



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

**THURSDAY, APRIL 25, 2019
REGULAR MEETING MINUTES**

CALL TO ORDER

Chairman Bette Jane Kowalski presided over the meeting and called the meeting to order at 7:17 P.M.

ROLL CALL

Roll call showed Chairman Bette Jane Kowalski, Vice Chairman Alexander Mirabella, Freeholder Angel G. Estrada, Freeholder Angela R. Garretson, Freeholder Sergio Granados, Freeholder Christopher Hudak (accompanied by daughter Catherine in lieu of Take Our Daughters and Sons to Work Day), Freeholder Kimberly Palmieri-Mouded, Freeholder Andrea Staten, and Freeholder Rebecca Williams were present.

Also present were County Manager Edward T. Oatman, County Counsel Robert Barry Esq., and Clerk of the Board James E. Pellettiere.

PRAYER AND SALUTE TO THE FLAG

The Prayer and Salute to the Flag were led by 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

Oath of Office: Advisory Board on the Disabled: Aaron Cohen; Union County Transportation Advisory Board: Russell Graham.

Chairman Kowalski called for a motion to approve the Communications. On a motion made by Freeholder Mirabella and seconded by Freeholder Staten; roll call showed nine members of the Board voted in the affirmative.

APPROVAL OF MINUTES

1. Agenda Setting Session - November 8, 2018
2. Regular Meeting - November 8, 2018
3. Agenda Setting Session - November 28, 2018
4. Regular Meeting - November 28, 2018
5. Agenda Setting Session - December 13, 2018
6. Regular Meeting - December 13, 2018
7. Agenda Setting Session - December 20, 2018
8. Regular Meeting - December 20, 2018



Chairman Kowalski called for a motion to approve the Minutes. The motion was made by Freeholder Garretson and seconded by Freeholder Palmieri-Mouded; roll called showed seven votes in the affirmative for the November 8th agenda setting and regular meeting as well as the December 20th agenda setting and regular meeting; with Freeholder Palmieri-Mouded and Freeholder Staten abstaining from the vote; six votes in the affirmative for the November 29th agenda and regular meeting; with Freeholder Hudak, Freeholder Palmieri-Mouded, and Freeholder Staten abstaining from the vote; five votes in the affirmative for the December 13 agenda and regular meeting; with Freeholder Estrada, Freeholder Hudak, Freeholder Palmieri-Mouded, and Freeholder Staten abstaining from the vote.

ORDINANCE FOR ADOPTION

The Clerk of the Board read the ordinance by title.

806-2019 AN ORDINANCE TO AMEND “THE LAWS OF UNION COUNTY: ADMINISTRATIVE CODE AND POLICES AND GENERAL LEGISLATION” BY AMENDING PART 1, CHAPTER 49 – FEES, AND CHAPTER 132 – TOWING.

BE IT ORDAINED by the Board of Chosen Freeholders of the County of Union that the “Laws of Union County” are hereby amended as outlined in the attached Schedule A:

SCHEDULE A

PART I - ADMINISTRATIVE CODE

Chapter 49, FEES

[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union as indicated in article histories. Amendments noted where applicable.]

Article VII, Waiver of Fees

§ 49-11. Accept as provided in subsection A, upon the recommendation of the Fiscal Affairs Committee, the Board may waive any fee established by the Administrative Code, where the Board has sponsored an event.

No fees established, herein, concerning the provision of Public Safety personnel, including Police Officers and Paramedics or fees established by the Office of Health Management, including the fees for inspections and permits, may be waived.

Chapter 132, TOWING

[Ordinance No. 393, adopted 8-11-1994, amended by Ordinance 681-2009 adopted 2/26/2009, sets forth standards, regulations and rates for police-requested and non-preference towing and storage services. A complete copy of this ordinance, all rules and regulations, and any future amendments, are on file in the Office of the Clerk of the Board and the headquarters of the County Police.]

WHEREAS, this Board adopted Ordinance No. 393-1994 dated August 11, 1994 Setting the Standards, Regulations and Rates for Police Requested and Non Preference Towing and Storage Services for the County of Union, and an amendment was authorized by this Board on October 11, 2012 by Ord. 2012-742; and

BE IT ORDAINED by the Board of Chosen Freeholders of the County of Union that Ordinance No. 2012-742 is hereby amended as outlined below:

TOWING

- § 1. Purpose.
- § 2. Definitions.
- § 3. License required.
- § 4. Licensing standards.
- § 5. License fees.
- § 6. Term of license.
- § 7. Number of operators; rotation.
- § 8. Zones.
- § 9. General rules and regulations.
- § 10. License suspension or revocation.
- § 11. License transfer.
- § 12. Rates.
- § 13. Department of Motor Vehicles Information.
- § 14. County takeover of storage operations.
- § 15. Implementation.
- § 16. License-issuing authority.
- § 17. Complaints; Violations and penalties; Hearings.
- § 18. Effective date.

§ 1. Purpose.

The purpose of this chapter is to provide standards, regulations and rates for police requested and non-preference towing and storage services requiring a response thereto by the licensees. Said services shall be rotated weekly amongst qualified towers and provided under the supervision of the Department of Public Safety of the County of Union and the Police Department of the County of Union. All towing operators who wish to be licensed under this ordinance must also provide all the requisite paperwork prior to the commencement of any towing of vehicles.

The County of Union reserves the right to take over the storage portion of this license at any time. This chapter also addresses the process in such an instance.

§ 2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADMINISTRATIVE FEE - A separate fee that shall cover all costs associated with the verification, documenting and processing of the vehicle being released.

BASIC TOWING SERVICE - The removal and transportation of a vehicle from a highway, street or other public or private road, or a parking area, or from a storage facility, and other services normally incident thereto. This does not mean moving a vehicle within a storage area or between storage areas or from a storage area to just outside of a storage area.

CATEGORY I VEHICLE - All vehicles 0 to 10,000 pounds GVW. CATEGORY II VEHICLE - All vehicles 10,001 to 17,999 pounds GVW. CATEGORY III VEHICLE - All vehicles 18,000 to 26,000 pounds GVW. CATEGORY IV VEHICLE - All vehicles 26,001 pounds and over GVW.

CRUISING - The operation of an unengaged tow truck along the public streets in any fashion intended or calculated to solicit business.

EXTRA TOWING SERVICE - Including, but not limited to, the recovery of a vehicle from a position:

- 1) either partially or completely overturned
- 2) beyond the right-of-way or berm

3) where it is impaled upon any other object within the right-of-way and those towing situations where there exists a spillage of vehicle contents or cargo onto the travel portion of the roadway resulting in a protracted clean-up operation utilizing either additional manpower or specialized equipment.

GROSS VEHICLE WEIGHT - The registration weight, the manufacturer's gross vehicle weight rating or actual weight, whichever is lowest

INSIDE STORAGE FACILITY - A vehicle storage facility that is completely indoors and protected from the elements, having one or more openings in the walls for storage and removal of vehicles and that is secured by a locking device on each opening.

LICENSEE - Towing operator.

NON-PREFERENCE TOWING AND STORAGE SERVICES - Any request for towing and/or storage services initiated by the Department of Public Safety of the County of Union or the Police Department of the County of Union, regardless of the ultimate place to which the vehicle is towed and/or stored.

OUTSIDE STORAGE FACILITY - A vehicle storage facility that is not indoors and is secured by a fence, wall or other man-made barrier that is at least eight (8) feet high.

OWNER - A person, firm, corporation or other entity who owns, leases and/or operates, parks or abandons a vehicle on the roads and highways within the County of Union, which vehicle by reason of being disabled or being unlawfully upon said roads requires towing services.

POLICE - The Police Department of the County of Union and/or state police and/or municipal police or such other police as may have jurisdiction upon the roadways on which the vehicle may be found in said County of Union.

