

**Minutes of the Meeting
of the
Bergen County Board of Social Services
August 7, 2012**

PRESENT: Freeholder John A. Felice, Chairperson
Freeholder John D. Mitchell, Vice-Chairperson
Deborah Viola, Ph.D., Secretary-Treasurer
Randi Duffie, Assistant Secretary-Treasurer (Arrived Late)
John M. Carbone, Esq., County Adjuster (Arrived Late)
Leah Puzzo, Board Member
William E. Connelly, Jr., Board Member
Mayor Vincent Barra, Board Member
Bob Nyman, Board Member
Frank Catania, Jr., Esq., General Counsel
Robert Calocino, Acting Director
Michele Darmochwal, Administrative Secretary

ABSENT: Tom Toronto, Board Member

A regular meeting of the Bergen County Board of Social Services was held on August 7, 2012, at 5:30 p.m. in the Board Room of the Bergen County Board of Social Services, 216 Route 17 North, Building A, Rochelle Park, New Jersey.

PUBLIC SESSION:

Chairman John A. Felice called the meeting to order. Counsel read the notice required by the Open Public Meetings Act as follows:

"Pursuant to the Open Public Meetings Act, adequate notice of the meeting scheduled for August 7, 2012 has been provided in the following manner:

1. By a prominent posting of the schedule of meetings for 2012, including a notice of the scheduled time, scheduled date, and location of this meeting at the Bergen County Administrative Building, One Bergen County Plaza, Hackensack, New Jersey.
2. The mailing of this notice of the time, date, and location of this meeting to "The Record", which was published on December 10, 2011 and to the Herald News, which was published on December 10, 2011.

3. By filing of the notice of the time, date, and location of this meeting with the Bergen County Clerk, said filing having taken place on December 7, 2011.

The notice required by the “Open Public Meeting Act” was read as follows:

"Ladies and Gentlemen, the Bergen County Board of Social Services shall now exclude members of the public from the meeting for the following reason:

1. The Board shall discuss property matters involving individuals who have received assistance from the Bergen County Board of Social Services. The identification of such individuals or their property may result in a violation of their rights to privacy and may result in the loss of public funds by this agency.
2. The Board shall discuss matters which are covered pursuant to N.J.S.A. 10:4-12 (b)(1,2,3) involving individuals who have received assistance from the Bergen County Board of Social Services or who have applied for assistance. To disclose the names of such individuals would work an unwarranted invasion of their rights to privacy.
3. The Bergen County Board of Social Services shall discuss personnel matters which are specifically exempt from public meetings pursuant to N.J.S.A. 10:4-12 (b)(8).
4. The Board shall discuss matters with Counsel to the Board which matters shall fall within the attorney-client privilege and are therefore excluded from the public meeting.
5. The Board may discuss other matters pursuant to N.J.S.A. 10:4-12.

Please be advised that at the conclusion of this session, the Board shall return to a public session and the members of the public are invited to return in order to observe. Thank you.

A quorum being achieved, the Board met in Public Session.

PUBLIC SESSION:

Flag Salute

Robert W. Calocino led those present in a salute to the flag.

Roll Call

A Roll Call was taken for Open Session:

MEMBERS	TITLE	PRESENT	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X	
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X	
DEBORAH VIOLA, Ph.D.	SECRETARY-TREASURER	X	
RANDI DUFFIE	ASST. SECRETARY TREASURER		X

JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER		X
LEAH PUZZO	BOARD MEMBER	X	
WILLIAM CONNELLY	BOARD MEMBER	X	
MAYOR VINCENT BARRA	BOARD MEMBER	X	
TOM TORONTO	BOARD MEMBER		X
BOB NYMAN	BOARD MEMBER	X	

Open Public Comment Period

A motion to open the Open Public Comment Period, for a three-minute limit with the option of speaking again, was offered by Vice-Chairman Mitchell, seconded by Mr. Connelly, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER				X
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER				X
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

There being no public comment a motion to close the Open Public Comment Period was offered by Vice-Chairman Mitchell, seconded by Mrs. Puzzo, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER				X
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER				X
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

Adoption of Minutes:

(a) Open Session Minutes July 2, 2012

No discussion. A motion to adopt the Open Session Minutes of July 2, 2012 was offered by Vice-Chairman Mitchell, seconded by Dr. Viola, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER				X
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER				X

LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

Treasurer's Report:

Scott Modery summarized both the Bills List and Schedule of Vouchers. A discussion ensued.

