



UNION COUNTY BOARD OF COUNTY COMMISSIONERS

THURSDAY, OCTOBER 07, 2021
REGULAR MEETING MINUTES

CALL TO ORDER

Chairman Mirabella presided over the meeting and called the meeting to order at 5:30 P.M.

ROLL CALL

Roll call showed Chairman Alexander Mirabella, Commissioner Angela R. Garretson, Commissioner Sergio Granados, Commissioner Christopher Hudak, Commissioner Bette Jane Kowalski, Commissioner Lourdes M. Leon, and Commissioner Kimberly Palmieri-Mouded were present; with Vice Chair Rebecca Williams and Commissioner Andrea Staten absent.

Also present were County Manager Edward T. Oatman, County Counsel Bruce H. Bergen, 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.

APPROVAL OF COMMUNICATIONS

Note and File

Chairman Mirabella called for a motion to approve the Communications. On a motion made by Commissioner Garretson and seconded by Commissioner Granados roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

ORDINANCES FOR INTRODUCTION

832-2021 ORDINANCE AUTHORIZING THE GUARANTY BY THE COUNTY OF UNION, NEW JERSEY OF PAYMENT OF PRINCIPAL OF AND INTEREST ON THE COUNTY GUARANTEED REVENUE BONDS, SERIES 2021 (RENEWABLE ENERGY PROGRAM PROJECT) OF THE UNION COUNTY IMPROVEMENT AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$5,500,000.

WHEREAS, the COUNTY OF UNION, New Jersey (the "County"), pursuant to the Improvement Authorities Law of the State of New Jersey (the "State"), constituting Chapter 183 of the Pamphlet Laws of the State of 1960, as

amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "Act"), has heretofore duly created a body corporate and politic known as The Union County Improvement Authority (the "Authority"); and

WHEREAS, pursuant to Section 80 of the Act, the County is authorized to guaranty unconditionally the punctual payment of the principal of and interest on any obligations of the Authority; and

WHEREAS, the County, in order to assist the Authority with refunding its County of Union Guaranteed Renewable Energy Program Lease Revenue Bonds, Series 2011 (Federally Taxable) and financing of certain renewable energy projects (the "Project"), has determined to provide for the guaranty of County Guaranteed Revenue Bonds, Series 2021 (Renewable Energy Program Project) of the Authority or the refunding of said bonds (the "Obligations") under the resolution of the Authority entitled "County Guaranteed Revenue Bond Resolution (Renewable Energy Program Project)" or the bond resolution(s) authorizing the refunding of said Obligations (the "Bond Resolution");

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF UNION, NEW JERSEY, (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. This guaranty shall be adopted by the governing body of the County in the manner provided for adoption of a bond ordinance as provided in the Local Bond Law, constituting Chapter 169 of the Pamphlet Laws of 1960 of the State, as amended and supplemented (the "Local Bond Law").

Section 2. Pursuant to and in accordance with the terms of the Act, specifically Section 37 of the Act (N.J.S.A. 40:37A-80), the County is hereby authorized to and hereby shall fully, unconditionally and irrevocably guaranty the punctual payment of the principal of and interest on the Obligations in an aggregate principal amount not exceeding at any time \$5,500,000, which Obligations are to be issued to finance and/or refinance the Project, on such terms and conditions as may be agreed to by and between the County and the Authority and as are reflected in this guaranty and in the guaranty certificate on the face of each Obligation. Upon the endorsement of the Obligations referred to in Section 3 below, the County shall be fully, unconditionally and irrevocably obligated to pay the principal of and interest on the Obligations in the same manner and to the same extent as in the case of Obligations issued by the County, and, accordingly, the County shall be unconditionally and irrevocably obligated to levy ad valorem taxes upon all the taxable property within the County for the payment thereof, without limitation as to rate or amount, when required under the provisions of applicable law. This full, unconditional and irrevocable guaranty of the County effected hereby to pay the principal of and interest on the Obligations when due, in accordance with the terms hereof, shall not be abrogated for any reason. Any Obligations which are no longer considered outstanding under the Bond Resolution shall not be counted for the purpose of the \$5,500,000 limitation contained in this guaranty.