RESPONSE TIME- The amount of time it takes for the on call towing operator to respond to the location of the call for service from the time of notification to the time of arrival.

ROAD SERVICE - The response of the towing operator to a call for service for other than the impoundment of a vehicle. Examples include but are not limited to; a disabled vehicle in need of a tow, a flat tire change, a lockout or fuel delivery.

EXTRA STORAGE SERVICE - Including, but not limited to: Notification of Possession and Yard Service Fees.

TOWING OPERATOR - A person, firm, corporation or other entity engaged in the business of providing tow truck services and storage services for vehicles towed, which services are made available to the general public upon such rates, charges and fees as determined by the Board of Chosen Freeholders of the County of Union, and which towing operator is licensed under the provisions of this chapter.

TOW TRUCK -A vehicle driven by mechanical power and employed for the purpose of towing, transporting, conveying or removing any and all kinds of vehicles or parts of vehicles which have been impounded, are required to be towed or are unable to be operated under their own power, for which a service charge or fee is exacted.

EXTRA TOWING AND STORAGE SERVICES - N.J.S.A. 40:48-2.49 and N.J.A.C.13:45A-31- as allowed by the New Jersey Division of Consumer Affairs schedule of towing and storage services for which a towing operator may

charge a service fee established by the Director of Consumer Affairs pursuant to section 8 of P.L. 2007, c.193 (C.56:13-14). Nothing in this section shall be construed to exempt an operator from complying with the requirements of P.L.2007, c.193 (C.56:13-7 et al.).

DECOUPLING - Releasing a motor vehicle to its owner or operator when the motor vehicle has been, or is about to be, hooked or lifted by a tow truck, but prior to the motor vehicle actually having been moved or removed from the location.

NOTIFICATION OF POSSESSION - Whereas the towing operator takes possession of, and provides storage services for vehicles and/or equipment; towing operator is required to notify the owners of said vehicles and equipment of such possession. Said notification is a requirement of Title 39:10A-1(a) and allows for the actual cost of such notification to be charged to the person claiming possession.

SITE CLEAN UP - The actual performance of the tow truck operator by which he must sweep, pick up, place absorbents, and/or remove debris from the scene of the tow when caused by, but not limited to conditions such as a motor vehicle collision or disablement.

TARPING - Covering a motor vehicle to prevent weather damage.

TRANSMISSION DISCONNECT - Manipulating a motor vehicle's transmission, so that the motor vehicle may be towed.

WINDOW WRAP - Any material used to cover motor vehicle windows that have been damaged.

YARD FEES - Whereas the tow yard personnel must perform additional services while the vehicle is in their possession; the cleanup of spilled fluids or hazardous materials; the securing or offloading of contents or loads, for example. Yard Fee service must be described on the invoice as to what service was provided.

§ 3. License required.

No Changes

§ 4. Licensing standards.

A. through C. No Changes

D. General standards.

1. through 18. No Changes

(19) The towing operator will dispatch, within the time permitted by this chapter, tow truck(s) when requested by the police department to respond to a police-requested call for service. If the towing operator is unable to respond within the allotted time frame, they are required to advise the police department dispatcher who will then contact the next towing operator for a response.

(20) The police officer investigating the incident is in complete charge of the incident scene, and all drivers shall comply with the officer's instructions.

(21) All towing operators shall maintain and produce proof to the Union County Police Department of the following insurance coverage: garage keepers' liability policy in the amount of one million dollars (\$1,000,000.00) for any one (1) claimant and two million dollars (\$2,000,000.00) for more than one (1) claimant with one million dollars (\$1,000,000.00) coverage for property damage for any one (1) event. Additionally, the following insurance is required:

A. through K. No changes

22. through 33. No Changes

(34) All towing operators including their dispatched and responding tow trucks shall be located within the County of Union in order to ensure response within thirty (30) minutes to calls, as needed.

35. through 41. No Changes

(42) The towing operator shall be responsible for all vehicles and the contents thereof towed at the direction of the police from the roadway or adjacent areas and after receiving said vehicles in their custody and control, shall reimburse the owner of such vehicle removed for any such damage or loss sustained to any vehicle or its contents while the said vehicle is in the towing operator's custody and control. If the County exercises its right to take over the storage services portion of this license, the towing operator shall remain responsible for any vehicle and the contents thereof after receiving said vehicle and until received and inspected by the County as set forth herein. The County will inspect the vehicle upon its receipt at the County's storage location and document any damages and/or contents in the vehicle at such time. The towing operator shall reimburse the owner of such vehicle for any such damage or loss sustained to any vehicle or its contents while said vehicle is in the towing operator's custody and control as documented by the County inspection.

43. through 54. No Changes

§ 5. License fees.

A. The following schedule of fees is hereby adopted for obtaining and maintaining a towing operator's license under this chapter:

(1) Application fee:

Three hundred fifty dollars (\$350).

(2) License (s) fee(s):

Seven hundred and fifty dollars (\$750.00) for one license;

One thousand and five hundred (\$1500.00) for two licenses;

Two thousand two hundred and fifty dollars (\$2250.00) for three licenses.

B. Fees paid pursuant to this section shall not be refundable for any reason.

§ 6. Term of license.

No Changes

§ 7. Number of operators; rotation.

A. In order to assure provision of safe and efficient towing service throughout the County to benefit the public good, all qualified operators pursuant to this chapter shall be issued a towing license.

B. Each towing operator shall be placed on a rotational list as compiled by the Union County Police Chief or designee. Such towing operator shall be called upon to respond to the needs of the Union County Police Department on a weekly rotational basis.

§ 8. Zones.

No Changes

§ 9. General rules and regulations.

(1) No towing operator shall engage in cruising as defined in this chapter.

- (2) No towing operator shall solicit or attempt to divert patrons of another towing operator whether or not licensed under this section, nor shall a towing operator solicit or divert prospective patrons of a given repair service to any other repair service, nor shall any police officer or designee suggest any towing operator to perform service.
- (3) No flashing lights or sirens shall be used by a towing operator except as granted by the Union County Police Chief or designee in and/or under the provisions of N.J.S.A. 39:1 et seq.
- (4) The Board of Chosen Freeholders hereby designates the Union County Police Department, generally, its specific designee and the Union County Police Chief, particularly, as the supervising authority to enforce the provisions of this chapter as well as the rules and regulations adopted hereunder with the ultimate authority vesting in the Board of Chosen Freeholders of the County of Union.
- (5) Prior to issuance of the license and license renewal, each towing operator licensed under this section shall be inspected for fitness by a representative of the County Police Department and shall appropriately complete a new application for each license term.
- (6) Each licensed towing operator at all times shall maintain and carry the necessary equipment to remove disabled or locked vehicles or equipment necessary to the operator to open vehicles to enable public safety personnel to remove entrapped passengers.
- (7) No towing operator, licensed under this chapter shall respond to the scene of an accident except upon notification by the Union County Police Department. The officer investigating accidents which require towing service shall obtain authorization, in writing, when able, on forms provided by the Police Department, from the driver or owner of cars or other vehicles when any other specifically named towing service, whether licensed or unlicensed, is requested.
- (8) Response times are required to be within thirty (30) minutes from the time of the notification of the call for service and the time of arrival at the scene of the call for service. Primary response MUST be given to the Union County Police at ANY given point in time. In the event that the towing contractor scheduled to respond to a request for service does not perform or does not respond within the time period set forth in these specifications, the Union County Police will call the next towing service on the list for that particular job and return to the scheduled rotating order thereafter. Failure to arrive within the allotted time will be considered a violation of the provisions of the license agreement by the towing operator to penalties up to and including revocation of the license.
- (9) Where no storage designation by an owner or the police has been made, licensed towing operators are authorized to remove the vehicle to the towing operator's place of business.
- (10) Where a vehicle is towed to premises controlled by the Union County Police Department for the purpose of utilizing the vehicle or its contents as evidence or for other purposes, such vehicle shall not be released from police custody unless the owner of the vehicle furnishes the Union County Police Department with a receipt that towing service fees have been paid. At times, Union County Law Enforcement Agencies will impound vehicles as part of an investigation. Those vehicles will be transported to and processed at a county facility. As such, the towing companies shall forward their tow bills to that office, who in turn shall submit the bills for payment. The towing companies shall bill the County at fifty percent (50%) of the contractual rates in effect at the time of the service.

