

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

MINUTES OF THE REGULAR MEETING

OCTOBER 6, 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, and Freeholder Deborah P. Scanlon in attendance. Freeholder Daniel P. Sullivan and Freeholder Nancy Ward were absent.

Also present were County Manager George Devanney, County Counsel Robert Barry and Clerk of the Board Nicole 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 Vice Chairman Mirabella, seconded by Freeholder Estrada, roll call showed six members of the Board voted in the affirmative, with Freeholder Mapp abstaining, and Freeholder Sullivan and Freeholder Ward absent.

APPROVAL OF MINUTES: September 29, 2005 – Regular and Executive Meetings

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

COMMUNICATIONS:

OATHS OF OFFICE: (Note & file)

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The first order of business was the First Reading of Ordinance No. 620-2005.

ORDINANCE NO. 620-2005

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED ‘AN ORDINANCE ADOPTING A CODIFICATION OF THE LAW, ORDINANCES, POLICIES AND RESOLUTIONS 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 TO AMEND THE “LAWS
OF UNION COUNTY”**

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, as outlined in the attached Appendix A:

(See attached)

Note: All text that is underlined is inserted/new language.
All text that is ~~struck through~~ is deleted language.

APPENDIX A

Chapter 26, BENEFITS

[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union: Art. I, 5-14-1987 as Res. No. 396-1987; Art. II, 4-12-1973 as Res. No. 299-1973; Art. III, 6-28-1979 as Res. No. 516-1979; Art. IV, 8-26-1982 as Res. No. 419-1982; Art. V, 11-25-1986 as Res. No. 845-1986; Art. VI, 4-11-2001 as Res. No. 391-2001; Art. VII, 2-13-2003 as Res. No. 153-2003. Amendments noted where applicable.]

GENERAL REFERENCES

**Administrative Code -- See Ch. 1.
Authorities -- See Ch. 20.
Indemnification and defense -- See Ch. 68.**

ARTICLE III, Mileage Reimbursement

[Adopted 6-28-1979 as Res. No. 516-79]

§ 26-3. Rate of reimbursement established.

[Amended 9-24-1992 by Res. No. 749A-92; amended 4-22-04 by Ord. No 596-04; amended 10-27-05 by Ord. No. 620-05]

The Board of Chosen Freeholders of the County of Union hereby establishes as policy of this County the payment of an amount equal to the standard mileage rate established by the Internal

Revenue Code, as amended from time to time, ~~\$0.30 per mile~~ as reimbursement to County employees using their own motor vehicles to conduct authorized County business.

§ 26-4. When available.

[Added 10-25-1984 by Res. No. 679-84]

No member of the Board shall be authorized to receive any reimbursement for mileage for the use of their personal vehicle for any mileage attributed to a trip to or from their homes to the County Administration Building for meetings of the Board of Chosen Freeholders. The Freeholders shall be authorized to receive reimbursement for mileage for use of their personal automobiles and for mileage attributed to all other County business performed by any Freeholder.

§ 26-5. Availability of funds.

[Amended 4-10-2003 by Ord. No. 569]

This policy is subject to the County Manager and the department heads ensuring that the total mileage be closely monitored to ensure availability of funds within the current Budget.

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Freeholder Scanlon moved Ordinance No. 620-2005 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. (Final Adoption: 10/27/05) Seconded by Vice Chairman Mirabella, roll call showed seven members of the Board voted in the affirmative, with Freeholder Sullivan and Freeholder Ward absent.

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

There were no comments.

PUBLIC COMMENT PORTION CONCLUDED

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Chairman Proctor called for a motion to approve resolutions 1023-2005 – 1033A-2005; 1034-2005 – 1039A-2005 and 1040-2005 – 1053-2005. On a motion by Freeholder Estrada, seconded by Freeholder Scanlon, roll call showed seven members of the Board voted in the affirmative, with Freeholder Sullivan and Freeholder Ward absent.

THE FOLLOWING RESOLUTIONS WERE BEING OFFERED FOR ADOPTION:

1023-2005 **FREEHOLDER ESTRADA**, granting permission to the **Elizabeth Board of Education** to bring its Early Childhood Mobile Van to the Andrew Ruotolo Criminal Justice Building, to conduct vision and hearing screenings, and physical and dental examinations to the children attending Herb's House.

