

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

MINUTES OF THE REGULAR MEETING

SEPTEMBER 15, 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 in attendance. Freeholder Nancy Ward was absent.

Also in attendance were Deputy County Manager M. Elizabeth Genievich, 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.

The Chairman called for a motion to approve the minutes. On a motion by Freeholder Estrada, seconded by Freeholder Holmes, roll call showed five members of the Board voted in the affirmative on the minutes of July 28, 2005 with Chairman Proctor, Vice Chairman Mirabella, and Freeholder Kowalski abstaining and Freeholder Ward absent. Roll call showed five members of the Board voted in the affirmative on the minutes of August 18th, 2005, with Freeholder Holmes, Freeholder Scanlon and Freeholder Sullivan abstaining, and Freeholder Ward absent. Roll call showed eight members of the Board voted in the affirmative on the minutes of September 8, 2005 with Freeholder Ward absent.

APPROVAL OF THE FOLLOWING MINUTES: July 28, 2005 – Regular and Executive Meetings; August 18, 2005 – Regular Meeting; and September 8, 2005 Agenda and Executive Meetings.

Chairman Proctor called upon Freeholder Kowalski to present a Resolution to Susan Coen, Director of the Division of Cultural and Heritage Affairs and several staff members, in recognition of the 35th Anniversary of the Division. Susan Coen and another staff member commented on the dedication of the staff and thanked the Freeholders for the recognition.

Freeholder Sullivan presented a Resolution to Mary K. Murphy, formerly of the Union County Economic Development Department, in appreciation of her work as she moves on to a new job with the NJ Turnpike Authority. The Freeholder talked about Ms. Murphy's contributions in the County in many areas, particularly transportation. Ms. Murphy thanked Freeholder Sullivan and the Board for the recognition and their help and for the opportunities provided over the years. She also thanked James Daley, the Director of the Economic Development Department.

Chairman Proctor read a Proclamation from Acting Governor Richard Codey regarding the observance of POW/MIA Day, September 16, 2005. The Chairman then announced the County's ceremony for POW/MIA Day to be held on that date in front of the Courthouse. He

then called upon Councilman Eugene Davis of Linden who invited the Board to that city's POW/MIA ceremony.

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The first order of business was the First Reading of Bond Ordinance No. 618-2005.

BOND ORDINANCE NO. 618-2005

ORDINANCE PROVIDING THE CONSENT OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION TO THE ISSUANCE BY THE UNION COUNTY IMPROVEMENT AUTHORITY OF ITS BONDS IN THE AMOUNT OF NOT TO EXCEED \$20,000,000 TO FINANCE A PROPOSED RENOVATION OF AN AFFORDABLE HOUSING PROJECT TO BE SPONSORED BY RELATED APARTMENTS PERSEVERATION, LLC, OR ITS DESIGNEE (THE "DEVELOPER") IN THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY

WHEREAS, the Union County Improvement Authority (the "Authority") has been duly created by an ordinance of the Board of Chosen Freeholders (the "Board of Freeholders") of the County of Union, New Jersey (the "County"), as a public body corporate and politic of the State of New Jersey (the "State") pursuant to and in accordance with the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, as amended and supplemented from time to time (the "Act"); and

WHEREAS, Related Apartments Perseveration, LLC, or its designee (the "Developer") proposes to undertake a certain project (the "Project") consisting of the purchase Oak Park, and to undertake improvements to the property, including upgrading unit kitchens, bathrooms, and appliances, replacing windows, upgrading common areas, and site work such as landscaping, all at that certain property located at 1 Garden Drive, being Lot 1 in Block 1502 in the Borough of Roselle (the "Borough"), also known as Oak Park Apartments; and

WHEREAS, Oak Park Apartments is a 254 unit residential apartment community and an affordable housing community with all units covered by a Project-Based Section 8 contract administered by HUD; and

WHEREAS, upon completion of the Project, the apartments shall remain an affordable housing community for tenants of low and moderate income; and

WHEREAS, an application has been made to the Union County Improvement Authority ("Authority") for a loan to finance the Project; and

WHEREAS, the Authority expects to obtain funds with which to make the loan to the Developer through the issuance of its bonds in an amount not to exceed \$20,000,000 (the "Bonds"); and

