

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

THURSDAY, JUNE 5, 2014
AGENDA SETTING MEETING MINUTES

CALL TO ORDER

Vice Chairman Mohamed S. Jalloh called the meeting to order at 7:07 PM.

Attendee Name	Title	Status	Arrived
Bruce H. Bergen	Freeholder	Present	
Linda Carter	Freeholder	Present	
Angel G. Estrada	Freeholder	Present	
Sergio Granados	Freeholder	Present	
Bette Jane Kowalski	Freeholder	Present	
Alexander Mirabella	Freeholder	Present	
Vernell Wright	Freeholder	Absent	
Mohamed S. Jalloh	Vice Chairman	Present	
Christopher Hudak	Chairman	Absent	

Vice Chairman Mohamed S. Jalloh presided over the meeting.

Also present were County Manager Alfred J. Faella, County Counsel Robert E. Barry, Esq. And Clerk of the Board James E. Pellettiere.

PRAYER AND SALUTE TO THE FLAG

The Prayer and Salute to the Flag were led by the Clerk of the Board.

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The statement of compliance with the Open Public Meetings Act was read by the Clerk of the Board.

APPROVAL OF COMMUNICATIONS

Note and File

DEPARTMENT OF ADMINISTRATIVE SERVICES

Norman W. Albert, Esq., Director

1. Authorizing the County Manager to adopt the Inclement Weather Policy approved by the policy board at the May 1, 2014 Policy Meeting. **(Freeholder Vernell Wright)**

Freeholder Estrada asked for an explanation of item #1.

Director Albert stated that the Policy and Administrative Code Committee approved a change in the County's policy regarding the closing of the County due to inclement weather. He said should the Governor call for a State of Emergency, non-essential employees will be able to use

any of their leave time, including compensatory time and sick time as of January 1, 2014. This change in policy has been retroactive to January 1, 2014.

2. Amending Resolution Number 2014-15, a contract with Bauch, Zucker, Hatfield, LLC., Springfield, New Jersey, special counsel for labor negotiations and personnel matters to increase the cap for legal services in the amount of \$100,000 for an amount not to exceed \$200,000. **(Chairman Christopher Hudak)**
3. Resolution declaring various goods, land and equipment as surplus no longer needed for use by the County, and further authorizing the County Manager to advertise and hold public auction for said surplus goods, land and equipment. **(Chairman Christopher Hudak)**

Freeholder Granados asked for an explanation of item #3.

Director Albert stated that the vehicles have been forfeited by the Prosecutor's Office. These vehicles are not in good condition. He said the auction also includes forfeited land located in Florida.

4. Renewing the Public Official Bond with Travelers Insurance Company, Hartford, Connecticut for Bibi Taylor, for the period of April 15, 2014 through April 15, 2015 in the amount of \$952.00. **(Chairman Christopher Hudak)**
5. Renewing the Volunteer Accident Insurance policy with the Hartford Insurance Company from April 1, 2014 through April 1, 2015 in an amount not to exceed \$360.00 per year. **(Chairman Christopher Hudak)**
6. Renewing the Accident Insurance policy for Directors and Public Officials with Hartford Insurance Company for the period of April 1, 2014 through April 1, 2015 in an amount not to exceed \$1,955.00 per year. **(Chairman Christopher Hudak)**

Freeholder Kowalski asked if there was a substantial increase in the cost relative to items #5 and #6.

Director Albert stated that item #5 is the same amount as last year and there is an increase of approximately \$100 to item #6.

DEPARTMENT OF ECONOMIC DEVELOPMENT

William Reyes, Deputy County Manager / Director

1. Amending Resolution No. 2012-648 adopted on August 16, 2012; BA#23-2012 dated August 22, 2012, a contract awarded through the public bidding process, to Riefolo Construction Company of Cedar Grove, New Jersey, approving Change Order No. 1 (final) for the construction of a New Greenhouse / Master Gardner's Project located in Mountainside, New Jersey. This change order will reduce the original contract amount by (\$11,685.41) for a new contract amount not to exceed \$240,764.59. **(Chairman Christopher Hudak)**
2. Authorizing the County Manager to award a Professional Engineering Service contract to Maser Consulting, P.A., of Red Bank, New Jersey to provide design, engineering, and consulting services for the installation of a synthetic turf system to accommodate two multipurpose

