out too
17 quick and didn't think bigger picture, and I think
18 now, you know, they'll be more receptive to
19 listening, but if we can identify where the real
20 hotspots are, we can attack those, and then we can
21 attack those based on geographical and roadways.

22 And, listen, you know, one of the
23 things I said is, so let's partner up with PS, so if
24 PS is doing a project and they're going to rip up one
25 side of the street, well, let's bring you in and rip

1 up the other side of the street all at one time and
2 then pave the street.

3 FREEHOLDER SULLIVAN: Makes sense.

4 FREEHOLDER VOSS: Makes sense.

5 COUNTY EXECUTIVE TEDESCO: So there's
6 ways, Tom, that we can look at this and coordinate
7 this and do a much better job of getting this done
8 quicker, you know. They don't have to use their
9 crews, they can use Fletcher, they can use other
10 people. You know, I suggested to them, hire some
11 retirees to come in.

12 Part of the problem I have is, you
13 know, them telling you to call a plumber. So now I
14 said, well, God, now I'm going to have thousands of
15 people calling plumbers, they're going to get ripped
16 off, there's going to be a scam, and now I got to
17 have my Consumer Affairs Bureau and I'm like, you
18 don't have to do that. Hire some retired guys. You
19 know the 8,600, go in and have them look at the lot.
20 They can tell within 30 seconds whether there's lead
21 there or not. I don't need to pay a plumber \$150 to
22 come in and say, yup, you got copper, goodbye. Oh,
23 write me my check. I mean, that's not fair.

24 FREEHOLDER SULLIVAN: It's not.

25 CHAIRWOMAN ORTIZ: That's not fair,

1 especially for seniors.

2 COUNTY EXECUTIVE TEDESCO: Exactly. So
3 there are ways to deal with it. I'm hoping that
4 they'll be receptive. I spoke to them again today.
5 They're going to work with Melissa on scheduling an
6 appointment with me next week. So let's hope that
7 happens.

8 FREEHOLDER SULLIVAN: Thank you.

9 CHAIRWOMAN ORTIZ: County Executive,
10 why would the DEP agree with those terms is what I
11 don't understand. It just doesn't make any sense.

12 COUNTY EXECUTIVE TEDESCO: I think they
13 were probably not as -- and I don't know whether
14 "concerned" is the right word, but I don't know that
15 they were -- they don't understand the impact
16 emotionally to people, and so they're a bureaucratic
17 organization, just like we are, right? So I think
18 when they propose 7 percent, oh, okay, that sounds
19 like a good number.

20 Okay, what's 7 percent of 8,600? It's
21 this many. And, you know, so you're like okay. So
22 then if I have a lead service and they know it and I
23 know it, is that okay that I get to be in the last
24 year of the replacement? You know, that's 15 years
25 from now. So what do I do for 15 years? I'll use

1 Brita.

2 VICE-CHAIRWOMAN AMOROSO: Filter.

3 COUNTY EXECUTIVE TEDESCO: I'll use a
4 Brita. I mean, is that fair to people? Come on.
5 No, it's not. So I think the DEP was a little -- you
6 know, they were a little --

7 CHAIRWOMAN ORTIZ: Lax.

8 COUNTY EXECUTIVE TEDESCO: Yes.

9 You know, I'm not sure they actually
10 really thought about it real well. I think it was
11 very quickly. They came up with a number real
12 quickly and they both agreed, and, you know, again,
13 Suez, oh, we agreed with the DEP 7 percent, and I'm
14 like, think about what you're saying, think about the
15 8,600 people that for the next 15 years they're going
16 to still have this lead in their water, potentially.

17 CHAIRWOMAN ORTIZ: Right.

18 Well, thank you for being so proactive.
19 I appreciate it.

20 COUNTY EXECUTIVE TEDESCO: Thank you.

21 PUBLIC COMMENT

22 CHAIRWOMAN ORTIZ: May I have a motion
23 to open the meeting to the public?

24 FREEHOLDER VOSS: So moved.

25 FREEHOLDER SILNA ZUR: Second.

1 CHAIRWOMAN ORTIZ: All in favor?

2 (All present Freeholders respond in the
3 affirmative.)

4 CHAIRWOMAN ORTIZ: Any opposed?

5 (No response.)