Section 3. The Chairman of the Board of County Commissioners, Vice Chairman of the Board of County Commissioners or Director of Finance of the County shall, by manual or facsimile signature, execute an endorsement on each of the Obligations evidencing this guaranty by the County as to the punctual payment of the principal thereof and interest thereon. The endorsement on each Obligation shall be in substantially the following form, and absent the fully executed endorsement in such form on any such Obligation, such Obligation shall not be entitled to the benefits of this guaranty:

GUARANTY BY THE COUNTY OF UNION, NEW JERSEY

The payment of the principal of and interest on the within Bond shall be fully, irrevocably and unconditionally guaranteed by the County of Union, a body corporate and politic of the State of New Jersey (the "County"), in accordance with the provisions of N.J.S.A. 40:37A-80 and the guaranty ordinance of the County finally adopted pursuant thereto, and the County is fully, irrevocably and unconditionally liable for the payment, when due, of the principal of and interest on this Bond, and if necessary the County shall levy *ad valorem* taxes upon all the taxable property within the County, without limitation as to rate or amount, in order to make such payment.

IN WITNESS WHEREOF, the County of Union, New Jersey, has caused this guaranty to be executed by the signature of its Chairman of the Board of County Commissioners, Vice Chairman of the Board of County Commissioners or Director of Finance.

COUNTY OF UNION, NEW JERSEY

By: _____

**Chairman of the Board of County Commissioners,
Vice Chairman of the Board of County Commissioners
or Director of Finance**

The Chairman of the Board of County Commissioners, Vice Chairman of the Board of County Commissioners or Director of Finance is hereby further authorized to execute such other certificates or agreements relating to this guaranty that may be required by the Authority to comply with the terms of the financing documents relating to the Obligations, including, without limitation, (i) any agreements or certificates detailing the time and method that payment under this guaranty shall be made by the County, (ii) any letters of representations or similar undertakings to be executed in connection with the sale of the Obligations, setting forth certain representations, warranties and covenants of the County as an inducement to the purchase of the Obligations, (iii) any certificates deeming "final" (for the purposes of Rule 15c2-12 of the U.S. Securities and Exchange Commission) any Preliminary or final Official Statements of the Authority in connection with the Obligations, and (iv) any bond purchase agreement or continuing disclosure agreement executed in connection with the sale of the Obligations. Such further agreements or certificates shall not abrogate the County's responsibilities hereunder.

The Chairman of the Board of County Commissioners, Vice Chairman of the Board of County Commissioners or Director of Finance is hereby further authorized to execute one or more continuing disclosure agreement(s) or other instrument(s) undertaking the secondary disclosure obligations of the County required by Rule 15c2-12 of the United States Securities and Exchange Commission in connection with the issuance of any Obligations by the Authority.

Section 4. It is hereby found, determined and declared by the governing body of the County that:

(a) This guaranty may be adopted notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to the Local Bond Law, but the aggregate principal amount of the Obligations that shall be entitled to the benefits of this guaranty, being an amount not to exceed \$5,500,000 outstanding at any time, shall after their issuance be included in the gross debt of the County for the purpose of determining the indebtedness of the County under or pursuant to the Local Bond Law.

(b) The principal amount of Obligations entitled to the benefits of this guaranty and included in the gross debt of the County shall be deducted, and is hereby declared to be and to constitute a deduction, from such gross debt under and for all the purposes of the Local Bond Law (i) from and after the time of issuance of the Obligations until the end of the fiscal year beginning next after the completion of the acquisition or construction of the project to be financed from the proceeds of the Obligations, and (ii) in any annual debt statement filed pursuant to the Local Bond Law as of the end of said fiscal year or any subsequent fiscal year, if the revenues or other receipts or moneys of the Authority in such fiscal year are sufficient to pay its expenses of operation and maintenance in such fiscal year and all amounts payable in such fiscal year on account of the principal of and interest on all such guaranteed Obligations, all Obligations of the County issued as provided in Section 36 of the Act (N.J.S.A. 40:37A-79), and all Obligations of the Authority issued under the Act.

Section 5. The following matters are hereby determined, declared, recited and stated:

(a) The maximum outstanding principal amount of Obligations of the Authority that are hereby and hereunder guaranteed as to the punctual payment of the principal thereof and interest thereon at any time is \$5,500,000.

(b) The purpose described in this guaranty is not a current expense of the County, and no part of the cost thereof has been or shall be assessed on property specially benefited thereby.

(c) A supplemental debt statement of the County has been duly made and filed in the office of the Clerk of the Board, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State, and such debt statement shows that while the gross debt of the County, as defined

in the Local Bond Law, is increased by this guaranty by \$5,500,000, in accordance with the provisions of the Act, the net debt of the County is not increased, and the obligation of the County authorized by or incurred pursuant to the terms of this guaranty is permitted by an exception to the debt limitations of the Local Bond Law, which exception is contained in the Act.

(d) All other items to be contained in a bond ordinance adopted pursuant to the Local Bond Law are hereby determined to be inapplicable to the County's guaranty of the Obligations hereby.

Section 6. Pursuant to N.J.S.A. 40:37A-56, the County hereby consents to the undertaking of the Project by the Authority and the entering into any agreement in connection therewith.

