



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

THURSDAY, OCTOBER 6, 2016
AGENDA SETTING MEETING AGENDA

CALL TO ORDER

Chairman Bruce H. Bergen presided over the meeting and called the meeting to order at 7:06pm.

ROLL CALL

Roll call showed Chairman Bruce H. Bergen, Vice Chairman Sergio Granados, Freeholder Linda Carter, Freeholder Mohamed S. Jalloh, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella, and Vernell Wright were present, with Freeholder Angel G. Estrada and Freeholders Christopher Hudak absent.

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 Clerk of the Board Pellettiere.

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

PRESENTATION TO THE BOARD

A presentation will be made by Director Amy Wagner, Department of Economic Development, and Liza Betz, Transportation Planning Manager, Bureau of Transportation Planning, to the Board regarding the 2016 Union County Transportation Master Plan.

Chairman Bergen invited Director Wagner and Planning Manager Liza Betz to the podium to make a presentation relative to the 2016 Transportation Master Plan. He noted that there were a number of public hearings and looked forward to the final product.

Director Wagner thanked the Board for the opportunity to present the Master Plan, noting that the Transportation Master Plan was one of many transportation initiatives of Chairman Bergen. She thanked the Board for its support, noting that many Freeholders had attended the public sessions. She thanked Liza Betz for her efforts in drafting the plan.

Liza Betz thanked Director Wagner for her support throughout the process which made this possible. She stated that they county entered into a contract with the RBA Group and three subcontractors to develop the plan. She advised that the county received a grant from the North Jersey Transportation Authority in the amount of \$300,000 to fund the plan. She stated that it is a long-ranged plan; discussing where people and goods are traveling now and where they are going in

the future. She stated that transportation is a critical part of the County's economic vitality and its quality of life. She stated that the intention is to have a network responsive to changing needs and challenges. She stated that having an updated plan is important to provide a framework for making transportation and investment decisions in the future and serves as a basis for seeking transportation funding opportunities. She spoke on the two public meetings conducted for the plan and provided an overview of the plan, focusing on the purpose; timelines; planning process; public outreach; and trends. She advised that they would update the plan every three or four years to ensure it stays current.

Freeholder Kowalski noted that many freeholders participated in the public hearings, and questioned if they knew how many members of the public participated.

Liza Betz, stated that they maintain a list of all in attendance, and noted not only did they receive the municipal survey responses, but that they received 260 public surveys through the process.

Freeholder Kowalski noted that the plan is complex and thanked her for her work.

Freeholder Mirabella inquired as to the mechanism in sharing the information.

Director Wagner stated that the information will be linked to the county's website.

County Manager Faella asked that they provide copies to each municipal clerk for dissemination. Chairman Bergen suggested they be provided to the public libraries as well.

APPROVAL OF COMMUNICATIONS

Note and File

Oaths of Office: Union County Advisory Council on Aging: Ellen E. Hunt; Union County Mental Health Advisory Board: Michelle Cislo; and Workforce Development Board: Kamran Tasharofi.

Chairman Bergen noted that the Board would approve the communication at the next Regular Meeting of the Board.

Chairman Bergen asked the Clerk of the Board to note for the record that Freeholder Estrada entered the meeting during the presentation.

OFFICE OF THE UNION COUNTY PROSECUTOR

Grace H. Park, Acting Prosecutor

Fist Assistant Prosecutor Tim Isenhour represented the Office.

1. Authorizing the County Manager to enter into a professional service contract with Dr. Louis B. Schlesinger, Maplewood, New Jersey, to provide expert services in the field of psychology

for the period of September 1, 2016 through December 31, 2016 in the amount of \$11,000.00. **(Chairman Bruce H. Bergen)**

2. Authorizing the County Manager, through the Office of the Prosecutor, to apply for and accept funding from the State of New Jersey, Division of Criminal Justice, FFY15 Victims of Crime Act, County Sexual Assault Response Team/Sexual Assault Nurse Examiner Program in the amount of \$92,114 with a County Match of \$23,029. **(Chairman Bruce H. Bergen)**

Vice Chairman Granados inquired how many children were helped with this program.

