



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

THURSDAY, MAY 5, 2016
AGENDA SETTING MEETING AGENDA

Chairman Bruce Bergen presided and called the meeting to order at 7:00pm. Roll call showed, Vice Sergio Granados, Freeholder Linda Carter, Freeholder Angel G. Estrada, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella and Freeholder Vernell Wright were in attendance, with Freeholders Jalloh and Hudak not present.

Also present were County Manager Alfred Faella, County Counsel Robert E. Barry, Esq. and Clerk of the Board James Pelletiere.

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

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

Chairman Bergen noted that Freeholder Christopher Hudak joined the meeting.

APPROVAL OF COMMUNICATIONS

Chairman Bergen noted the Board would adopt the Communications at the May 10, 2016 Regular Meeting.

Note and File

OFFICE OF THE UNION COUNTY SHERIFF

Joseph Cryan, Union County Sheriff

County Sheriff Cryan advised the Board that the MOU enables the Sheriff Office to utilize its Community Policing Unit with the Township of Berkeley Heights.

There were no questions or comments.

1. Authorizing the County Manager, through the Office of the Sheriff, to enter into a Memorandum of Understanding with the Township of Berkeley Heights in the Union County Law Enforcement Officer Loan Program. (Chairman Bruce H. Bergen)

DEPARTMENT OF ADMINISTRATIVE SERVICES

There were no questions or comments.

Michael Yuska, Director

1. Authorizing the County Manager to renew Union County Cooperative Pricing System, ID# 8UCCP, for another term of five years, making the new expiration date July 2021. This cooperative pricing system, with the approval of both the County and the vendor(s), allows approved municipal and other governmental members to purchase utilizing a County of Union contract subject to its specifications, terms and conditions with no fees or cost to the County of Union. **(Chairman Bruce H. Bergen)**
2. Amending Resolution Number 2016-14, a professional services contract with Roth D' Aquanni, LLC, Springfield, New Jersey to be special counsel for Personnel matters, to increase the award for legal services in the amount of \$50,000, for a new total amount not to exceed \$125,000. **(Chairman Bruce H. Bergen)**
3. Amending Resolution Number 2016-13, which awarded a professional services contract to Bauch, Zucker, Hatfield, LLC, Springfield, New Jersey to be special counsel for Labor and Personnel matters, to increase the amount of award for legal services in the amount of \$100,000 for a new total amount not to exceed \$200,000. **(Chairman Bruce H. Bergen)**
4. Amending Resolution Number 2016-15, which awarded a professional services contract to Eric M. Bernstein & Associates, LLC, Warren, New Jersey to be special counsel for Labor and Personnel matters, to increase that contract for legal services in the amount of \$25,000 for a new total amount not to exceed \$50,000. **(Chairman Bruce H. Bergen)**

DEPARTMENT OF ENGINEERING, PUBLIC WORKS & FACILITIES MANAGEMENTJoseph Graziano, Director

1. Amending Resolution Number 2014-781, a contract awarded through advertised public bidding in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq., to Smith-Sondy Asphalt Construction Company of Wallington, New Jersey approving Change Order Number 1 (final) for the 2014 Road Resurfacing Project, Various Municipalities, County of Union, New Jersey. This change order will reduce the original contract amount by (\$476,661.77) for a new contract amount not to exceed \$2,629,650.64. **(Union County Engineering Project Number 2013-022) (Freholder Linda Carter)**

Freholder Kowalski inquired as to the reason for the reduction in costs.

Director Graziano advised that asphalt pricing has reduced significantly, which saved the County approximately \$150,000. He stated that quantities for the HMA (Hot Mixed Asphalt) needed were reduced, saving the County approximately \$195,000 and the quantities of sidewalk and curbing needed was less than anticipated, which saved approximately \$100,000.

