

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

MINUTES OF THE REGULAR MEETING

MAY 12, 2005

Chairman Rick Proctor presided. Roll call showed Vice Chairman Alexander Mirabella, Freeholder Angel G. Estrada, Freeholder Chester Holmes, Freeholder Bette Jane Kowalski, Freeholder Adrian O. Mapp, Freeholder Deborah P. Scanlon, and Freeholder Daniel P. Sullivan and in attendance. Freeholder Nancy Ward was absent.

Also in attendance were Deputy County Counsel M. Elizabeth Genievich, Deputy County Counsel Joseph Ascione 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.

The Chairman called for a motion to approve the minutes. On a motion by Freeholder Kowalski, seconded by Freeholder Scanlon, roll call showed six members of the Board voted in the affirmative on the minutes of March 31, 2005 with Freeholder Mapp abstaining, Freeholder Sullivan abstaining and Freeholder Ward absent; seven members of the Board voted in the affirmative for the minutes of April 7, 2005 with Freeholder Holmes abstaining and Freeholder Ward absent; eight members of the Board voted in the affirmative on the minutes of April 14, 2005 with Freeholder Ward absent; five members of the Board voted in the affirmative on the minutes of April 21, 2005 with Freeholder Scanlon and Freeholder Sullivan abstaining and Freeholder Ward absent; seven members of the Board voted in the affirmative on the minutes of April 28, 2005 with Vice Chairman Mirabella abstaining and Freeholder Ward absent; and seven members of the board voted in the affirmative on the minutes of May 4, 2005 with Chairman Proctor abstaining and Freeholder Ward absent.

APPROVAL OF THE FOLLOWING MINUTES: March 31, 2005 – Regular Meeting; April 7, 2005 – Agenda Meeting; April 14, 2005 – Regular Meeting; April 21, 2005 – Agenda Meeting; April 28, 2005 – Regular Meeting and May 4, 2005 – Agenda Meeting.

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The Chairman called for a motion to approve the communications. On a motion by Vice Chairman Mirabella, seconded by Freeholder Sullivan, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

C O M M U N I C A T I O N S :

OATHS OF OFFICE: (Note & file)

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The first order of business was the First Reading of Ordinance No. 612-2005.

ORDINANCE NO. 612-2005

PREAMBLE

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE ADOPTING A CODIFICATION OF THE LAWS, ORDINANCES, POLICIES AND RESOLUTION OF UNION COUNTY, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; AND SAVING FROM REPEAL CERTAIN LEGISLATION NOT INCLUDED THEREIN” ADOPTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION ON AUGUST 19, 1993.

AN ORDINANCE AMENDING THE “ADMINISTRATIVE CODE OF UNION COUNTY”, TO PROHIBIT THE SPILLING, DUMPING, OR DISPOSAL OF MATERIALS OTHER THAN STORMWATER TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) AT COUNTY HIGHWAYS AND PROPERTY.

BE IT ORDAINED by the Board of Chosen Freeholders of the County of Union that the Administrative Code of the County of Union is hereby amended to add the following sections:

CHAPTER 131- Streets and Sidewalks

ARTICLE IV – Improper Disposal into Storm Sewers

§ 131-10 Purpose

An ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) at county highways and property, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 131-11 Definitions

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use for the purpose of this ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. County highway – any highway or other thoroughfare operated by the COUNTY OF UNION (including a maintenance facility or rest area for such a thoroughfare).
- b. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the COUNTY OF UNION or other public body, and is designed and used for collecting and conveying stormwater.
- c. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- d. Person – any individual (including but not limited to a County employee, officer or agent), corporation company, partnership, firm, association or political subdivision of this State whose conduct on County property or highways is subject to ordinance by the County.
- e. County - COUNTY OF UNION
- f. County property – lands and buildings owned or controlled by the COUNTY OF UNION

§ 131-12 Prohibited Conduct

All persons are prohibited from:

- a. Spilling, dumping, or disposing of materials other than stormwater to the municipal separate storm sewer system located at county highways and property.
- b. Spilling, dumping, or disposing of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system located at county highways and property.