Section 7. This guaranty shall take effect at the time and in the manner provided by law.

NOTICE OF PENDING GUARANTY ORDINANCE

The guaranty ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the County of Union, State of New Jersey, on October 7, 2021. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the County Administration Building, 10 Elizabethtown Plaza, in the City of Elizabeth, on October 21, 2021 at 5:30 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full guaranty ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such guaranty ordinance follows:

Title: Ordinance Authorizing The Guaranty By The County Of Union, New Jersey Of Payment Of Principal Of And Interest On The County Guaranteed Revenue Bonds, Series 2021 (Renewable Energy Program Project) Of The Union County Improvement Authority In An Aggregate Principal Amount Not Exceeding \$5,500,000

Purpose(s): Guaranty by the County of Union of the punctual payment of the principal of and the interest on the County Guaranteed Revenue Bonds, Series 2021 (Renewable Energy Program Project) of The Union County Improvement Authority

Appropriation: \$5,500,000 for County Guaranty

Bonds/Notes Authorized: \$5,500,000 for County Guaranty

Grants (if any) Appropriated: None

Section 20 Costs: Not applicable

Useful Life: Not applicable

JAMES
PELLETTIERE
CLERK OF THE
BOARD OF
COUNTY
COMMISSIONERS

This Notice is published pursuant to N.J.S.A. 40A:2-17.

GUARANTY ORDINANCE STATEMENT AND SUMMARY

The guaranty ordinance, the summary terms of which are included herein, has been finally adopted by the County of Union, State of New Jersey on October 21, 2021 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such guaranty ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full guaranty ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such guaranty ordinance follows:

Title: Ordinance Authorizing The Guaranty By The County Of Union, New Jersey Of Payment Of Principal Of And Interest On The County Guaranteed Revenue Bonds, Series 2021 (Renewable Energy Program Project) Of The Union County Improvement Authority In An Aggregate Principal Amount Not Exceeding \$5,500,000

Purpose(s): Guaranty by the County of Union of the punctual payment of the principal of and the interest on the County Guaranteed Revenue Bonds, Series 2021 (Renewable Energy Program Project) of The Union County Improvement Authority

Appropriation: \$5,500,000 for County Guaranty

Bonds/Notes Authorized: \$5,500,000 for County Guaranty

Grants (if any) Appropriated: None

Section 20 Costs: Not applicable

Useful Life: Not applicable

JAMES PELLETTIERE
CLERK OF THE BOARD
OF COUNTY
COMMISSIONERS

DEBT STATEMENT CERTIFICATE

I, **JAMES E. PELLETTIERE**, Clerk of the Board of County Commissioners, in the County of Union, New Jersey (herein called the "Local Unit"), HEREBY CERTIFY that annexed hereto is a true and complete copy of

the Supplemental Debt Statement of the Local Unit that was prepared as of _____, 2021 by _____, who was then _____ of the Local Unit and filed in my office on _____, 2021, and that a complete, executed copy of such statement was filed in the office of the Director of the Division of Local Government Services of the State of New Jersey on _____, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Local Unit this _____ day of _____, 2021.

JAMES E. PELLETTIERE
Clerk of the Board of County
Commissioners

(SEAL)

EXTRACT from the minutes of a _____ meeting of the Board of County Commissioners of the County of Union, New Jersey held at the County Administration Building in the _____ on _____ at _____ o'clock __.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, **JAMES E. PELLETTIERE**, Clerk of the Board of County Commissioners, in the County of Union, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the County duly called and held on _____
_____ has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the County this _____ day of _____, 2021.

JAMES E. PELLETTIERE
Clerk of the Board of County
Commissioners

(SEAL)

EXTRACT from the minutes of a _____ meeting of the Board County Commissioners of the County of Union, New Jersey held at the County Administration Building in the _____ on _____ at _____ o'clock __.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, **JAMES E. PELLETTIERE**, Clerk of the Board of County Commissioners, in the County of Union, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the County duly called and held on _____
_____ has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the County this _____ day of _____, 2021.

JAMES E. PELLETTIERE
Clerk of the Board of County
Commissioners

(SEAL)

CLERK'S CERTIFICATE

I, **JAMES E. PELLETTIERE**, Clerk of the Board of County Commissioners, in the County of Union, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Board of County Commissioners, in the County of Union, State of New Jersey (herein called the "Local Unit"). In this capacity I have the responsibility to maintain the minutes of the meetings of the governing body of the Local Unit and the records relative to all ordinances and resolutions of the Local Unit. The representations made herein are based upon the records of the Local Unit.