For the record, Mr. Carbone arrived at 5:35 p.m.

For the record, Mrs. Duffie arrived at 5:36 p.m.

A motion to pay half of the total contract to Nationwide Consulting was offered by Mr. Carbone, seconded by Mrs. Puzzo, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

Bills List:

A motion to approve the Bills List was offered by Vice-Chairman Mitchell, seconded by Dr. Viola, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

Schedule of Vouchers:

A motion to approve the Schedule of Vouchers was offered by Vice-Chairman Mitchell, seconded by Dr. Viola, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

Acting Director’s Report:

(a) Monthly Reports – Statistical & Financial:

A snapshot of caseload and expenditures were provided to the members for the month of June 2012. At the Board’s request, the Acting Director will research Chart “A” to determine and explain why the caseload went down and the expenditures have increased. Next month, the Acting Director will present information regarding setting up a Call Center. A discussion ensued.

President’s Report:

The Chairman deferred the President’s Report and turned the meeting over to General Counsel who discussed the format of this meeting, as well as, what is permitted. He discussed that two candidates are scheduled to come in this evening to interview in Closed Session for the Executive Director position. He stressed the importance of understanding and following the guidelines of the Open Public Meetings Act and the Case Law. If the Board opts to interview in Closed Session, the Board needs to discuss every question as to what the Board is going to ask in Open Session before doing so during the interview in Closed Session. Also, aside from questions, there is no discussion as to the candidates’ answers in Closed Session. The Board would have to go back into Open Session. Prior to this evening, Mr. Carbone submitted questions to the members that will be entered into the record. The Board asked the Union if they had any questions. Questions from the Board and the Union were submitted, photocopied, and provided to the Board, as well as, to the public who were present. For the record, Mrs. Duffie thanked Mr. Carbone for providing really good interview questions. The Chairman thanked Dr. Viola and Mr. Connelly for their efforts during this entire process. Mrs. Darmochwal left the room to make photocopies of questions (Exhibit A-1, A-2, P-1, and P-2). Upon her return, photocopies were distributed to the Board, as well as, to the public who were present and entered into the record as follows: Mr. Carbone’s questions were entered into the record and marked as A-1, an evaluation grid was entered into the record from Dr. Viola and marked as A-2, the public’s questions from Maria Aberasturi and Ronda

Wilson were entered into the record and marked as P-1, and another document consisting of public questions from Bob Calocino was entered into the record and marked as P-2. General Counsel advised that questions may be asked about their resumes, as well as, their responses in so far as any of the questions that were provided to the applicants previously. For the record, Dr. Viola requested that a question be asked regarding cite specific examples of your education, experience, training or work product, explain what benefits you would bring to the Bergen County Board of Social Services and why you should be hired over the other semi-finalists being considered. It was determined that Dr. Viola would take on the lead to interview the candidates.

OLD BUSINESS:

Nothing to report.

NEW BUSINESS:

- (a) **Discussion regarding questions to be asked during interviews of candidates during Closed Session for position of Executive Director @ 6:00/6:20/6:40 p.m.**

This item was discussed during the President’s Report.

- (b) **Next Board Meeting Date**

The Board Meeting is scheduled for **Monday**, September 10, 2012 at 5:30 p.m. at the Bergen County Board of Social Services.