First Assistant Prosecutor Isenhour stated that it varies from year to year, but during the last calendar year, approximately 80 children were assisted, noting that there were more responses that were not identified as needed further assistance.

3. Authorizing the County Manager to apply for and accept funding from the Office of the Insurance Fraud Prosecutor, New Jersey Division of Criminal Justice, in the amount of \$250,000 for the period of January 1, 2017 through December 31, 2017, to continue efforts of insurance fraud investigation in Union County. **(Chairman Bruce H. Bergen)**

Freeholder Carter inquired if there was a match required by the County (for Resolution Request #3 and #4), and if the use is the same as with Resolution Request #4.

First Assistant Isenhour stated that there is no county match for either request. He stated that the funding for Resolution Request #3 is for employee salaries.

4. Authorizing the County Manager, through the Union County Prosecutor's Office, to accept funding from the U.S. Department of Justice, National Institute of Justice for the 2016 DNA Backlog Reduction Grant in the amount of \$276,231 for the period of January 1, 2017 through December 31, 2018. **(Chairman Bruce H. Bergen)**

Freeholder Estrada inquired if this is handled through overtime or additional staffing.

First Assistant Prosecutor Isenhour stated that the amount covers 1.5 employees' overtime. He also stated that the funds can be applied to the purchase of equipment and training needs. He stated that it varies from year to year and is based on the need. He stated that they requested and received a significant amount more in previous years, but this amount was the most they could apply for given the need they could establish.

Freeholder Estrada inquired if the DNA lab has allowed the Office to be up to date with all its needs relative to the number of trials they are involved in.

First Assistant Isenhour stated that Union County is very fortunate, noting that when they speak with prosecutors from other counties, it is clear the advantage we have in testing whatever we feel needs to be tested is vitally important for the Office to perform their job, noting that the other counties are dependent upon the State Police or a private lab. He stated that with the utilization of the lab, the County has the ability to get DNA results within three to four days, as compared to other counties that may have to wait months to receive their DNA test results.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Michael Yuska, Director

There were no questions or comments by the Board.

1. Appointing Alfred J. Faella, County Manager, as the Commissioner to the New Jersey Counties Excess Joint Insurance Fund and Michael M. Yuska, Director of Administrative Services, as Alternate to the Fund pursuant to Resolution 2016-770 renewing the membership with the New Jersey Counties Excess Joint Insurance Fund for a three year period from January 1, 2017 through December 31, 2019. **(Chairman Bruce H. Bergen)**

DEPARTMENT OF ECONOMIC DEVELOPMENT

Amy Wagner, Director

1. Authorizing the County Manager to adopt the 2016 Union County Transportation Master Plan. The 2016 Union County Transportation Master Plan identifies current conditions, challenges, opportunities and strategies to meet existing and future travel needs of the County. This Plan was developed in coordination with the County, municipal officials and representatives, regional and state agencies and local residents. It provides guidance for all elements of our transportation system including components owned, operated and maintained by other entities. **(Chairman Bruce H. Bergen)**
2. Amending Resolution Number 2016-428, approving the 2016-2017 Consolidated Action Plan to increase CDBG funding to the Plainfield YMCA Emergency Shelter Program in the amount of \$40,000 from \$5,000 to \$45,000 utilizing City of Plainfield Program Income funds. (Account No. 6-12-286-56-000-709) **(Chairman Bruce H. Bergen)**

Freeholder Carter asked the director to provide additional explanation.

Director Wagner advised that when they distribute CDBG funds municipalities may create "program income" funds (typically the home improvement programs), they are allowed to come back to ask for permission to use those funds. She stated that this request is to provide assistance to homeless families for up to 125 individuals and 10,000 bed nights.

3. Authorizing the County Manager to utilize \$900,000.00 in Federal Workforce Innovation & Opportunity Act Grant funding and NJ Workforce Development Partnership Program funding from the New Jersey Department of Labor & Workforce Development in the form of Individual Training Contracts as stipulated in the grant agreement. **(Chairman Bruce H. Bergen)**

Vice Chairman Granados asked the director to provide some of the programs involved.