6 CHAIRWOMAN ORTIZ: We will now have the
7 Hearing of the General Public, with a three-minute
8 time limit in effect, in accordance with the Bergen
9 County Freeholder bylaws.

10 The Board Attorney will keep the time.
11 When the time of the speaker expires, the Board
12 Attorney will announce the time has expired.

13 Is there anyone from the public who
14 would like to speak?

15 Please come, thank you.

16 If you could state your name and spell
17 it for the young lady.

18 MS. ROGOVIN: My name is Paula Rogovin,
19 R-O-G-O-V-I-N, from Teaneck.

20 I'm a member of the Coalition to Ban
21 Unsafe Oil Trains -- I've been here before -- and the
22 coalition Don't Gas the Meadowlands Coalition. I'm
23 one of many people who will come before you in the
24 next period of time to call on the Freeholders to
25 pass a resolution to oppose the Meadowlands power

1 plant. It would be operating with fracked gas
2 brought in by pipeline. It would also serve with oil
3 at certain times during the year.

4 The trains that we all know go through
5 our communities carrying Bakken crude oil, which is
6 really volatile, which when a train derailed in
7 Quebec five years ago, 47 people were killed
8 instantly, those same trains would go right next to
9 the proposed power plant. So you have these trains
10 carrying volatile materials, plus the thing next to
11 the power plant with oil and gas, it puts people in a
12 really dangerous position.

13 It would become a major polluter in so
14 many ways. I think that the pollution that gets me
15 the most upset, worries me the most as a teacher that
16 just retired after 44 years teaching in New York City
17 is the impact of the ozone on children's lungs and
18 vulnerable adults, anybody with respiratory problems.

19 I've been at the two meetings that the
20 coalition's held, in fact, one just recently with the
21 DEP in Trenton, and they said the ozone would be over
22 the limit, but don't worry about it because they
23 could -- don't worry about it, yeah, because it could
24 get credit from other plants that have shutdown, like
25 coal burning plants.

1 MS. ROGOVIN: -- you know, a number of
2 jobs, 3,000 jobs initially, and then it will drop
3 down after the construction down to 33 jobs. And so,
4 you know, I'd say there's a lot more job building in
5 green energy, green in solar and wind, there are a
6 lot more jobs created in the more sustainable
7 situation.

8 So I'm requesting now, one of your
9 first requests, perhaps, for a resolution, but there
10 will be more of us because it's such a serious
11 problem.

12 Thank you.

13 CHAIRWOMAN ORTIZ: Thank you.

14 Anybody else would like to speak.

15 (No response.)

16 FREEHOLDER GANZ: Motion to close.

17 CHAIRWOMAN ORTIZ: May I have a motion
18 to close the meeting to the public?

19 FREEHOLDER SILNA ZUR: Second.

20 CHAIRWOMAN ORTIZ: All in favor?

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

23 CHAIRWOMAN ORTIZ: Opposed?

24 (No response.)

25 REVIEW OF RESOLUTIONS

1 CHAIRWOMAN ORTIZ: We will now review
2 the Resolutions to be voted on tonight.

3 MS. BIANCHI: Resolutions #80-19
4 through #92-19.

5 CHAIRWOMAN ORTIZ: May I have a motion
6 to accept the Resolutions on the Consent Agenda as
7 read by the Clerk?

8 Oh, wait, we're reviewing the list.
9 I'm sorry.

10 #80-19 through #83-19.

11 VICE-CHAIRWOMAN AMOROSO: Chairwoman, I
12 would like to ask about the Rider to Construction,
13 Emergency Replacement, Ramapo Valley Culvert. Is
14 that --

15 CHAIRWOMAN ORTIZ: Oh, #83-19, correct?

16 VICE-CHAIRWOMAN AMOROSO: Yes.

17 FREEHOLDER VOSS: Right.

18 VICE-CHAIRWOMAN AMOROSO: I know I went
19 to a ribbon cutting for some other culvert up there
20 near Ramapo College.

21 MR. FEMIA: This is that same culvert
22 right at the Darlington Schoolhouse.

23 VICE-CHAIRWOMAN AMOROSO: Right. So
24 there's new emergency problems?

25 MR. FEMIA: No, this is actually

1 paperwork necessary for what was previously done. So
2 this is cleaning up paperwork, closing out the
3 project. We have to submit certain documentation to
4 DOT, because that's a DOT funded project. So that's
5 what this is, yes.

