

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

MINUTES OF THE AGENDA MEETING

APRIL 7, 2005

Chairman Rick Proctor presided. Roll call showed Vice Chairman Alexander Mirabella, Freeholder Angel G. Estrada, Freeholder Bette Jane Kowalski, Freeholder Adrian O. Mapp, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan and Freeholder Nancy Ward in attendance. Freeholder Chester Holmes was absent. Also present were County Manager George Devanney, County Counsel Robert Barry and Clerk of the Board Nicole L. Tedeschi.

PRAYER AND SALUTE TO THE FLAG were led by the Clerk of the Board.

OPEN PUBLIC MEETINGS ACT was read by the Clerk of the Board.

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COMMUNICATIONS:

OATHS OF OFFICE: Rosemary Millet, Union County Air Traffic and Noise Advisory Board; Leonard Spina, Union County Fire Advisory Board; Monica P. Topal McGovern, Mental Health Advisory Board; Robert Cirasa, Cultural and Heritage Advisory Board; Ronald Manzella, Union County Solid Waste Advisory Council; Thomas Klem, Union County Advisory Board on the Disabled.

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NEW BUSINESS:

I. DEPARTMENT OF ADMINISTRATIVE SERVICES

M. Elizabeth Genievich, Deputy County Manager / Dir. Of Administrative Services

Michael Yuska, Director of the Purchasing Division, represented Administrative Services. There were no questions.

RESOLUTIONS

1. Authorizing the County Manager to award the proposed contracts obtained through advertised public bidding in accordance with Local Public Contracts Law 40A:11-1 et seq.:
 - a. Department of Engineering & Public Works: **LaFarge North American, DBA QPR, Alphrette, GA** to provide the County of Union and the Union County

Cooperative Pricing System with a vendor to furnish and deliver road material to various locations in the amount of **\$3,000. (CH. PROCTOR)**

- b. Department of Engineering & Public Works: **Micro Pave Systems, Inc., Cedar Knolls, New Jersey**, to provide the County of Union and the Union County Cooperative Pricing System with a vendor to furnish and deliver road material to various locations in the amount of **\$63.00** (Contract awarded to solicit price for the entire Co-Op). **(CH. PROCTOR)**
- c. Division of Building Services: **Emco Elevator, Kearny, NJ**, to provide services to maintain and repair elevators (21) in various County buildings. The term of the contract shall be for 12 months upon the signing of the contract with provisions for two (2) twelve (12) month extensions, in the amount of **\$357,072. (CH. PROCTOR)**
- d. Department of Parks, Recreation & Facilities: Awarding the following contracts for the Department of Parks, Recreation & Facilities, Division of Golf Operations / Horticulture for the purposes of providing grass seed. Multiple vendors were awarded separate lots of specific kinds of seed: **Lesco, Inc., Cleveland, OH in the amount of \$10,879.50; Reed & Perrine Sales, Inc., Tennent, NJ in the amount of \$5,640.; and The Terre Co. of NJ, Clifton, NJ in the amount of \$4,251.50. (CH. PROCTOR)**
- e. Department of Economic Development / Division of Information Technologies: **XTEL Communications, Marlton, NJ**, to provide internet services at the Union County Administration Building in the amount of **\$32,393. (CH. PROCTOR)**

II. DEPARTMENT OF ECONOMIC DEVELOPMENT

James Daley, Director

RESOLUTIONS

- 1. Authorizing the County Manager, through the Division of Cultural & Heritage Affairs to apply for and execute all applications and agreements relating to **a FY 2006/2007 General Operating Support Grant Program from the New Jersey Historical Commission** for the contract period July 1, 2005 through June 30, 2006 **in the amount not to exceed \$125,800. (FR. KOWALSKI)**
- 2. Authorizing the County Manager, through the Department of Economic Development to execute any and all agreements for Program Year 2004 **New Jersey Department of Labor and Workforce Development Supplemental Workforce Fund for Adult Literacy Program** for basic skills / ESL instruction for the contract period April 1, 2005 through June 30, 2005, **in an amount not to exceed \$100,000. (FR. SULLIVAN)**

Freeholder Mapp asked what period the contracts in items 3 & 4 covered. Director Daley replied that one contract concerned the rest of this year, 2004 – 2005, and the other concerns the year 2005-2006.