Director Wagner stated there are a myriad of programs provided through this contract provided by a number of state certified training programs. She identified OSHEA training, various technicians, CDI licensing, noting that all training is for areas of growth.

DEPARTMENT OF ENGINEERING, PUBLIC WORKS & FACILITIES MANAGEMENT

Joseph Graziano, Director

1. Authorizing the County Manager to enter into a Shared Services Agreement between the County of Union and the City of Linden for the installation of a flashing crosswalk sign and other traffic control signs and striping for a pedestrian crosswalk to be located at the

- intersection of N. Stiles Street (CR615) and Amon Terrace in the City of Linden.
(Freeholder Linda Carter)
2. Amending Resolution Number 2016-188, a Professional Engineering Service Contract with T&M Associates, of Middletown, New Jersey, to provide additional LSRP services associated with the Venneri Complex located in Westfield, New Jersey in an amount not to exceed \$48,800.00 for a new contract amount not to exceed \$180,000.00. (Union County Engineering Project Number 2011-031) **(Freeholder Linda Carter)**
 3. Amending Resolution Number 2016-526, a Professional Service Contract award to Matrix New World Engineering, Inc., of Florham Park, New Jersey, for LSRP Services associated with various sites to include the 1994 Fuel Oil Discharge at the Public Works Facility (DPW) located in Scotch Plains for an additional amount not to exceed \$36,400.00 for a new contract amount not to exceed \$400,775.00. (Union County Engineering Project Number 2016-032) **(Freeholder Linda Carter)**
 4. Amending Resolution Number 2016-191, a Professional Engineering Service Contract with LCA Engineering LLC, of Union, New Jersey, to provide additional design and construction administration and inspection services associated with the Emergency Generator at the Police Academy Building in Scotch Plains in an amount not to exceed \$10,000.00 for a new contract amount not to exceed \$78,120.00. (Union County Engineering Project Number 2013-015) **(Freeholder Linda Carter)**
 5. Resolution granting permission to the Township of Berkeley Heights for the closing of Springfield Avenue from the intersection of Snyder Avenue to Plainfield Avenue on Saturday, December 3, 2016 from 2:00 p.m. to 11:00 p.m. for the Township's annual Winter Walk and Tree Lighting Event. Also granting permission to hang a banner across Springfield Avenue and Plainfield Avenue from 11/1/16 through December 6, 2016. **(Freeholder Linda Carter)**
 6. Resolution authorizing the County Manager to enter into a contract with Foley, Inc., Piscataway, New Jersey, for the purchase of a 2016 Caterpillar Model 950 M Wheel Loader for the Department of Engineering, Public Works & Facilities Management; Division of Public Works through the Middlesex County Regional Education Services Commission MRESC 15/16-08 ID #65 MCESCCPS, in an amount not to exceed \$278,796.40 **(Freeholder Linda Carter)**

Freeholder Estrada asked the director to explain in a little more detail the purpose of Resolution Request #6.

Director Graziano advised they would use this piece of equipment at the Leaf Quarry in Springfield. He advised that the County is now going to operate the quarry, noting that they receive approximately 163,000 cubic yards of leaves each year. He advised that there are 2 to 3 pieces of machinery to operate the facility. He stated that this piece of machinery is a 5 yard bucket which will load the leaves into the screener. The ultimate goal is to prepare the leaves and turn it into compost for sale.

DEPARTMENT OF FINANCE

Bibi Taylor, Director

County Comptroller Eric Mesias represented the Department.

There were no questions or comments by the Board.