2. Attached hereto is a true and complete copy of an ordinance passed by the governing body of the Local Unit on first reading on _____ and finally adopted by the governing body on _____.

3. On _____ a copy of the ordinance and a notice that copies of the ordinance would be made available to the members of the general public of the county who requested copies, up to and including the time of further consideration of the ordinance by the governing body, was posted in the principal County Administration Building of the Local Unit at the place where public notices are customarily posted. Copies of the ordinance were made available to all who requested them; After introduction, the ordinance or summary thereof, a copy of which is attached hereto, was duly published on _____.

4. A certified copy of this ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services.

5. After final passage, the ordinance or summary thereof, a copy of which is attached hereto, was duly published on _____. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the ordinance has been presented to the governing body or to me or filed in my office within 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the County this _____ day of _____, 2021.

JAMES E. PELLETTIERE
Clerk of the Board of County
Commissioners

[SEAL]

FIRST READING STATEMENT

Commissioner Hudak, Union County Improvement Authority Liaison, moved Ordinance Number 832-2021 for First Reading and authorized the Clerk of the Board to advertise same in accordance with the law. The public hearing was scheduled to be held on October 21, 2021.

On a motion made by Commissioner Hudak and seconded by Commissioner Kowalski roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

SUSPENSION OF RULES

Suspension of the rules to allow for the joining of both Public Comments on resolutions being offered for adoption, and Public Comments on any governmental issue that a member of the public feels may be of concern to the residents of the county.

Chairman Mirabella called for a motion to Suspend the Rules. On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded, roll called showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

PUBLIC COMMENT PORTION

The meeting was opened to the public for the purpose of commenting on Resolutions being offered for adoption and any governmental issue that a member of the public feels may be of concern to the residents of the county.

Bruce Paterson, of Garwood, made comments and asked questions relative to several resolutions. Relative to Reso No. 2021-738, Mr. Paterson asked how this Resolution was related to Ordinance No. 832-2021. Relative to Reso No. 2021-739, he asked if the UCIA was involved in this project and whether or not more change orders were expected. Relative to Reso No. 2021-744, he asked who the principle of Ditto Copy Systems Inc. was and inquired about the location of the cited machines. Relative to Reso Nos. 2021-746, 2021-747, & 2021-748, Mr. Paterson inquired about the costs of each contract. Relative to Reso No. 2021-754, he asked how much Development Directions LLC would be receiving and how long these monies were expected to last. Relative to Reso No. 2021-755, Mr. Paterson asked for an overview of the case. Relative to the upcoming Executive Session, he asked about the location of the cited real property.

Relative to Reso No. 2021-738, Director Taylor advised that this Resolution was related to Ordinance No. 832-2021, and authorized the County to enter into a guarantee agreement, a deficiency agreement, and a disclosure agreement all associated with the 2011 renewable energy bond project. She added that coupled with Ordinance No. 832-2021, this item would allow the County to refund existing bonds in order to pay off existing debt and utilize proceeds in order to make equipment purchased in 2010 functional. She added that equipment had been installed as a result of the bond deal in 2011 and was used by 30 entities. She noted that the County anticipated to yield approximately 8.07% savings which was equal to \$407,000 new present value savings as a result of the transaction.

Relative to Reso No. 2021-739, Director Graziano advised that the parking deck project had not been awarded to a vendor yet. He noted that change orders could not be anticipated until the project had been awarded to a vendor. He confirmed that the Union County Improvement Authority was not involved in the project.

Relative to Reso No. 2021-744, Clerk Rajoppi advised that the vendor was located in Linden, noting the principle of the company as Mr. Nicola Moriello. She noted that the copy machines were located in the public record room for use by the public as well as title searchers and that the service was of no cost to the Department.

Relative to Reso Nos. 2021-746, 2021-747, and 2021-748, Clerk Rajoppi advised that these Resolutions were related to the Rahway Special School Election held the previous week. She noted that the City of Rahway would be paying for this expense and these Resolutions were meant to assign an account number for the expenses.

Relative to Reso No. 2021-754, Deputy County Manager Wagner advised that funding for this item had been secured for two years and the County would not know until those two years were expended whether or not the initiative would continue to receive funding. She also advised that Development Directions LLC would receive an administration fee for their services dictated by the Department of Housing & Urban Development. She added that in this case the agency would receive \$79.10 per voucher, per month.

Relative to Reso No. 2021-755, Counsel Bergen advised that this matter involved the County's lease at the Albender Building in Elizabeth, noting that H.C. Equities was the owner of that property, and litigation had been ongoing for over three years. He advised that in July, the County had received a unanimous decision from the NJ Supreme Court upholding their position in the case. He added that because the County was the defendant in the matter, they were forced to continue their defense as long as H.C. Equities continued to pursue the matter. He noted that the monies expended for litigation was minimal in comparison to the tens of millions in damages the County would suffer if the case were lost.

