

**UNION COUNTY BOARD OF CHOSEN FREEHOLDERS**

**MINUTES OF THE REGULAR MEETING**

**APRIL 27, 2006**

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

Also in attendance were Deputy County Manager M. Elizabeth Genievich and Clerk of the Board Nicole L. Tedeschi. County Manager George Devanney and County Counsel Robert Barry were absent.

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

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

County Manager George Devanney and County Counsel Robert Barry enter the meeting at this time.

Chairman Mirabella called for a motion to approve the minutes of the April 6, 2006 – Agenda, Executive and Regular Meetings; April 20, 2006 – Agenda Meeting. A motion was made by Vice Chair Kowalski and seconded by Freeholder Proctor. Roll call showed eight members of the Board in the affirmative with Freeholder Estrada absent.

**APPROVAL OF MINUTES: April 6, 2006 – Agenda, Executive and Regular Meetings; April 20, 2006 – Agenda Meeting.**

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Chairman Mirabella called for a motion to approve the Communications. A motion was made by Freeholder Sullivan and seconded by Vice Chair Kowalski roll call showed eight in the affirmative. Freeholder Estrada was absent.

**COMMUNICATIONS:**

**OATHS OF OFFICE: (Note & file)**

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**PUBLIC HEARING:**

**SOLID WASTE MANAGEMENT PLAN**

The first order of business will be a Public Hearing on the Solid Waste Management Plan and the final reading of Ordinance No. 625-2006.

See attached stenographer's transcript.

**ORDINANCE NO. 625-2006**

**AN ORDINANCE AMENDING THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN TO INCLUDE D-WOOD, INC. BLOCK 8, LOT 428-Y-10 IN THE CITY OF ELIZABETH, NEW JERSEY, INTO THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN AS A CLASS B RECYCLING FACILITY.**

ORDINANCE NO. 625-2006 was introduced and passed on first reading by the Board of Chosen Freeholders at a REGULAR MEETING on **March 9<sup>th</sup> 2006**, and said Ordinance has been published with Notice of Introduction there of and of the time and place fixed for its further consideration and the Board has duly held a hearing thereof and has given all persons interested an opportunity to be heard. NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders that said Ordinance be and the same hereby is finally passed and adopted, and be it FURTHER RESOLVED, that the Ordinance published herewith has been finally adopted on **April 27<sup>th</sup> 2006**, and the 20 day period of limitations within which a suit, action or proceeding questioning the validity of such Ordinance can be commenced has begun to run from the date of first publication of this statement.

**Nicole L. Tedeschi, Clerk of the Board of Chosen Freeholders**

**AN ORDINANCE AMENDING THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN TO INCLUDE D-WOOD, INC., BLOCK 8, LOT 428-Y-10 IN THE CITY OF ELIZABETH, NEW JERSEY INTO THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN AS A CLASS B RECYCLING FACILITY.**

*WHEREAS*, pursuant to the Solid Waste Management Act, N.J.S.A. 13:1E-1 *et seq.* (the "Act"), each county within the State of New Jersey is designated a solid waste management district with responsibility for the development of a solid waste management plan setting forth the solid waste disposal strategy to be applied in the district; and

*WHEREAS*, the Board of Chosen Freeholders of the County of Union (the "County") has adopted the Union County District Solid Waste Management Plan, as amended from time to time (the "County Plan"); and

*WHEREAS*, the County has designated the Union County Utilities Authority (the "UCUA") as the agency responsible for implementing the County Plan; and

*WHEREAS*, the UCUA did on March 15, 2006 adopt Resolution 27-2006, a copy of which is attached hereto, which recommends to the Board of Chosen Freeholders that include D-Wood,

Inc., Block 8, Lot 428-y-10 in the City of Elizabeth be included in the County Plan as a Class B Recycling Facility; and

