

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

THURSDAY, MARCH 20, 2014
AGENDA SETTING MEETING MINUTES

CALL TO ORDER

Vice Chairman Mohamed S. Jalloh called the meeting to order at 7:12 PM.

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

Vice Chairman Mohamed S. Jalloh presided over the meeting.

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

PRAYER AND SALUTE TO THE FLAG

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

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

APPROVAL OF COMMUNICATIONS

Note and File

1. Oath of Office: Local Advisory Committee on Alcoholism and Drug Abuse: Rafael Menendez; Senior Citizen and Disabled Resident Transportation Advisory Board: Ina White; and Transportation Advisory Board: Stephen Thorpe.

PRESENTATION TO THE BOARD

A Resolution presentation was made by Freeholder Alexander Mirabella to Christine C. Hodde, proclaiming the Month of March as Red Cross Month in Union County.

Vice Chairman Jalloh called upon Freeholder Mirabella and Freeholder Wright to present Christine Hodde, Director of Red Cross with a Resolution proclaiming the Month of March as Red Cross

Month in Union County and to commend Director Hodde, the volunteers and the Board members for all they give to the community.

Freeholder Mirabella thanked them for all the great work they do for the residents of Union County during the natural disaster like Hurricane Irene and Super Storm Sandy.

Director Hodde thanked the volunteers and said they would not be able to do this work without their help. She said this year alone, there has been a 27% increase in fires and the volunteers respond all hours of the day and night. She said an emergency plan should always be in place and giving blood and having CPR training is extremely important. Director Hodde urged the public to go to the Red Cross website for planning suggestions.

Director Hodde mentioned the recent passing of Victor Prasad who was very active in the Red Cross and Union County. She sent her condolences to his family and everyone who had the pleasure of working with him.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Norman Albert, Esq., Director

1. Requesting the approval to make obsolete several pieces and quantities of equipment as follows: Parks and Recreation: (1) Zamboni Model 500 Serial # 5649; Public Works: (1) Ford backhoe Model 655C; Public Safety: 84 pistols HK USP 45 & 230 magazines; and requesting the permission to dispose of the surplus equipment as trade-ins on public bids (Zamboni & Pistols) and a national cooperative purchase (Backhoe) for new equipment replacements. **(Chairman Christopher Hudak)**

Freeholder Sergio asked how the equipment is disposed.

Director Albert stated that item #1 declares the equipment as surplus and authorizes the County to reduce the cost of the new equipment to be purchased.

Freeholder Kowalski asked if the old Zamboni is being disposed of.

Director Albert replied yes, and it will be replaced by a new Zamboni.

2. Awarding a contract to Ruderman and Glickman, P.C., Springfield, New Jersey to serve as personnel counsel for the period of January 1, 2014 through December 31, 2014, in an amount not to exceed \$10,000. **(Chairman Christopher Hudak)**

Freeholder Mirabella asked if the vendor mentioned in item #2 is an existing firm that was designated for services in the beginning of the year.

Director Albert said there were two firms designated in the beginning of the year, adding that this firm is from a case being carried over from last year. He said this contract award is to complete those pending cases.

Freeholder Mirabella asked why the delay.

Director Albert stated that they received an invoice in January and they checked on the status of the cases and it was determined that they complete the work on these cases.

DEPARTMENT OF ECONOMIC DEVELOPMENTWilliam Reyes, Deputy County Manager / Director

1. Authorizing the County Manager to award a Professional Engineering Service Contract to the Alaimo Group, Consulting Engineers, Mt. Holly, New Jersey, for the purpose of providing Construction Administration and Inspection Services for the 2013 Miscellaneous Dam Repairs in an amount not to exceed \$81,960.00. (Union County Engineering Project No. 2011-047) **(Chairman Christopher Hudak)**
2. Amending Resolution Number 2013-760, a Professional Engineering Service Contract with Remington & Vernick Engineers, Secaucus, New Jersey, for Licensed Site Remediation Professional (LSRP) Environmental Compliance Services at Zimmerman Park Property located in the Township of Union, New Jersey, for the purposes of providing additional site inspection and receptor evaluation services in the amount of \$18,415.00 for a new total contract amount not to exceed \$20,390.00. (Union County Engineering Project No. 2013-008) **(Chairman Christopher Hudak)**
3. Amending Resolution Number 2012-742, (BA#52), a contract awarded through the public bidding process to Jogi Construction, Inc., of Livingston, New Jersey, approving Change Order No. 1 (final) for the Replacement of three (3) Culverts, LI9, LI56, and LI73, City of Linden. This change order will reduce the contract amount by (\$27,228.90) for a new contract amount not to exceed \$741,013.10. **(Chairman Christopher Hudak)**

4. Amending Resolution Number 2014-195, awarding Professional Engineering Service Contracts for the purpose of providing "on call" Engineering Services for the Year 2014, to reflect a change in account numbers only. **(Chairman Christopher Hudak)**

Freeholder Mirabella asked for an explanation of the change in account numbers relative to item #4.

