

**Minutes of the Meeting
of the
Bergen County Board of Social Services
August 13, 2012**

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

ABSENT: John M. Carbone, Esq., County Adjuster

A special meeting of the Bergen County Board of Social Services was scheduled and held on August 13, 2012, at 10:00 a.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. In General Counsel's absence, Mrs. Darmochwal 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 13, 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 August 10, 2012 and to the Herald News, which was published on August 10, 2012.

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 August 8, 2012.

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

Mr. Toronto 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	

For the record, Chairman Felice advised that General Counsel is on his way to the meeting.

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 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			

Maria Aberasturi - 493 Linden Avenue, Teaneck NJ

Ms. Aberasturi commented that she had a couple of questions about the last meeting where the Board interviewed the candidates. Mrs. Aberasturi asked what exactly does Jersey Professional Management do? She was just wondering if they do more than advertising and if they weed people out. Are those the two final candidates or will there be other people considered? At Friday’s Freeholders’ Meeting, when Freeholder Hermansen asked her about participation of staff here in the process, she commented at the meeting that she personally had not participated in the process. She stated that she couldn’t speak for other people, such as Supervisors and Administrators, if they had. She also stated that the committee did not report in Public Session about the process and Freeholder Felice didn’t agree with her statement. Mrs. Aberasturi went back to review the meeting minutes and in the minutes she could not find, in the Public Session, any committee reports from the Personnel Committee.

Mayor Barra asked Mrs. Aberasturi if she mentioned to Freeholder Hermansen that the employees were permitted to submit questions. Maria responded, “Yes, I did”.

A motion to close the Open Public Comment Period was offered by Vice-Chairman Mitchell, seconded by Mr. Toronto, 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:

None

Treasurer's Report:

None

Acting Director's Report:

None

President's Report:

Chairman Felice commented that the Resolution to reclassify the Director's position of the BCBSS passed 4 to 2 at the Freeholders' Meeting on Friday, August 10, 2012. Now, this resolution will go to the Civil Service Commission and the Board will try to get this expedited. In response to Maria Aberasturi's questions during the Open Public Comment Period, the Chairman explained that JPM's job is to reach out to candidates and help the Board with advertisements. They also look at the candidates and begin the process of giving the Board some direction in regard to the criteria for the position that they are looking to fill. The final two candidates that the Board interviewed and discussed last Tuesday are the two final candidates for the position. There were interview questions provided by the public and the staff. For the record, the Chairman advised that there are committee reports for Personnel, Building & Grounds, and Fraud where they are going to be in Closed Session in regard to the law. At no time, was there ever Closed Session topics that should have not been Closed Session topics in regard to the subcommittees. He respectfully disagreed with Mrs. Aberasturi's comments.

At this point, General Counsel arrived.

OLD BUSINESS:

(a) Discussion regarding Interviews with Candidates:

Copies of the RFQ for Interim Management Consultant were distributed to the Board Members.

For the record, because some questions were raised about the process in regard to what JPM did, Mayor Barra articulated what JPM did in terms of advertising, the number of candidates, etc. The Board read into the record some of the things that they have done so that everyone understood that this was a far reaching transparent process. Directors of several Counties received personalized letters. It was advertised in various professional websites such as National Association of County and City Health Officials, National Association of Counties, National Association of Social Workers, NJ Chapter, and Our Broadcast Ad was also sent by direct mail to all Mayors and Administrators (approximately 130) in Bergen County towns. The Board received a total of 20 applicants, with only 6 being agency employees, 10 NJ residents, 4 out of State. It was a far reaching transparent search that went on. A lot was done in terms of getting it out there to the public to respond to get the best possible candidates to apply. General Counsel submitted responses from questions from Dan Mason to Chairman Felice into the record as A-1. Copies of A-1 were distributed to the Board Members.

General Counsel inquired about the resolution that was passed by the Board of Chosen Freeholders on Friday, August 10, 2012 regarding the reclassification of the Executive Director's position. General Counsel was advised that he can obtain a copy of that resolution from the Clerk to the Freeholder Board today. Once received, General Counsel will submit a copy of that resolution, as well as, the Agency's resolution to the Civil Service Commission. It has already been requested that the Civil Service Commission expedite the process to reclassify the position. With respect to the candidates, anything with respect to the specific candidates and the interviews that were conducted during Closed Session last time needs to be in Open Session today. As for procedure, the Board can discuss that in Closed Session. In regard to the RFQ that was sent out this past week, that will be discussed in Open Session for transparency. The RFQ was made available to the public on August 9, 2012 and published on August 11, 2012 with a return date of August 20, 2012 at 10:30 a.m. The opening of the responses will be opened and announced at 1:30 p.m. on August 20, 2012. As for Open Session, as far as the candidates, that is as much as what the Board will discuss in Open Session today.

Vice-Chairman Mitchell thanked and commended Bob Calocino for his efforts as Acting Director.

General Counsel advised that if the two candidates are interested, they must reapply through the RFQ. He explained that he has been in contact with Dan Mason and these two candidates have been advised. The response came back in the positive from Mr. Morales. He did not get a response from Chris Williams because he is on vacation. In previous communications, Dan Mason led General Counsel to believe that Mr. Williams would be agreeable. The Board discussed the two candidates at length. The Board has to wait for the remainder of the RFQs that come in

before they make an appointment. The Board went around the table and individually discussed each of the two candidates' strengths and weaknesses. Tom Toronto did not comment since he was not present and/or part of the process at the August 7, 2012 Board Meeting. For the record, both individuals are strong, outstanding candidates and would do well.

Mrs. Duffie complimented the committee and thanked them for their time. She found the committee's style was very professional, and she appreciated that very much. She also complimented Dr. Viola for distributing her sheet, because that was very helpful.

After a lengthy discussion concerning the two candidates, the Board unanimously agreed that Chris Williams was the stronger candidate for the position. The committee's recommendation was Chris Williams.

Mayor Barra announced that not one word of a recommendation from the committee or one word that anyone heard today from the respective Board Members was uttered either at that Executive Session or at any time since then. What everyone heard today and what the members heard today was the first time that any of them have heard from the others. It is important that the public knows that and it has been an incredibly transparent process. There being no further comments, the Board proceeded with the agenda.

(b) Next Board Meeting Date

The Board Meeting scheduled for **Monday September 10, 2012 was rescheduled from 5:30 p.m. to 4:00 p.m.** at the Bergen County Board of Social Services. At the Chairman's request, Mrs. Darmochwal will publish an amended public notice and distribute the teleconference information to all the members.

Action Items:

Resolutions:

(a) 2012.08.13 (1) –Resolution Adopting a Fair and Open Process or a Non-Fair and Open Process for Retention of Consultant to Perform Audit of Utility Bills

A motion to waive the reading of Resolution 2012.08.13 (1) was offered by Mr. Toronto, 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			

A motion to approve Resolution 2012.08.13 (1) was offered by Mr. Toronto, 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:

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 Mr. Toronto, 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 11:02 a.m.

OPEN SESSION:

The meeting reconvened in Open Session at approximately 11:10 a.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			

With no further business to conclude, a motion to adjourn the meeting at approximately 11:15 a.m. was offered by Vice-Chairman Mitchell, seconded by Mrs. Duffie, and unanimously approved.

Respectfully submitted,



Robert Calocino
Acting Director