(soccer) fields, with field lighting including two adjacent baseball fields at Cedar Brook Park, Plainfield, New Jersey in an amount not to exceed \$94,200.00. (U C Engineering Project No. 2014-020) **(Chairman Christopher Hudak)**

3. Authorizing the County Manager to award a Professional Service Contract to Harbor Consultants, Cranford, New Jersey for engineering, land surveying and construction management services for a new parking lot at the baseball field in Nomahegan Park, Cranford, New Jersey in an amount not to exceed \$28,900.00. (UC Engineering Project No. 2014-022) **(Chairman Christopher Hudak)**
4. Amending Resolution Number 2012-315, a Professional Engineering Service contract with T&M Associates of Middletown, New Jersey, to provide construction support services associated with the Rehabilitation of Lake Surprise Dam, in an amount of \$44,379.00 for a new total contract amount not to exceed \$281,191.00. (UC Engineering Project No. 2011-015) **(Chairman Christopher Hudak)**

Freeholder Carter asked for an explanation of item #4.

County Engineer Tom Mineo answered. He stated that item #4 is for additional dollars for T&M Associates. He said it took 6 years to design the project due to DEP issues and the funds were depleted over the years and the shop drawings need to begin. He stated that the Construction Administration costs total \$4 million.

Freeholder Carter asked if any changes are expected in the Construction Administration part of the contract.

Mr. Mineo stated that they are not expecting any changes, but it is not as clear as a road project.

5. Authorizing the County Manager to award a Professional Engineering Service contract to Harbor Consultants, Inc., of Cranford, New Jersey for the purpose of providing design and construction administration for the Rehabilitation of the Clay Court located at Warinanco Park, Borough of Roselle, New Jersey in an amount not to exceed \$26,700.00. (UC Engineering Project No. 2014-023) **(Chairman Christopher Hudak)**

Vice Chairman Jalloh asked for an explanation of item #5.

Deputy Director Reyes stated that the purpose of item #5 is to improve the tennis courts in Warinanco Park near the Track and Field. He said the design and construction will be improved in order to bring the tennis courts back to use.

6. Authorizing the County Manager to award the proposed contract obtained through advertised public bidding in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq; Department of Economic Development, Division of Engineering; Black Rock Enterprises, LLC of Old Bridge, New Jersey, for the purpose of providing 2014 Road Resurfacing Project, in the amount of \$2,953,158.64. This project is funded by the Department of Transportation 2013 Annual Transportation Program. (NJDOT 2013 ATP) **(Chairman Christopher Hudak)**

Deputy County Manager Reyes gave an overview of item #6. He said item #6 is as resurfacing road project for 9 municipalities. He stated that Phase I will run from July through September and Phase 2 will begin in the fall for approximately the same contract amount.

County Manager Faella interjected and said that 14 miles of roadway will be resurfaced, which is more than in the past.

Freeholder Bergen asked if Phase 2 is a separate contract from item #6.

Deputy County Manager Reyes replied yes.

7. Authorizing the County Manager to award a contract to the Clark Board of Education under the Workforce Investment Act Youth Program for the provision of comprehensive year-round youth programs that may include a paid summer work experience component for the period of July 1, 2014 through May 30, 2015 in an amount not to exceed \$30,000. (**Chairman Christopher Hudak**)

Freeholder Granados asked for an explanation of item #7.

Antonio Rivera of the Workforce Investment Board stated that item #7 is to award a contract to the Clark Board of Education under the Workforce Investment Act Youth Program for disabled youth for a summer work program. He added the contract will run from July 1, 2014 through May 30, 2015 and there are 6 funded programs for the summer.

Freeholder Carter asked if there are dollars left over from the 2013-2014 contract. She asked if these dollars are specific to the program and she asked if other municipalities could participate.

Mr. Rivera stated that there are six other programs that have been funded, but this program was not originally in that program. He said the contract runs from January 2014 to December 2014.