Deputy County Manager Reyes stated that he believes that the change is due to a typographical error.

County Engineer Mineo confirmed that it was a clerical error.

5. Authorizing the County Manager to award a contract to SMG, Rutherford, New Jersey, to provide paid communication services to the County of Union for the period of April 1, 2014 through December 31, 2014 in an amount not to exceed \$88,000.00. **(Chairman Christopher Hudak)**

Freeholder Carter asked for an explanation of items 2 and 5.

Deputy County Manager Reyes said that item #2 is for an environmental investigation of a piece of land that requires additional inspection for a "not to exceed" amount of \$1,975. If there is a need for remediation, he would come back to the Board for such authorization.

Freeholder Carter asked if there was a plan in place.

Freeholder Carter asked if the testing and collecting is being done now.

Deputy County Manager Reyes replied yes.

Freeholder Carter asked if they know what they are looking for.

County Engineer Tom Mineo responded to Freeholder Carter's question.

Mr. Mineo stated that some of the soil was historic filler and is contaminated and needs to be studied.

Deputy Director Reyes explained that item #5 is for general marketing purposes for Runnells Hospital for a citizen's directory, adding that there is a lot that is being done by social media. He added that this contract runs from April 1st to December 31, 2014.

Vice Chairman Jalloh asked several questions relative to item #5:

He asked if the contract award was done by an RFP or an RFQ process; if this vendor has been used in the past and what the marketing entails.

Deputy County Manager Reyes responded. He stated that the award was done by an RFP process that went out late 2013. The responses came back in February.

Deputy County Manager Reyes replied that they have used this vendor before for advertising for Runnells Hospital and First Alert. He said the contract is for brochures, mailers and the website.

Vice Chairman Jalloh asked for the breakdown in percentage that will be used for Runnells Hospital and the County and why the advertising is not being done in-house.

Deputy County Manager Reyes stated that to date there was no breakdown of costs between the two. He said this vendor has been advertising for them in the past and they are experienced in the advertisement of Runnells. He said it could take our in-house staff three months to complete, whereas, it would take this vendor 3 hours based on their experience.

Freeholder Bergen asked about the distribution of the dollars involving item #5.

Deputy County Manager Reyes stated that there will be a \$4,000 retainer per month and the remainder will be spread out by the project costs.

Freeholder Jalloh asked if a retainer is warranted regardless of use.

Deputy County Manager Reyes replied yes, but they are certain they will be utilized.

Vice Chairman Jalloh asked how many in-house employees are in- County who do graphic design.

Deputy County Manager Reyes answered, there is one employee.

DEPARTMENT OF FINANCE

Bibi Taylor, Director

There were no questions.

1. Amending Resolution Number 2014-3 for the addition of a custodian to the change funds. **(Vice Chairman Mohamed S. Jalloh)**
2. Approving transfers of year 2013 Current Fund budget appropriations. **(Vice Chairman Mohamed S. Jalloh)**

DEPARTMENT OF HUMAN SERVICESFrank Guzzo, Director

Director Guzzo stated that he will have two additional Resolutions for the next Freeholder Meeting.

Freeholder Mirabella asked for information about the two Resolutions from the floor.

Director Guzzo stated that one is for the extension of the health contract with Corzine for the Correction officers. He said a 3 month extension is needed to complete the RFP due to the change in the Affordable Care Act. The second item refers to a Resolution that was passed by Hudson County. They are filing action against the State, explaining that the new act allows inmates to be covered under Medicaid. He stated that he will have the back-up information for the two items on Monday.