WHEREAS, in accordance with Section 13 (“Section 13”) of the Act (N.J.S.A. 40:37A-56), prior to the issuance of the Bonds, the Authority shall make a detailed report with respect to such financing to the Board of Freeholder of the County, which report shall include copies or a description of, without limitation, the Financing Documents; and

WHEREAS, the Authority believes: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the County of Union; (iii) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (iv) the proposal is an efficient and feasible means of providing for the needs of the inhabitants of the County of Union and will not create an undue financial burden to be placed upon the County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION, NEW JERSEY, as follows:

Section 1. In accordance with Section 13 and all other applicable law, the Board of Freeholders hereby consents to (i) the Project and the financing of same, (ii) the execution and delivery by the Authority of the Mortgage, Indenture, Continuing Disclosure Agreement, and such other documents as necessary and reasonable for the transaction (the “Financing Documents”), which documents shall be filed with the Clerk of the Board prior to the issuance of any Bonds, (iii) the adoption by the Authority of the Bond Resolution, and (iv) the issuance, sale and delivery of the Bonds to effect such purpose. The consent hereto given to the Financing Documents contemplates the insertion of the final financing terms.

Section 2. This resolution shall take at the time and in the manner provided by law.

Section 3. Upon the adoption hereof, the Clerk of the Board of Freeholders shall forward certified copies of this ordinance to the County Manager, County Counsel, Executive Director of the Authority, and John G. Hudak, Esq., Frohling & Hudak, LLC, Bond Counsel to the Authority.

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Freeholder Scanlon moved Ordinance No. 618-2005 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. (Final Reading: 9/29/05) 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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**MEETING OPEN TO THE PUBLIC FOR THE
PURPOSE OF COMMENTING ON
RESOLUTIONS ON THE AGENDA ONLY**

Bruce Patterson, Garwood, commented on Resolution 915-2005 regarding a request to get a grant for a reverse 9-1-1 system for Garwood. Mr. Patterson also commented on Resolution

922-2005 with a request for an explanation. Director Lawrence Caroselli of the Finance Department responded to his question. Mr. Patterson then commented on Resolution 928-2005, item "f". Mr. Patterson then commented on Resolution 932-2005 with a question regarding the outstanding funding being used for the project. Director Frank Dann of the Engineering and Public Works Department responded to his question. Mr. Patterson also commented on Resolution 935-2005 with a question on the change order and contingency numbers. Director Dann responded to his question, explaining the meaning of "contingency" and what conditions had occurred.

PUBLIC COMMENTS PORTION CONCLUDED

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The Chairman called for a motion to move Resolutions 894-2005 through 975-2005. On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

THE FOLLOWING RESOLUTIONS WERE BEING OFFERED FOR ADOPTION:

894-2005 **FREEHOLDER ESTRADA**, authorizing the County Manager to enter into an agreement with **Trinitas Hospital, Elizabeth, New Jersey**, for the purpose of providing Inpatient/Outpatient and Emergency Room services to UC Jail inmates and Juvenile Detention detainees for the contract period of October 1, 2005 – December 31, 2007 in an amount not to exceed **\$250,000** in 2005.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

895-2005 **FREEHOLDER ESTRADA**, amending **Resolution No. 558-2005** between the **Mercer County Board of Social Services** and the County of Union in order to accept an additional **\$40,871** to provide intensive case management services to TANF families receiving public assistance through the Supplemental Assistance to Individuals and Families (SAIF) program from October 1, 2004 – September 30, 2005 (**this increases the contract amount to \$141,125**).