§ 131-13 Exceptions to Prohibition

- a. Water line flushing and discharges from potable water sources;

- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters);
- c. Air conditioning condensate (excluding contact and non-contact cooling water);
- d. Irrigation water (including landscape and lawn watering runoff);
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows;
- f. Residential car washing water, and residential swimming pool discharges;
- g. Sidewalk, driveway and street wash water;
- h. Flows from fire fighting activities;
- i. Flows from rinsing of the following equipment with clean water:
 - 1. Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded. Rinsing of equipment in the above situations is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

§ 131-14 Violations:

- a. Any County officer, staff member, employee, or agent who is found to be in violation of this ordinance in addition to the penalties set forth below may be subject to dismissal, removal, reduction of salary, suspension, demotion, or other disciplinary action in accordance with applicable New Jersey statutes and relevant contracts or agreements.
- b. Any person who has entered into a contract or agreement with the County to provide equipment, materials, supplies, or services on County property, and who is found to be in violation of this ordinance, shall in addition to any sanctions set forth below shall also be subject to sanctions in accordance with the contract or agreement.
- c. Any other person or entity who violates this ordinance shall upon conviction thereof, be liable to fine of not less than \$250 nor more than \$500 for each violation. Each day that a violation continues beyond a given deadline shall constitute a separate and distinct offense and additional penalties may be imposed, including 90 days imprisonment or 90 days community service, or both fines and penalties, at the discretion of any municipal or Superior Court Judge.

- d. Any person who continues to be in violation of this ordinance, after being duly notified, is subject to ejection from County property and if the person refuses to leave after being asked to leave, to prosecution for criminal trespass under N.J.S. §2C:18-3.
- e. Any person who violates this ordinance may also be subject to prosecution under applicable Federal or New Jersey statutes.

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Freeholder Scanlon moved Ordinance No. 612-2005 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. {Final Reading: 5/26/05} Seconded by Vice Chairman Mirabella, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

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The next order of business was the First Reading of Ordinance No. 613-2005.

ORDINANCE NO. 613-2005

PREAMBLE

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE ADOPTING A CODIFICATION OF THE LAWS, ORDINANCES, POLICIES AND RESOLUTION OF UNION COUNTY, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; AND SAVING FROM REPEAL CERTAIN LEGISLATION NOT INCLUDED THEREIN” ADOPTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION ON AUGUST 19, 1993.

AN ORDINANCE AMENDING THE “ADMINISTRATIVE CODE OF UNION COUNTY”, TO PROHIBIT ILLICIT CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEMS OPERATED BY THE COUNTY OF UNION.

BE IT ORDAINED by the Board of Chosen Freeholders of the County of Union that the Administrative Code of the County of Union is hereby amended to add the following sections:

CHAPTER 131- Streets and Sidewalks

ARTICLE III - Storm Sewers

§ 131-5. Purpose:

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the COUNTY OF UNION, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 131-6 Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory. Most of the definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the COUNTY OF UNION, unless that discharge is authorized under a NJPDES permit other than the Public Complex Stormwater General Permit (NJPDES Permit Number NJ0141879) or the Highway Agency Municipal Stormwater General Permit (NJPDES Permit Number NJ0141887). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).
- d. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the COUNTY OF UNION or other public body, and is designed and used for collecting and conveying stormwater.
- e. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A

- f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- g. Person – any individual (including but not limited to a COUNTY OF UNION officer, agent, professional staff member and other employee), corporation, company, partnership, firm, association, or political subdivision of this State, whose conduct on County property is subject to ordinance by the COUNTY OF UNION.
- h. Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.
- i. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- j. County - COUNTY OF UNION
- k. County property – lands and buildings owned or controlled by the COUNTY OF UNION.
- l. County highway - any highway or thoroughfare operated by the COUNTY OF UNION (including a maintenance facility or rest area for such a thoroughfare).