3. Amending **Resolution No. 680-2004**, to the contract with **Union County College, Cranford, New Jersey** to provide a local Official Trilingual GED Test Center **in an additional amount of \$22,000.00, for a new total contract amount not to exceed \$137,142. (FH. SULLIVAN)**
4. Authorizing the County Manager, through the Department of Economic Development to execute an agreement with **Union County College, Cranford, New Jersey** to provide a local Official Trilingual GED Test Center for the contract period of July 1, 2005 through June 30, 2006 **in an amount not to exceed \$106,612.08. (FR. SULLIVAN)**

Freeholder Mapp asked which towns are involved in item # 5 and if there is an allocation for each municipality. Director Daley replied that this item involves extending the community development block grants for the two locations listed, and explained that the other amounts were pending receipt of more applications from the municipalities.

5. Amending Resolution No. 267-2005, **expanding the Senior Citizen Home Improvement Program** (Chairman Initiative for 2005) to include the **City of Elizabeth and the Township of Union adding \$100,000 in project funds and \$20,000 for administrative funds** for Development Directions, LLC for the contract period March 1, 2005 through February 28, 2008 **for a new contract amount not to exceed \$620,000** (allocated \$500,000 in project funds and \$120,000 in administrative funds). **(CH. PROCTOR)**

III. DEPARTMENT OF ENGINEERING & PUBLIC WORKS

Frank Dann, Director

RESOLUTIONS

1. Authorizing the County Manager to enter into a Grant Agreement between the County of Union and **the State of New Jersey Department of Environmental Protection** for the purpose of implementing the Municipal Storm Water General Permit in the amount of **\$10,000.00. This Grant provides for 75% (\$7,500.00) up front and 25% (\$2,500.00) to be reimbursed upon completion of the items in the Statement of Work (SOW). (CH. PROCTOR)**
2. Concurring with the **City of Linden's** Resolution, amending a Resolution designating Bus Stops in the City of Linden passed on July 20, 1994 on various County Roads. **(CH. PROCTOR)**
3. Granting permission to the **Township of Scotch Plains to hang a banner** across Park Avenue in the Center of Scotch Plains, NJ near the Municipal Building from April 25,

2005 to May 6, 2005 to publicize the National Day of Prayer Observance to be held on Thursday, May 5, 2005 at 7:30 p.m. on the Village Green. (CH. PROCTOR)

4. Granting permission to the **Borough of Roselle Park** to close Chestnut Street from Grant Avenue to Webster Avenue, Roselle Park, NJ on Monday, May 30, 2005 from 10:00 a.m. to 1:00 p.m. for a **Memorial Day Parade**. (CH. PROCTOR)
5. Granting permission to the **Township of Springfield and the 225th Anniversary Committee of the Battle of Springfield** to close Mountain Avenue between Echo Plaza and North Trivett Avenue, Springfield, NJ, to all but emergency traffic on Sunday, June 26, 2005 from 11:00 a.m. to 2:30 p.m. for a **Parade Commemorating the 225th Anniversary of the Battle of Springfield**. Additionally, granting permission to the **Township of Springfield and the 225th Anniversary Committee of the Battle of Springfield to hang two (2) banners**, one on Mountain Avenue at North Trivett Avenue, and one on Meisel Avenue at Meisel Park, Springfield, NJ, from May 17, 2005 to June 27, 2005 to publicize the 225th Anniversary of the Battle of Springfield Event. (CH. PROCTOR)
6. Granting permission to the **Township of Springfield and the Springfield Chamber of Commerce** to close Mountain Avenue between Caldwell Place and Morris Avenue to all but emergency traffic on Saturday, May 14, 2005 and Saturday, September 17, 2005 between the hours of 8:00 a.m. and 6:00 p.m. for the **Springfield Chamber of Commerce Street Fair**. Additionally, granting permission to the **Township of Springfield and the Springfield Chamber of Commerce to hang two (2) banners**, one on Mountain Avenue at North Trivett Avenue, and one on Meisel Avenue at Meisel Park, Springfield, NJ, from April 25, 2005 to May 16, 2005 and August 29, 2005 to September 19, 2005 to advertise the Street Fair. (CH. PROCTOR)
7. Granting permission to the **Town of Westfield** to close South Avenue, from Central Avenue to the Traffic Circle, Westfield, NJ, from 7:00 a.m. to 1:30 p.m. on Saturday, April 16, 2005 for **the Second Annual Westfield Classic Criterium Bike Race**. Additionally, granting permission to the **Town of Westfield to hang a banner** on South Avenue, at the intersection of Westfield Avenue and Summit Avenue, Westfield, NJ, from April 8, 2005 to April 18, 2005 to publicize the **Second Annual Westfield Classic Criterium Bike Race**. (CH. PROCTOR)