**WHEREAS**, a copy of this Ordinance together with the attached is available for public inspection at the Office of the Clerk of the Board of Chosen Freeholders at the Union County Administration Building, Freeholders Meeting Room, Administration Building, 6<sup>th</sup> Floor, Elizabethtown Plaza, Elizabeth, New Jersey; at the offices of each Municipal Clerk in the County of Union; and at the offices of the Union County Utilities Authority, 1499 Routes 1 & 9 North, Rahway, New Jersey, during regular business hours; and

**WHEREAS**, a Public Hearing on the amendment will be held by the Board of Chosen Freeholders on April 27, 2006 at which time all persons having interest in the amendment will be given an opportunity to be heard and make comments or pose questions concerning the proposed amendment:

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Chosen Freeholders of the County of Union that it hereby approves and adopts the Plan Amendment annexed hereto and that a certified copy of this Ordinance, as finally adopted, together with the Plan Amendment, supporting data and a copy of the transcript of the public hearing be forwarded to the New Jersey Department of Environmental Protection for review and certification as provided by law.

This Ordinance shall take effect at the time and in the manner provided by law.

The Clerk of the Board shall and is hereby directed to publish a notice in the appropriate newspapers of such introduction and the holding of a Public Hearing on April 27, 2006 and shall forward one certified copy, upon final passage, to each Clerk of all Municipalities located within the County of Union.

**MEETING OPEN TO THE PUBLIC FOR THE  
PURPOSE OF COMMENTING ON  
ORDINANCE NO. 625-2006 ONLY**

County Counsel Barry introduced Gina Bilangi, Esq. from DeCotis, Fitzpatrick and Gluck, Special Counsel to the Union County Utilities Authority. Ms. Bilangi introduces Executive Director Sunil K. Garg, Ph.D., Esq. and John Purvis, Esq., and Ed Traina, CME Associates, Consulting Engineer.

Freeholder Proctor asked what a Class B facility is. Ed Traina explained that it is construction related recycling. Specifically it is collecting and recycling of wood.

Vincent Lehotsky, formerly a Union County resident now residing in South Carolina made statements about South Carolina's practice of burning recycling and submitted pictures. He's supportive of Union County's Solid Waste Plans.

**PUBLIC COMMENT PORTION CONCLUDED**

Chairman Mirabella asked Freeholder Holmes to move Ordinance No. 625-2006 for Final Reading and to authorize the Clerk of the Board to advertise the same in accordance with the law. Freeholder Holmes made a motion to move Ordinance No. 625-2006 seconded by Freeholder Proctor. Roll call showed eight Freeholders voted in the affirmative. Freeholder Estrada was absent.

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### **PRESENTATIONS TO THE PUBLIC**

Chairman Mirabella stated that there would be several presentations. The Chairman called upon Vice Chair Kowalski to present the Resolution for National Architecture Month. Vice Chair Kowalski called upon Sean Ryan, of the Union County Parks and Recreation Department and Jeffrey A. Tandul of the ENVIRONMENTORS in Linden. Sean Ryan made mention of the great landscape architecture that exists in Union County. Many of the Parks were created by the Olmstead firm. Vice Chair Kowalski congratulated Mr. Tandul for his appointment to the Union County Parks Advisory Committee. Mr. Tandul thanked the Board of Freeholders and gave each Freeholder a media kit and handout for their review.

Chairman Mirabella asked Freeholder Scanlon to present the Shade Tree Contest Award Winners their Resolutions and checks. Freeholder Scanlon was pleased to present Resolutions for poems written by the students for their Arbor Day celebration. Freeholder Scanlon is the Freeholder Liaison for the Shade Tree Advisory Board. Freeholder Scanlon thanked Williams Nursery in Westfield, and Dave Williams in particular for his participation in the Arbor Day celebration with the children. Each student was given a Flowering Pear tree and was told how to take care of the tree as well as proper planting and lighting techniques. Three students were asked to recite their poems: Christine Sebastiao, St. Genevieve School in Elizabeth, 7<sup>th</sup> Grader Sara Power, Holly Trinity School in Westfield and Adele Delaney from St. Bartholomew School in Scotch Plains. The Freeholder thanked everyone for their participation and their hard work.