8. Authorizing the County Manager to enter into an agreement with the Union County Performing Arts Center in an amount not to exceed \$50,000 for the purposes of developing support for the arts in Union County and creating cultural and educational opportunities for Union County residents. (**Vice Chairman Mohamed S. Jalloh**)

DEPARTMENT OF FINANCE

Bibi Taylor, Director

Director Taylor stated that she will have an additional Resolution relative to another grant notification for the next Freeholder Meeting. She also stated that the items on the Agenda are all related to grants received to date, resulting in modifying the 2014 budget.

1. Resolution Modifying the 2014 Budget in the amount of \$49,276 as a result of notification received from the US Department of Housing & Urban Development for a Program Entitled: Continuum of Care (CoCr). (**Vice Chairman Mohamed S. Jalloh**)

Freeholder Carter questioned item #1.

Director Taylor stated that item #1 is an insertion of an item of revenue in the budget of the year 2014 in the amount of \$49,276 that has become available from the US Department of Housing & Urban Development (HUD) for the Continuum of Care (CoCr) Program.

2. Resolution Modifying the 2014 Budget in the amount of \$65,292 as a result of notification received from the State of New Jersey, Department of Human Services for a Program Entitled: Transportation Block Grant - TANF. **(Vice Chairman Mohamed S. Jalloh)**
3. Resolution Modifying the 2014 Budget in the amount of \$720,925 as a result of notification received from the State of New Jersey, Department of Human Services for a Program Entitled: Social Services for the Homeless. **(Vice Chairman Mohamed S. Jalloh)**
4. Resolution Modifying the 2014 Budget in the amount of \$290,474 as a result of notification received from the State of New Jersey, Department of Health for a Program Entitled: Local Information Network Communications - LINC. **(Vice Chairman Mohamed S. Jalloh)**
5. Resolution Modifying the 2014 Budget in the amount of \$24,000 as a result of notification received from the State of New Jersey, Department of Environmental Protection for a Program Entitled: Watchung Reservation Trails Improvement Project. **(Vice Chairman Mohamed S. Jalloh)**

DEPARTMENT OF HUMAN SERVICES

Frank Guzzo, Director

Director Guzzo stated that he will have an additional Resolution for the next Freeholder Meeting which pertains to the item Director Taylor will be adding to the next Freeholder Meeting. He said it will contain an array of services.

1. Amending Resolution Number 2013-844, to revise the Governor's Council on Alcoholism and Drug Abuse (GCADA) CY2014 Alliance Plan to include the administrative allocation award in the amount of \$85,500, from \$450,701 to \$536,201, with no change in funding period; further revising CY2013 to read CY2014. **(Freeholder Bette Jane Kowalski)**
2. Amending Resolution Number 2014-345, for a language change only, as required by the New Jersey Department of Community Affairs. **(Freeholder Bette Jane Kowalski)**

Freeholder Mirabella asked why there is a change in the language pertaining to item #2.

Director Guzzo explained that the agency required specific language in the Resolution, adding that in the previous Resolution, it was not specific enough. He said the language needed to be amended prior to receiving the funding.

Freeholder Mirabella asked if the Agency provides the language.

Director Guzzo replied, yes.

Freeholder Mirabella asked if the original Resolution was for \$271,344 from January 2013 to December 2015.

Director Guzzo stated that the Resolution Freeholder Mirabella is referring to is for a different type of service. He said that Resolution was for senior rental assistance.

3. Authorizing the County Manager to enter into an agreement with NJ Transit to secure funding for Fiscal Year (FY) 2015 in the amount of \$869,332, received through the Casino Tax Revenue, Senior Citizens and Disabled Residents Transportation Assistance Program (SCDRTAP) Grant for the period of January 1, 2015 through December 31, 2015, for the provision of curb-to-curb transportation for seniors age sixty and older, persons with disabilities and/or economically disadvantaged residents of Union County to medical, education, employment, nutrition, shopping and recreational facilities. **(Freeholder Bette Jane Kowalski)**
4. Authorizing the County Manager to renew subcontracts under the 2015 Social Services for the Homeless (SSH) Grant Spending Plan in the total amount of \$686,595 for the period of July 1, 2014 through June 30, 2015, further authorizing the transfer of funds among the awarded agencies during the contract period should service needs change and/or if any fails to meet its contractual obligation. **(Freeholder Bette Jane Kowalski)**
5. Amending Resolution Number 2013-995 to reflect a change in account numbers only with no change in the total amount of funds allocated under the approved 2014 Community Services Block Grant (CSBG) Spending Plan. **(Freeholder Bette Jane Kowalski)**
6. Amending Resolution Number 2012-512, to authorize valid Workforce Investment Act (WIA) Individual Training PY 2012-2013 contracts to be re-set using Federal Workforce Investment Act (WIA) Adult and Dislocated Worker PY 2013 grant dollars in the amount not to exceed \$35,000 for the period of June 1, 2014 through May 31, 2015. **(Freeholder Bette Jane Kowalski)**