Relative to the Executive Session, Counsel Bergen advised that he could not release the address of the cited property because the matter was being negotiated and doing so would compromise the County's position in the negotiations. He added that if public monies were to be spent on the property the information would then be made public.

John Bury, of Kenilworth, made comments relative to the new Government Complex.

Clerk of the Board Pellettiere confirmed that there were no additional members of the public wishing to speak and or he had not received any additional comments to be read into the record.

RESOLUTIONS FOR ADOPTION

The following Resolutions were offered for adoption:

2021-734 COMMISSIONER SERGIO GRANADOS: Authorizing the County Manager to enter into an agreement with Visual Computer Solutions, Inc. (VCS, Inc.), Freehold, New Jersey for SaaS renewal services for the Union County Sheriff's Office for the period of September 1, 2021 to August 31, 2022 in an amount not to exceed \$27,625.00.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-735 COMMISSIONER CHRISTOPHER HUDAK & THE ENTIRE BOARD: Resolution sponsoring the Borough of New Providence Street Fair held on October 24, 2021 in the total amount of not to exceed \$3,000.00.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-736 COMMISSIONER CHRISTOPHER HUDAK & THE ENTIRE BOARD: Resolution sponsoring the Queen City Film Festival's 4th Annual Film Festival held on October 22-24, 2021 in the total amount of not to exceed \$2,500.00.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-737 COMMISSIONER CHRISTOPHER HUDAK & THE ENTIRE BOARD: Resolution sponsoring the Borough of Kenilworth's Carve It Out Kenilworth held on October 29, 2021 in the total amount of not to exceed \$4,000.00.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-738 COMMISSIONER CHRISTOPHER HUDAK: Resolution authorizing the execution and acknowledgment and delivery by the County of Union of the Guaranty Agreement, Deficiency Agreement and Disclosure Agreement in relation to County Guaranteed Revenue Bonds, Series 2021 (Renewable Energy Program Project) of the Union County Improvement Authority.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-739 COMMISSIONER BETTE JANE KOWALSKI: Amending Resolution Number 2020-484 for a vendor name change only from Lehrer Cumming to Lehrer Cumming, a subdivision of Cumming Management, Cranford, NJ.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

- 2021-740 COMMISSIONER BETTE JANE KOWALSKI:** Resolution granting permission to the Township of Springfield and the Saint James the Apostle Roman Catholic Church to close the road between Mountain Avenue and Shunpike Road on October 12, 2021 to October 15, 2021 from 6-10PM, and October 16, 2021 from 2-10PM to hold its annual St. James Festival.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

- 2021-741 COMMISSIONER BETTE JANE KOWALSKI:** Authorizing the County Manger to grant permission to the Township of Scotch Plains to hang a banner on Park Avenue near Front Street and Bartle Avenue from September 29, 2021 through October 18, 2021 to promote "Visit Historic Scotch Plains".

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

- 2021-742 COMMISSIONER LOURDES M. LEON:** Amending Resolution 2021-637 to increase the allocation amount to Samuels, Inc., State Contract #85992 for purchase of auto parts & accessories for Paratransit vehicles for the period of January 1, 2021 through December 31, 2021 in an additional amount not to exceed \$10,000.00 for a total contract amount not to exceed \$210,000.00.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

- 2021-743 COMMISSIONER ANDREA STATEN:** Authorizing the County Manager to enter into a contract with Summit Soundz LLC, Summit, NJ to provide equipment and services for the County's 2021 movie series, in an amount not to exceed \$11,420.00.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

- 2021-744 CHAIRMAN ALEXANDER MIRABELLA:** Authorizing the County Manager to exercise its only option to extend the contract, obtained through advertised public bidding (BA 37-2019) in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq., with Ditto Copy Systems Inc., Linden, New Jersey to provide coin-operated copy machines for public use at five cents (\$0.05) per copy for an additional twenty-four (24) consecutive months beginning December 10, 2021 through December 9, 2023. This is not a revenue producing contract nor is there a