- (11) In all cases where cars are to be towed for illegal parking summonses, such summonses shall be issued prior to towing.
- (12) No towing operator operating under the license issued hereunder shall employ, directly or indirectly, any sworn officers of the Union County Police Department.
- (13) The Union County Police Department shall maintain a log record of calls to licensed towing operators under this chapter. Said record shall be available for inspection by any license towing operator upon reasonable notice. Additionally, the Union County Police Department shall maintain records of fees charged to towed vehicle owners. Such fees shall be kept as records by the Union County Police Department, and then all such records shall be forwarded to the Department of Public Safety not less than semi-annually, which latter records may be inspected by the towing operators or the public generally.
- (14) Such additional rules and regulations as may be promulgated by the Board of Chosen Freeholders of the County of Union pursuant to this chapter shall take effect after notification of such rules and regulations upon all the holders of licenses as towing operators. Service shall be made by certified mail, return receipt requested, to the licensee at the address listed in its most recent application. The towing operator shall be given a reasonable opportunity to be heard on such changes.
- (15) At the direction of the Union County Police Department, the towing operator shall remove junk and/or abandoned vehicles from the roadway or any other public property, including but not limited to County parking lots, parks and playgrounds.
- (16) A junk vehicle shall be defined as a motor vehicle incapable of being operated safely or of being put in a safe operational condition except at a cost in excess of the value thereof. If the vehicle is unclaimed by the owner or other person having legal right thereto for a period of fifteen (15) business days, the towing operator shall notify the Union County Police Chief or designee that the vehicle has been held for the statutory time and that the vehicle is ready for sale.
- (17) An abandoned vehicle shall be defined as a motor vehicle which cannot be certified for a junk title certificate pursuant to N.J.S.A. 39:10A-3. If the vehicle is unclaimed by the owner or other person having legal right thereto for a period of twenty (20) business days, the towing operator shall notify the Union County Police Chief or designee that the vehicle has been held for the statutory time and that the vehicle is ready for sale.
- (18) Proceeds from the sale of junk or abandoned vehicles shall be used to satisfy any towing or storage charges which may have accumulated on the vehicle. Excess proceeds shall be paid to the County Treasurer. If the proceeds are insufficient to cover the accumulated costs, such excess costs shall be waived by the towing operator and no further funds will be due from the County or the purchaser of the vehicle. This waiver does not apply to the owner or other person entitled to the vehicle who shall remain liable for the towing operator's bill. This section will be administered in accordance with N.J.S.A. 39:10A-1 et seq.
- (19) The towing operator covenants and agrees to comply with any federal and state laws and local ordinances governing:
- (a) the operation of vehicles
 - (b) towing cars
 - (c) storage areas
- (20) All charges made by the towing operator shall be paid by the owner, or any person, firm or corporation claiming the right to possession of any vehicle removed

or stored by the towing operator as provided for herein, and the County of Union shall not be liable for the payment of any sum of the towing operator which may be due on account of any towing, removal or storage.

(21) All fees associated with towing and/or storage services collected pursuant to this license and due to the County shall be paid by licensee and forwarded to the Union County Police with the files and invoices of all vehicles towed and serviced on a weekly basis in accordance with §4D (22).

(22) The rotational system established under this chapter will continue until supplemented by subsequent ordinances.

(23) The failure on the part of the towing operator to comply with any of these specifications is just cause for revocation of the license. Any towing operator found to have submitted fraudulent or inaccurate information or violated any New Jersey Department of Insurance Rules or Regulations may be subject to the revocation of the license(s) and/or prosecution pursuant to §17.

(24) Any towing operator with a record of a felony criminal conviction shall not be qualified to receive a license. The County of Union may waive this requirement for just cause.

(25) The award of any license is subject to County inspection and approval of the towing operator's facilities and equipment and the receipt by the County of a satisfactory Better Business Bureau Report.

(26) The County of Union requires the submission of a Background Information Form, available from the Union County Police Department, which details the ownership of the corporation, partnership or proprietorship submitting the license application.

(27) The towing operator must render all services with its equipment and personnel as well as storing all impounds on their sites. Subcontracting is expressly prohibited!

(28) This contract shall be governed by the laws of the State of New Jersey.

§ 10. License suspension or revocation.

The Board of Chosen Freeholders of the County of Union shall have the right to suspend or revoke any license issued under this chapter for good cause, upon written complaint of the Union County Police Chief following his determination that there is probable cause for revocation or suspension based upon violation of this chapter. Written notice of such complaint and the basis of the complaint shall be given upon ten (10) day notice to the towing operator, and said operator shall have an opportunity to be heard.

§ 11. License transfer.

No Changes

§ 12. Rates.

A. The following rates are applicable within the purpose and intent of this chapter:

| Service | Rate (\$) |
|--|-----------|
| Administrative Fee | |
| Impounded and Released Vehicles | 60.00 |
| Impounded and Auctioned Vehicles | 100.00 |
| Impounded and Released Vehicles with title | |
| Surrender to towing operator | 25.00 |

| | | |
|---|-------------------------------------|----------------|
| Towing Charge | | |
| Category I | | |
| All vehicles 0 to 10,000 lbs. GVW | 80.00 | |
| Category II | | |
| All vehicles 10,001 to 17,999 lbs. GVW | 100.00 | |
| Category III | | |
| All vehicles 18,000 to 26,000 lbs. GVW | 150.00 | |
| Category IV | | |
| All vehicles 26,001 lbs. and over GVW | 225.00 | Single unit |
| Category IV | | |
| All vehicles 26,001 lbs. and over GVW | 350.00 | combination |
| Winching Cable (to be used only when vehicle has left the roadway) | 3.50 | per cable foot |
| Recovery-Winching | | |
| Heavy Duty (Category I & II Vehicles Only) | - per hour - | |
| One Person-One Tow Truck | 125.00 | |
| Recovery-Winching | | |
| Heavy Duty (Category III & IV Vehicles Only) | - per hour - | |
| One Person-One Tow Truck | 250.00 | |
| Manually Release Brake Cylinder | 25.00 | |
| Manually Drop Drive Shaft | 25.00 | |
| Manually Drop Axle | 25.00 | |
| OUTSIDE STORAGE | - per day - | |
| Category I | 25.00 | |
| Category II | 35.00 | |
| Category I and II combinations | 50.00 | |
| Category III and IV combinations | 50.00 | single unit |
| | 75.00 | |
| Jump Starts | 40.00 | |
| Tire Changes | 40.00 | |
| Lockouts | 40.00 | |
| Decoupling Fee (Heavy Duty) | 50.00 | |
| Decoupling Fee (Standard) | 25.00 | |
| Road Service towing | not to exceed contract towing rates | |
| Fuel Delivery (plus cost of fuel) | 40.00 | |
| Notification of Possession | actual cost | |
| Site Cleanup based on the number of absorbent bags used | actual cost | |
| Tarping | Flat fee | 50.00 |
| Window Wrap | Flat fee | 50.00 |
| Yard Fee | Flat fee | 50.00 |

B. The County shall be entitled to collect an administrative fee for the release of ALL impounded vehicles, including those vehicles which title has been surrendered to the towing operator. The towing operator shall provide a copy of the title to the Union County Police records room via e-mail, in person, or facsimile upon receiving title from the owner of the vehicle. The administrative fee will be collected by the individual towing companies and forwarded with copies of both the towing bills and surrendered titles to the Union County Police on a weekly basis. The administrative fee will be itemized separately on the tow bill to clearly indicate the fee

is separate from the tow fee. The administrative fee shall cover all costs associated with the verification, documenting and processing of the vehicle being released. In addition, all impounded vehicles not released that are processed and sold at public auction shall incur an administrative fee which shall be deducted from the proceeds prior to payment of the proceeds to the towing companies. In the event the County exercises its right to implement the collection of this administrative fee at the time of release, the County shall give notice to each towing operator of such decision.