IV. DEPARTMENT OF FINANCE
Lawrence M. Caroselli, Director

RESOLUTIONS

Freeholder Estrada asked if item one was the actual allocation of the money that was added to the budget and the same money that Director Guzzo added to an RFP. Director Caroselli stated that it is the allocation of that money and Director Guzzo elaborated further in response.

1. An Amendment to the 2005 Temporary Budget in the amount of **\$3,792,411**, as a result of notification received from the US Department of Housing and Urban Development for a program entitled: "**McKinney – Vento Homeless Assistance.**" (FR. SULLIVAN)
2. An Amendment to the 2005 Temporary Budget in the amount of **\$929,040**, as a result of notification received from the New Jersey Department of Transportation for a program entitled: "**Signs and Markings 2005.**" (FR. SULLIVAN)
3. An Amendment to the 2005 Temporary Budget in the amount of **\$84,960**, as a result of notification received from the New Jersey Department of Transportation for a program entitled: "**Traffic Standards 2005.**" (FR. SULLIVAN)

V. DEPARTMENT OF HUMAN SERVICES
Frank Guzzo, Director

RESOLUTIONS

1. Partnering with the **Administration on Aging and the American Public Health Association**, to promote "National Public Health Week 2005" April 4 – 10, 2005, which will focus on the Aging and empowering Americans to live stronger and longer. {No County Funds} (FR. ESTRADA)
2. Authorizing the County Manager to award subcontracts pursuant to a **Request for Proposal (RFP)** procurement process for **2005 Alcohol Grant and Addiction Recovery Program (ARP)**. The funding period will be for eight (8) months, beginning May 1, 2005 – December 31, 2005 and funded programs / services would address one or more of the prevention / intervention / treatment modalities identified in the 2005 – 07 Union County Alcoholism & Drug Abuse and Alliance Plan. {**State Funding: \$510,775; Local Funding: \$70,154; Total Funding: \$580,929**} (FR. ESTRADA)
3. Authorizing the County Manager to award a contract to the **New Jersey Housing Mortgage Finance Agency, Trenton, New Jersey**, for the participation in the statewide Homeless Management Information System (HMIS) for the contract period of July 1, 2003 – June 30, 2004. This contract makes a payment in the amount of **\$26,448** for Union County's participation in cost sharing for 2004 Year One start up of the initiative. New Jersey Housing Mortgage Finance Agency was selected by the U.S. Department of Housing & Urban Development as the entity responsible for the implementation of the federally mandated automated homeless tracking system in New Jersey. Each participating county in the state has been awarded federal grant dollars toward this Collaborative. {**Federal Funding: \$26,448**} (FR. ESTRADA)
4. Authorizing the County Manager to award subcontracts pursuant to a **Request for Proposal (RFP)** procurement process for the contract period of April 1, 2005 –

December 31, 2005, to deliver activities, programs and services for troubled youth and families involved or at-risk of becoming involved with the juvenile justice system with the goal of delinquency prevention and intervention. **{State Funding: \$430,000} (FR. ESTRADA)**