2. Amending Resolution Number 2015-270, a contract awarded through advertised public bidding in accordance with the Local Public Contracts Law, NJSA 40A: 11-1 et seq., to Foggia Trinity Electric, LLC, of Scotch Plains, New Jersey approving Change Order Number 1 (final) for the Intersection Improvements at North Broad Street and Central Avenue, Township of Hillside, County of Union, New Jersey. This change order will reduce

the original contract amount by (\$60,830.44) for a new contract amount not to exceed \$189,062.04. (Union County Engineering Project Number 2012-006) **(Freeholder Linda Carter)**

3. Amending Resolution Number 2013-387, a Professional Service Contract awarded to Dewberry Engineers, of Bloomfield, New Jersey for the Replacement of East Hazelwood Avenue Bridge over the South Branch of the Rahway River, Ra69, City of Rahway, County of Union, New Jersey. This amendment will reduce the original scope and fee for this project in the amount of (\$324,054.00) for a new contract amount not to exceed \$255,696.00. (Union County Engineering Project Number 2015-018) **(Freeholder Linda Carter)**

Freeholder Estrada inquired as to the reason for the large decrease (nearly 65%) of the overall project costs.

Director Graziano advised that the original scope of the project was to replace the bridge. He advised that the Army Corp of Engineers decided not to fund the replacement and provided the County with a report that stated it could simply repair the bridge. He advised that the County has discussed this new design with the City of Rahway. He added that this resolution is for the design of the bridge repair, noting that the construction of the bridge repairs will be approximately \$1 million. He also noted that the County will be applying for Local Bridge Funding in 2017/2018 to help pay for the cost of construction.

Freeholder Estrada inquired if the repairs will meet the safety regulations for the next 15 years.

Director Graziano stated that the repairs would meet those safety standards.

4. Amending Resolution No. 2014-735, a Fire Alarm Maintenance, Repair and Replacement Service contract with DavEd Fire Systems, to provide additional services during the open-ended Fire Alarm bid commencing October 8, 2014 through October 7, 2016 to include an increased amount of \$62,912 for a new contract amount not to exceed \$377,472.00.00. **(Freeholder Linda Carter)**

Freeholder Hudak asked for clarification as to the final price of the contract.

Director Graziano stated that the agenda should reflect a final cost of \$377,472.00.

County Manager Faella noted that there was a typo.

Freeholder Hudak asked if it was standard alarms throughout the County.

Director Graziano stated that was the case and that he was looking to increase the total by 20 percent.

5. Resolution concurring with the Township of Springfield regarding road closures for the Annual Memorial Day Parade Celebration held on Monday, May 30, 2016 between the hours of 9:00 a.m. and 12:00 p.m., and further requesting permission to close Mountain Avenue from the intersection of Shunpike Road to North Trivett Avenue; Shunpike Road from the intersection of South Springfield Avenue to the intersection of Mountain Avenue. **(Freeholder Linda Carter)**
6. Resolution concurring with the Township of Berkeley Heights granting permission to the Mt. Carmel Society to close Springfield Avenue from the intersection of Snyder Avenue to the Berkeley Heights/Long Hill Township Bridge from 6:00 p.m. on Saturday, July 16, 2016

to 2:00 a.m. on Sunday, July 17, 2016 for the annual festival and fireworks display.
(Freeholder Linda Carter)

7. Resolution granting permission to the Township of Scotch Plains to close Martine Avenue between West Broad Street and Cooper Road from 8:45 a.m. to 10:15 a.m. on May 15, 2016 for a Charity 5K race conducted by YMCA; and further granting permission to hang a banner on Park Avenue at the Bartle Avenue intersection from May 2, 2016 through May 16, 2016. **(Freeholder Linda Carter)**

DEPARTMENT OF FINANCE

Bibi Taylor, Director

Director Taylor asked the Board's indulgence to add two resolutions to the Regular Meeting agenda, as the Department was notified the State approved the County's budget without any amendments and would like to add the resolution to adopt the budget. She also indicated that she would like to add the resolution to read the budget by title.

There were no questions or comments.