C. In the event the County exercises its right to take over the storage services subject to S 14, the County shall collect all towing and administrative fees at the time of release. All fees collected shall be forwarded to the County finance office, which will then process a purchase order and send payment of the towing fee portion to the respective towing companies. The towing companies shall send or deliver copies of their towing bills to the Union County Police upon the delivery of the vehicle to the storage location or immediately thereafter by means of e-mail, facsimile, postal mail or in person, in order to verify the fees to be collected at the time of the release and before the purchase orders can be generated. Towing fees for unclaimed vehicles will be paid by the County finance office from the proceeds collected from the sale at auction of said unclaimed vehicles after the County finance office receives the proceeds from the auctioneer and a purchase order is approved to be paid.

D. The towing operator must only charge the rates set forth in this contract and in conformity with these provisions. No other charges or fees are permitted.

E. The towing operator must NOT exceed those rates regulated by the New Jersey State Department of Insurance set forth in N.J.A.C. 11:3-38.1 et seq.

F. The towing operator must provide a current and complete rate schedule to all customers and must conspicuously display the rate schedule at all impound sites.

G. The towing operator must tow the motor vehicle from the location of the police request to the towing operator's impound site(s). This shall constitute a single tow rate.

H. The towing operator is expressly prohibited from charging the owner of the vehicle for towing the vehicle from the original impound site to another site affiliated with the towing operator.

I. The towing operator is prohibited from charging a release fee for releasing vehicles after normal business hours.

J. The towing operator must accept Visa and MasterCard credit cards and major auto club membership cards (i.e. AAA) twenty-four (24) hours a day, every day of the year.

K. The towing operator must not charge the owner any additional fees for pulling the vehicle onto the flatbed truck. "Winching" fees are only permitted to pull the vehicle back onto the roadway and put the vehicle in proper position to "hook" the vehicle to the tow truck.

L. Mileage fees and charges for travel time to and from the impound/recovery location are NOT permitted. Additionally, NO OTHER FEES OR CHARGES ARE PERMITTED except as set forth above. In the event of an extraordinary circumstance which would invoke undue hardship to the towing operator, the Union County Police Chief or his authorized representative must be notified at (908) 654-9800 and must provide written approval before the imposition of any assessment.

§ 13. Department of Motor Vehicles Information.

The Union County Police Department shall provide, when requested, towing operators with the Department of Motor Vehicles information regarding registered

owners and lien holders. Vehicle information requested and given shall be in conformance with N.J.S.A. 39: 1-1 et seq., and shall not in any way violate the confidentiality that is reposed in the Union County Police Department.

§ 14. County takeover of storage operations.

A. In the event that the County exercises its right to take over the storage services portion of this license, the County will provide the licensee with a written notice of same thirty (30) days prior to such takeover.

B. The County will notify the licensee of the County's storage location. Licensee shall be required to deliver any vehicle towed under this license to the County's storage location. The County will be solely responsible for the storage of the vehicles and solely entitled to the fees associated with the storage services provided.

C. Vehicles towed as a result of a motor vehicle accident shall not be stored in the County's storage location.

D. Upon receipt of the vehicle by the County at its storage facility, the County shall inspect the vehicle and document the current condition and contents of the vehicle, including any existing damages and shall retain a record for its file.

§ 15. Implementation.

No Changes

§ 16. License-issuing authority.

No Changes

§ 17. Complaints; Violations and Penalties; Hearings.

No Changes

§ 18. Effective date.

This ordinance shall take effect at the time and in the manner provided by law. The Clerk of the Board of Chosen Freeholders shall publish a notice in the appropriate newspaper of such introduction and of a public hearing on .

PUBLIC COMMENT PORTION

The meeting was opened to the public for the purpose of commenting on the Ordinance being offered for adoption only.

Bruce Patterson, of Garwood asked for an overview of the aforementioned ordinance.

County Counsel Barry advised that the ordinance related to the waiving of fees under certain circumstances contingent on Fiscal Affairs Committee recommendation and Board approval. He noted that towing fees had also been revised, noting that most of the changes related to reductions. He added that the cited revisions did not affect the essence of the ordinance.

FINAL READING STATEMENT

Freeholder Rebecca Williams, Policy Subcommittee Chairman, moved Ordinance Number 806-2019 for Final Reading and authorized the Clerk of the Board to advertise same in accordance with the law. The motion was seconded by Vice

Chairman Mirabella; roll call showed nine members of the Board voted in the affirmative.

2019 BUDGET TITLE RESOLUTION

PUBLIC COMMENT PORTION

The meeting was opened to the public for the purpose of commenting on the Budget Title resolution only. This resolution allows governments to adopt the budget by title, rather than reading each line item of the budget; and further declared that the public hearing conditions set forth in N.J.S.A.:40A:4-8(1a)(1b) had been satisfied.

Bruce Paterson, of Garwood, made comments relative to the budget, and provided surplus taxation study diagram to the Board (attached).

- 2019-313 VICE CHAIRMAN ALEXANDER MIRABELLA:** Resolution determining that the 2019 Union County Budget was read by title and declared that the public hearing conditions set forth pursuant to N.J.S.A.:40A: 4-8(1a)(1b) were satisfied and asked for a motion to adopt Resolution No. 2019-313.

Vice Chairman Mirabella, Fiscal Subcommittee Chairman, moved Resolution No. 2019-313 for final reading. The motion was seconded by Freeholder Hudak; roll call showed nine members of the Board voted in the affirmative.

Prior to opening the public comment portion of the meeting, Chairman Kowalski asked Vice Chairman and Fiscal Subcommittee Chairman Mirabella to say a few words relative to the 2019 budget.

Vice Chairman Mirabella noted that as a result of hard work expended by the Fiscal Committee, the Board, and the varying directors, the tax levy was reduced by an additional \$900,000. He added that this reduction was achieved without compromising employment and or the services provided throughout the county. He noted that the tax increase was a mere 1.75%, the lowest in 20 years. He thanked the Board as well as members of the Fiscal Committee, in particular Freeholders Granados, Palmieri-Mouded, and Estrada along with County Manager Oatman, Finance Director Taylor and the various other directors for their efforts related to the budget.

PUBLIC COMMENT PORTION

The meeting was opened to the public for the purpose of commenting on Budget Title Resolution 2019-313 being offered for adoption only.

Tim Bennett, of Summit, congratulated the Board on the impressive budget that was presented and offered certain suggestions that could result in additional revenue for the county and by the same token reduce existing debt, including combining the U.C. Police Department with the U.C. Sheriff's Department, and provided hard copy of speech to the Board (attached).

Tom Miller, of Westfield, likewise congratulated the Board for presenting a sound budget, but expressed his concern related to the increasing county debt that is not being immediately addressed.

John Bury, of Kenilworth, made comments relative to the Open Space Trust Fund and expressed his concerns related to how these funds are being allocated and utilized.

Bruce Paterson, of Garwood, made comments relative to the budget that was presented earlier and outlined his concerns, noting a discrepancy in the introduction of the budget. He also thanked the Board for their participation in the recent budget hearings with the various department directors.

County Counsel Barry confirmed that the introduction of the budget was in full compliance with notice and publication requirements.

Director Taylor also confirmed that the budget had been reviewed by the state and did indeed comply with prescribed law.

Vice Chairman and Fiscal Subcommittee Chairman Mirabella moved Resolution No. 2019-313 for adoption. The motion was seconded by Freeholder Hudak; roll call showed nine members of the Board voted in the affirmative.