§ 131-7 Prohibited Conduct:

No person shall discharge or cause to be discharged, through an illicit connection to the municipal separate storm sewer system operated by the COUNTY OF UNION, any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

§ 131-8 Enforcement

For the purposes of this ordinance, the employees of the following COUNTY OF UNION Divisions and Bureaus shall be designated as enforcement officers:

- a. Division of Police
- b. Bureau of Inspections
- c. Bureau of Environmental Enforcement

§ 131-9 Violations:

- f. Any County officer, staff member, employee, or agent who is found to be in violation of this ordinance in addition to the penalties set forth below may be subject to dismissal, removal, reduction of salary, suspension, demotion, or other disciplinary action in accordance with applicable New Jersey statutes and relevant contracts or agreements.
- g. Any person who has entered into a contract or agreement with the County to provide equipment, materials, supplies, or services on County property, and who is found to be in violation of this ordinance, shall in addition to any sanctions set forth below shall also be subject to sanctions in accordance with the contract or agreement.
- h. Any other person or entity who violates this ordinance shall upon conviction thereof, be liable to fine of not less than \$250 nor more than \$500 for each violation. Each day that a violation continues beyond a given deadline shall constitute a separate and distinct offense and additional penalties may be imposed, including 90 days imprisonment or 90 days community service, or both fines and penalties, at the discretion of any municipal or Superior Court Judge.
- i. Any person who violates this ordinance may also be subject to prosecution under applicable Federal or New Jersey statutes.

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Freeholder Scanlon moved Ordinance No. 613-2005 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. {Final Reading: 5/26/05} Seconded by Vice Chairman Mirabella, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

The Chairman stated there would be several presentations this evening. Freeholder Nancy Ward entered the meeting at this point.

The Chairman called upon the Vice Chairman to assist him with the presentations. The Chairman then presented a Resolution to people involved in the TOPOFF Bioterrorism Exercise that was recently held. The Chairman read the Resolution and presented Resolutions for the following:

Christopher Sales, who accepted on behalf of Nancy Bride, Executive Director and the staff of the Union County Mental Health Board;

Warren Helh, Chairman of the Union County Health Association;

Charlene Mason-Reese, Director of the Elizabeth Health Department (Councilman Caravano of Elizabeth was in attendance to accept the Resolution on behalf of the Elizabeth Health Department)

Eileen Parenti, Pharma Care, Clark, NJ

Dr. Campbell of Kean University Department of Nursing;

Dr. Mascari of Kean University Department of Special Education;

Joan Goldstein of Seton Hall University Nursing School.

Carmen Centuolo, UC superintendent of Schools, and representatives from the Union County Vocational Technical Schools to accept resolutions for Dr. Thomas Bistocchi, Robert Glowacky and Jack Forman.

The Chairman also recognized The New Jersey Youth Corps who also participated in the exercise.

Chief Harold Stahl, of the Rahway Fire Department.

The Chairman then called upon Freeholder Ward to join him in presenting a Resolution to Jeffery Tandal, Chairman of the Linden Shade Tree Commission on behalf of National Landscape Architecture Month. Freeholder Ward read the Resolution. Mr. Tandal made remarks thanking the Board and talked briefly about National Landscape Architecture month in Union County.

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**MEETING OPEN TO THE PUBLIC FOR THE
PURPOSE OF COMMENTING ON
RESOLUTIONS ON THE AGENDA ONLY**

Bruce Patterson, 325 Willow Ave., Garwood, NJ, commented on Resolution 563-2005 and asked for an explanation of the debt. The Deputy County Manager and the County Counsel responded to his questions, and explained about the uncollectible balance. Runnells Hospital Director Joseph Sharp also responded. Mr. Patterson then commented on Resolution 571-2005 item "c", asking questions about the construction costs. The Deputy County Manager explained the work needed on the County Clerks record room, including roof reconstruction, a new ceiling and air conditioning. Mr. Patterson then commented on Resolution 578-2005 and asked for more info about settlement of that suit. The Deputy County Counsel responded that he would have to look into the details.