6 VICE-CHAIRWOMAN AMOROSO: Okay.

7 MR. FEMIA: If you recall, we had to
8 change contractors in the middle of the job.

9 VICE-CHAIRWOMAN AMOROSO: I remember.

10 MR. FEMIA: That's basically what this
11 document is summarizing.

12 FREEHOLDER SILNA ZUR: So it's not
13 expending you dollars, it's just the paperwork?

14 MR. FEMIA: Right.

15 FREEHOLDER SILNA ZUR: So is the dollar
16 amount than necessary on that resolution?

17 MR. FEMIA: I would think that the
18 value of the contract needs to be in the resolution.

19 FREEHOLDER SILNA ZUR: Okay.

20 CHAIRWOMAN ORTIZ: Thank you.

21 VICE-CHAIRWOMAN AMOROSO: I would like
22 to sponsor that.

23 CHAIRWOMAN ORTIZ: Thank you.

24 FREEHOLDER SILNA ZUR: Madam
25 Chairwoman, I would request that we do as a Body of

1 the Whole the appointments, which were #85-19 through
2 #91-19, and also #92, as it is revenue producing as
3 well.

4 CHAIRWOMAN ORTIZ: Anyone opposed to
5 that?

6 FREEHOLDER VOSS: No.

7 CHAIRWOMAN ORTIZ: Okay.

8 FREEHOLDER SILNA ZUR: I'm very happy
9 to see the Mental Health Board.

10 CHAIRWOMAN ORTIZ: Agreed. And the
11 shared services agreement.

12 VICE-CHAIRWOMAN AMOROSO: I agree.

13 CHAIRWOMAN ORTIZ: May I have a motion
14 to accept the Resolutions on the Consent Agenda as
15 read?

16 FREEHOLDER SULLIVAN: So moved.

17 FREEHOLDER VOSS: Second.

18 CHAIRWOMAN ORTIZ: All in favor?

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

21 CHAIRWOMAN ORTIZ: Roll call, please.

22 (At this point in the proceeding roll
23 call is taken and the Resolutions of Unanimous
24 Consent are passed by a unanimous vote.)

25 MS. BIANCHI: With seven yeses, the

1 resolutions pass.

2 CHAIRWOMAN ORTIZ: Are there any
3 Resolutions of Nonconsent, pulled, postponed or
4 tabled?

5 MS. BIANCHI: There are none.

6 CHAIRWOMAN ORTIZ: Okay. Thank you.

7 CLOSED SESSION

8 CHAIRWOMAN ORTIZ: We will now go into
9 closed session for approximately 20 minutes and will
10 return to Public Session.

11 Will the attorney briefly state the
12 matter for which we will be discussing in Closed
13 Session?

14 MR. FLORIO: Thank you, Chairwoman.

15 The Board will receive from the County
16 Counsel a briefing on potential litigation.

17 CHAIRWOMAN ORTIZ: May I have a motion
18 to go into Closed Session?

19 FREEHOLDER VOSS: So moved.

20 VICE-CHAIRWOMAN AMOROSO: Second.

21 CHAIRWOMAN ORTIZ: All in favor?

22 (All present Freeholders respond in the
23 affirmative.)

24 CHAIRWOMAN ORTIZ: Any opposed?

25 (No response.)

1 CHAIRWOMAN ORTIZ: Okay. Closed at
2 4:56 p.m.

3 (Whereupon, Closed Session is held.)

4 (Open Session resumes at 5:17 p.m.)

5 MR. FLORIO: We're on the record,
6 Chairwoman.

7 CHAIRWOMAN ORTIZ: There being nothing
8 further to come before this meeting, may I have a
9 motion to adjourn?

10 FREEHOLDER GANZ: So moved.

11 VICE-CHAIRWOMAN AMOROSO: Second.

12 CHAIRWOMAN ORTIZ: All in favor?

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

15 CHAIRWOMAN ORTIZ: We're adjourned at
16 5:17 p.m.

17 (Whereupon, the Work Session is
18 adjourned at 5:17 p.m.)

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

I, CANDICE CARUCCI, a Professional 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.

My Commission Expires:

8/26/2020

A Notary Public of the
State of New Jersey
License No. 2399765