PUBLIC COMMENT PORTION

The meeting was open to the public for the purpose of commenting on Resolutions being offered for adoption only.

Bruce Paterson, of Garwood, made comments relative to several resolutions related to contracts (pay-to-play) and noted Vice Chairman Mirabella's induction into NJACs' Hall of Fame.

Chairman Kowalski noted that the county strictly abides by legislative requirements in awarding contracts.

County Counsel Barry confirmed that the county is always in full compliance with pay-to-play and all other purchasing requirements when soliciting services and awarding contracts.

Seeing no other speakers, Chairman Kowalski closed the public comments portion on resolutions.

RESOLUTIONS

The following Resolutions were offered for adoption:

- 2019-315 FREEHOLDER ANGEL G. ESTRADA:** Authorizing the County Manager to award a contract, pursuant to Request for Proposal (RFP), to SAGE Eldercare, Inc., Summit, NJ, for the purpose of providing information and assistance to seniors (age 60 years and older and/or their caregivers) regarding the State Health Insurance Program

(SHIP) for the period of April 1, 2019 through March 31, 2020, contract year 2 of a 3 year contract, in an amount not to exceed \$28,500.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-316 FREEHOLDER ANGEL G. ESTRADA:** Appointing Stephen Thorpe as a delegate member to the Transportation Advisory Board to represent the Township of Winfield for a term ending December 31, 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-317 VICE CHAIRMAN ALEXANDER MIRABELLA:** Appointing Fredrick O'Brock to the Air Traffic and Noise Advisory Board to represent the Township of Winfield as a Delegate member for a two year term ending December 31, 2020.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-318 VICE CHAIRMAN ALEXANDER MIRABELLA & THE ENTIRE BOARD:** Authorizing the County Manager to enter into an agreement with the Union County Performing Arts Center in an amount not to exceed \$10,000.00 for the purposes of developing support for the arts in Union County and creating cultural and educational opportunities for Union County residents.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-319 VICE CHAIRMAN ALEXANDER MIRABELLA & THE ENTIRE BOARD:** Resolution sponsoring the Clark Girls Softball League for their annual Valerie Fund Walk in Oak Ridge Park on April 28, 2019 in the amount of \$250.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-320 VICE CHAIRMAN ALEXANDER MIRABELLA & THE ENTIRE BOARD:** Resolution sponsoring the City of Plainfield's Taste of Plainfield at Library Park on May 18, 2019 in the amount of \$400.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-321 VICE CHAIRMAN ALEXANDER MIRABELLA & THE ENTIRE BOARD:** Resolution supporting the Union County Performing Arts Center and the U4GUYS organization in the amount of \$550 towards the annual Hot Rods for Harley's event held on May 11, 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-322 VICE CHAIRMAN ALEXANDER MIRABELLA & THE ENTIRE BOARD:** Resolution supporting the Borough of Roselle's 4th Annual Cinco De Mayo event on May 4, 2019 in the amount of \$450.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-323 VICE CHAIRMAN ALEXANDER MIRABELLA:** Amending Resolution Number 2019-8, a resolution designating signatories for calendar year 2019, to authorize necessary changes to Departmental representatives as official County Signatories.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-324 CHAIR BETTE JANE KOWALSKI & FREEHOLDER SERGIO GRANADOS:** Amending Resolution 2019-173, a contract with Groundwork Elizabeth for the administration and implementation of the Union County Means Green Community Garden Grants and the Union County Kids Dig In!: A School Garden Grant, to reflect an increase in the amount of \$18,580 for the Union County Means Green Community Garden Grants, and an increase in the amount of \$6,000 for the Union County Kids Dig In!: A School Garden Grant, for a total contract amount not to exceed \$124,580.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-325 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager, through the Union County Prosecutor's Office, to enter into an agreement with Prevention Links of Roselle, New Jersey for the period of May 1, 2019 through October 31, 2019 in the amount of \$25,000.00 to provide a minimum of two recovery specialists on site during the one week Operation Helping Hand program for approximately 100 participants. Further, Prevention Links agrees to provide six months of follow up, reporting, and limited case management.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-326 CHAIR BETTE JANE KOWALSKI:** Amending Resolution Number 2019-194, to increase the rate for on-call hours of Sexual Assault Nurse Examiners who serve as

Independent Contractors as part of the Union County Sexual Assault Response Team (SART) for the period of October 1, 2018 through September 30, 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-327 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager, through the Union County Prosecutor's Office, to enter into a contract with Thompson Reuters legal dba West Publishing Corporation of Eagan, MN for the purpose of providing a subscription for an intelligence database for a period of three (3) years beginning April 1, 2019 in an amount not to exceed \$74,000.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-328 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to enter in to a contract with Sage Software, Inc., St. Petersburg, Florida, for software licensing renewal, software updates and enhancement services for the County of Union's Human Resource Management System for a contract period of June 2, 2019 through June 1, 2020 in an amount not to exceed \$32,471.00.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-329 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to enter into a contract with National Flag & Display Co., Inc., d/b/a Metro Flag Co., Wharton, NJ, for the purchase of American flags to be placed on the graves of veterans buried in Union County cemeteries during the 2019 Memorial Day holiday weekend, in an amount not to exceed \$20,260.80.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-330 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to amend Resolution Number 2018-1124, a resolution entering into a contract agreement with Monmouth Telecom, Red Bank, NJ, for the purpose of providing integrated voice and data services to the County of Union, to add additional contract services, with a one-time service fee of \$400.00, plus a monthly service fee of \$875.00, for a new amount not to exceed \$96,660, for the period beginning on May 1, 2019 through December 31, 2021.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-331 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to amend Resolution Number 2018-501, a resolution approving the 2018-2019 Consolidated Action Plan, to increase CDBG funding to the Linden Home Improvement Program

in the amount of \$120,000 for a new contract amount not to exceed \$279,000 (utilizing City of Linden Program Income funds).