Vincent Lehotsky, Knapp Drive, Rahway commented in support of Resolution 560-2005.

PUBLIC COMMENT PORTION CONCLUDED

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The Chairman called for a motion to approve the Resolutions. On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

THE FOLLOWING RESOLUTIONS WERE BEING OFFERED FOR ADOPTION:

558-2005 **FREEHOLDER ESTRADA**, authorizing the County Manager to enter into an Inter-Local Services Agreement with **Mercer County**, to provide case management services to Union and Middlesex County clients who have exceeded

the 60 month lifetime limit for the contract period of October 1, 2004 – September 30, 2005, in an amount not to exceed **\$100,254**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

559-2005 **FREEHOLDER ESTRADA**, authorizing the County Manager to enter into a contract with **Xerox Corp., Morris Plains, New Jersey**, to purchase a Xerox CC65 Digital Copier for use by the Union County Division of Social Services in an amount not to exceed **\$31,320**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

560-2005 **FREEHOLDER ESTRADA**, re-appointing **Oscar Ocasio, Elizabeth, New Jersey and Hal Hamilton, Plainfield, New Jersey**, to the Open Space, Recreation & Historic Preservation Trust Fund Public Advisory Committee for a term commencing January 1, 2005 – December 31, 2005.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

561-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a month-to-month lease agreement with **Antonio Lingwood, Plainfield, New Jersey**, for approximately 4,688 rentable square feet for use by the Union County Probation Office. Rental rate for the first floor space consisting of 3,125 square feet shall be **\$17.03** per square feet and the rent for the lower level space consisting of 1,563 square feet shall be **\$3.96** per square feet. Lease shall commence on April 1, 2005 through December 31, 2005 (9 months). Payments shall be made in monthly installments of **\$4,950.68**, in an amount not to exceed **\$44,556.12**. Lease shall also include payment for snow removal in an amount not to exceed **\$10,000** for a total amount of **\$54,556.12** per year.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

562-2005 **FREEHOLDER KOWALSKI**, amending **Resolution No. 818-2004**, to increase the 2004 rental and utility expenses and restructure the chargeable accounts for Lease Agreement and Utility charges with **Moen Organization, Cranford, New Jersey**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

563-2005 **FREEHOLDER KOWALSKI**, to approve the dissolving of an outstanding balance as it is uncollectible in the amount of **\$57,121.04**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

- 564-2005** **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Jack & Jill Ice Cream Co., Morristown, New Jersey**, to purchase ice cream products for Runnells Specialized Hospital for the contract period of July 1, 2005 – June 30, 2006, in an amount of **\$15,000**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

- 565-2005** **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Pecters Baking Company, Harrison, New Jersey**, for the purchase of bread and related bakery products for the patients/residents of Runnells Specialized Hospital for the contract period of July 1, 2005 – June 30, 2006, in an amount of **\$42,000**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

- 566-2005** **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Calman Hunter, O.D., Cranford, New Jersey**, to provide professional optometry services to the patients/residents of Runnells Specialized Hospital for the contract period of June 1, 2005 – May 31, 2006. **{This is a Fee For Service Agreement/At No Cost to Union County}**

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

- 567-2005** **FREEHOLDER KOWALSKI**, amending **Resolution No. 1133-2004**, to the contract with **Penn Jersey Paper Company, Philadelphia, PA**, to purchase additional housekeeping supplies, paper, plastic and linen for Runnells Specialized Hospital for the contract period of January 1, 2005 – December 31, 2005, in an additional amount of **\$56,058**, for a new total contract amount of **\$85,058**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

- 568-2005** **FREEHOLDER KOWALSKI**, appointing **Barbara Krause and William Illaria, Cranford, New Jersey**, to the Union County Air Traffic Noise Advisory Board for a term commencing January 1, 2005 – December 31, 2006.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

569-2005 **FREEHOLDERS KOWALSKI AND SCANLON**, supporting the passage of **New Jersey Senate Bill No. 2144 and New Jersey State Assembly Bill No. 3526** “Christopher’s Law” in order to protect the residents of New Jersey from unlicensed drivers.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