1. Resolution to exceed the County tax levy limit and to establish a CAP Bank (N.J.S. 40A: 4-45.14). **(Freeholder Alexander Mirabella)**

DEPARTMENT OF PARKS AND RECREATION

Ronald Zuber, Director

1. Authorizing the County Manager to award a Professional Engineering Service Contract, through a Request for Proposal (RFP) process, to Maser Consulting PA, of Red Bank, New Jersey to provide professional design, construction administration and inspection services for the installation of an ADA accessible Fishing Dock on Cedar Brook Park Lake, City of Plainfield, New Jersey for an amount not to exceed \$59,900.00. (Union County Engineering Project Number 2015-033) **(Vice Chairman Sergio Granados)**
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 Parks & Recreation: Winterberry Irrigation, LLC, of Southington CT, for the purpose of providing Galloping Hill Golf Course Irrigation Improvements, in an amount not to exceed \$541,835.00. (Union County Engineering Project Number 2016-014) **(Vice Chairman Sergio Granados)**
3. 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 Parks & Recreation: Paving Materials and Contracting, LLC, of Montville, New Jersey, for the purpose of providing 2016 Various Asphalt Overlay for Park Maintenance, in the amount not to exceed \$258,740.00. (Union County Engineering Project Number 2015-022) **(Vice Chairman Sergio Granados)**
4. Authorizing the County Manager through the Office of Cultural and Heritage Affairs to apply for and execute all applications and agreements relating to a grant from the New Jersey

Historical Commission in the amount \$85,450, with a county match of \$60,450, for a total grant amount not to exceed \$145,900. **(Freeholder Bette Jane Kowalski)**

Vice Chairman Granados asked the Director to expand on the Agenda Item #4.

Director Zuber advised that the grant is through the New Jersey Historical Commission and that it supports history related programs and services and provides technical assistance for the County's workshops.

DEPARTMENT OF PUBLIC SAFETY

Andrew Moran, Director

1. Authorizing the County Manager to enter into an agreement with CrossMatch, Palm Beach Gardens, Florida, for the purchase and maintenance of a finger print identification system, mandated through the State of New Jersey to allow background data sharing for all police agencies in an amount not to exceed \$26,545.85. **(Freeholder Alexander Mirabella)**

Freeholder Mirabella inquired as to the County's current system and inquired if this new system is mandated by the State.

Director Moran stated that the current system works with the various databases with the State and Federal systems. However, he advised that the County's current system is 13 years old and is not compliant with the new bail reform regulations that will go into effect next year. He advised that when the County's current system is not operating; noting the backup system is to use ink-fingerprinting, which could take up to 6 to 8 weeks as opposed to 15 to 20 minutes if it is done electronically.

Freeholder Mirabella inquired if there will be other upgrades within his office as a result of the new bail reform laws.

Director Moran stated that this system would be the only upgrade needed. He did note that municipalities that find themselves in a similar situation, his office would offer this software to assist in their processing.

OFFICE OF THE COUNTY COUNSEL

Robert E. Barry, Esq., County Counsel

There were no questions or comments.

1. Amending Resolution 2014-207, a resolution awarding a contract to Palumbo, Renaud & DeAppolonio in the matter entitled Kolbeck v. UC, et als., to increase the appropriation in an amount not to exceed \$10,000.00 for a sum not to exceed \$69, 917.30. **(Chairman Bruce H. Bergen)**

FREEHOLDER SPONSORED RESOLUTIONS

1. Proclaiming the Month of May as Military Awareness Month throughout the County of Union. **(Freeholder Linda Carter)**

Vice Chairman Granados requested to be added as a co-sponsor.

2. Congratulating and commending Andrew Esteves of Elizabeth for being accepted to Princeton University, a private Ivy League research university. **(Freeholder Angel G. Estrada)**

3. Congratulating and commending Angelica Blanco on her upcoming graduation from the New Jersey Institute of Technology (NJIT) with a Bachelor of Science degree and a 3.78 Grade Point Average (GPA). **(Freeholder Angel G. Estrada)**

4. Resolution offering this Board's deepest sympathies to the family of Oshiobugie Asekomhe, of Linden, during their time of sorrow. **(Freeholder Hudak & Freeholder Jalloh)**

Freeholder Kowalski requested to be added as a co-sponsor, and perhaps be from the Entire Board.