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-332 CHAIR BETTE JANE KOWALSKI:** Amending Resolution Number 2017-131, dated February 9, 2017, for the purpose of obtaining property and for access agreements related to the reconstruction of the Gordon Street Bridge; and authorizing the County Manager to enter into a temporary easement and access agreement with 470 West First Avenue, LLC for an amount not to exceed \$59,000.00 and to sign any and all documentation necessary to effectuate said agreement. (Union County Engineering Project Number 2011-051)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-333 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to award a Professional Engineering Service Contract, through a Request for Proposal (RFP) process, to French & Parrello, of Wall, New Jersey to provide design and construction administration and inspection services for the HVAC Equipment Replacement at the Union County Administration Building, Elizabeth, New Jersey for an amount not to exceed \$47,450.00. (Union County Engineering Project Number 2018-038)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-334 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to award a Professional Architectural Service Contract, through a Request for Proposal (RFP) process, to Netta Architects of Mountainside, New Jersey to provide design and construction administration services for the Union County Courthouse Atrium Entrance Door Replacement for an amount not to exceed \$17,300.00. (Union County Engineering Project Number 2018-039)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-335 CHAIR BETTE JANE KOWALSKI:** Amending Resolution Number 2018-154 adopted February 8, 2018, BA#44-2017, a contract awarded through advertised public bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., to Reivax Contracting Corporation of Newark, New Jersey, approving Change Order Number 1 (final) for the Replacement of Elm Street Bridge, Westfield, New Jersey. This change order will reduce the original contract amount by (\$219,515.09) for a new contract amount not to exceed \$418,488.91. This Project is being funded by the New Jersey Department of Transportation, 2015 Local Bridges Future Needs Program. (Union County Engineering Project Number 2015-021)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-336 CHAIR BETTE JANE KOWALSKI:** Amending Resolution Number 2018-404 adopted April 26, 2018, BA#20-2018, a contract awarded through advertised public bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., to Manor II Electric, Inc., of Holmdel, New Jersey, approving Change Order Number 1 (final) for the Installation of an Emergency Generator at the DPW Facility in Scotch Plains. This change order will reduce the original contract amount by (\$16,272.00) for a new contract amount not to exceed \$175,728.00. This Project was funded by FEMA Grant (FEMA Number DR4086-HMGP-NJ-333-F). (Union County Engineering Project Number 2013-028)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-337 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to award a Professional Engineering Service Contract, through a Request for Proposal (RFP) process, to Dewberry Engineers, Inc., of Bloomfield, New Jersey to provide design and construction administration and inspection services for the Replacement of Plainfield Avenue Bridge, Be51, Township of Berkeley Heights, New Jersey for an amount not to exceed \$427,710.00. (Union County Engineering Project Number 2018-013)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-338 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to award a Professional Engineering Service Contract, through a Request for Proposal (RFP) process, to Neglia Engineering Associates, of Clark, New Jersey to provide design and construction administration and inspection services for the Replacement of Inwood Place Minor Bridge Pl-73 for an amount not to exceed \$148,948.00. (Union County Engineering Project Number 2018-022)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-339 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to award a Professional Engineering Service Contract, through a Request for Proposal (RFP) process, to Maser Consulting of Red Bank, New Jersey to provide design and construction administration and inspection services for the Replacement of Myrtle Avenue Minor Bridge, We-16, Town of Westfield, New Jersey for an amount not to exceed \$189,440.00. (Union County Engineering Project Number 2018-024)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-340 CHAIR BETTE JANE KOWALSKI:** Amending Resolution Number 2016-189 adopted March 10, 2016 for additional Construction Administration and Inspection Services with Maser Consulting, P.A., for the Replacement of Mountain Avenue Bridge, (SP-11) in the Township of Springfield for an amount not to exceed \$18,496.23 for a new contract amount not to exceed \$137,921.23. (Union County Engineering Project Number 2014-001)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-341 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to award a Professional Engineering Service Contract, through a Request for Proposal (RFP) process to Neglia Engineering Associates, of Clark, New Jersey to provide design and construction administration and inspection services for the Replacement of Allen Avenue Minor Bridge, Un73, Township of Union, New Jersey for an amount not to exceed \$89,176.00. (Union County Engineering Project Number 2018-026)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-342 CHAIR BETTE JANE KOWALSKI:** Resolution granting permission to the Township of Berkeley Heights to hang a banner on Plainfield Avenue from June 1, 2019 through June 15, 2019 for the American Cancer Society Relay for Life.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-343 CHAIR BETTE JANE KOWALSKI:** Resolution granting permission to the City of Linden to hang a banner over Wood Avenue from April 15, 2019 through May 15, 2019 to advertise the Police Unity Tour. Also, granting permission to close Wood Avenue from Elm Street to Price Street on May 9, 2019 from the hours of 12:00 p.m. to 3:00 p.m. for the Police Unity Tour.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-344 CHAIR BETTE JANE KOWALSKI:** Resolution concurring with the Township of Springfield granting permission to close Mountain Avenue from the intersection of Shunpike Road to North Trivett Avenue and Shunpike Road from the intersection of South Springfield Avenue to the intersection of Mountain Avenue for the Township's Memorial Day Parade to be held on Monday, May 27, 2019 between the hours 9:00 a.m. to 12:00 p.m. Also, granting permission to close Meisel Avenue from the intersection of Linden Avenue to the intersection of Milltown Road for the 225th Anniversary of the Township of Springfield following events: Saturday, June 22, 2019 from 3:00 p.m. to 4:00 p.m. for Re-Enactment; Saturday, June 22, 2019 from 7:30 p.m. to 10:00 p.m. for Fireworks (or the next clear night); Sunday, June 23, 2019 from 1:00 p.m. to 2:00 p.m. for Re-Enactment.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-345 CHAIR BETTE JANE KOWALSKI:** Resolution ratifying permission granted to the Township of Springfield for the Arc of Union County to hang a banner across Meisel Avenue from April 6th to April 20th to advertise its event, Step Up for the Arc 5K Run/Mile Walk 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-346 CHAIR BETTE JANE KOWALSKI:** Resolution concurring with the Township of Springfield granting permission to St. James the Apostle Church to close South Springfield Avenue between Mountain Avenue and Shunpike Road on April 30, May 1, May 2, and May 3, 2019 between the hours of 6:00 p.m. to 10:00 p.m. and May 4, 2019 between the hours of 2:00 p.m. to 10:00 p.m. for the annual Church Festival.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-347 CHAIR BETTE JANE KOWALSKI:** Resolution granting permission to the Borough of Roselle Park to hang a banner on Chestnut Street to advertise the Borough's 2019 Fall Borough Wide Garage Sale from September 30, 2019 through October 13, 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-348 CHAIR BETTE JANE KOWALSKI:** Resolution granting permission to the Township of Berkeley Heights to close Springfield Avenue on Sunday, June 9, 2019 from 11:00 a.m. to 5:00 p.m. from the intersection of Snyder Avenue to Plainfield Avenue for the Berkeley Heights Downtown Summer Block Party.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-349 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to execute any and all documents necessary to effectuate the first 12-month extension option (of two 12 month extension options) of the contract with Safeguard Document Shredding, located at 800 Rike Drive, Millstone, NJ for Mobile Paper Shredding Services. Reference Resolution 2017-387. Safeguard is responsible for providing shredding services at all scheduled Union County Mobile Paper Shredding Events at a fee of \$145/hr. Services include provision of shredding truck (s), manpower, on-site shredding of all documents collected during the course of an event and the recycling of materials collected Contract will run May of 2019-April 2020). Annual contract not to exceed \$26,000.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-350 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager, through the Union County Improvement Authority, to apply for and execute an application and agreement relating to a grant from the New Jersey Historic Trust in the amount of and not to exceed \$750,000.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-351 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager, through the Union County Office of Cultural & Heritage Affairs, to apply for and execute an application and agreement relating to a grant from the New Jersey Historic Trust in the amount of and not to exceed \$450,000.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-352 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to award a proposed contract obtained through advertised public bidding in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., to National Lawn Sprinklers, Inc., of White Plains, New York for the Galloping Hill Golf Course 2019 Irrigation Improvement Project for an amount not to exceed \$198,450.00. (Union County Engineering Project Number 2019-002)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-353 CHAIR BETTE JANE KOWALSKI:** Amending Resolutions Number 2017-85, a resolution authorizing the use of US Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Service for a period of 24 months for wildlife damage management program aimed at reducing wildlife damage, to adjust the 2018 amount not to exceed \$120,331.18. (No change in total contract amount of \$237,862.00 for the contract period of the period of March 1, 2017 through February 28, 2019)

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-354 CHAIR BETTE JANE KOWALSKI:** Authorizing the County Manager to award CY2019 Union County History Grants to thirteen (13) recipients in the total amount of \$24,000.00.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-355 CHAIR BETTE JANE KOWALSKI: Authorizing the County Manager, through the Office of Cultural & Heritage Affairs, to reallocate funds received from the NJSCA to Union County agencies and organizations. Proposals were evaluated by a professional review committee and funding levels were recommended by the arts grant committee of the Cultural & Heritage Programs Advisory Board which were subsequently approved by the entire Advisory Board. The total amount of \$67,000 will be reallocated to 31 agencies and organizations to present or produce high quality arts activities.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-356 CHAIR BETTE JANE KOWALSKI: A Resolution appointing Kologi & Simitz of Linden, NJ as special counsel to represent Corrections Officer Wadlyne Stelus in the matter entitled Deandra Wallace v. County of Union. et als in an amount not to exceed \$20,000.00.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-357 CHAIR BETTE JANE KOWALSKI: A Resolution appointing DiFrancesco Bateman of Warren, NJ as special counsel to represent the County of Union and Union County Department of Corrections in the matter entitled Deandra Wallace v. County of Union. et als in an amount not to exceed \$20,000.00.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-358 CHAIR BETTE JANE KOWALSKI: A Resolution appointing Genova Burns, LLC, of Newark, NJ as special counsel to represent the County of Union in the matter entitled Philip Kandl v. County of Union, et als in an amount not to exceed \$20,000.00.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-359 CHAIR BETTE JANE KOWALSKI: Amending Resolution Number 2018-1001, dated November 28, 2018 to increase the appropriation to Weiner Law Group, LLP of Parsippany, NJ in the matter entitled Stephen Repella v UC, et als. in an amount not to exceed \$10,000.00 for a sum not to exceed \$115,000.00.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-360 CHAIR BETTE JANE KOWALSKI: A resolution authorizing Settlement of pending litigation in the matter entitled Stephen Repella v. UC, et als, Docket No. UNN-L-

2306-16, in the total amount not to exceed \$185,000.00 to be charged to Account No. T-03-56-850-000-537 (County Contribution is \$174,282.50, remainder from carrier AIG \$10,717.50).