1. Resolution Modifying the 2016 Union County Adopted Budget in the amount of \$92,114 as a result of notification received from the State of New Jersey, Department of Law and Public Safety for a program entitled: Sexual Assault Response Team/Forensic Nurse Examiner. **(Freeholder Alexander Mirabella)**
2. Resolution Modifying the 2016 Union County Adopted Budget in the amount of \$21,933 as a result of notification received from the State of New Jersey, Department of Law and Public Safety for a program entitled: STOP Violence Against Women Act (VAWA) Grant. **(Freeholder Alexander Mirabella)**
3. Resolution Modifying the 2016 Union County Adopted Budget in the amount of \$30,325 as a result of notification received from the State of New Jersey, Department of Environmental Protection for a program entitled: State Aid Funds for County Mosquito Identification & Control Grant. **(Freeholder Alexander Mirabella)**

DEPARTMENT OF HUMAN SERVICES

Frank Guzzo, Director

1. Authorizing the County Manager to accept funds in the amount of \$21,933 and enter into a contract with the New Jersey Department of Law and Public Safety, Division of Criminal Justice, for the Union County Rape Crisis Center (UCRCC) to provide services for sexual violence victims through the STOP Violence Against Women Act (VAWA) Formula Grant Program for the period of October 1, 2016 through September 30, 2017, with required County in-kind matching funds of \$7,311 in existing UCRCC personnel expense, for a program grand total not to exceed \$29,244. **(Freeholder Bette Jane Kowalski)**

Vice Chairman Granados asked the director to provide a little more detail as to the program and as to the number of individuals helped through the program.

Director Guzzo advised that 82 individuals were served within the program, noting that 68 were primary victims, 14 were secondary and approximately 50 hotline calls to the Rape Crisis Center.

2. Amending Resolution Number 2016-544, approving the amended 2016 CSBG Spending Plan, to reflect a grant award increase in the amount of \$102,627, for a new grand total of \$939,220, to be allocated as specified in the amended spending plan with no other changes to agreement. **(Freeholder Bette Jane Kowalski)**

DEPARTMENT OF PARKS AND RECREATION

Ronald Zuber, Director

County Manager Faella represented the Department. He advised the Board that the request is to reallocate the sum of \$25,000 from one organization to another due to the fact that the Arts Guild of Rahway has ceased operations and would like to appropriate these funds towards a Black History event produced by Terrance McKnight. He noted that Mr. McKnight produced a Black History Month presentation last year.

There were no questions or comments by the Board.

1. Amending Resolution Number 2016-666, a resolution authorizing the execution of any and all agreements for the 2016 HEART (History, Education Arts Reaching Thousands) Grant Program for the total allocated amount of \$100,000.00 to 58 recipients, to reallocate the sum of \$2,500 from one project (the Arts Guild of Rahway) to another (Black History Month programming) through the Office of Cultural and Heritage Affairs. **(Freeholder Bette Jane Kowalski)**

FREEHOLDER SPONSORED RESOLUTIONS

1. Congratulating Citizen of the Year by the Elizabeth Chapter of UNICO honoring Carole Cascio and recognition of the Anthony J. DiGiovanni 2016 Scholarship recipients on October 16, 2016. **(Freeholder Angel G. Estrada)**
2. Congratulating Greg Henn, Grand Knight for 2015-2016 of the Union Knights of Columbus Council #4504 at their annual Past Grand Knight's dinner celebration on October 8, 2016. **(Freeholder Jalloh & Freeholder Wright)**
3. Authorizing the County Manager to award a Professional Engineering Service Contract, through a Request for Proposal (RFP) process to Neglia Engineering Associates of Clark, New Jersey to provide surveying services at the Summit Transfer Station operation area located within the Union County Passaic River Park properties in Summit, New Jersey for an amount not to exceed \$4,165.00. **(Freeholder Bette Jane Kowalski)**
4. Authorizing the County Manager to award Kids Recreation Trust Fund 2016 grants to eighteen (18) municipalities in the County of Union in accordance with the Kids Recreation Trust grant criteria, as stated in said grant application, through the Open Space, Recreation and Historic Preservation Trust Fund in an amount not to exceed \$1,000,000.00 **(Freeholder Bette Jane Kowalski)**
5. Authorizing the County Manager to award Greening Union County 2016 grants to fourteen (14) municipalities in the County of Union in accordance with the Greening Union County grant criteria, through the Open Space, Recreation and Historic Preservation Trust Fund, in an amount not to exceed \$100,000.00. **(Freeholder Bette Jane Kowalski)**
6. Extending the Board's deepest condolences to the family of Nancy C. Saliga upon her passing on September 26, 2016. **(Freeholder Bette Jane Kowalski)**
7. Congratulating Terry Armstrong, VP, Leasing of the Elberon Development Group for being recognized at the 5th annual Elizabeth Coalition to House the Homeless Transportation, Logistics & Distribution (ILD) recognition breakfast. **(Freeholder Bette Jane Kowalski)**
8. Authorizing the sponsorship of the City of Rahway's Halloween in Rahway festivities in the amount of \$2,000.00. **(Freeholder Mirabella & the Entire Board)**
9. Congratulating UNICO District X and Plainfield's UNICO for developing and co-sponsoring Union County's 7th Annual Columbus Day Flag Raising event. **(Freeholder Alexander Mirabella)**