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

- 1024-2005** **FREEHOLDER ESTRADA**, authorizing the County Manager to enter into a contract with the **New Jersey Department of Human Services, Division of Disability Services**, and accept a Real Choice Systems Change Grant for an Assistive Technology Project that promotes independent living and safety for Personal Assistance Services Program (PASP) Consumers for the contract period of September 1, 2005 – March 31, 2006 in an amount of **\$22,789.50**.

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

- 1025-2005** **FREEHOLDER ESTRADA**, authorizing the County Manager to enter into a contract with **UC Educational Services Commission, Westfield, New Jersey**, to provide and supervise the educational programs at the Juvenile Detention Center and Children’s Shelter, for the contract period of September 1, 2005 – August 31, 2006 in an amount not to exceed **\$360,718**.

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

- 1026-2005** **FREEHOLDER ESTRADA**, appointing the following to the **Union County Human Services Advisory (HSAC): Kamal Saleh**, (Transportation) January 1, 2005 to December 31, 2007, and **James W. Horne, Jr.** (Volunteer) January 1, 2004 to December 31, 2006 (Replacement for S. Erwin).

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

- 1027-2005** **FREEHOLDER KOWALSKI**, amending **Resolution No. 1136-2004** to the contract with **NeighborCare, Whippany, New Jersey**, to continue to provide pharmaceutical services to the residents/patients at Runnells Specialized Hospital for the contract period of January 1, 2005 – December 31, 2005 in an additional amount of **\$50,000** for a new total contract amount of **\$950,000**.

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

1028-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Pankaja Achar, MD, Elizabeth, New Jersey**, to provide professional services to the patients/residents of Runnells Specialized Hospital for the contract period of December 1, 2005 – November 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 seven members of the Board voted in the affirmative, with Freeholder Sullivan and Freeholder Ward absent.

1029-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Satya Gandotra, MD, Plainfield, New Jersey**, to provide professional services to the patients/residents of Runnells Specialized Hospital for the contract period of December 1, 2005 – November 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 seven members of the Board voted in the affirmative, with Freeholder Sullivan and Freeholder Ward absent.

1030-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **August Salvatore, MD, Clark, New Jersey**, to provide professional services to the patients/residents of Runnells Specialized Hospital for the contract period of December 1, 2005 – November 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 seven members of the Board voted in the affirmative, with Freeholder Sullivan and Freeholder Ward absent.

1031-2005 **FREEHOLDER KOWALSKI**, amending **Resolution No. 265-2005** to the contract with **Direct Supply, Milwaukee, WI**, to add the Dietary Department for the purchase of equipment for the contract period of January 1, 2005 – December 31, 2005 in an additional amount of **\$1,922.02** for a new total contract amount of **\$68,622.02**.

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

1032-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager, through the Division of Cultural and Heritage Affairs to hire, engage and compensate the providers of such goods and services as may be needed to provide the **New Jersey State Senior Citizen Art Show**; and that the County Manager approve each on a case-by-case basis for services in an amount not to exceed **\$6,150** during 2005.

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

- 1033-2005 FREEHOLDER KOWALSKI**, amending **Resolution No. 263-2005**, to delete the **Women’s Resource Center** in the amount of **\$2,150**, which is no longer functioning from the list of Arts Grant recipients and to add the **Borough of Fanwood**, thereby authorizing the County Manager to execute any and all applications and agreements for an arts grant with the Borough of Fanwood.

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

- 1033A-2005 FREEHOLDER SCANLON**, adopting as **“Policy”** authorizing matching paid leave of absence for volunteers for service for Hurricane Katrina efforts.