5. Authorizing the County Manager to accept and enter into contract(s) with the **U.S. Department of Housing and Urban Development (HUD)** in the total amount of **\$3,792,411** for the 2004 McKinney-Vento Act Homeless Assistance competitive grant award. The budget cycle includes 12 projects (8 renewals and 4 new) for various program durations, ranging from one (1) year up to five (5) years. The competitive award will be effective immediately upon execution of the various HUD grant agreements, subsequent to completion of the Technical Submission(s) pending receipt in the first quarter of 2004. **{Federal Funding: \$3,792,411} (FR. ESTRADA)**

VI. DEPARTMENT OF PARKS, RECREATION & FACILITIES
Charles Sigmund, Director

RESOLUTION

1. Retaining the services of **David Foster, DVM** to provide routine and emergency veterinary dental services to the horses at the Watchung Stables for the calendar year 2005 at the cost of **\$60.00 per horse in an amount not to exceed \$4,000. (FR. KOWALSKI)**
2. Awarding a Professional Engineering Service contract to **T&M Associates, Middletown, New Jersey**, for the purpose of providing Professional Architectural Services for the renovation of the Ash Brook Golf Course Clubhouse in an amount not to exceed **\$34,500. (FR. KOWALSKI)**
3. Amending Resolution Number 381-2004 to approve Amendment No. 5 to a Professional Service Contract with **DMR Architects, Maywood, New Jersey**, for additional construction administration services to the Trailside Nature and Science Center in Mountainside for an amount not to exceed **\$19,100** for a **new contract amount of \$461,300. (CH. PROCTOR)**

VII. DEPARTMENT OF PUBLIC SAFETY
Harold Gibson, Director

Director Gibson stated that there would be one additional resolution for the next meeting and that the backup information had been given to the Clerk of the Board.

RESOLUTIONS

1. Amending **Resolution No. 1241-2004**, removing **Rudy Graddy, Madison, New Jersey** and adding the following **Forensic Technicians: John D. Valdivia, South Amboy, New Jersey, Michael S. Jorda, Jr., Harrison, New Jersey, and Kevin M. Toler, East Orange, New Jersey**, to assist the Medical Examiner during autopsies and external examinations for the contract period of January 1, 2005 – December 31, 2005 in an amount not to exceed **\$60,000. {At a rate of \$150 per homicide autopsy – \$100 per regular autopsy – \$50 per external exam and \$25 per on call days}** **(CH. PROCTOR)**
2. Authorizing the County Manager to enter into a **Memorandum of Understanding (MOU)** with the City of Elizabeth for the purpose of outlining the procedure for procuring, housing and deploying specialized firefighter equipment purchased through the Urban Area Security Initiative. **(CH. PROCTOR)**
3. Allowing the **Division of Environmental Health and Emergency Management to apply for, accept and expend \$1,272,710 in Homeland Security Grant Funding** from the New Jersey State Attorney General's Office in efforts to detect, deter, prevent and respond to acts of terrorism. **(CH. PROCTOR)**

Freeholder Scanlon asked if this was a new agreement, and asked what exactly Union County is expected to do for Somerset County in the agreement. Director Gibson stated that there was no specificity as to what Union County would do for them. If they have a need their Emergency Management Services cannot provide, we might provide it for them and vice versa, he said.

Freeholder Mirabella asked if we have such an agreement with other counties. The Director responded that Union County does not have a mutual aid agreement with other counties. Somerset County approached Union County and we agreed to do it. Middlesex County used to provide HAZMAT services to Elizabeth and Linden, by contract, but they do not do that any longer, he stated. Our needs and resources are such that the potential exists for Union County to need assistance depending on the emergency. Freeholder Mirabella stated that he wanted to make sure that Union County's resources are not going out of the county with the county not being reciprocated. Director Gibson stated that this will not be happening. The agreement is for mutual aid.

