



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

THURSDAY, SEPTEMBER 17, 2015
AGENDA SETTING MEETING AGENDA

Chairman Mohamed S. Jalloh presided and called the meeting to order at 7:04pm. Roll call showed Vice Chairman Bruce H. Bergen, Freeholder Angel G. Estrada, Freeholder Sergio Granados, Freeholder Christopher Hudak, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella and Freeholder Vernell Wright were in attendance. Freeholder Linda Carter was absent.

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

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

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

APPROVAL OF COMMUNICATIONS

Note and File

OFFICE OF THE UNION COUNTY PROSECUTOR

Grace H. Park, Acting Prosecutor

First Assistant Prosecutor Isenhour represented the Office.

1. Resolution authorizing the County to apply for, and if awarded, 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, 2016 through December 31, 2016 for the purposes of continuing the efforts of insurance fraud investigation in Union County.
(Chairman Mohamed S. Jalloh)

First Assistant Prosecutor Isenhour advised the Board that the resolution is an annual resolution requesting authority to apply for the \$250,000 grant to fund three positions who perform insurance fraud investigations.

Freeholder Hudak inquired as to the nature of the investigations.

First Assistant Prosecutor Isenhour stated the investigations run the gamut, noting that the bulk of the investigations involve property and auto claims.

Freeholder Hudak asked if these three investigators are the only prosecutors that investigate insurance claims for the prosecutor's office.

First Assistant Prosecutor Isenhour stated that these three investigators are the only investigators funded by the grant, and by the guidelines must dedicate at least 80% of their time to insurance fraud matters.

Freeholder Hudak asked if the County is receiving enough funding from the state to properly investigate insurance fraud in Union County.

First Assistant Prosecutor Isenhour replied that he thought the County is receiving enough funding.

Freeholder Hudak asked if this funding is consistent with the previous years.

First Assistant Prosecutor Isenhour replied yes.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Norman W. Albert, Esq., Director

1. Authorizing the County Manager to enter into a contract with Optimum Lightpath for the provision of long distance, toll and regional telephone service over their fiber optic network for the period of twelve consecutive months commencing October 1, 2015 to September 30, 2016 for a total contract amount not to exceed \$46,300. **(Chairman Mohamed S. Jalloh)**

Vice Chairman Bergen asked if the amount is a price change from the prior contract in Agenda Item #1.

Director Albert noted that it was a BPU tariff and stated that the price is similar, but noted that the County increased the minutes by approximately 150,000 per month due to the fact that the County ran into some overages in the previous contract.

2. Amending Resolution 2015-10 which approved state contract use to add contract # 85857 awarded by the state to W. E. Timmerman Co., Whitehouse, New Jersey for a not to exceed amount of \$64,000 for the purpose of providing street sweeper OEM parts and service for the Department of Public Works. **(Chairman Mohamed S. Jalloh)**

DEPARTMENT OF ENGINEERING, PUBLIC WORKS & FACILITIES MANAGEMENT

Joseph Graziano, Director

1. Amending Resolution Number 2015-191, a Professional Engineering Service Contract with Matrix New World Engineer of Florham Park, New Jersey to provide additional Stormwater Investigation Services in an amount not to exceed \$42,000.00, for a new contract amount not to exceed \$62,500.00. (Union County Engineering Project Number 2015-008) **(Chairman Mohamed S. Jalloh)**

Freeholder Kowalski asked why this appropriation is increasing, referring to Agenda Item #1.

Director Graziano stated that the Department of Environmental Protection (DEP) came out with a new requirement relative to the County's need to inspect all of its outfalls for any illicit or sanitary connection. He noted that there are nearly 397 outfalls within the County and the County has to ensure that no sanitary water is getting into our storm system. He advised that this is a one-time fee of \$42,000 to Matrix Engineers, who is the County's current engineer. He advised that they will do all the work and send the report to the DEP.

Freeholder Kowalski asked if the increase in the number of inspections that are required is due to the new DEP restrictions.

Director Graziano replied yes, clarifying that the County has never done these outfall inspections before. He reiterated that these inspections will ensure that there is no sanitary water coming into our storm system.

Freeholder Estrada inquired as to the method of the inspection.