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

896-2005 **FREEHOLDER ESTRADA**, authorizing the submission of the **2006-2008 Youth Services Commission Comprehensive Plan and Application** to the Juvenile Justice Commission.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 897-2005** **FREEHOLDER ESTRADA**, amending **Resolution No. 1150-2004** between the County of Union and **Immaculate Conception Church, Elizabeth, New Jersey**, to provide an 25 additional parking spaces, for a new contract amount of **\$3,000** per month for the period of September 1, 2005 – December 31, 2005 for a total amount of **\$28,000** for the four months remaining in the contract.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 898-2005** **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into an agreement with **Resurfix, Inc., Flanders, New Jersey**, to provide technical consultation, inspection and preventive maintenance of the two (2) Zamboni Ice Resurfacers at the Warinanco Skate Center in an amount not to exceed **\$4,900**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 899-2005** **FREEHOLDER KOWALSKI**, authorizing the County Manager to apply for and accept funding in the amount of **\$14,000** from the **New Jersey Tree Foundation “Second Cities Initiative” Grant**, with a County in-kind match of **\$14,000** which will allow for the development of a Union County supplement plan to add to the existing Community Forestry Management Plan and enable the County to implement a tree planting project that would generate community support and involvement in urban forestry.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 900-2005** **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a professional architectural engineering service contract with **The Musial Group, Mountainside, New Jersey**, for the purpose of providing services as the County’s Architect of Record for minor renovation projects or space planning projects on an as needed basis for a contract period of September 1, 2005 – September 1, 2007 in an amount not to exceed **\$100,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

901-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Harish K. Bhatt, MD, Edison, New Jersey**, to provide professional physiatry services to the patients/residents of Runnells Specialized Hospital for the contract period of October 1, 2005 – September 30, 2006. **{This is a Fee for Service Agreement, at No Cost to the County}**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

902-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Alice C. Tzeng, MD, Associates in Rehabilitation Medicine, Morristown, New Jersey**, to provide professional physiatry services to the patients/residents of Runnells Specialized Hospital for the contract period of October 1, 2005 – September 30, 2006. **{This is a Fee for Service Agreement, At No Cost to the County}**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

903-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Ostap Tershakovec, DDS, Westfield, New Jersey**, to provide professional dental services to the patients/residents of Runnells Specialized Hospital for the contract period of October 1, 2005 – September 30, 2006. **{This is a Fee for Service Agreement, at No Cost to the County}**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

904-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Storch Nutritional Medicine Associates/Kenneth Storch, Florham Park, New Jersey**, to serve as the Director of Metabolic Services and Hyperalimentation to the patients/residents of Runnells Specialized Hospital for the contract period of September 1, 2005 – August 31, 2006 in an amount of **\$12,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

905-2005 **FREEHOLDER KOWALSKI**, requesting to change the **Private Rate for the Sub Acute Unit (1 West Sub Acute)** to a daily rate of **\$375** a day.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

906-2005 **FREEHOLDER KOWALSKI**, amending **Resolution No. 428-2005** to the contract with **Grainger Industrial Supply, Lake Forest, IL**, to purchase materials needed to repair equipment for the contract period of March 1, 2005 – February 28, 2006 in an additional amount of **\$1,500** for a new total contact amount of **\$33,200**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

907-2005 **FREEHOLDER KOWALSKI**, amending **Resolution No. 124-2005** to the contract with **Welco-CGI Gas Technologies, Pine Brook, New Jersey**, through NJHA Group Purchasing for the purchase of portable oxygen and related products for the contract period of January 1, 2005 – December 31, 2005 in an additional amount of **\$3,000** for a new total contract amount of **\$23,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

908-2005 **FREEHOLDER MAPP**, appointing **Gary Grass, Rahway, New Jersey**, to serve on the Senior Citizen Disabled Resident Transportation Advisory Board for a term commencing January 1, 2005 – December 31, 2007.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

909-2005 **FREEHOLDER SCANLON**, appointing **Donna Brothers, Cranford, New Jersey**, to serve on the Union County Commission on the Status of Women for a term commencing January 1, 2005 – December 31, 2006.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

910-2005 **FREEHOLDER SULLIVAN**, authorizing the County Manager, through the Division of Planning and Community Development to make an application and enter into an agreement with the **North Jersey Transportation Planning Authority** for the grant funded study entitled, “**County-Wide Comprehensive Bicycle Master Plan**” for the contract period of July 1, 2005 – June 30, 2006, in an amount not to exceed **\$150,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

911-2005 **FREEHOLDER SULLIVAN**, authorizing the County Manager, through the Division of Planning and Community Development to make an application and enter into an agreement with the **North Jersey Transportation Planning Authority** for the grant funded study entitled, “**Union County Freight Access Study between Port Elizabeth and Tremley Point**” for the contract period of July 1, 2005 – June 30, 2006, in an amount not to exceed **\$250,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