1. 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 Human Services: Metro Flag Co., Dover, New Jersey, for the purpose of providing 60,480 American Flags for Veterans Graves in Union County, for a 24 month period (2014-2015) in the total amount not to exceed \$48,988.80. **(Freeholder Bette Jane Kowalski)**
2. Authorizing the County Manager to award 2014-2015 Homeless Trust Fund (HTF) subcontracts pursuant to the recent Request for Proposal (RFP) procurement process for the period of April 1, 2014 through March 31, 2015 in the total amount of \$141,000 (100% Homeless Trust Fund grant funding) and further authorizing the transfer of funds among the various agencies during the contract period should service needs change and/or if any of the agencies fails to meet its contractual obligation. **(Freeholder Bette Jane Kowalski)**

Freeholder Kowalski asked if the amount of \$141,000 relative to item #2 is funded through the Clerk's Office.

Director Guzzo replied yes. It will be funded through the Clerk's Office.

3. Authorizing the County Manager to renew the Agreement of Understanding between the Union County Division of Social Services and Robert Wood Johnson University Hospital at Rahway for the out-stationing of County Welfare Agency staff (one part-time employee) to process Medicaid applications for the period of January 1, 2014 through December 31, 2014 at no cost to the County of Union (State funded). **(Freeholder Bette Jane Kowalski)**
4. Authorizing the County Manager to enter into an agreement with NJ TRANSIT to secure grant funding in the amount of \$200,000 with a 100% County match of \$200,000 for a total of \$400,000 for the period of July 1, 2014 through June 30, 2016 inclusion in NJ Transit's Consolidated Job Access and Reverse Commute (JARC) Grant Application, submitted to the Federal Transit Administration for Federal Transportation assistance authorized by Section 3037 of the Transportation Equity Act of 21st Century (TEA-21). **(Freeholder Bette Jane Kowalski)**

Freeholder Carter asked for an explanation of item #4.

Director Guzzo stated it is to operate the Route 22 Shuttle and there is a 100% County match.

Freeholder Mirabella asked if item #4 was awarded last year, and if so, how much.

Director Guzzo stated that in 2013 they were awarded \$250,000, and the amount awarded is determined by the State.

5. Amending Resolution Number 2013-283, establishing County funds for indigent burial costs for the two year period of January 1, 2013 through December 31, 2014, to reflect year specific allocation and account number with neither a change in burial rate nor total dollars. **(Freeholder Bette Jane Kowalski)**

Freeholder Jalloh asked about the dollar amount for item #5.

Director Guzzo stated that the burials are capped at \$1,500 per burial. Last year the total amount was slightly higher than budgeted. This is for \$25,000.

6. Authorizing the County Manager to award a subcontract to Trinitas Hospital for mental health services under the 2014 Union County Re-Entry Demonstration Program for the period of April 1, 2014 through September 30, 2014 and in the total amount of \$50,000 (100% grant funding). **(Freeholder Bette Jane Kowalski)**

Freeholder Carter asked for an explanation of item #6.

Director Guzzo explained that recently there was an item on the Agenda for a State grant for Trinitas Regional Hospital for youth services.

Freeholder Carter asked if these are leftover dollars. Director Guzzo replied yes, and these dollars will be allocated to Trinitas Hospital.

DEPARTMENT OF PARKS AND RECREATION

Ronald Zuber, Director

1. 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 and Recreation: Deer Carcass Removal Service, Cream Ridge, New Jersey, for the purpose of providing deer carcass removal services, for the contract period of January 5, 2014 through January 4, 2016, in the amount of \$39,000.00. **(Freeholder Sergio Granados)**

Freeholder Bergen asked if item #1 involves the County and the municipal roads, if so, is it cost sharing.

Director Zuber replied yes, item #1 involves the county and municipal roads, and stated it is not cost sharing. It is all under the same contract.

2. Authorizing the County Manager to enter into a Memorandum of Understanding with Special Olympics New Jersey, Lawrenceville, New Jersey, to run a variety of sports programs for the County's youth with disabilities at Union County Park Facilities from April 1, 2014 through December 31, 2014 at no additional cost to the County of Union. **(Freeholder Sergio Granados)**

Vice Chairman Jalloh asked if there is a risk in losing revenue dollars relative to item #2.

Director Zuber explained that they are not at-risk in losing dollars for the project. He explained that it is for temporary soccer field programs at various locations; and any golf programs at the Galloping Hill facility will not interrupt any time of play. Director Zuber explained that his Resolution is to provide programs for the disabled.

Vice Chairman Jalloh stated that it is a program worthwhile.

Deputy County Manager Faella interjected stating that there will be no additional costs.

Freeholder Carter asked if there is an inkind cost.