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

- 1034-2005 FREEHOLDER SULLIVAN**, modifying the 2005 Union County Adopted Budget in the amount of **\$193,027** as a result of notification received from New Jersey Community Affairs for a program entitled: **“Community Service Block Grant.”**

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

- 1035-2005 FREEHOLDER SULLIVAN**, modifying the 2005 Union County Adopted Budget in the amount of **\$303,877** as a result of notification received from the US Department of Justice for a program entitled: **“2005 Justice Assistance Grant – JAG Equipment.”**

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

- 1036-2005 FREEHOLDER SULLIVAN**, modifying the 2005 Union County Adopted Budget in the amount of **\$65,000** as a result of notification received from D. Cerdeira and Redwood Tree Inc., for a program entitled: **“Parkland Boundaries.”**

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

- 1037-2005** **FREEHOLDER SULLIVAN**, modifying the 2005 Union County Adopted Budget in the amount of **\$55,000** as a result of notification received from the New Jersey Division of State Police for a program entitled: **“Emergency Management Assistance (EMA) Funding.”**

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

- 1038-2005** **FREEHOLDER SULLIVAN**, modifying the 2005 Union County Adopted Budget in the amount of **\$22,790** as a result of notification received from the New Jersey Division of Disability Services for a program entitled: **“Disability Grant Assistive Technology Project.”**

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

- 1039-2005** **FREEHOLDER SULLIVAN**, modifying the 2005 Union County Adopted Budget in the amount of **\$8,496** as a result of notification received from the New Jersey Division of Criminal Justice for a program entitled: **“Megan’s Law.”** In addition, appropriating **\$944** from the matching funds grant entitled: **“Match-Megan’s Law.”**

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

- 1039A-2005** **FREEHOLDER SULLIVAN**, endorsing the **2006 PHA Annual Plan for Housing Assistance Payment Program** in the County of Union.

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

- 1040-2005** **FREEHOLDER WARD**, appointing the following to the **Union County Air Traffic and Noise Advisory Board** for a term commencing immediately and terminating December 31, 2006: **Jeffrey Robinson, Rahway, New Jersey, (Member)** and **Joseph Paszek, Rahway, New Jersey, (Alternate)**.

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

1041-2005 **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:**

- a. RUNNELLS SPECIALIZED HOSPITAL: **CBay Systems, Ltd., Annapolis, Maryland**, to provide medical transcription and delivery service for a contract period of twenty-four (24) consecutive months in an amount not to exceed **\$80,960**.

- b. OFFICE OF THE COUNTY CLERK: **County Business Systems, Pennington, New Jersey**, to create (150) new index books as specified from 16mm and 35mm microfilm records for use in the public record room in an amount of **\$31,605**.

- c. DEPARTMENT OF ENGINEERING AND PUBLIC WORKS: **Arrow Steel Window Corporation, East Farmingdale, New York**, to provide window and storefront replacement for the Union County Board of Election Building in an amount of **\$233,400**.

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

1042-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into a professional services agreement with **Sexual Assault Nurse Examiners** to serve as independent contractors for the County of Union SART/SANE Program for the contract period of October 1, 2005 – December 31, 2006 in an amount not to exceed **\$70,740**.

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

1043-2005 **CHAIRMAN PROCTOR**, applying for and accepting funding from the **State of New Jersey, Division of Criminal Justice, 2004 Local Law Enforcement Block Grant Program**, for the purpose of continuing the enforcement of Megan's Law in Union County for the contract period of October 3, 2005 – October 2, 2006 in an amount of **\$8,496**, with a County Match requirement of **\$944**, for a total contract amount of **\$9,440**.

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

- 1044-2005** **CHAIRMAN PROCTOR**, applying for and accepting funding from the **New Jersey Division of Criminal Justice, Gang Suppression Initiative**, in order to continue law enforcement efforts to prosecute gang-related crime in Union County and educate school-aged children about the dangers of gang participation for the period of September 1, 2005 – August 31, 2006 in an amount of **\$180,000**, with a County Match requirement of **\$60,000**, for a total contract amount of **\$240,000**.

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

- 1045-2005** **CHAIRMAN PROCTOR**, approving the settlement of pending litigation entitled **Lazarska v. County of Union, et als.** in an amount of **\$50,000** as recommended by the Department of Law, Office of the County Counsel.