912-2005 **FREEHOLDER SULLIVAN**, amending **Resolution No. 2159-2003**, to the contract with **Development Directions, LLC, Rahway, NJ**, for the administration of the Multi-Jurisdictional Rehabilitation Program (MJHR) and the Union County Lead Environmental Analysis Assistance and Reduction Program (UCLEAAR) for four (4) months from September 1, 2005 – December 31, 2005. **(No Additional Funds)**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

913-2005 **FREEHOLDER SULLIVAN**, authorizing the expenditure of the **Community Development Block Grant (CDBG) Program, HOME Program, American Dream Down-Payment Initiative (ADDI) and Emergency Shelter Grant (ESG)** funding as designated in the US Department of Housing and Urban Development approved 2005 – 2006 Consolidated Action Plan.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

914-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$548,103** as a result of notification received from New Jersey Department of Health and Senior Services for a program entitled: **“Local Core Capacity Infrastructure for Bioterrorism Preparedness (LINCS).”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

915-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$25,000** as a result of notification received from the New Jersey Office of Information Technology for a program entitled: **“Union County 9-1-1 Coordinator Grant.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

916-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$4,000** as a result of notification received from the New Jersey Division of Highway Traffic Safety for a program entitled: **“You Drink, You Drive, You Lose Program.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

917-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$6,500** as a result of notification received from the New Jersey State Council on the Arts for a program entitled: **“NJ Senior Citizen Arts Show.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

918-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$120,000** as a result of notification received from the North Jersey Transportation Planning Authority for a program entitled: **“Countywide Comprehensive Bicycle Master Plan.”** In addition, appropriating **\$30,000** from the matching funds for grant account entitled: **“Match Countywide Comprehensive Bicycle Master Plan.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 919-2005** **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$200,000** as a result of notification received from the North Jersey Transportation Planning Authority for a program entitled: **“Freight Access Study between Port Elizabeth & Tremley Point.”** In addition, appropriating **\$50,000** from the matching funds for grant account entitled: **“Match-Freight Access Study between Port Elizabeth and Tremley Point.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 920-2005** **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$84,124** as a result of notification received from the North Jersey Transportation Planning Authority for a program entitled: **“Subregional Transportation Planning Program.”** In addition, appropriating **\$21,031** from the matching funds for grant account entitled: **“Match-Subregional Transportation Planning Program.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 921-2005** **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$180,000** as a result of notification received from the New Jersey Department of Criminal Justice for a program entitled: **“Gang Suppression Grant.”** In addition, appropriating **\$60,000** from the matching funds for grant account entitled: **“Match-Gang Suppression Grant.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 922-2005** **FREEHOLDER SULLIVAN**, authorizing the County Manager to enter into an agreement with the **Union County Alliance** for long range strategic planning for the contract period of July 1, 2005 – June 30, 2006 in the amount of **\$252,500**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

923-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$43,986** as a result of notification received from the City of Newark for a program entitled: **“Housing Opportunities for Persons with Aids (HOPWA).”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

924-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$1,000** as a result of notification received from the New Jersey Theatre Alliance for a program entitled: **“Theatre Alliance Grant.”** In addition, appropriating **\$1,000** from the matching funds for grant account entitled: **“Match-Theatre Alliance.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

925-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$6,000** as a result of notification received from the New Jersey Division of Mental Health Services for a program entitled: **“Mental Health Services Program.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

926-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County adopted budget in the amount of **\$18,000** as a result of notification received from the New Jersey Division on Aging for a program entitled: **“Office on Aging – State Grant.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

927-2005 **FREEHOLDER SULLIVAN**, authorizing the County Manager to enter into an agreement with **Pino Consulting Group, Inc., West Windsor, New Jersey**, to provide consulting services for the development of Union County’s 2004 and 2005 Central Service Cost Allocation Plan in an amount not to exceed **\$92,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