DEPARTMENT OF PARKS AND RECREATION

Ronald Zuber, Director

Director Sanchez of the Division of Recreational Facilities represented the Department.

1. Authorizing County Manager to issue the incentive fee payment for calendar year 2013 in the amount of \$143,400 to Kemper Sports Management as per Section 7.4 of the Management Agreement. **(Freeholder Sergio Granados)**

Freeholder Estrada asked if item #1 is an extension.

Director Sanchez answered no, it is an incentive fee to KemperSports. He said the amount is based upon the amount of revenue that was exceeded in 2013.

2. Amending Resolution Number 2014-171, a contract with Tri-State Materials, LLC d/b/a Greenpro Materials for the purchase of Stabilizer Binder for Trails to reflect a change in account numbers only. **(Freeholder Sergio Granados)**

3. Authorizing the purchase and installation of a patio awning at the Warinanco Park Boathouse from Union Window Shade and Awning Co, Union New Jersey, in the amount of \$9,300. **(Freeholder Sergio Granados)**

DEPARTMENT OF PUBLIC SAFETY

Andrew Moran, Director

1. Authorizing the County Manager to accept and expend the New Jersey Department of Health Grant Award for Public Health Emergency Preparedness (LINCS Grant) in the amount of \$290,474 for a contract period of July 1, 2014 through June 30, 2015. **(Chairman Christopher Hudak)**
2. Authorizing the County Manager to enter into an Annual Support Agreement with TriTech for technical support of VisiCad software systems for a contract period of twelve (12) consecutive months, in the amount of \$68,312.18. **(Chairman Christopher Hudak)**

Vice Chairman Jalloh asked for an explanation of item #2.

Director Moran stated that item #2 is a maintenance agreement for the dispatch program in Westfield. He said this agreement will assist in quicker responses to occurrences and will be used in County-owned facilities and various municipalities.

Vice Chairman Jalloh asked if the contract is for a "not to exceed" amount or if the amount is for a retainer.

Director Moran stated that the amount mentioned in item #2 is the amount for the system for one year.

Vice Chairman Jalloh asked if this contract amount is an increase compared to last year.

Director Moran stated that this is the first year for this contract. He added that the dispatching system was not operational as of December 1st.

DEPARTMENT OF PUBLIC WORKS AND FACILITIES

Joseph Graziano, Director

1. Amending Resolution Number 2012-581, Change Order No. 1, (BA#49) a contract with Core Mechanical, Inc., Pennsauken, New Jersey, for air conditioning and refrigeration maintenance services to support additional air duct cleaning services at the Oriscello Correctional Facility located in Elizabeth, New Jersey. This request will increase the Facilities Management portion of the bid amount by \$122,510 for a new total contract amount not to exceed \$796,370.00. **(Chairman Christopher Hudak)**

Vice Chairman Jalloh asked for the purpose of item #1.

Director Graziano stated that approximately one or two years ago, the air duct cleaning work was being done on the pods while the pods were being renovated. He said this is a contract extension to continue cleaning the air ducts, as the current contract ends in July. He stated that the award went to the lowest bidder and this contract will cover the remaining pods on floors 6,7,8,9,10 and 11. The cost is \$38,000 per floor.

Freeholder Estrada asked if it was part of the original scope.

Director Graziano replied no.

Freeholder Estrada asked if this particular vendor put in a bid for next year.

Director Graziano replied yes, and the contract begins in August. He explained that there was an increase in the new contract.

Vice Chairman Jalloh asked it is being done for efficiency.

Director Graziano replied yes.