Director Graziano stated that the engineers know where all the outfalls are through a GIS map. He stated that they will go out and take pictures of each of the County's outfalls and check periodically. He stated that the first report is the one that is identified in this resolution. He noted that moving forward, the amount will be significantly less.

2. Authorizing the County Manager to apply for, and if awarded, to enter into an Agreement with the New Jersey Department of Transportation (NJDOT), FY 2016-2017 Local Safety Program for the following projects: Intersection Improvements at Morris Avenue and Mountain Avenue, City of Summit and Intersection Improvements at East Front Street, City of Plainfield. **(Chairman Mohamed S. Jalloh)**
3. Authorizing the County Manager to award the proposed open-ended contract obtained through advertised public bidding in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq: Department of Engineering, Public Works & Facilities; Division of Facilities Management with FM Generator Inc., Canton, MA exercising the extension option to provide Emergency Generator Repair, Maintenance and Installation Service for an additional twenty four (24) months, for the contract period of October 28, 2015 through October 27, 2017 in an amount not to exceed \$125,000.00. **(Chairman Mohamed S. Jalloh)**
4. Approving an amendment to the state contract resolution 2015-10 previously passed by the Board for the use of the Department of Engineering, Public Works & Facilities, Division of Facilities to increase the amounts for two vendors: Johnstone Supply (HVAC supplies) for an additional amount of \$30,000 for a new not to exceed estimate of \$80,000 and Xpedx (office paper) in an additional amount of \$50,000 for a new not to exceed estimate of \$350,000 for the calendar year of 2015. **(Chairman Mohamed S. Jalloh)**
5. Resolution granting permission to the Township of Scotch Plains to hang a banner across Park Avenue at the intersection of Front Street and Park Avenue from September 17, 2015 through October 5, 2015 to advertise Scotch Plains Day. Also, granting permission to close Park Avenue between Westfield Avenue and Grant Street from 8:00 a.m. to 7:00 p.m. on Sunday, October 4, 2015. **(Chairman Mohamed S. Jalloh)**
6. Resolution concurring with the Township of Hillside granting permission to the Hillside Historical Society to hang a banner, from October 5, 2015 to October 19, 2015, across Liberty Avenue and Ryan Street for the Four Centuries in a Weekend event. **(Chairman Mohamed S. Jalloh)**

DEPARTMENT OF HUMAN SERVICES

Frank Guzzo, Director

There were no comments.

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, Division on Aging/Nutrition Kitchen: Acme American Repair, Inc., for the purpose of providing Kitchen Equipment Maintenance & Repair, one (1) twenty-four (24) month extension for the period of October 24, 2015 through October 23, 2017, in the amount of \$32,016. **(Freeholder Bette Jane Kowalski)**
2. Amending Resolution Number 2015-303, a resolution approving the Ryan White Spending Plan in the total amount not to exceed \$117,530, to allocate additional Ryan White funds in the amount of \$12,090 for a new total allocation of \$129,620.00 and thereby amending the Spending Plan for the period of March 1, 2015 through February 29, 2016 to provide services to people with HIV/AIDS. **(Freeholder Bette Jane Kowalski)**
3. Amending Resolution Number 2015-304, a resolution approving the Ryan White Spending Plan in the total amount not to exceed \$1,393,163, to allocate additional Ryan White funds in the amount of \$529,682 for a new total allocation of \$1,922,845, thereby amending the Spending Plan for the period of March 1, 2015 through February 29, 2016 to provide services to people with HIV/AIDS. **(Freeholder Bette Jane Kowalski)**
4. Authorizing the County Manager to award 2015-2016 Homeless Trust Fund (HTF) subcontracts pursuant to the recent Request for Proposal (RFP) procurement process for the six month budget period of October 1, 2015 through March 31, 2016 in the total amount of \$200,000 to deliver services as permitted by the Homeless Trust Fund regulations (P.L. 2009 Chapter 123 State Law); 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)**
5. Amending Resolution Number 2015-169, an amending resolution entering into agreements with various community based organizations for the provision of shelter night stays, to reflect a New Jersey Department of Human Services, Division of Family Development (DFD), Work First New Jersey Emergency Assistance (EA) per diem rate increase of 5% granted to Department of Community Affairs licensed emergency shelters for the purpose of providing shelter night stays and crisis intervention services for TANF, GA and/or Emergency Assistance recipients for the period of September 1, 2015 through December 31, 2015. Agencies will be reimbursed directly by the State of New Jersey based upon Individual per diem rate(s) per family per night as agreed upon by said community based organizations and the State of New Jersey. (No appropriation of County funds). **(Freeholder Bette Jane Kowalski)**

DEPARTMENT OF PARKS AND RECREATION

Ronald Zuber, Director

1. Authorizing competitive contracting to procure services for Farrier Services at Watchung Stable in accordance with N.J.S.A. 40:11-4.3(a). **(Freeholder Sergio Granados)**

Freeholder Hudak asked for an explanation of Agenda Item #1.