928-2005

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 HUMAN SERVICES: NPAX, Inc. /AddHealth, Inc., Clifton, New Jersey, to provide a prescription drug discount program which is offered as public service by the Board of Chosen Freeholders for county residents for a contract period of twenty-four (24) consecutive months.
- b. DIVISION OF ENVIRONMENTAL HEALTH AND EMERGENCY MANAGEMENT: ASTI Transportation Systems, Inc., New Castle, Delaware, to provide a camera system for the mobile command post in an amount of **\$28,751.94**.
- c. DIVISION OF PUBLIC WORKS: Mid-Atlantic Truck Centre Inc., Linden, New Jersey, to provide one (1) dump truck international model 7400 SFA in an amount of **\$129,408**.
- d. DEPARTMENT OF PARKS, RECREATION & FACILITIES: Mike's Feed Farm, Riverdale, New Jersey, to furnish and deliver (100 tons) horse feed for the contract period of twenty-four (24) months in an amount not to exceed **\$45,000**.
- e. RUNNELLS SPECIALIZED HOSPITAL: Preventive Maintenance Roofing, Inc., Neptune, New Jersey, to provide aluminum roof coating and perform roof inspections & maintenance in an amount of **\$38,576.80**.
- f. DEPARTMENT OF PARKS, RECREATION & FACILITIES: Aggreko, Linden, New Jersey, to deliver, install and maintain a temporary cooling system for the refrigeration system at the Warinanco Skating Center located in Warinanco Park, Roselle, New Jersey, (rental equipment for a seven month period) in an amount not to exceed **\$85,000**.
- g. RUNNELLS SPECIALIZED HOSPITAL: Positive Attitude, Marlboro, New Jersey, to supply janitorial supplies for a contract period of twenty-four (24) consecutive months in an amount not to exceed **\$111,879.60**.
- h. RUNNELLS SPECIALIZED HOSPITAL; DIVISION OF MOTOR VEHICLES; DIVISION OF SOCIAL SERVICES; DIVISION OF CORRECTIONAL SERVICES; DEPARTMENT OF PARKS,

RECREATION & FACILITIES AND DIVISION OF BUILDING SERVICES: Maffey's Lock & Safe Company, Inc., Elizabeth, New Jersey, to provide locksmith services and locking hardware for a total contract amount not to exceed **\$283,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

929-2005 **CHAIRMAN PROCTOR**, concurring with the **Borough of Fanwood** granting permission to the Fanny Wood Day Committee of Fanwood, New Jersey, to close Martine Avenue from North Avenue to LaGrande Avenue, Fanwood, New Jersey, on Sunday, October 2, 2005 (rain date Sunday, October 9, 2005) from 8:00 am to 6:00 pm for **“Fanny Wood Day 2005.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

930-2005 **CHAIRMAN PROCTOR**, concurring with the **Town of Westfield and New Jersey Transit** granting permission to the Westfield Knights of Columbus to hang a banner from the New Jersey Transit Overpass on East Broad Street between North Avenue and South Avenue, Westfield, New Jersey, from Wednesday, September 21, 2005 to Tuesday, October 4, 2005 to advertise their **“Bike For Life”** annual charitable event to be held on Sunday, October 2, 2005.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

931-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into a professional engineering service contract with **O'Brien & Gere Engineers, Inc., Edison, New Jersey**, for the redesign of Nomehegan Lake Dam in an amount not to exceed **\$14,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

932-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into an Inter-local Agreement with the **Township of Cranford** for the purpose of providing funding for the construction of Transportation Infrastructure Improvements along Centennial Avenue, County Route 615, Cranford, New Jersey in an amount of **\$50,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 933-2005** **CHAIRMAN PROCTOR**, concurring with the **City of Linden**, amending the Resolution designating Bus Stops along East Elizabeth Avenue, northbound, on the easterly side, a Union County Road, and along East Elizabeth Avenue, southbound, on the westerly side, a Union County Road.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 934-2005** **CHAIRMAN PROCTOR**, concurring with the **City of Linden** granting permission to the **Linden Chamber of Commerce** to hang a banner across North Wood Avenue and Elizabeth Avenue, Linden, New Jersey, from October 17, 2005 to October 27, 2005 to advertise their “**Annual Business to Community Expo**” to be held on Wednesday, October 26, 2005.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 935-2005** **CHAIRMAN PROCTOR**, approving **Change Order No. 8** to the contract with **Paley Construction Company, Springfield, New Jersey**, for general condition costs incurred due to a one month delay for contract execution in underpinning issues; in addition to three months added time due to untimely steel shop drawing reviews and approvals; structural modifications for additional steel and detailing; temporary building heat due to late start and D.O.T Permit delay for gas utility work; as well as meter set work by utility in the amount of **\$90,445.53** for a new total contract amount of **\$3,399,576.42**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 936-2005** **CHAIRMAN PROCTOR**, concurring with the **City of Linden** granting permission to the Linden Kiwanis Club to hang a banner across North Wood Avenue and Elizabeth Avenue, Linden, New Jersey, from September 16, 2005 – September 25, 2005 to advertise their “**Annual Pancake Breakfast**” to be held on September 24, 2005.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