Director Zuber answered yes.

DEPARTMENT OF PUBLIC WORKS AND FACILITIES

Joseph Graziano, Director

Freeholder Mirabella asked for an update on filling the pot holes in the County roadways.

Director Graziano stated that they have starting filling the pot holes and it will be an on-going project throughout the summer. He explained further that they are temporarily using cold patch. He said he is looking into a process called "pot hole killer," which could save the County dollars. He said the manpower needed for this process is one as opposed to needing 5 or 6 workers.

Freeholder Mirabella asked how the roadway problems are detected.

Director Graziano stated that the Public Works supervisors investigate areas.

Freeholder Carter asked if there is a mechanism in place to report pot holes.

Director Graziano stated that there are links on the County website that allows pictures, names and addresses and they will be contacted by his office.

Freeholder Carter asked if there is a listing on the website of the roads that have been paved.

Director Graziano replied no, there is no listing.

Director Faella asked Director Graziano to provide a list of the roadways that have been paved.

1. Authorizing the County Manager to award the proposed contract to Foley Inc., Piscataway, New Jersey, to purchase a Caterpillar 420F IT Backhoe Loader at the discounted cost of \$115,973.80 obtained through the use of the National Intergovernmental Purchasing Alliance. Price includes a trade-in allowance for the back-hoe being replaced. **(Chairman Christopher Hudak)**

OFFICE OF THE COUNTY COUNSEL

Robert E. Barry, Esq., County Counsel

There were no questions.

1. Amending Resolution Number 2013-632, to increase the appropriation to Alexander Booth, Esq., Jersey City, New Jersey, in the matter entitled Germaine Johnson v. UC, et als. in an amount not to exceed \$5,000.00 for a sum not to exceed \$7,051.80 **(Chairman Christopher Hudak)**
2. Amending Resolution Number 2013-633, to increase the appropriation to Kologi Simitz, Linden, New Jersey, in the matter entitled Germaine Johnson v. UC, et als. in an amount not to exceed \$5,000.00 for a sum not to exceed \$6,268.75. **(Chairman Christopher Hudak)**

3. Amending Resolution Number 2013-634, to increase the appropriation to Schwartz & Posnock, Eatontown, New Jersey, in the matter entitled Germaine Johnson v. UC, et als. in an amount not to exceed \$1,000.00 for a sum not to exceed \$1,233.34. **(Chairman Christopher Hudak)**
4. Amending Resolution Number 2013-1098, to increase the appropriation to Bauch, Zucker, Hatfield, Springfield, New Jersey, in the matter entitled Beverly Figueroa v. UC, et als. in an amount not to exceed \$30,000.00 for a sum not to exceed \$135,000.00. **(Chairman Christopher Hudak)**
5. Amending Resolution Number 2013-1099, to increase the appropriation to Weber Dowd Law, Woodland Park, New Jersey, in the matter entitled Beverly Figueroa v. UC, et als. in an amount not to exceed \$15,000.00 for a sum not to exceed \$70,000.00. **(Chairman Christopher Hudak)**
6. Amending Resolution Number 2012-238, to increase the appropriation to Weber Dowd Law, Woodland Park, New Jersey, in the matter entitled Aspen Landscaping Contracting v. UC et als. in an amount not to exceed \$5,000.00 for a sum not to exceed \$83,535.51. **(Chairman Christopher Hudak)**
7. Amending Resolution Number 2012-1007, to increase the appropriation to Kologi Simitz, Linden, New Jersey, in the matter entitled Barbara Sandargus v. UC, et als. in an amount not to exceed \$10,000.00 for a sum not to exceed \$15,146.25. **(Chairman Christopher Hudak)**

FREEHOLDER SPONSORED RESOLUTIONS

Freeholder Carter stated that she will have additional Laudatory Resolutions for the next Freeholder Meeting.

Freeholder Kowalski asked that she and the entire Board join Freeholder Granados in item #3.

Freeholder Mirabella asked the Clerk of the Board to contact the Director for the Red Cross for a condolence laudatory resolution for the passing of a volunteer.