2. Authorizing the County Manager to award the proposed contract obtained through advertised public bidding in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq: Department of Public Works & Facilities: Tracked Lifts, Inc, Syosset, New York, for the purpose of providing one (1) Tracked 90' Man Lift in the amount of \$179,900. **(Chairman Christopher Hudak)**
3. Resolution granting permission to the Township of Scotch Plains to hang a banner across Park Avenue at the intersection of Front Street and Park Avenue from June 23, 2014 to August 15, 2014 advertising the Cultural Arts Series. **(Chairman Christopher Hudak)**
4. Resolution granting permission to the Township of Berkeley Heights for the Suburban Chamber of Commerce to hang a banner across Springfield Avenue from June 1, 2014 to June 29, 2014 to advertise the Second Annual Berkeley Heights Street Fair which is being held on Sunday, June 29, 2014. Also granting permission to close Springfield Avenue from the intersection of Snyder Avenue to Plainfield Avenue from 7:00 a.m. to 7:00 p.m. on June 29, 2014 or any other rescheduled date. **(Chairman Christopher Hudak)**
5. Resolution granting permission to the City of Linden to hang two banners one across Wood Avenue and Elizabeth and one Wood Avenue and Gibbons Street from June 13, 2004 to June 30, 2014 for the advertising for the Uptown Linden Summer Kickoff Concert. **(Chairman Christopher Hudak)**
6. Resolution concurring with Borough of Mountainside to close Mountain Avenue from New Providence Road to Mountainview Drive on Sunday, June 15, 2014 from 10:00 a.m. to 4:00 p.m. for the purpose of the PAL Cancer Fundraising Event. Also, granting permission to hang a banner from May 29, 2014 to June 16, 2014 on Mountain Avenue. **(Chairman Christopher Hudak)**

RUNNELLS SPECIALIZED HOSPITALSandra Adour, Acting Administrator

There were no questions.

1. Approving a pre-qualified list of professional medical services for the patients/residents at Runnells Specialized Hospital for the period of July 1, 2014 through June 30, 2015. **(Freeholder Vernell Wright)**

OFFICE OF THE COUNTY COUNSELRobert E. Barry, Esq., County Counsel

County Counsel Barry stated that as a result of discussions from last week's Executive Session, his office will have an additional Resolution relative to the settlement of the Brandy Mallet case.

1. A resolution appointing and designating Special Counsels for the Union County Solid Waste Management District. **(Chairman Christopher Hudak)**

FREEHOLDER SPONSORED RESOLUTIONS

Freeholder Granados, Freeholder Carter and Freeholder Bergen will have Laudatory Resolutions for the next Freeholder Meeting.

Freeholder Bergen stated that he will also have a Resolution renewing the contract with the Union County Performing Arts Center for the Sensory Friendly Theatre program for the 2014-2015 season as a result of the Open Space Trust Fund meeting.

Vice Chairman Jalloh stated that he may have sponsorship and advisory board appointments for the next Freeholder Meeting.

1. Laudatory resolution congratulating Union Vicinage Municipal Division Manager Michael D'Ecclessis on his retirement, and thanking him for his 40+ years of public service. **(Freeholder Angel G. Estrada)**
2. Resolution offering this Board's deepest sympathies to the family of Clark Councilman Richard P. Kazanowski, during their time of sorrow. **(Chairman Hudak, And The Entire Board)**
3. Laudatory resolution congratulating Mountainside Chief of Police James J. Debbie, Jr. Upon His Retirement And Thanking Him For His Many Years Of Dedicated Service To The Citizens Of Mountainside and Union County. **(Chairman Hudak, And The Entire Board)**

EXECUTIVE SESSION

To the extent known, the following items are scheduled to be discussed in Executive Session:

- 1) Attorney-Client privileged communication related to personnel matters and discussion of pending litigation in the matter of Fowler v. County of Union, et als.

- 2) Attorney-Client privileged communication and discussion of the matter Sabatino v. County of Union, et als.

County Counsel Barry stated that pursuant to provisions of the Open Public Meetings Act a public body may enter into Executive Session for the purpose of discussing certain enumerated subjects. This Board will now enter Executive Session for the purpose of discussing attorney-client privileged communication related to personnel matters and discussion of pending litigation in the matter of Fowler v. County of Union, et als and attorney-client privileged communication and discussion of the matter Sabatino v. County of Union, et als.