cost to the County. The vendor is responsible for maintaining the machines as well as the paper supply.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-745 CHAIRMAN ALEXANDER MIRABELLA: Authorizing the County Manager to enter into a contract with Wisolmerski Associates, Inc., Boca Raton, Florida, for the purpose of providing technical support to the recording, indexing and accounting systems of the Office of the County Clerk for the contract period of January 1, 2022 through December 31, 2022 in an amount not to exceed \$44,350.00.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-746 CHAIRMAN ALEXANDER MIRABELLA: Amending Resolution Number 2020-896, a contract with Full Service Mailers, Hackensack, New Jersey, to add grant account G-02-21-310-312-734. No change in contract value.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-747 CHAIRMAN ALEXANDER MIRABELLA: Amending Resolution Number 2021-631, a contract with Royal Printing Services, West New York, New Jersey to add grant account G-02-21-310-312-734. No change in contract value.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-748 CHAIRMAN ALEXANDER MIRABELLA: Amending Resolution Number 2020-897 a contract with B & B Press Inc., Lebanon, New Jersey, to add grant account G-02-21-310-312-734. No change in contract value.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-749 CHAIRMAN ALEXANDER MIRABELLA: Authorizing the County Manager to enter into an agreement for the purchase of Digital Forensics Software from Grayshift, LLC, of Atlanta Georgia in an amount not to exceed \$25,663.02.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-750 CHAIRMAN ALEXANDER MIRABELLA: Authorizing the County Manager through the Union County Prosecutor's Office to enter into a Professional Service Agreement with Sexual Assault Nurse Examiners to serve as independent contractors as part of the Union County Sexual Assault Response Team for the period of October 1, 2021 through September 30, 2022 in the amount of \$52,788.00.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-751 CHAIRMAN ALEXANDER MIRABELLA: Amending Resolution Number 2021-459 to reflect the following required data elements: Authorizing the County Manager, through the Office of the Union County Prosecutor's office, to apply for and accept funding for the purpose described in the application from the State of New Jersey, Office of the Attorney General, Division of Administration, Department of Law and Public Safety for FFY19 Victims of Crime Act (VOCA) Grant Program for the project titled County Sexual Assault Response Team/Forensic Nurse Examiner Program; The total project cost reflects the full grant award of \$86,427.00 in federal funds and not to exceed \$139,082.00 in match (Required match amount of \$21,607.00 and existing operating budget salary and fringe cost of \$117,475.00) for a total project cost of \$225,509.00 for the period of October 1, 2021 through September 30, 2022 (Subaward number VS-85-19).

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-752 CHAIRMAN ALEXANDER MIRABELLA: Amending Resolution Number 2021-280, a resolution authorizing purchase of software, equipment, and related training from Cellebrite Inc., Parsippany, New Jersey, for the period of January 1, 2021 through December 31, 2021, by an amount not to exceed \$12,807.67, for a new total amount not to exceed \$22,807.67.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-753 CHAIRMAN ALEXANDER MIRABELLA: Authorizing the County Manager to award a contract to MicroSystems-NJ.com LLC, Bridgewater, NJ, by way of RCCP #6-2021, to provide online tax system services to the County of Union, for a period of five (5) years from November 11, 2021 through November 10, 2026 in an amount not to exceed \$254,500.00.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-754 CHAIRMAN ALEXANDER MIRABELLA: Authorizing the County Manager to utilize Cares Act Mainstream Vouchers in the amount, not to exceed \$479,232.00 from the Union County Housing Voucher Program (Section 8), to service 40 non-elderly disabled families on a monthly basis through Federal Department of Housing & Urban Development Housing - Development Directions LLC.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-755 CHAIRMAN ALEXANDER MIRABELLA: Amending Resolution Number 2020-561 dated July 23, 2020, to increase the appropriation to DeCotiis Fitzpatrick, Cole & Giblin of Teaneck, NJ for Special Legal Counsel in the matter entitled H.C. Equities v. UC, et als, in an amount not to exceed \$40,000.00 for a new total contract amount not to exceed \$200,000.00.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-756 CHAIRMAN ALEXANDER MIRABELLA: Authorizing Governing Body Certification of the 2020 Audit.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

COMMISSIONER SPONSORED RESOLUTIONS

2021-757 VICE CHAIR REBECCA LYNNE WILLIAMS & THE ENTIRE BOARD: Resolution recognizing the week of October 3, 2021 to October 9, 2021 as Fire Prevention Week in the County of Union.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-758 VICE CHAIR REBECCA LYNNE WILLIAMS & THE ENTIRE BOARD: Resolution congratulating Captain James Abney upon his retirement after 25 years with the Plainfield Police Division.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-759 VICE CHAIR REBECCA LYNNE WILLIAMS & THE ENTIRE BOARD: Resolution congratulating Tracey Bennet upon her retirement after 40 years with the City of Plainfield.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-760 CHAIRMAN ALEXANDER MIRABELLA & THE ENTIRE BOARD: Resolution offering this Board's deepest sympathies to the family of William Frolich, treasurer of the Union County Historical Society, during their time of sorrow.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

2021-761 CHAIRMAN ALEXANDER MIRABELLA: Resolution celebrating Christopher Columbus Day throughout the County of Union; and further celebrating the many contributions made by Italian Americans and recognizing the local Italian American Organizations participating in the Union County's 13th Annual Christopher Columbus Flag Raising Ceremony on Friday, October 8, 2021.