937-2005 **CHAIRMAN PROCTOR**, authorizing an exception to the purchasing law allowable under NJSA 40A11-5:1dd for the purchase of “propriety computer software and hardware upgrades” for the **Countywide Fire Mutual Aide Computer Assisted Dispatch System** purchased under the Union County Homeland Security Grant Program in an amount of **\$110,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

938-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 1240-2004** replacing **Dr. Albert Wayne Williams, Montclair, New Jersey** with **Dr. Joann Habermann, New York, New York**, as a forensic pathologist to perform autopsies and/or external examinations during weekends in an amount not to exceed **\$16,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

939-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into an agreement with the **Union County Alliance** for the purpose of starting the Union County Medical Reserve Corps., for Union County in an amount of **\$25,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

940-2005 **CHAIRMAN PROCTOR**, authorizing the County Manger to accept and adopt the **New Jersey Department of Health & Senior Services Grant** to fund the development and coordination of Bioterrorism Preparedness within Union County through the LINCIS for the contract period of August 31, 2005 – August 30, 2006 in an amount of **\$538,113**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

941-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 452-2004**, to the contract with **Wisolmerski Associates, Inc., Pembroke Pines, FL.**, to provide computer consulting services for enhancement of the County Clerk’s imaging and recording system for a period of twelve (12) months from April 11, 2005 – April 11, 2006.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 942-2005** **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into a professional service agreement with **Trinitas Hospital, Elizabeth, New Jersey**, to provide individual therapy sessions to victims of sexual assault in Union County for the contract period of July 1, 2005 – June 30, 2006 in an amount not to exceed **\$6,600**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 943-2005** **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into a professional service agreement with **United Family & Children Society of Plainfield, Plainfield, New Jersey**, to provide victim support services to child abuse victims in the western part of Union County for the contract period of July 1, 2005 – June 30, 2006 in an amount not to exceed **\$6,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 944-2005** **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into a service agreement with **Complete Care, Scotch Plains, New Jersey**, to provide medical examinations to Alternate Route Candidates of the John H. Stamler Police Academy (maximum of 60) for the contract period of June 1, 2005 – May 31, 2006 in an amount not to exceed **\$15,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

- 945-2005** **CHAIRMAN PROCTOR**, authorizing the County Manager into a service agreement with **Comprehensive Psych Services, Clark, New Jersey**, to provide pre-employment evaluations for County Investigator applicants (maximum of 20) for the contract period of July 1, 2005 – June 30, 2006 in an amount not to exceed **\$7,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

946-2005 CHAIRMAN PROCTOR, amending **Resolution 778-2005** to increase the appropriation to **Garrubbo and Capece, Westfield, New Jersey**, as special counsel in the matter entitled **Ewanus v. County of Union, et als.** in an additional amount of **\$4,013.06** for the final total contract amount not to exceed **\$49,013.06**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

947-2005 CHAIRMAN PROCTOR, amending **Resolution 777-2005** to increase the appropriation to **Brownstein, Booth & Associates, Union City, New Jersey**, as special counsel in the matter entitled **Estate of Edward Sinclair v. County of Union, et als.** in an additional amount of **\$10,000** for a new total contract amount not to exceed **\$25,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

948-2005 CHAIRMAN PROCTOR, approving the settlement of pending litigation entitled **Orlando Nazario v. UC, et al.** Civil Action No. 03-5245 (WHW).