570-2005 **FREEHOLDER SULLIVAN**, authorizing the County Manager to enter into a contract with **Automated Data Processing, (ADP) Diamondbar, CA**, to provide Unemployment Compensation services in an amount of **\$4,629**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

571-2005 **CHAIRMAN PROCTOR**, 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: (CH. PROCTOR)**

- a. DEPARTMENT OF PARKS, RECREATION, & FACILITIES: awarding the following contracts for the Department of Parks, Recreation & Facilities, Division of Golf Operations/Horticulture, to supply ground maintenance chemicals for twelve (12) consecutive months. For each of the 55 items the bid was awarded to the lowest possible bidder: **The Terre Co., Clifton, NJ, in an amount of \$18,975; Fert LSoil Turf Supply, Inc., Scotch Plains, NJ, in an amount of \$47,173.11; Verdicon, New Brunswick, NJ, in an amount of \$43,050; Reed & Perrine Sales, Tennent, NJ, in an amount of \$64,298.43; Seeton Turf Warehouse, LLC, Maple Shade, NJ, in an amount of \$17,500; Koonz Sprinkler Supply, Inc., Springfield, NJ, in an amount of \$7,131.20; Lesco, Inc., Cleveland, OH, in an amount of \$20,115.10; Synatek, LP, Sounderton, PA, in an amount of \$31,511.40; for a total bid amount not to exceed \$249,754.24.**
- b. DIVISION OF PUBLIC WORKS: **Weldon Materials, Inc., Westfield, New Jersey**, to supply and deliver various items of bituminous concrete, additives and membrane materials for the Division of Public Works. The contract is for twelve (12) consecutive months in an amount not to exceed **\$358,677.50**.
- c. DEPARTMENT OF ENGINEERING & PUBLIC WORKS: **M&M Construction Company, Union, New Jersey**, for the expansion and renovations of the Union County Clerk’s Office and Record Room in an amount of **\$950,000**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

- 572-2005** **CHAIRMAN PROCTOR**, granting permission to the **Township of Berkeley Heights**, to close Springfield Avenue from Snyder Avenue to the Berkeley Heights/Long Hill Township Bridge, Berkeley Heights, New Jersey, from Saturday, July 16, 2005, 6:00 p.m. to Sunday, July 17, 2005, 2:00 a.m., for the Mt. Carmel Society's Annual Festival and Fireworks Display.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

- 573-2005** **CHAIRMAN PROCTOR**, granting permission to the **Township of Springfield**, to close Mountain Avenue, Springfield, New Jersey, from the intersection of Shunpike Road to North Trivett Avenue both north bound and south bound between the hours of 10:30 a.m. to 12:30 p.m. and Shunpike Road, Springfield, New Jersey, from the intersection of South Springfield Avenue to the intersection of Mountain Avenue both east bound and west bound between the hours of 11:00 a.m. to 1:00 p.m. to all vehicular traffic except for emergency vehicles, on Monday, May 30, 2005, for the Annual Memorial Day Parade and Ceremony.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

- 574-2005** **CHAIRMAN PROCTOR**, concurring with the **Borough of Fanwood**, granting permission to the Fanwood Business and Professional Association to close Martine Avenue between South Avenue and LaGrande Avenue, and South Avenue between Martine Avenue and Second Street, Fanwood, New Jersey, on Sunday, June 26, 2005 between the hours of 11:00 a.m. to 5:00 p.m. for a Street Fair.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

- 575-2005** **CHAIRMAN PROCTOR**, amending **Resolution No. 843-2004**, increasing the **Local Information Network Communications System (LINCS)** grant, in an amount of **\$33,838**, to cover the costs associated with the startup and operation of a Medical Reserves Corps Unit and for the purchase of video conferencing equipment.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

- 576-2005** **CHAIRMAN PROCTOR**, authorizing the County Manager to apply for and accept funding from the **New Jersey Division of Highway Traffic Safety**, to

fund a County Investigator position to oversee the investigation of traffic fatalities in Union County in an amount of **\$81,174**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