4. Establishing a **mutual aid agreement between the Union County Division of Environmental Health and Emergency Management and the Somerset County Office of Emergency Management** to make special services, manpower and equipment available as needed when municipal resources are not available. **{No County Funding}** **(CH. PROCTOR)**

5. Accepting a **\$4,000 Overtime Traffic Enforcement Reimbursement Grant** from the **New Jersey Division of Highway Safety** that will fund the participation of the Union County Police in the national **Click It or Tick It Safety Belt Mobilization Program** from May 23, 2005 to June 5, 2005. (**CH. PROCTOR**)

VIII. DEPARTMENT OF RUNNELLS SPECIALIZED HOSPITAL
Joseph Sharp, Director

RESOLUTIONS

1. To approve the minutes of **Runnells Specialized Hospital (RSH) Advisory Board of Managers Meeting** of October 13, 2004. (**FR. KOWALSKI**)
2. Entering into a contract with **Judy Schmutter, DDS, Visiting Dental Associates, Glen Rock, New Jersey**, to provide dental services to the patients/residents of Runnells Specialized Hospital for the contract period of May 1, 2005 – April 30, 2006. **{This is a Fee for Service Agreement/At No Cost to the County}** (**FR. KOWALSKI**)
3. Amending **Resolution No. 324-2005**, to the contract with **Grainger Industrial Supply, Lake Forest, IL**, to reflect the correct contract account information. (**FR. KOWALSKI**)
4. Entering into a contract with **Spectrum Medical Leasing, Morton Grove, IL**, a division of IFC Credit Corporation, to lease twenty-two (22) Alaris Thermometers and five (5) Alaris vital check with pulse oximetry devices through NJHA for the contract period of May 1, 2005 – April 30, 2009, in an amount of **\$45,360**. (**FR. KOWALSKI**)

Freeholder Sullivan asked if the agreement in item #5 was an ongoing agreement. The Director replied it is a routine thing to annually renew our contracts. It is a routine contract involving transfers to and from the hospice. The Freeholder asked some questions about how it is determined that the patients enter the hospice or receive hospice care. The Director elaborated on how hospice care is provided both within Runnells Hospital and at the hospice center.

5. Entering into an agreement with **Center for Hope Hospice, Scotch Plains, New Jersey**, for the provision of hospice services to Runnells Specialized Hospital residents/patients. (**FR. KOWALSKI**)

Vice Chairman Mirabella asked, regarding item #6, if it is a regular occurrence to procure legal services for regulatory and reimbursement matters. Director Sharp stated that it has been done a couple of times, most recently two years ago. He said many of these issues involve complex Medicare and Medicaid issues which this law firm specializes in. He stated that it would likely benefit the county to retain specialized counsel on these matters and would provide more

documentation to the Vice Chairman as to why this should be done on an ongoing basis.

The Chairman asked how long this contract in item #6 was for. The Director stated it is a 12-month contract and that this term will appear on next week's agenda.

6. Entering into a contract with **Gibbons, Del Deo, Dolan, Griffinger & Vecchione, Attorneys at Law, Newark, New Jersey**, to provide legal services concerning several regulatory & reimbursement matters to Runnells Specialized Hospital for the contract period of April 15, 2005 – December 31, 2005, in an amount of **\$50,000. (FR. KOWALSKI)**

IX. COUNTY COUNSEL
Robert E. Barry, Esq.

RESOLUTIONS

1. Amending Resolution 1254-04 December 16, 2004 to increase the appropriation to **Garrubbo & Capece of Westfield**, special counsel in the matter entitled **Todaro v. County of Union, et als.** for an additional sum of \$10,000.00 for a new total contract amount not to exceed \$35,000.00.
2. A resolution appointing **Mark Ruderman, Esq. of Ruderman and Glickman of Springfield, New Jersey** to represent the County of Union in the EEOC matter of **Tecia L. Bulle v. County of Union** in an amount not to exceed \$5,000.00.
3. Approving the settlement of an outstanding patient's balance (patient #364208) in the amount of \$6,400.00 owed to Runnells Specialized Hospital for an amount of \$750.00.
4. Resolution approving a Settlement Agreement between the County of Union and K. Hovnanian, relative to the property known as "The Reserve".

X. COUNTY MANAGER
George Devanney

RESOLUTION

XI. FREEHOLDERS

RESOLUTIONS

FREEHOLDER ANGEL G. ESTRADA

Freeholder Estrada suggested that a resolution be created from the whole Board to thank the TOPOFF Volunteers. He also requested to join Freeholder Scanlon on her resolution regarding National Child Abuse Prevention Month. He added that there will also will be a resolution from the floor from the Open Space Recreation and Historic Preservation Trust Fund Committee regarding Esposito park.