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

949-2005 CHAIRMAN PROCTOR, appointing **John DeMassi, Esq., Scotch Plains, New Jersey**, as special counsel to represent Sgt. William Ahle, replacing Jorge Batista, Esq., in the matter entitled **Nadir Baptiste v. County of Union, et als.** in an amount not to exceed **\$5,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

950-2005 CHAIRMAN PROCTOR, appointing **Joseph Spagnoli, Esq., Cranford, New Jersey**, as special counsel to represent Captain Peter Mastrogiacomo, replacing Jorge Batista, Esq., in the matter entitled **Francis Roberts v. County of Union, et als.** in an amount not to exceed **\$5,000**.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

951-2005 **CHAIRMAN PROCTOR**, appointing **Joseph Spagnoli, Esq., Cranford, New Jersey**, as special counsel to represent Captain Peter Mastrogiacomo, replacing Jorge Batista, Esq., in the matter entitled **Brian & Anna Murphy v. County of Union, et als.** in an amount not to exceed **\$5,000.**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

952-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 1048-2004 (BA. #107)** to the contract with **Greenleaf Landscape Systems, Red Bank, New Jersey**, to reflect the correct contract amount of **\$51,800** for a period of 24 months.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

953-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 757-2005 (BA. #56)** to the contract with **Bayway Lumber, Linden, New Jersey**, to reflect the correct contract amount of **\$40,000** for a period of 24 months.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

THE FOLLOWING RESOLUTIONS WERE LAUDATORY IN CONTENT:

954-2005 **FREEHOLDER ESTRADA**, proclaiming September 26, 2005 as **“Family Day: A Day to Eat with Your Children.”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

955-2005 **FREEHOLDER ESTRADA**, commending **Eduardo del Valle** of Kean University for his experience in architecture and extending best wishes to him as Director of Facility Management and Construction at City University of New York.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

956-2005 **FREEHOLDER ESTRADA**, congratulating **Joseph Keenan, Library Director of Elizabeth**, upon his retirement from the Free Public Library, Elizabeth, New Jersey.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

957-2005 **FREEHOLDER ESTRADA**, congratulating **Sandy Erwin, Education Director**, upon her retirement from the United Way of Union County.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

958-2005 **FREEHOLDER HOLMES**, congratulating **Jim Pfeiffer, Westfield Fire Department** on his brave and courageous rescue of sixteen (16) month old Jonathan Butterfield who was trapped underground at Tamaques Park.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

959-2005 **FREEHOLDER HOLMES**, congratulating **Ebenezer A.M.E. Church, Rahway, New Jersey**, on their 179th Anniversary.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

960-2005 **FREEHOLDER KOWALSKI**, congratulating **Bill Smith** on his retirement from Ash Brook Golf Course Pitch and Putt “Golf Lessons for People with Disabilities” program.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

961-2005 **FREEHOLDER MAPP**, congratulating the **Plainfield Municipal Utilities Authority** as they celebrate their 10th Anniversary.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

962-2005 **FREEHOLDER SCANLON, AND THE ENTIRE BOARD**, congratulating **Arthur L. Johnson High School, Clark, New Jersey**, on their 50th Anniversary Football Program.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

963-2005 **FREEHOLDER WARD**, congratulating **Danuta Sieminski, Linden, New Jersey**, for being named the 2005 Marshal of the General Pulaski Memorial Parade.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

964-2005 **FREEHOLDER WARD**, congratulating **Iwona Chmielewska** who has been crowned the 2005 Miss Polonia of Linden, New Jersey.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

965-2005 **FREEHOLDER WARD**, congratulating **Ania Januszko** who was crowned the 2005 Miss Jr., Polonia of Linden, New Jersey.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

966-2005 **VICE CHAIRMAN MIRABELLA**, congratulating **Mary K. Murphy**, for her time and service to the County of Union and our best wishes on her new endeavor.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

967-2005 **VICE CHAIRMAN MIRABELLA**, congratulating **Sean P. Carr** on his move to Washington, D.C., and many thanks for all his hard and quality work in the County of Union.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