Director Zuber stated that farrier services are a specialized practice for which the County wishes to consider other factors when seeking to award a contract. He advised that farrier services are the shoeing of horses.

Freeholder Hudak requested the Board receive a clearer understanding of the services.

County Manager Faella made comments relative to the competitive contract process.

2. Amending Resolution No. 2014-645, a resolution extending a contract awarded to Professional Farrier Services, Inc., Elizabeth, New Jersey, for farrier services in the amount not to exceed \$75,000.00, to extend a contract for the period of October 1 through November 30, 2015 and to further amend the amounts charged to the account numbers at no increase to the contract cost. **(Freeholder Sergio Granados)**
3. Authorizing the County Manager to award the proposed contract obtained through advertised public bidding in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq: Department of Parks & Recreation: Jamali Developers, LLC, of Monroe Township, for the purpose of providing the installation of a Handicapped Accessible Fishing Dock at Warinanco Park, Borough of Roselle, in the amount not to exceed \$173,355.00. **(Freeholder Sergio Granados)**

Director Zuber stated that once this project is completed, he will be receiving a reimbursement of \$57,000 through the Community Development Block Grant.

Chairman Jalloh asked how long it should take to be completed.

Director Zuber stated that the project should be completed by next summer.

Chairman Jalloh asked if the reimbursement will go into next year's budget.

Director Zuber replied yes.

OFFICE OF THE COUNTY COUNSEL

Robert E. Barry, Esq., County Counsel

There were no comments.

1. Amending Resolution 2015-693, a resolution awarding a contract to Palumbo & Renaud of Cranford for professional legal services in the matter entitled Shiquon Fowler v. UC, et als., to increase the appropriation in an amount not to exceed \$20,000.00 for a sum not to exceed \$100,000.00. **(Chairman Mohamed S. Jalloh)**

FREEHOLDER SPONSORED RESOLUTIONS

Freeholder Wright stated she will have an additional resolution for the next meeting.

Freeholder Estrada stated he will have an additional resolution for the next meeting.

Freeholder Kowalski stated she will have a resolution in support of the Gateway Tunnel project for the next meeting.

Freeholder Hudak stated that he, and likely the rest of the Board, would like to join Freeholder Kowalski's resolution relative to the Gateway Tunnel. He added that as a result of the fiscal meeting, he will have an additional resolution regarding internal position controls. He added that he would have an additional laudatory resolution as well.

Freeholder Estrada requested the Board to join Freeholder Kowalski's resolution relative to the Gateway Tunnel Project.

1. Laudatory resolution acknowledging the many years of dedicated service of former Director of the Plainfield Public Library, Joseph Da Rold, and further wish him continued success and happiness upon his retirement. **(Freeholder Linda Carter)**
2. Laudatory resolution acknowledging the Columbus Parade Association of Union County "500th" Inc., for their many efforts in supporting and enhancing Columbus related Italian-American Cultural Activities throughout the County of Union. **(Freeholder Alexander Mirabella)**
3. Laudatory resolution congratulating UNICO District X, and Plainfield's UNICO for co-sponsoring Union County's seventh annual Columbus Day Flag Raising Event on Friday, October 9, 2015. **(Freeholder Alexander Mirabella)**
4. Laudatory resolution recognizing and congratulating the sixteen (16) Honorees of the 2015 Plainfield Area NAACP "74th Annual Richard L. Taylor NAACP Freedom Fund Awards" for the work they have done in helping to advance the mission of the NAACP and the role they have played in helping to promote its values within the community. **(Chairman Jalloh & Freeholder Carter)**
5. Resolution offering this Board's deepest sympathies to family of Adele Carter, mother of Freeholder Linda Carter, during their time of sorrow. **(Chairman Jalloh & the Entire Board)**
6. Resolution offering this Board's deepest sympathies to the family of Sean Patrick Westbury, son of Union County employee Linda Westbury, during their time of sorrow. **(Chairman Jalloh & the Entire Board)**