10. Congratulating the recipients of the Community Access Unlimited awards at their annual Gala dinner dance on November 3, 2016. **(Vice Chairman Sergio Granados)**
11. Proclaiming the month of October as Attention Deficit Hyperactivity Disorder (ADHD) Awareness Month throughout the County of Union. **(Vice Chairman Sergio Granados)**
12. Board's support of an increase proposed by the US Department of State for the passport acceptance fee rate to increase from \$25 to \$35, generating additional revenue to the County. **(Chairman Bruce H. Bergen)**
13. Congratulating Kevin Cummings and Warren Victor for being honored by the Union County College Foundation Board of Trustees at their 24th annual Scholarship Gala on October 14, 2016. **(Chairman Bruce H. Bergen and Freeholders Mohamed S. Jalloh, & Alexander Mirabella)**
14. Supporting Senate Budget Resolution No. 4287 which would appropriate \$21 million to the Administrative Office of the Courts for counties to implement Criminal Justice reform. **(Chairman Bruce H. Bergen and Freeholders Vernell Wright & Bette Jane Kowalski)**

Freeholder Carter stated that she may have additional laudatory resolutions to add to the next regular meeting agenda.

Vice Chairman Granados asked to join Freeholder Estrada on #1 and Freeholder Jalloh & Wright on #2.

Chairman Bergen stated that he might have a resolution relative to the County's records management and archiving contract. He also stated that he might have a resolution to add relative to a bill pending in the state legislature.

Freeholder Wright asked to be added as a co-sponsor to #13. Chairman asked for it to be from the Entire Board.

EXECUTIVE SESSION

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

- 1) Attorney-Client privileged communication and anticipated contract negotiations with the County of Hudson relative to the Hudson County Juvenile Detention Center; and
- 2) Attorney- Client Privileged communication and discussion relative to potential settlement in the matter of Luz Gomez, et al. v. County of Union, et al.

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 stated that this Board wished to enter into Executive Session for the purpose of discussing Attorney-Client privileged communication and anticipated contract negotiations with the County of Hudson relative to the Hudson County Juvenile Detention Center; and Attorney- Client Privileged communication and discussion relative to potential settlement in the matter of Luz Gomez, et al. v. County of Union, et al.

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.

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 Hudak absent.

Chairman Bergen asked for a motion to return to the Agenda Meeting. 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 Hudak absent.

County Counsel advised that as a result of the Executive Session, there will be a need to add a resolution to next week's Regular Meeting agenda to authorize a settlement in the matter of Luz Gomez, et al. v. County of Union, et al. in the amount of \$120,000.

ADJOURNMENT

Chairman Bergen asked for a motion to adjourn. On a motion made by Freeholder Mirabella and seconded by Freeholder Kowalski, a voice vote showed eight members of the Board voted in the affirmative, with Freeholder Hudak not present. The meeting was adjourned at 8:31pm.

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.

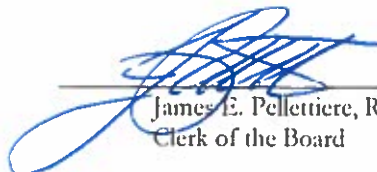
Persons requiring a sign language interpreter should contact the Office of the Clerk of the Board at 908-527-4140.

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