1. Authorizing the County Manager to enter into contracts with the following appraisal companies, for the purposes of working with and for the Open Space, Recreation and Historic Preservation Trust Fund: Appraisal Associates, Inc., Cranford, New Jersey, in an amount not to exceed \$10,000.00; ARD Appraisal Company, Clark, New Jersey, in an amount not to exceed \$10,000.00; and Value Research Group, LLC., Livingston, New Jersey, in an amount not to exceed \$10,000.00; for a total amount not to exceed \$30,000.00. **(Freeholder Bruce H. Bergen)**
2. Authorizing the County Manager to enter into a contract with Two Rivers Title Agency of New York, Little Silver, New Jersey, for the purpose of providing title services to and for the Open Space, Recreation and Historic Preservation Trust Fund, in an amount not to exceed \$10,000.00. **(Freeholder Bruce H. Bergen)**
3. Laudatory resolution recognizing SAGE Eldercare as they celebrate their 60th Anniversary, and further recognizing the outstanding staff who have always shown devotion to the elderly. **(Freeholder Granados, Mr. Board)**

4. Laudatory resolution proclaiming the week of April 7 to 13, 2014, as "National Public Health Week." **(Freeholder Granados, Freeholder Kowalski)**
5. Laudatory congratulating the Cranford-Elmora Soup Kitchen for celebrating 25 years of service. **(Freeholder Bette Jane Kowalski)**
6. Laudatory resolution proclaiming the month of March, 2014 as "AMERICAN RED CROSS MONTH" in Union County. **(Freeholder Alexander Mirabella)**
7. Laudatory resolution recognizing and congratulating Ricardo McNeil, Grand Master of Prince Hall Masons in New Jersey, of Union Township, New Jersey, for all of his dedicated work and devotion in helping to advance the mission of the Most Worship Prince Hall Grand Lodge, Free and Accepted Masons State of New Jersey. **(Freeholder Vernell Wright)**
8. Resolution expressing this Board's deepest condolences to the family of Michael T. Clarke, of Linden, during their time of sorrow. **(Chairman Christopher Hudak)**
9. Resolution expressing this Board's deepest sympathies to the family of Jennifer Pruden, former Union County Rape Crisis Center Director, during their time of sorrow. **(Chairman Hudak, Mr. Board)**
10. Laudatory resolution congratulating the Linden High School's Basketball Team on their victory over Trenton High School, resulting in their 2014 NJSIAA/ShopRite Group 4 Title. **(Chairman Christopher Hudak)**

EXECUTIVE SESSION

To the extent known, the following matters will be discussed in executive session:

- 1) Attorney-Client privileged communication relative to potential litigation by Vespa Electrical Company, Inc.; and potential settlement.

County Counsel Barry stated that pursuant to provisions of the Open Public Meetings Act a public body may enter into Executive Session for the purpose of discussing certain enumerated subjects. This Board will now enter Executive Session for the purpose of discussing attorney-client privileged communication relative to potential litigation by Vespa Electrical Company, Inc. and potential settlement.

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

Upon the Board's return, it will not take formal action on the matters discussed.

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

Motion to enter Executive Session.

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

Motion to return from Executive Session.

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

County Counsel Barry stated that there will be an additional Resolution next week as a result of discussions during Executive Session relative to Vespa Electrical Company.

ADJOURNMENT

Motion to adjourn the meeting at 7:57 PM.

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

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS 2014 MEETING SCHEDULE

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

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

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

AGENDA SETTING MEETINGS

REGULAR MEETINGS

January 16, 2014

January 23, 2014

February 6, 2014
February 20, 2014

February 6, 2014
February 27, 2014

March 6, 2014
March 20, 2014

March 13, 2014
March 27, 2014

April 3, 2014
April 24, 2014

April 10, 2014
April 24, 2014

May 1, 2014
May 15, 2014

May 8, 2014
May 29, 2014

June 5, 2014
June 19, 2014

June 12, 2014
June 26, 2014

July 10, 2014

July 17, 2014

August 7, 2014

August 14, 2014

September 4, 2014
September 18, 2014

September 11, 2014
September 25, 2014

October 2, 2014
October 16, 2014

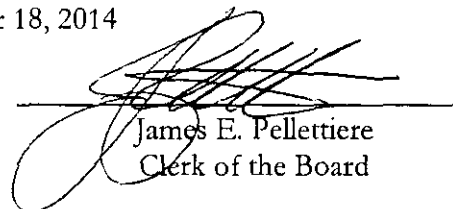
October 9, 2014
October 16, 2014

November 6, 2014
Tuesday, November 25, 2014

November 13, 2014
Tuesday, November 25, 2014

December 4, 2014
December 18, 2014

December 11, 2014
December 18, 2014



James E. Pellettiere
Clerk of the Board

JEP:mb