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

THE FOLLOWING RESOLUTIONS WERE LAUDATORY IN CONTENT:

- 1046-2005** **FREEHOLDER KOWALSKI**, commending the staff of **Jersey Gardens Outlet Mall**, for their dedicated efforts to promote National Arts and Humanities Month.

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

- 1047-2005** **FREEHOLDER KOWALSKI**, designating October 2005 as “**National Arts and Humanities Month**” and further proclaiming October 15th and 16th as “**Visit Four Centuries in a Weekend.**”

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

- 1048-2005** **FREEHOLDER KOWALSKI**, acknowledging **Schering-Plough Corporation**, for hosting a reception and for its leadership role in promoting partnerships between the private and public sectors which encourage support for the arts, history and humanities in Union County.

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

- 1049-2005** **FREEHOLDER KOWALSKI**, congratulating the **Cranford Historical Society** for its dedication and commitment in the preservation of Cranford’s history through the restoration of the Crane-Phillips House Museum.

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

- 1050-2005** **FREEHOLDER SULLIVAN**, declaring the week of October 2 – 8, 2005 as “**Mental Health Awareness Week**” in Union County.

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

- 1051-2005** **VICE CHAIRMAN MIRABELLA**, acknowledging the **Columbus Day Parade Association of Union County “500th Inc.**, sponsoring the Annual Christopher Columbus Celebration to be held at the Peterstown Community Center, Elizabeth, New Jersey, on Sunday, October 9, 2005 honoring Columbus’s 513th Anniversary of his discovery of America.

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

- 1052-2005** **CHAIRMAN PROCTOR**, proclaiming the week of October 23 – 31, 2005 as “**Red Ribbon Week**” in Union County.

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

- 1053-2005** **CHAIRMAN PROCTOR**, extending deepest condolences to the family of **Giuseppini Esposito, Elizabeth, New Jersey**, in this, their time of sorrow.

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

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

Kevin Recha, Roselle Street, Linden, commented on the fact that he had information that there were convicted pedophiles and sex offenders residing in Union County. Mr. Recha asked the Board to pass a Resolution to make Union County parks “pedophile free zones” (presumably with increased penalties for offenses in these zones.) Freeholder Scanlon said she would bring it up before The Policy Committee. Mr. Recha also asked if there were any plans to upgrade the Union County Fire Training Facility in Linden. Vice Chairman Mirabella stated that there is some discussion about finding a new location for facility for fire services training. The Vice Chairman said he recently took a tour of the Somerset County fire academy, doing research into the question of upgrading or developing a new facility.

Freeholder Mapp asked Mr. Recha how he gathered his information regarding this issue. Mr. Recha responded that he had looked on the State Police website.

Tony Grace, Elizabeth, Vice Commander of Bayway Post 260 of the American Legion, apologized to Freeholder Estrada for any misunderstanding that may have occurred at a previous meeting on the issue of the condition of footstones at the Mount Olive veterans’ cemetery. Mr. Grace also reiterated his concerns on that issue.

PUBLIC COMMENT PORTION CONCLUDED

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FREEHOLDER REPORTS AND COMMENTS

Freeholder Estrada had no comments.

Freeholder Holmes had no comments.

Freeholder Kowalski reminded everyone that the Annual Four Centuries in a Weekend is coming up on October 15-16, and encouraged everyone to come out and participate in that event.

Freeholder Mapp had no comments.

Freeholder Scanlon had no comments.

Vice Chairman Mirabella reported that the Homeland Security Committee met and has reviewed the TOPOFF Exercise report. The report examines what went well, what could have been done better during the exercise and what action will be taken. The Vice Chairman also reported that the upcoming School Safety Symposium is being conducted by a Police Officer who was on the scene of the Columbine, Colorado high school

shootings. The symposium will be held October 16-17, and is a two-day conference for school safety officials.

The County Manager had no comments.

The County Counsel had no comments.

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

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The next **Regular Meeting** of the Union County Board of Chosen Freeholders will be held on, **October 27, 2005 at 7:00 PM** in the Freeholders Meeting Room, Administration Building, 6th Floor, Elizabeth, New Jersey.

ADJOURNMENT

Nicole L. Tedeschi
Clerk of the Board

NLT/amc