On a motion made by Commissioner Granados and seconded by Commissioner Palmieri-Mouded roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

COMMISSIONER REPORTS AND COMMENTS

Commissioner Palmieri-Mouded reminded residents that October was Breast Cancer Awareness Month and encouraged residents to keep up with their breast health by making an appointment for their mammograms and by conducting self-exams at home. She added that the County Administration Building had changed the lights in the lobby to pink to bring awareness to the cause, adding that the lights would be changed to teal on October 13 to bring awareness to metastatic breast cancer.

Commissioner Kowalski spoke relative to the flooding in Union County as a result of Hurricane Ida. She advised that she and Counsel Bergen had attended a meeting with the Rahway River Watershed Association and the Department of Environmental Protection to discuss the flooding that had occurred. She also advised that they participated in discussions regarding the status of the study/project through the Army Corps of Engineers. She noted the seriousness of flooding in certain areas as well as the increasing frequency and severity of these occurrences and the need to have this matter addressed in a timely fashion. On another note, Commissioner Kowalski spoke relative to the upcoming annual Four Centuries in a Weekend event on October 16th & 17th, hosted by the County and partially funded by the NJ Historical Commission. She added that tour would allow residents to visit more than 30 houses, museums, and historical sites throughout the County, including the Wallace Chapel in Summit, the former home of Reverend Florence Spearing Randall.

Chairman Mirabella recognized Commissioner Kowalski for her leadership relative to flood-management and control over the years. He noted that he was confident in her leadership and her ability to push the Army Corps of Engineers and the Federal Government to take action to mitigate these events and the subsequent damage. He reminded residents that FEMA was on-site in Scotch Plains through Saturday to assist residents throughout the County in making claims for damages, checking on the status of a claim, and or for general inquiries.

Commissioner Hudak had no comments.

Commissioner Granados noted the County's continued celebration of Hispanic Heritage Month and encouraged residents to attend the first ever Hispanic Heritage flag raising ceremony on October 15th. He also recognized the efforts of Commissioner Leon, Parks & Recreation, and the Departments of Economic Development and Human Services and all the County employees that facilitated the Family Fun Day, noting the celebration highlighted Hispanic and Latin culture as well as the inclusion of all those that participated. Commissioner Granados reminded residents that the County would be hosting a Concert In the Park event on October 16th at Warinanco Park with a performance by the Hector Morales Salsa Band, noting that free food would also be available for the first 150 participants. He thanked the County of Union for ensuring that all ethnicities were recognized and celebrated.

Commissioner Leon expressed her gratitude for all the support she received in facilitating the Family Fun Day during Hispanic Heritage Month. She added that it was the first time she participated in this event as a Commissioner and thanked her Commissioner colleagues Commissioner Garretson, Commissioner Granados, and Commissioner Hudak for their support relative to the event. She closed by reminding residents that there would be an Emergency Food Distribution on Saturday at Kean University.

Commissioner Garretson joined Commissioner Palmieri-Mouded in reminding residents to schedule their breast exams and conduct self-exams at home. She also spoke relative to her recent participation in the First Annual Pink Shuffle on the Hillside at Conant Park in Hillside. She noted that it was a wonderful gathering and thanked everyone involved for organizing and participating in the event, in particular Prestige Auto. On another note, she spoke relative to her participation in Scotch Plains Day alongside Commissioner Hudak as well as Family Fun Day in celebration of Hispanic Heritage alongside Commissioner Leon. She also spoke relative to the Institute of Music for Children and thanked the Board for supporting this organization and their efforts. She noted the previous day's event celebrating the curing of the land now owned by the organization.

Chairman Mirabella acknowledged Commissioner Garretson's participation in several of the events throughout the County, including her efforts relative to the Institute of Music for Children joined by Lieutenant Governor Sheila Y. Oliver, and thanked her for her hard work over the last month. On another note, he

recognized Commissioner Hudak for his leadership and efforts relative to the Polish Flag Raising event a few weeks back. He also reminded residents that the County would be hosting a Columbus Italian Flag raising event tomorrow with Commissioner Palmieri-Mouded as the featured speaker. He added that other municipalities throughout the County would also be celebrating Columbus Day with weekend activities, including an Italian Festival in Clark.