EXECUTIVE SESSION

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 Attorney-Client privileged communication and discussion of possible settlement in the matter entitled Diane McKernan, Individually and as Administratrix of the Estate of William Parisio, Deceased and as Administratrix Ad Prosequendum for the Estate of William Parisio v. County of Union, et al.; Attorney-Client privileged communication and discussion of possible settlement in the matter entitled Thomas & Karen Durana v. County of Union, et al.; and Attorney-Client privileged communications and discussion relative to Shared Services Agreement negotiations with the Union County Improvement Authority for Strategic Facility Planning Services. 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 advised 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 the Board's return, it will not take formal action on the matters discussed. He stated that upon a majority vote of the members present, the Board may now retire to Executive Session.

Chairman Jalloh asked for a motion to enter Executive Session. On a motion made by Freeholder Mirabella and seconded by Freeholder Wright, roll call showed eight members of the Board voted in the affirmative.

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

1) Attorney-Client privileged communication and discussion of possible settlement in the matter entitled Diane McKernan, Individually and as Administratrix of the Estate of William Parisio, Deceased and as Administratrix Ad Prosequendum for the Estate of William Parisio v. County of Union, et al.; and

2) Attorney-Client privileged communication and discussion of possible settlement in the matter entitled Thomas & Karen Durana v. County of Union, et al.; and

3) Attorney-Client privileged communications and discussion relative to Shared Services Agreement negotiations with the Union County Improvement Authority for Strategic Facility Planning Services.

Chairman Jalloh asked for a motion to return to the Agenda Meeting. On a motion made by Freeholder Mirabella and seconded by Freeholder Kowalski, roll call showed eight members of the Board voted in the affirmative.

Chairman Jalloh asked if County Counsel had any statements to make as a result of Executive Session.

County Counsel Barry stated that there would potentially be two items to be added to the agenda of next week's Regular Meeting, relating to: a resolution authorizing the County Manager to enter into a shared services agreement with the Union County Improvement Authority for strategic planning services; and a resolution authorizing the County Manger to enter into a settlement agreement in the matter of Diane McKernan, Individually and as Administratrix of the Estate of William Parisio v. County of Union.

ADJOURNMENT

Chairman Jalloh asked for a motion to adjourn. On a motion made by Freeholder Estrada and seconded by Freeholder Mirabella, a voice vote showed eight members voted in the affirmative. The meeting was adjourned at 7:55 pm.

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS 2015 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 4, 2015 at 12:00pm
Assignment Judge Karen M. Cassidy's Courtroom, 2 Broad Street, Elizabeth, NJ

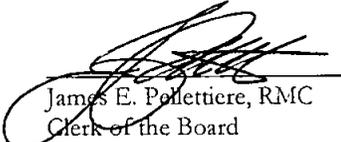
<u>AGENDA SETTING SESSION</u>	<u>REGULAR MEETINGS</u>
January 15, 2015	January 29, 2015
February 5, 2015	February 19, 2015
February 26, 2015	February 26, 2015
March 5, 2015*	March 12, 2015
March 19, 2015	March 26, 2015
April 9, 2015	April 16, 2015
April 23, 2015	April 30, 2015
May 7, 2015	May 14, 2015
May 28, 2015	May 28, 2015
June 11, 2015	June 18, 2015
July 9, 2015	July 16, 2015
August 6, 2015	August 20, 2015
September 3, 2015	September 10, 2015
September 17, 2015	September 24, 2015
October 1, 2015	October 8, 2015
October 15, 2015	October 15, 2015
November 5, 2015	November 12, 2015
December 3, 2015	December 3, 2015
December 10, 2015	December 17, 2015

Notice

Regular Meetings of the Union County Board of Chosen Freeholders
Public Comment Portion

Pursuant to the provisions of the N.J.S.A. 10:4-12(a) and the By-Laws of the Union County Board of Chosen Freeholders the "Public Comment Portion" of Regular Meetings is reserved for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the county.

*Meeting postponed due to inclement weather.



James E. Pollettiere, RMC
Clerk of the Board

JEP