1. Appointing the following to the Human Services Advisory Committee: **Carolyn Cole and Michael A. Petrucci.**

FREEHOLDER CHESTER HOLMES

1. Proclaiming the week of April 4 – 10, 2005 as “**National Public Health Week**” in Union County.

FREEHOLDER BETTE JANE KOWALSKI

1. Proclaiming the month of April “**Occupational Therapy Recognition Month**” and in particular honoring the Occupational Therapists at Runnells Specialized Hospital.
2. Recognizing the outstanding contributions of the **Volunteers of Runnells Specialized Hospital** at their annual awards luncheon to be held on May 11, 2005.
3. Proclaiming the month of April “National Poetry Month.”

FREEHOLDER ADRIAN O. MAPP

Freeholder Mapp wanted to add a resolution supporting the restoration of funding to the Greenbrook Flood Control Commission.

1. Supporting the Mayor’s for Peace Campaign.

FREEHOLDER DEBORAH P. SCANLON

Freeholder Holmes stated he would like to join Freeholder Scanlon on item #1.

Freeholder Scanlon said that she would be adding a condolence resolution and would give the information to the Clerk of the Board later.

1. Proclaiming the month of April “**National Child Abuse Prevention Month.**”
2. Congratulating the following individuals on their **Irish-American Society Student Athlete Awards: Thomas Conneely, Katelyn Sileo, Molly Peters, Matthew Melody, Samantha Maffei, Thomas Duffy, Dana N. Czapla and Jennifer Lynn Kaminski.** Also honoring **Coach Chris Flinn.**

FREEHOLDER DANIEL P. SULLIVAN

1. Appointing **Linda Foreman** and **Bertram Warren, M.D.**, to the Mental Health Board.

FREEHOLDER NANCY WARD

1. Congratulating **Linden High School** for their outstanding job presenting their cases, both as attorneys and witnesses on winning the “**Mock Trial,**” created by the New Jersey State Bar Association and the Union County Bar Association.

VICE CHAIRMAN ALEXANDER MIRABELLA

The Vice Chairman stated he would have an additional resolution from the floor regarding an upcoming music festival.

1. Extending deepest sympathies for the family of **Joseph A. LaMonaco**, of Roselle Park, in this, their time of sorrow.

CHAIRMAN RICK PROCTOR

The Chairman stated there would probably be some congratulatory resolutions for the TOPOFF participants also for next week.

1. Proclaiming the week of April 10 – 16, 2005 as “**County Government Week**” in Union County.
2. Congratulating **Union County Sheriff’s Officer Scott Jones** on his award for Valor from the Two Hundred Club of Essex County.

3. Congratulating **Union County Sheriff's Sergeant Melissa DeFilippo** for receiving a full scholarship to attend Session XII of the National Forensic Academy at the University of Tennessee.
4. Thanking **TOPOFF3 Volunteers** for their help and assistance in making the Bioterrorism exercise a tremendous success.

The County Manager stated that he would possibly have a resolution on a contract renewal. If so, he said he would get the back-up material to everyone in advance.

Chairman Proctor called for a motion to enter into Executive Session. On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

**Executive Session
Re: Pending Litigation**

The Chairman called for a motion to re-enter the Agenda session. On a motion by Vice Chairman Mirabella, seconded by Freeholder Estrada, roll call showed eight members of the Board voted in the affirmative with Freeholder Scanlon absent.

The Chairman called for a motion to adjourn the meeting. On a motion by Freeholder Sullivan, seconded by Freeholder Estrada, roll call showed eight members of the Board voted in the affirmative with Freeholder Scanlon absent.

ADJOURNMENT

The next **Agenda Meeting** of the Union County Board of Chosen Freeholders will be held on **April 21, 2005 at 7:00 P.M.** in the Freeholders Meeting Room, Administration Building, 6th Floor, Elizabeth.

**Nicole L. Tedeschi
Clerk of the Board**

NLT/amc