Freeholder Carter requested to be added as a co-sponsor.

Freeholder Wright requested to be added as a co-sponsor.

Freeholder Estrada clarified that this resolution would be from the Entire Board.

5. Resolution urging the State Legislature to approve Assembly Bill No. 1869 and Senate Bill No. 668, which establishes the Division of Minority and Women Business Development and State Chief Disparity Officer to monitor efforts to promote participation by minority-owned and women-owned businesses in State contracting. **(Freeholder Mohamed S. Jalloh)**

Freeholder Carter requested to be added as a co-sponsor.

6. Laudatory resolution commemorating National Police Week 2016 at the Union Township Police Week Ceremony, and further honoring various township officers receiving Valor Awards. **(Freeholder Jalloh & Freeholder Wright)**

7. Laudatory resolution welcoming the distinguished Rev. Fr. Obimma Emmanuel as an honored dignitary and guest speaker at the Daughters of The Holy Spirit International Women Fellowship's international convention. **(Freeholder Mohamed S. Jalloh)**

8. Appointing the following members to the Union County Open Space, Recreation and Historic Preservation Public Advisory Committee: Charles Ekke and Michael Del Sordi (Public Members) for terms ending December 31, 2016; Rose Checchio (Democratic Official) for a term ending December 31, 2016; Janice Siegel (Environmental Member) for a term ending December 31, 2017; Lisa Palin (Education Member) for a term ending December 31, 2017; and re-appointing Michael Yesenko (Historic Preservation) and Jim McManus (Labor Organization) for a term ending December 31, 2017. **(Freeholder Bette Jane Kowalski)**

9. Proclaiming the Month of May as National Community Action Month throughout the County of Union. **(Freeholder Bette Jane Kowalski)**

Freeholder Wright requested to be added as a co-sponsor.

Vice Chairman Granados requested to be added as a co-sponsor.

10. Congratulating Maxim Mallick and William O'Connor of Cranford Boy Scout Troop 80, upon attaining the rank of Eagle Scout. **(Freeholder Kowalski & Freeholder Hudak)**

11. Authorizing the County Manager to enter into a Sponsorship Agreement with Melly Mel Productions, Inc., Elizabeth, NJ to support the non-profit event entitled the Elizabeth Latin

Waterfront Festival. This sponsorship celebrates Hispanic Heritage and is in the amount of \$5,000.00. **(Freeholder Alexander Mirabella)**

12. Authorizing the County Manager to enter into a Sponsorship Agreement with Union County Fatherhood Initiative/United Way of Greater Union County, to support the non-profit event to provide workshops and information to men relative to men's health issues, mental health and child welfare, in the amount of \$1,000.00. **(Freeholder Alexander Mirabella)**
13. Congratulating the recipients of the Boy Scouts of America 2016 Union County Lifetime Achievement Awards. **(Freeholder Mirabella & Freeholder Hudak)**

Freeholder Kowalski requested to be added as a co-sponsor.

14. Congratulating Reverend John J. Paladino, Vicar Forane (Dean), of St. Bartholomew the Apostle Church, as he celebrates the 25th Anniversary of his ordination. **(Freeholder Alexander Mirabella)**
15. Appointing Renee Banks as a Delegate member to the Union County Transportation Advisory Board to represent the City of Linden for a term beginning January 1, 2016 through December 31, 2016. **(Vice Chairman Sergio Granados)**
16. Proclaiming the month of May as Haitian Heritage Month throughout the County of Union. **(Chairman Bergen, Vice Chairman Granados, Freeholders Estrada & Jalloh)**

Freeholder Kowalski requested to be added as a co-sponsor, and perhaps be from the Entire Board.