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-361 CHAIR BETTE JANE KOWALSKI:** Amending Resolution Number 2018-1126 dated December 20, 2018 to increase the appropriation to DeCotiis Fitzpatrick Cole & Giblin of Teaneck, NJ in the matter entitled H.C. Equities, LP v County of Union in an amount not to exceed \$15,000.00 for a sum not to exceed \$80,000.00.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

FREEHOLDER SPONSORED RESOLUTIONS

- 2019-362 FREEHOLDER ANGEL G. ESTRADA, FREEHOLDER SERGIO GRANADOS & FREEHOLDER HUDAK:** Congratulating Gary Pfarr, IBEW Local 102 upon his retirement after 34 years of dedicated service.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-363 FREEHOLDER ANGEL G. ESTRADA & THE ENTIRE BOARD:** Proclaiming the month of May as Older Americans' Month throughout the County of Union.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-364 FREEHOLDER ANGEL G. ESTRADA:** Resolution acknowledging the great efforts of the YWCA of Union County; and further congratulating the honorees at their Annual & Partner Recognition Celebration on April 25, 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-365 FREEHOLDER ANGEL G. ESTRADA:** Recognizing April, 2019 as Autism Awareness Month in Union County.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-366 FREEHOLDER ANGEL G. ESTRADA:** Designating April as Esophageal Cancer Awareness Month in Union County.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-367 FREEHOLDER ANGEL G. ESTRADA:** Designating the Month of April as Child Abuse Prevention Month in Union County.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-368 FREEHOLDER ANGELA R. GARRETSON:** Resolution congratulating longtime Hillside resident Mary Garcia as she celebrates her 90th birthday.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-369 FREEHOLDER SERGIO GRANADOS:** Congratulating the award recipients of the Urban League of Union County Young Professionals.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-370 FREEHOLDER SERGIO GRANADOS:** Laudatory resolution acknowledging the efforts of the Aksyon Kominote Entenasyonal Developman Pisto as they celebrate their 21 years of community service at their Annual Banquet on April 27, 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-371 FREEHOLDER SERGIO GRANADOS & FREEHOLDER KIMBERLY PALMIERI-MOUEDE:** Congratulating Kenilworth upon becoming the 10th Chapter to join UNICO District X.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-372 FREEHOLDER CHRISTOPHER HUDAK:** Congratulating Dianne Spinelli for being selected as the 2019 Outstanding Senior Citizen of the Year by the Linden Department of Parks and Recreation at its 61st annual Senior Citizen Day celebration on May 3, 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-373 FREEHOLDER ANDREA STATE & FREEHOLDER HUDAK:** Recognizing the month of May as Mental Health Awareness month throughout the County of Union.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-374 FREEHOLDER ANDREA STATEN:** Congratulating Jaimie DeDea of the Westfield Municipal Alliance on receiving the 2019 County Volunteer of the Year Award at the Local Advisory Council on Alcoholism and Drug Abuse (LACADA) at its Recognition Dinner on May 7, 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-375 FREEHOLDER REBECCA LYNNE WILLIAMS:** Congratulating Terence Johnson and the Yes League Hoyas for a successful season on winning the Plainfield 2019 Red Division Championship.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-376 FREEHOLDER REBECCA LYNNE WILLIAMS & THE ENTIRE BOARD:** Resolution proclaiming the month of April 2019 as Sexual Assault Awareness Month throughout the County of Union; and further recognizing the efforts of the Office of the Union County Prosecutor, the Office of Victim Witness Advocacy, the Office on Women, and Union County College in promoting "Denim Day" to increase awareness of Sexual Assault.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-377 VICE CHAIRMAN ALEXANDER MIRABELLA:** Resolution declaring the month of May as "Cancer Awareness Month" and further recognizing the week of May 12 through May 18, 2019 as "Metastatic Breast Cancer Awareness Week" through Union County.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-378 VICE CHAIRMAN ALEXANDER MIRABELLA:** Resolution offering this Board's deepest condolences to the family of Renato Biribin, Scotch Plains attorney and co-founder of the Plainfield Chapter of UNICO, who entered into eternal rest on April 17, 2019 at the age of 79.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-379 VICE CHAIRMAN ALEXANDER MIRABELLA, FREEHOLDER CHRISTOPHER HUDAK:** Resolution offering this Board's deepest condolences to the family of Mr.

Joseph Gary Luciano, who entered into eternal rest on April 21, 2019 at the age of 68.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-380 CHAIR BETTE JANE KOWALSKI: Congratulating the winners of the 2019 Arbor Day Poetry Contest.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-381 CHAIR BETTE JANE KOWALSKI & THE ENTIRE BOARD: Resolution recognizing the Roselle Branch NAACP and further congratulating the six (6) 2019 Freedom Fund Honorees 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.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-382 CHAIR BETTE JANE KOWALSKI: Congratulating Dr. Paula Rodriguez Rust, Spectrum Diversity LLC, upon receiving the Unity Award for Special Achievement by the Union County Human Relations Commission (UCHRC) to be held on May 6, 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-383 CHAIR BETTE JANE KOWALSKI & FREEHOLDER CHRISTOPHER HUDAK, VICE CHAIRMAN ALEXANDER MIRABELLA: Congratulating Joseph R. Gannon of Boy Scout Troop 75, Cranford, upon attaining the rank of Eagle Scout.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-384 CHAIR BETTE JANE KOWALSKI & THE ENTIRE BOARD: Resolution recognizing the Township of Union, Department of Public Safety, congratulating numerous recipients for their distinguished heroic acts above and beyond the call of duty at their 9th Annual Valor Awards ceremony.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

2019-385 CHAIR BETTE JANE KOWALSKI & FREEHOLDER SERGIO GRANADOS: Resolution proclaiming the week of May 12 through May 18, 2019 as National Police Week throughout the County of Union.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-386 CHAIR BETTE JANE KOWALSKI, VICE CHAIRMAN ALEXANDER MIRABELLA & FREEHOLDER CHRISTOPHER HUDAK:** Congratulating Luke K. O'Brien of Boy Scout Troop 75, Cranford, upon attaining the rank of Eagle Scout.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-387 CHAIR BETTE JANE KOWALSKI:** Supporting the Passage of New Jersey Senate Bill 2815 and Assembly Bill 4382; enabling the paint manufacturing industry to work with State of New Jersey and its citizens to develop and implement a post-consumer paint management system for the reuse, recycling, and proper disposal of leftover consumer paint.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-388 CHAIR BETTE JANE KOWALSKI & THE ENTIRE BOARD:** Resolution recognizing the month of May of 2019 as Better Hearing and Speech Month; and further commending the Union County Performing Arts Center on its involvement in the County of Union's Sensory Friendly Theatre Program being recognized as the 2019 Recipient of the Year award at its annual convention on Thursday, May 2, 2019.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

- 2019-389 CHAIR BETTE JANE KOWALSKI & THE ENTIRE BOARD:** Resolution congratulating Union County Freeholder Alexander Mirabella upon his induction to the New Jersey Association of Counties' Hall of Fame in recognition of his 20 years of service as a Union County Freeholder.