EXECUTIVE SESSION

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

- 1) ATTORNEY-CLIENT PRIVILEGED COMMUNICATION RELATIVE TO ONGOING CONTRACT NEGOTIATIONS WITH VARIOUS COLLECTIVE BARGAINING UNITS; and
- 2) Attorney Client privileged communications and discussions relative to contract negotiations regarding potential purchase of real property.

County Counsel Bergen 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 the Board wished to enter into Executive Session for the purpose of discussing attorney-client privileged communication relative to ongoing contract negotiations with various collective bargaining units; and Attorney Client privileged communications and discussions relative to contract negotiations regarding potential purchase of real property.

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 but would not take formal action on the matters discussed.

Chairman Mirabella called for a motion to enter into Executive Session. On a motion made by Commissioner Granados and seconded by Commissioner Kowalski, roll call showed seven members of the Board voted in the affirmative; with Vice Chair Williams and Commissioner Staten absent.

Chairman Mirabella called for a motion to return from Executive Session. On a motion made by Commissioner Grandos and seconded by Commissioner Garretson, roll call showed six members of the Board voted in the affirmative;

with Vice Chair Williams, Commissioner Palmieri-Mouded, and Commissioner Staten absent.

County Counsel Bergen advised that he had nothing to report following Executive Session.

ADJOURNMENT

Chairman Mirabella asked for a motion to adjourn the meeting. On a motion made by Commissioner Kowalski and seconded by Commissioner Hudak, roll call showed six members of the Board voted in the affirmative; with Vice Chair Williams, Commissioner Palmieri-Mouded, and Commissioner Staten absent.

The meeting was adjourned at 6:51 P.M.

**UNION COUNTY BOARD OF COUNTY COMMISSIONERS
2021 MEETING SCHEDULE**

**REORGANIZATION MEETING - SUNDAY, JANUARY 3, 2021 at 12:00 pm
Courthouse Plaza, 2 Broad Street, Elizabeth, NJ & Remotely
Through Teleconference via Zoom Webinar**

2021 MEETING SCHEDULE

AGENDA SETTING SESSION

January 21, 2021

February 4, 2021
February 18, 2021

March 4, 2021
March 25, 2021

April 8, 2021
April 22, 2021

May 6, 2021
May 20, 2021

June 10, 2021
June 24, 2021

July 22, 2021

August 12, 2021

September 2, 2021
September 23, 2021

October 7, 2021
October 21, 2021

November 4, 2021
November 18, 2021

December 2, 2021
December 16, 2021

REGULAR MEETINGS

January 21, 2021

February 4, 2021
February 18, 2021

March 4, 2021
March 25, 2021

April 8, 2021
April 22, 2021

May 6, 2021
May 20, 2021

June 10, 2021
June 24, 2021

July 22, 2021

August 12, 2021

September 2, 2021
September 23, 2021

October 7, 2021
October 21, 2021

November 4, 2021
November 18, 2021

December 2, 2021
December 16, 2021


James E. Pellettiere, RMC, QPA
Clerk of the Board

Please note that the County Commissioners' meetings are to be regularly held on Thursday evenings and are scheduled to be held on the same evening, with the Agenda Setting Session to commence at 5:00pm and the Regular Meeting to commence as soon as possible after the Agenda Setting Session, unless otherwise noted.

In adherence to the Department of Community Affairs, Division of Local Government Services (DLGS) guidelines, the County Commissioners' meetings will be open to the public by electronic means, and as such, will be conducted through a teleconference via ZOOM Webinar. All members of the public may view the meeting by livestream at ucnj.org/commissioners. Any member of the public wishing to participate in the teleconference meeting, may do so by downloading ZOOM to their individual electronic device and must email the Clerk of the Board at jpellettiere@ucnj.org <<mailto:jpellettiere@ucnj.org>> to receive the meeting-specific link and password to gain access to the teleconference. All requests **must** be submitted and received by the Clerk of the Board **no later than noon of the corresponding meeting date.**

Members of the public who prefer not to, or do not have the means to, participate in the teleconference, may continue to participate in the County Commissioners meetings by emailing comments relative to resolutions being offered for adoption and/or on any governmental issue that a member of the public feels may be of concern to the residents of the county to the Clerk of the Board at jpellettiere@ucnj.org <<mailto:jpellettiere@ucnj.org>>. All relevant comments received will be read into the record during each Regular Meeting's Public Comment Portion, prior to the Board's consideration of resolutions for adoption, and will be addressed accordingly by the Board. All emails **must** be submitted and received by the Clerk of the Board **no later than noon of the corresponding Regular Meeting date** and, as is always the case, **must** include the public member's **full name and town of residence and resolution number** to which comments are being referred for the record. Agendas will be posted for the public's viewing on the County's official website at: www.ucnj.org/commissioners <<http://www.ucnj.org/commissioners>>.

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