The minutes of the Executive Session shall be separated from the minutes of the Open Public Session. The minutes of the Executive Session, redacted as appropriate and necessary, shall be available in approximately 30 days. The Clerk of the Board shall retain the original minutes until such time as the confidential limitations have been removed, at which time they shall be made available.

Upon the Board's return, it will not take formal action on the matters discussed as it is an Agenda Meeting.

Upon a majority vote of the members present, the Board may now retire to Executive Session.

Motion to enter Executive Session.

RESULT: ADOPTED [UNANIMOUS]; MOVER: Alexander Mirabella, Freeholder; **SECONDER:** Linda Carter, Freeholder; **AYES:** Freeholder Bergen, Freeholder Carter, Freeholder Estrada, Freeholder Granados, Freeholder Kowalski, Freeholder Mirabella, Vice Chairman Jalloh; **ABSENT:** Freeholder Wright, Chairman Hudak;

Motion to return from Executive Session.

RESULT: ADOPTED [UNANIMOUS]; MOVER: Linda Carter, Freeholder; **SECONDER:** Bette Jane Kowalski, Freeholder; **AYES:** Freeholder Bergen, Freeholder Carter, Freeholder Estrada, Freeholder Granados, Freeholder Kowalski, Freeholder Mirabella, Vice Chairman Jalloh; **ABSENT:** Freeholder Wright, Chairman Hudak;

ADJOURNMENT

Motion to adjourn the meeting at 8:19 PM.

RESULT: ADOPTED [UNANIMOUS]; MOVER: Alexander Mirabella, Freeholder; **SECONDER:** Linda Carter, Freeholder; **AYES:** Freeholder Bergen, Freeholder Carter, Freeholder Estrada, Freeholder Granados, Freeholder Kowalski, Freeholder Mirabella, Vice Chairman Jalloh; **ABSENT:** Freeholder Wright, Chairman Hudak;

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS 2014 MEETING SCHEDULE

Please note that meetings are regularly held on Thursday evenings. Agenda Setting Sessions and Regular Meetings are held at 7:00pm in the Freeholders' Meeting Room, Administration Building, 10 Elizabethtown Plaza, 6th Floor, Elizabeth, New Jersey, unless otherwise specified. In the event an Agenda Setting Session and Regular Meeting are held on the same night, the Agenda Setting Session will commence at 7:00pm and the Regular Meeting will commence as soon as possible after the Agenda Setting Session.

Persons requiring a sign language interpreter should contact the Office of the Clerk of the Board at 908-527-4140.

REORGANIZATION MEETING - SUNDAY, JANUARY 5, 2014 at 12:00pm
Assignment Judge Karen M. Cassidy's Courtroom, 2 Broad Street, Elizabeth, NJ

AGENDA SETTING MEETINGS

January 16, 2014

February 6, 2014

February 20, 2014

March 6, 2014

March 20, 2014

April 3, 2014

April 24, 2014

May 1, 2014

May 15, 2014

June 5, 2014

June 19, 2014

July 10, 2014

August 7, 2014

September 4, 2014

September 18, 2014

October 2, 2014

October 16, 2014

November 6, 2014

Tuesday, November 25, 2014

December 4, 2014

December 18, 2014

* Special Meeting May 15, 2014

REGULAR MEETINGS

January 23, 2014

February 6, 2014

February 27, 2014

March 13, 2014

March 27, 2014

April 10, 2014

April 24, 2014

May 8, 2014

May 29, 2014

June 12, 2014

June 26, 2014

July 17, 2014

August 14, 2014

September 11, 2014

September 25, 2014

October 9, 2014

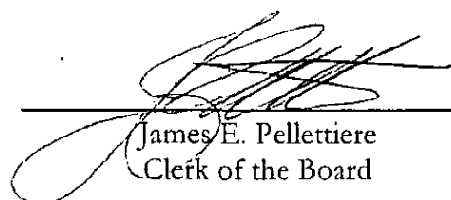
October 16, 2014

November 13, 2014

Tuesday, November 25, 2014

December 11, 2014

December 18, 2014


James E. Pelletiere
Clerk of the Board

JEP:mb