Action Items:

Resolutions:

- (a) **2012.08.07 (1) –Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12**

A motion to waive the reading of Resolution 2012.08.07 (1) was offered by Vice-Chairman Mitchell, seconded by Mayor Barra, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

A motion to approve Resolution 2012.08.07(1) was offered by Vice-Chairman Mitchell, seconded by Mayor Barra, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

CLOSED SESSION:

The Bergen County Board of Social Services shall now exclude members of the public from the meeting and move into Closed Session for the following reasons: The Board may discuss property matters involving individuals who receive assistance from the BCBSS. The identification of such individuals or their property may result in a violation of their right to privacy and may result in a loss of public funds by this agency. The Board shall discuss matters which are covered pursuant to N.J.S.A. 10:4-12B(1,2,3) involving individuals who received assistance from the Board or the Bergen County Board of Social Services or who have applied for assistance. To disclose the names of such individuals would work an unwarranted invasion of their rights to privacy. The Bergen County Board of Social Services shall discuss personnel matters which are specifically exempt from public meetings pursuant to N.J.S.A. 10:4-12 (b)(8). The Board shall discuss matters with Counsel to the Board which matters fall within the attorney-client privilege and are therefore excluded from the public meeting. The Board may also discuss all other matters which are exempt from public meetings pursuant to N.J.S.A. 10:4-12. The minutes from these closed sessions shall be made available to the public upon the expiration of a 45-day appeal period. Please be advised that at the conclusion of this session, the Board shall return to a public session and the members of the public are invited to return at that time.

A motion to go into Closed Session was offered by Vice-Chairman Mitchell, seconded by Mayor Barra, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

The Board went into Closed Session at approximately 6:49 p.m.

OPEN SESSION:

The meeting reconvened in Open Session at approximately 9:15 p.m.

Chairman Felice requested a Roll Call:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

A motion to hold a Special Meeting on Monday, August 13, 2012 at 10:00 at the BCBSB, including an advertisement, was offered by Vice-Chairman Mitchell, seconded by Mrs. Duffie, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

A motion to table personnel requests under Closed Session (d) (2) was offered by Vice-Chairman Mitchell, seconded by Dr. Viola, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

A motion to table the update on the W.K. litigation, under litigation, and to direct Counsel to advise Mr. Kaufman not to file an opposition response as to the pending W.K. litigation and to join in with the co-defendants as to their responses was offered by Vice-Chairman Mitchell, seconded by Dr. Viola, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

Adoption of Minutes:

Closed Session Minutes June 5, 2012

A motion to adopt the Closed Session Minutes of June 5, 2012 was offered by Vice-Chairman Mitchell, seconded by Mr. Connelly, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER			X	
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

Closed Session Minutes July 2, 2012

A motion to adopt the Closed Session Minutes of July 2, 2012 was offered by Vice-Chairman Mitchell, seconded by Mayor Barra, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER			X	
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER			X	
LEAH PUZZO	BOARD MEMBER			X	
WILLIAM CONNELLY	BOARD MEMBER			X	
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER			X	

A motion to authorize an RFQ for an Interim Management Consultant was offered by Vice-Chairman Mitchell, seconded by Dr. Viola, and approved as follows:

MEMBERS	TITLE	AYE	NAY	ABSTAIN	ABSENT
FREEHOLDER JOHN FELICE	CHAIRPERSON	X			
FREEHOLDER JOHN MITCHELL	VICE CHAIRPERSON	X			
DEBORAH VIOLA, Ph.D.	SECRETARY/TREASURER	X			
RANDI DUFFIE	ASST. SEC. TREASURER	X			
JOHN M. CARBONE, ESQ.	COUNTY ADJUSTER	X			
LEAH PUZZO	BOARD MEMBER	X			
WILLIAM CONNELLY	BOARD MEMBER	X			
MAYOR VINCENT BARRA	BOARD MEMBER	X			
TOM TORONTO	BOARD MEMBER				X
BOB NYMAN	BOARD MEMBER	X			

With no further business to conclude, a motion to adjourn the meeting at approximately 9:17 p.m. was offered by Vice-Chairman Mitchell, seconded by Dr. Viola, and unanimously approved.

Respectfully submitted,



Robert Calocino
Acting Director