577-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 458-2005**, to increase the appropriation to **Garrubbo & Capece, Westfield, New Jersey**, special counsel in the matter entitled: **Todaro v. County of Union, et als.**, in an additional amount of **\$10,000**, for a new total contract amount not to exceed **\$45,000**.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

578-2005 **CHAIRMAN PROCTOR**, approving the settlement of pending litigation entitled **EEOC (Joseph Freitas) v. County of Union, et als.**, Civil Action No. 03-cv-3963 (DMC), in the amount of **\$150,000**, as recommended by the Department of Law, Office of the County Counsel.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

THE FOLLOWING RESOLUTIONS WERE LAUDATORY IN CONTENT:

579-2005 **FREEHOLDER ESTRADA**, proclaiming May, 2005 as “**Older Americans Month**” with the theme this year being “**Celebrate Long-Term Living**” selected by the Administration on Aging to recognize and honor the valuable contributions of older persons to their communities as they age.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

580-2005 **FREEHOLDER HOLMES AND VICE CHAIRMAN MIRABELLA**, congratulating **Stephanie Giameo, Roselle Park, New Jersey**, for her achievements in academics and gymnastics.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

581-2005 **FREEHOLDER KOWALSKI**, congratulating **Ryan Berns, Cranford, New Jersey, Boy Scouts of America, Troop 80**, on attaining his Eagle Scout Award.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

582-2005 **FREEHOLDER KOWALSKI**, congratulating **Matt Bierman, Cranford, New Jersey, Boy Scouts of America, Troop 80**, on attaining his Eagle Scout Award.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

583-2005 **FREEHOLDER KOWALSKI**, congratulating **Thomas Hannen III, Cranford, New Jersey, Boy Scouts of America, Troop 80**, on attaining his Eagle Scout Award.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

584-2005 **FREEHOLDER KOWALSKI**, congratulating **Keith Hollerbach, Cranford, New Jersey, Boy Scouts of America, Troop 80**, on attaining his Eagle Scout Award.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

585-2005 **FREEHOLDER KOWALSKI**, congratulating **Eric Linger, Cranford, New Jersey, Boy Scouts of America, Troop 80**, on attaining his Eagle Scout Award.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

586-2005 **FREEHOLDER KOWALSKI**, congratulating **Michael Strom, Cranford, New Jersey, Boy Scouts of America, Troop 80**, on attaining his Eagle Scout Award.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

587-2005 **FREEHOLDER MAPP**, extending deepest condolences to the family of **Jonell “J.R.” Rollins, Plainfield, New Jersey**, in this, their time of sorrow.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

588-2005 **FREEHOLDER SULLIVAN**, expressing appreciation and commending the **Elizabethtown Gas Company** for its leadership role in promoting the partnership of the public and private sectors in support of the arts in Union County.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

589-2005 FREEHOLDER SULLIVAN, congratulating **Daniel J. Ferry, IV, Elizabeth, New Jersey, Boy Scouts of America, Troop 23**, on attaining his Eagle Scout Award.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

590-2005 FREEHOLDER SULLIVAN, congratulating **Timothy S. Ronco, Linden, New Jersey, Boy Scouts of America, Troop 23**, on attaining his Eagle Scout Award.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

591-2005 FREEHOLDER SULLIVAN, congratulating **Ryan C. Scott, Linden, New Jersey, Boy Scouts of America, Troop 23**, on attaining his Eagle Scout Award.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

592-2005 FREEHOLDER WARD, congratulating **Mrs. Margaretta “Margo” Newkirk, Linden, New Jersey**, on receiving the 2005 Outstanding Senior Citizen of the Year Award in Linden, New Jersey.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

593-2005 VICE CHAIRMAN MIRABELLA AND THE ENTIRE BOARD, congratulating **Pansy G. Mingo, Plainfield, New Jersey**, on the occasion of her retirement after over 20 years of teaching at Maxson Middle School in Plainfield, New Jersey.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

594-2005 CHAIRMAN PROCTOR AND THE ENTIRE BOARD, congratulating **Nicole L. Tedeschi, Clerk of the Board**, who is being honored by the New Jersey Association of Counties (NJAC) on receiving the County Service Award at their Presidential Awards Luncheon on Thursday, June 16, 2005.