968-2005 **VICE CHAIRMAN MIRABELLA**, congratulating **Matthew J. Coppola, Boy Scout Troop 75, Cranford, New Jersey**, on attaining his Eagle Scout Award.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

969-2005 **VICE CHAIRMAN MIRABELLA, CHAIRMAN PROCTOR AND THE ENTIRE BOARD**, welcoming “Rolling Thunder, Inc.,” to Union County on Sunday, September 18, 2005.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

970-2005 **VICE CHAIRMAN MIRABELLA, CHAIRMAN PROCTOR, AND THE ENTIRE BOARD**, proclaiming September 16, 2005 as “**POW/MIA Remembrance Day**” in Union County.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

971-2005 **CHAIRMAN PROCTOR**, congratulating **Elida Menendez, Union, New Jersey**, upon her retirement from the Union County Board of Election.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

972-2005 **CHAIRMAN PROCTOR**, congratulating **Ann C. Lord, Hillside, New Jersey**, upon her retirement from the Union County Clerk of the Board’s Office.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

973-2005 **CHAIRMAN PROCTOR**, congratulating the following award recipients honored by the **Greater Elizabeth Chamber of Commerce** on their Eighth Annual Dinner on Wednesday, September 14th, 2005:

- ~~✍~~ **NJ American Water, “President’s Award”**
- ~~✍~~ **Michelino’s Pizzeria, “Member to Member Award”**
- ~~✍~~ **Hehl & Hehl, Esq., “Member to Chamber Award”**

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

974-2005 **CHAIRMAN PROCTOR**, proclaiming the week of October 16-22, 2005 as “**School Safety Week**” in Union County.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

975-2005 **CHAIRMAN PROCTOR**, congratulating **Steven Bearden, Summit, New Jersey, Boy Scouts of America, Troop 1, New Providence, New Jersey**, on attaining his Eagle Scout Award.

On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed eight members of the Board voted in the affirmative with Freeholder Ward absent.

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**MEETING OPEN TO THE PUBLIC FOR THE
PURPOSE OF COMMENTING ON
RESOLUTION FROM THE FLOOR ONLY**

There were no comments.

PUBLIC COMMENT PORTION CONCLUDED

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The Chairman called for a motion to suspend the rules. 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.

The Chairman called for a motion to move the Resolution from the floor. 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.

THE FOLLOWING RESOLUTION WAS BEING OFFERED FROM THE FLOOR:

976-2005 CHAIRMAN PROCTOR AND THE ENTIRE BOARD, extending deepest condolences the family of **Yvonne Holley, Roselle, New Jersey**, in this, their time of sorrow.

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.

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

Bruce Patterson, Garwood, commented on professional consultants involved in the Juvenile Detention Center building project.

PUBLIC COMMENT PORTION CONCLUDED

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FREEHOLDER REPORTS AND COMMENTS

Freeholder Estrada had no comments.
Freeholder Holmes had no comments.
Freeholder Kowalski had no comments.
Freeholder Mapp had no comments.
Freeholder Scanlon had no comments.

Vice Chairman Mirabella thanked Chairman Proctor for announcing the POW/MIA Day events, the morning event at the County Courthouse and the afternoon event breaking ground for the Elizabeth Vietnam Veterans Memorial. He thanked Sheriff Froehlich, Freeholder Estrada and Freeholder Sullivan for their help in the fundraising and for working with the committee that instigated the memorial. He also commented on the Rolling Thunder motor cycle event at Warinanco Park. He also welcomed Columbian President Uribe, who is visiting Union County. He also commented on the upcoming Columbus Day ceremony on October 9th, 2005, at the Peterstown Community Center.

Deputy County Manager had no comments.
County Counsel had no comments.
Chairman Proctor had no comments.

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

ADJOURNMENT

The next **Regular Meeting** of the Union County Board of Chosen Freeholders will be held on **September 29, 2005 at 7:00 P.M.** in the Freeholders Meeting Room, Administration Building, 6th Floor, Elizabeth, New Jersey.

The voucher list through **September 14, 2005** will be available for public perusal in the Office of the Clerk of the Board.

Nicole L. Tedeschi
Clerk of the Board

NLT/amc