On a motion made by Freeholder Granados and seconded by Freeholder Staten, roll call showed nine members of the Board voted in the affirmative.

PUBLIC COMMENT PORTION

The meeting was opened to the public comment on any governmental issue that a member of the public feels may be of concern to the residents of the county.

Ray Licata, of Cranford, expressed his concerns related to the proposed cell tower for U.C.C.'s Cranford Campus, noting more reasonable alternatives that can be utilized to address the coverage concerns on campus.

John Bury, of Kenilworth, made comments relative to the Open Space Trust Fund and pay-to-play procedures.

**Vice Chairman Mirabella left the meeting.

Mike Normann, of Cranford, thanked Chairman Kowalski for supporting the community and expressing her concerns related to the cell tower. He suggested that an independent study be conducted prior to the building of the cell tower to outline the particular shortcomings and needs of the campus and determine whether the cell tower is even necessary or if a more feasible alternative exists.

Ray Garguilo, of Westfield, also expressed his concerns related to the proposed cell tower, in particular, U.C.C.'s lack of community outreach prior to making such drastic decisions that affect the community at large.

John Mulholland, of Westfield, expressed his concerns related to the lack of notification and information residents received relative to the proposed cell tower.

Megan Leary, of Westfield, likewise expressed her concerns related to the proposed cell tower and asked the Board to pursue the matter further.

Bruce Paterson, of Garwood, addressed the growing concern over the proposed cell tower and offered ideas relative to the placement of said tower. Again, he made comments relative to the budget as well as contractual procedures.

Chairman Kowalski reiterated the county's sound fiscal health demonstrated by Moody's AAAA bond rating.

Seeing no other speakers, Chairman Kowalski closed the public comments portion of the meeting.

FREEHOLDER REPORTS AND COMMENTS

Freeholder Granados referenced the comments made earlier relative to combining the U.C. Police with the U.C. Sheriff's Office, citing his opposition and noting that both departments provide two respective services.

Freeholder Williams noted her recent attendance to the Adopt-A-Park and Trail Steward recognition dinner, along with Chairman Kowalski and Freeholder Granados. She commended the volunteers that dedicate their time and efforts to the cause of preserving and protecting the environment. Freeholder Williams also issued a reminder relative to the "Aging Services Kiosk" (A.S.K.) program which provides information and resources for older adults, noting that the kiosk would be visiting several libraries and one senior center in May. Lastly, she referenced the grand opening of the We Are One New Jersey mobile office located in Assemblywoman Carter's Plainfield legislative office, which seeks to provide guidance and assistance for county residents seeking aid with immigration issues.

Freeholder Hudak referenced LGBTQ youth and their urgent need for foster families, noting an upcoming Foster Parent and Adoption Recruitment Information Session in support of LGBTQ youth on April 27 at Warinanco Sports Center. He also referenced the upcoming Rhythm and Blues by the Brook Festival in Plainfield, noting the NJ Symphony Orchestra's performance on June 21. Freeholder Hudak also mentioned a drop-in service for child car safety seat inspections being offered by the U.C. Police Division at Garwood's First

Aid Squad. Freeholder Hudak commented on the budget, and elaborated on the purpose of the Infrastructure Grant program contingency. He concluded by acknowledging his daughter's presence that evening and her participation in the Take Our Daughters and Sons to Work Day activities earlier that day.

Freeholder Staten issued a reminder for the upcoming Spring Garden Fair and Plant Sale on May 19. She concluded by wishing her fellow Freeholder Kimberly Palmieri-Mouded a Happy Birthday.

Freeholder Estrada noted his recent visit to the YWCA for their Annual Meeting & Partner Recognition event, citing several of the honorees including, Theresa Cosmas and Lauren Thorne, among others. He commended the Clark Public Library, which hosted the event, for their dedicated service and commitment to the community. He referenced Take Our Daughters and Sons to Work Day and noted the importance of having children participate in these activities as a means to better understanding their parent's work and professional responsibilities. He concluded by making comments relative to the budget, commending the hard work of those involved in its presentation and adoption. He also wished fellow Freeholder Kimberly Palmieri-Mouded a Happy Birthday.

Freeholder Palmieri-Mouded expressed her excitement over her children's participation in Take Our Daughters and Sons to Work Day earlier that day. She offered a reminder relative to the Wild Earth Fest at the Trailside Nature and Science Center and the "Touch a Truck" event at the Loop Playground on Sunday. She also noted the sensory-friendly "quiet hour" that would be included during the latter event.

Freeholder Garretson likewise wished her fellow Freeholder Kimberly Palmieri-Mouded a Happy Birthday. She shared some of the legislative updates that were discussed during a recent NJAC meeting, including the potential to increase the statute of limitations for victims of sexual abuse/misconduct. She congratulated Vice Chairman Mirabella for his upcoming induction into NJACs' Freeholder Hall of Fame. She also addressed some of the concerns previously noted by Bruce Paterson during the public comments portion of the meeting. She concluded by noting the county's "Recycle Coach" mobile app and other related resources available to residents.

Chairman Kowalski congratulated Vice Chairman Mirabella for being recognized by the New Jersey Association of Counties for his commitment to public service. She noted several of his professional feats including, creating the first LGBTQ Affairs Office in NJ, among others. On another note, she reminded residents about a free upcoming event called, "Staying in NJ: How to Make your Money Last," aimed at providing financial guidance and health care resources to older adults and their respective caregivers. Chairman Kowalski also reminded residents that although Earth Day has passed, there were still several opportunities to participate in environmental stewardship, noting local clean-up activities taking place throughout the county. She also noted that Ash Brook Golf Course was now open for operations. She concluded by thanking County Manager Oatman, Deputy County Manager Wagner, and Director Taylor for their hard work related to the budget.

ADJOURNMENT

Chairman Kowalski called for a motion to adjourn the meeting. On a motion made by Freeholder Williams and seconded by Freeholder Hudak, a voice vote showed eight members of the Board voted in the affirmative; with Freeholder Mirabella absent. Meeting was adjourned at 8:35 P.M.

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS 2019 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 6, 2019 at 12:00 pm
Assignment Judge Karen M. Cassidy's Courtroom, 2 Broad Street, Elizabeth, NJ

| <u>AGENDA SETTING SESSION</u> | <u>REGULAR MEETINGS</u> |
|---|--|
| January 17, 2019 | January 24, 2019 |
| February 7, 2019 February 21, 2019 | February 14, 2019 February 21, 2019 |
| March 7, 2019 March 28, 2019 | March 14, 2019 March 28, 2019 |
| April 4, 2019 April 25, 2019 | April 11, 2019 April 25, 2019 |
| May 2, 2019* May 23, 2019** | May 16, 2019 May 23, 2019** |
| June 13, 2019 June 27, 2019 | June 20, 2019 June 27, 2019 |
| July 25, 2019 | July 25, 2019 |
| August 22, 2019 | August 22, 2019 |
| September 5, 2019 September 26, 2019 | September 12, 2019 September 26, 2019 |
| October 3, 2019 October 24, 2019 | October 10, 2019 October 24, 2019 |
| November 7, 2019 | November 14, 2019 |
| December 5, 2019 December 19, 2019 | December 5, 2019 December 19, 2019 |

AMENDMENTS TO THE 2019 FREEHOLDER MEETING SCHEDULE

* The Agenda Setting Session of May 9, 2019 has been rescheduled to be held on May 2, 2019. Same time and location.

**The Agenda Setting Session and the Regular Meeting of May 30th has been rescheduled to be held on May 23, 2019. Same time and location.