17. Authorizing the County Manager to enter into a contract with The Shakespeare Theatre of New Jersey, Madison, New Jersey for the purposes of bringing up to six (6) live productions of Shakespeare's Twelfth Night to various outdoor venues throughout the summer of 2016, in an amount not to exceed \$4,000.00. **(Chairman Bergen & Freeholder Jalloh)**
18. Congratulating the Board of Directors of the Union County Educational Services Foundation honorees at their 21st Annual Reception and Auction. **(Chairman Bergen & Freeholder Mirabella)**

EXECUTIVE SESSION

To the extent known, the following items will be discussed in Executive Session:

- 1) Attorney-Client privileged communications and potential contract negotiations relative to the Oak Ridge Park project; and
- 2) Attorney-Client privileged communication and discussion of potential contract negotiations between the County of Union and the Union County Improvement Authority.

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.

He state that this Board wishes to enter into Executive Session for the purpose of discussing Attorney-Client privileged communications and potential contract negotiations relative to the Oak Ridge Park project, and Attorney-Client privileged communication and discussion of potential contract negotiations between the County of Union and the Union County Improvement Authority.

He stated that the minutes of the Executive Session shall be separated from the minutes of the Open Public Session and that the minutes of the Executive Session, redacted as appropriate and necessary, shall be available in approximately 30 days. He stated that 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.

He stated that upon affirmative vote of the majority of the members present, the Board may enter Executive Session and upon the Board's return, as it is an Agenda Meeting, it will not take formal action on the matters discussed, however it may add items to the Regular Meeting agenda.

Chairman Bergen asked for a motion to enter Executive Session. On a motion made by Freeholder Mirabella and seconded by Vice Chairman Granados, roll call showed eight members of the Board voted in the affirmative, with Freeholder Jalloh not present.

Chairman Bergen asked for a motion to return to the Regular Meeting. On a motion made by Freeholder Carter and seconded by Freeholder Kowalski, roll call showed eight members of the Board voted in the affirmative, with Freeholder Jalloh not present.

County Counsel Barry stated that as a result of the executive session, there would be two resolutions on the Regular Meeting agenda. He stated that the first resolution is to amend a previously adopted resolution (2014-307), which was an award of a contract to Neglia Engineering for engineering design, construction administration and inspection services on the Oakridge Park project to expand the services to include a track and field component and a walking path component. He added the second resolution pertains to a guaranteeing ordinance for the Improvement Authority.

ADJOURNMENT

Chairman Bergen asked for a motion to adjourn. On a motion made by Freeholder Mirabella and seconded by Freeholder Carter, roll call showed eight members of the Board voted in the affirmative, with Freeholder Jalloh not present. The meeting was adjourned at 8:33pm.

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS 2016 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 3, 2016 at 12:00 pm
Assignment Judge Karen M. Cassidy's Courtroom, 2 Broad Street, Elizabeth, NJ**

2016 MEETING SCHEDULE

<u>AGENDA SETTING SESSION</u>	<u>REGULAR MEETINGS</u>
January 14, 2016	January 21, 2016
February 4, 2016 February 18, 2016	February 11, 2016 February 18, 2016
March 3, 2016 March 17, 2016	March 10, 2016 March 31, 2016
April 7, 2016 April 21, 2016	April 14, 2016 April 28, 2016
May 5, 2016 May 26, 2016*	May 12, 2016 May 26, 2016
June 2, 2016 June 16, 2016	June 9, 2016 June 23, 2016
July 14, 2016	July 21, 2016
August 11 2016	August 18, 2016
September 8, 2016 September 22, 2016	September 15, 2016 September 29, 2016
October 6, 2016 October 20, 2016	October 13, 2016 October 20, 2016
November 10, 2016	November 22, 2016 (Tuesday)
December 1, 2016 December 15, 2016	December 8, 2016 December 22, 2016

* As per Resolution Number 2016 372, the May 19, 2016 Agenda Setting Session was rescheduled to be held on May 26, 2016 at 7:00pm.



James E. Pelletiere, RMC
Clerk of the Board

JEP