On a motion by Vice Chairman Mirabella, seconded by Freeholder Scanlon, roll call showed nine members of the Board voted in the affirmative.

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**MEETING OPEN TO THE PUBLIC FOR THE
PURPOSE OF COMMENTING ON**

ANY MATTER

Bruce Patterson, Willow Ave., Garwood, complimented Freeholder Sullivan in regard to the Freeholder's remarks on the subject of the Trap and Skeet Facility. He also discussed state and county politics. He then discussed a vigil held for Edward Sinclair, who committed suicide in the Union County Juvenile Detention Center, and discussed other matters involving that case.

Vincent Lehotsky, 2311 Knapp Drive, Rahway, commented on the Pet Fair held at Trailside Nature and Science Center. He also commented on State Assembly candidates. He then commented on the Union County Detention Center Facility and the costs of housing juveniles. He also commented on the upcoming summer concerts in the park.

PUBLIC COMMENT PORTION CONCLUDED

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REPORTS: STANDING & SPECIAL COMMITTEES

Freeholder Ward commented on the Essex County Anti Violence Coalition meetings held in various areas throughout the state, saying that she attended several of these meetings and that the Coalition is made up of different grass-roots organizations to address the problem of violence among the young people in their communities. She noted that one concern that was voiced was about the teaching of African-American history in the schools, and that the people who spoke about it felt that learning this subject thoroughly could have an impact on reducing violence. Freeholder Ward stated that she intended to speak to the state legislature regarding this matter, and asked for the Board's support.

Freeholder Scanlon had no comments.

Freeholder Estrada had no comments.

Freeholder Holmes congratulated Nicole L. Tedeschi on receiving her Masters Degree from Kean University.

Freeholder Kowalski also congratulated the Clerk of the Board. She reminded everyone that the Master Gardener's event is coming up and cited several other upcoming outdoor events.

Freeholder Mapp applauded Freeholder Ward for her remarks on one of the root causes of violence in the community. He also commented on the United States Postal Service's annual campaign to raise money for food for the less fortunate. This coming Saturday he said, the Postal Service will accept non-perishable donations placed next to mailboxes. He encouraged everyone to give generously.

Vice Chairman Mirabella reported on the Homeland Security Committee meeting held today, noting that a TOPOFF 3 report on that homeland security exercise will be forthcoming. The report will be prepared by each department that participated. It will highlight the things they felt their groups did well and the things that may need improvement. The Homeland Security

committee also discussed the Homeland Security equipment checklist that is being developed. The Vice Chairman also commented that he and Freeholder Holmes went to the community breakfast at St. John's Baptist church, the church of former Freeholder Lewis Mingo Jr.

He congratulated the re-elected mayor of Hillside, Karen McCoy Oliver and the council members who ran with her. He also sent out wishes for a speedy recovery to Ann C. Lord and to the County Manager George Devanney, who have been ill, and sent best wishes to his son Alex who made his first Holy Communion on Mother's Day.

Deputy County Manager Genievich sent out best wishes to the County Manager.

County Counsel had no comments.

Chairman called for a motion to adjourn. On a motion by Vice Chairman Mirabella, seconded by Freeholder Holmes, roll call showed nine members of the Board voted in the affirmative.

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The voucher list through **May 11, 2005** will be available for public perusal in the Office of the Clerk of the Board.

The next **Regular Meeting** of the Union County Board of Chosen Freeholders will be held on **May 26, 2005 at 7:00 P.M.** in the Freeholders Meeting Room, Administration Building, 6th Floor, Elizabeth, New Jersey.

ADJOURNMENT

Nicole L. Tedeschi
Clerk of the Board

NLT/amc