Chairman Mirabella then called upon Susan Pepper, Coordinator of the Volunteer Services to join him in presenting the Annual Volunteerism Awards. Ms. Pepper said that this was the 5<sup>th</sup> year of doing the Annual Volunteerism Awards and she was pleased. The theme for the 2006 awards was: "Inspire by Example". The Chairman calls Mr. Marvin Smith. Mr. Smith has been a literacy volunteer for Union County. His students say that he tutors with great enthusiasm. Chairman Mirabella calls Freeholder Mapp to join him to present the award to Dr. Inez Phillips Durham. Freeholder Mapp read the nomination. Dr. Durham spoke and thanked the the Board for this recognition. Chairman Mirabella than asked for Freeholder Sullivan to join him for the next presentation. Freeholder Sullivan asked Peggy Lore of Elizabeth to come and accept a Resolution for the volunteer work with the children of the 4H club. Chairman Mirabella asked Freeholder Scanlon to come and present the Resolution to the Psi Sigma Phi Fraternity. Three gentlemen from the fraternity accepted the award saying that it was a great satisfaction to be recognized for their efforts, however, they make these efforts to give back to the community. Chairman Mirabella congratulated the fraternity and said he is glad to see such a positive statement being made by a national fraternity.

Chairman Mirabella asked Vincent Lehotsky and Susan Lehotsky to come forward and receive a Resolution in condolence upon the passing of Frank Turro, Susan Lehotsky's uncle.

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**The next order of business was the Final Reading of Ordinance No. 626-2006.**

**ORDINANCE NO. 626-2006**

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING AND ESTABLISHING FEES FOR COUNTY ROAD OPENING OR EXCAVATION, BRIDGE CROSSING, CURB AND DRIVEWAY PERMITS AND TO PROTECT COUNTY ROADS, CURBS AND BRIDGES AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF" ADOPTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION ON JULY 24, 1997.**

**PUBLIC NOTICE**

ORDINANCE NO. 626-2006 was introduced and passed on first reading by the Board of Chosen Freeholders at a REGULAR MEETING on March 9<sup>th</sup> 2006, and said Ordinance has been published with Notice of Introduction there of and of the time and place fixed for its further consideration and the Board has duly held a hearing thereof and has given all persons interested an opportunity to be heard. NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders that said Ordinance be and the same hereby is finally passed and adopted, and be it FURTHER RESOLVED, that the Ordinance published herewith has been finally adopted on April 27<sup>th</sup> 2006, and the 20 day period of limitations within which a suit, action or proceeding questioning the validity of such Ordinance can be commenced has begun to run from the date of first publication of this statement.

Nicole L. Tedeschi, Clerk of the Board of Chosen Freeholders

***AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING AND ESTABLISHING FEES FOR COUNTY ROAD OPENING OR EXCAVATION, BRIDGE CROSSING, CURB AND DRIVEWAY PERMITS AND TO PROTECT COUNTY ROADS, CURBS AND BRIDGES AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF" ADOPTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION ON JULY 24, 1997.***

**BE IT ORDAINED** by the Board of Chosen Freeholders of the County of Union that Chapter 46 of the *Laws of Union County - Administrative Code and General Policies & Legislation* is hereby amended as follows in the attached Fee Schedule:

*Strikeover indicates language being deleted.*

**Bold and underlined indicates language being inserted.**

CONTINUED

**FEE SCHEDULE**  
**FOR COUNTY CONSTRUCTION PERMITS**

|                                                             | <b><u>REVISED FEE</u></b>                  | <b><u>PAST FEE</u></b>                                                        |
|-------------------------------------------------------------|--------------------------------------------|-------------------------------------------------------------------------------|
| <b><u>ROAD OPENING PERMITS</u></b>                          |                                            |                                                                               |
| <b>Application Fees</b>                                     |                                            |                                                                               |
| Normal                                                      | \$ 36.00                                   | <del>\$ 30.00</del>                                                           |
| Non-reported opening                                        | \$ 108.00                                  | <del>\$ 90.00</del>                                                           |
| <b>Permit Fee</b>                                           |                                            |                                                                               |
| Up to 20 sq. ft.                                            | \$ 48.00                                   | <del>\$ 40.00</del>                                                           |
| Between 20 & 80 sq. ft.                                     | \$ 120.00                                  | <del>\$ 100.00</del>                                                          |
| Addition over 80 sq. ft.                                    | \$ .60 per sq. ft.                         | <del>\$ .50 per sq. ft.</del>                                                 |
| Multiple openings are a minimum of                          | \$ 48.00 each                              | <del>\$ 40.00</del>                                                           |
| <b>Cash Bond</b>                                            |                                            |                                                                               |
| Up to 43 sq. ft.                                            | Same                                       | \$ 800.00                                                                     |
| Over 43 sq. ft.                                             | Same                                       | \$ 18.75 per sq. ft./<br>per opening                                          |
| Multiple Openings<br>Newly paved roads<br>(5 years or less) | Same<br>Same                               | \$ 800.00 each<br>\$0.00 - \$10,000.00<br>as determined by<br>County Engineer |
| <b><u>CURB PERMITS</u></b>                                  |                                            |                                                                               |
| <b>Application Fee</b>                                      | \$ 24.00                                   | <del>\$ 20.00</del>                                                           |
| <b>Permit Fee</b>                                           |                                            |                                                                               |
| Depressed curb<br>(driveway opening)                        | \$ 0.60 per linear ft.<br>\$ 30.00 minimum | <del>\$ 0.50</del><br><del>\$ 25.00</del>                                     |
| Full height curb                                            | \$ 0.60 per linear ft.<br>\$ 30.00 minimum | <del>\$ 0.50</del><br><del>\$ 25.00</del>                                     |

|                       |                            |                                       |
|-----------------------|----------------------------|---------------------------------------|
| <b>Cash Bond</b>      |                            |                                       |
| For a single driveway | \$ 20.00<br>per linear ft. | <del>\$ 12.00</del><br>per linear ft. |
| All others            | \$ 20.00<br>per linear ft. | <del>\$ 12.00</del><br>per linear ft. |

**BRIDGE PERMITS**

|                                     |                                                    |                      |
|-------------------------------------|----------------------------------------------------|----------------------|
| Application Fee                     | \$ 36.00                                           | <del>\$ 30.00</del>  |
| Permit Fee                          | \$ 300.00                                          | <del>\$ 250.00</del> |
| All work within 10 ft.<br>of bridge |                                                    |                      |
|                                     | outside of these limits - same as Road Opening Fee |                      |

|                                     |      |                                          |
|-------------------------------------|------|------------------------------------------|
| <b>Cash Bond</b>                    |      |                                          |
| All work within 10 ft.<br>of bridge | Same | \$ 1,600.00                              |
| Outside these limits                | Same | \$ 400.00 for each<br>200 sq. of opening |

[Adopted 12-11-1986 by Ord. No. 260; amended 6-12-1997 by Ord. No. 450; amended 4-27-2006 by Ord. No. 626]

**PREAMBLE**

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE ADOPTING A CODIFICATION OF THE LAWS, 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.**

**BE IT ORDAINED** by the Board of Chosen Freeholders of the County of Union that Chapters 1 and 49 of the *Laws of Union County - Administrative Code and General Policies & Legislation* are hereby amended as follows in the attached Appendix A:

*Strikeover indicates language being deleted.*

**Bold and underlined indicates language being inserted.**

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## APPENDIX A

### Chapter 1, UNION COUNTY GOVERNMENT STRUCTURE

[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union 4-28-1976 by Ord. No. 1; amended in its entirety by Ord. No. 9-1984. Subsequent amendments noted where applicable.]

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#### ARTICLE XVII, Department of Administrative Services

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[Added 7-18-1991 by Ord. No. 337; amended 4-27-06 by Ord. No. 627]

##### **§ 1-99.2. Division of Purchasing.**

A. Under the direction and supervision of the Director of Administrative Services, the Division of Purchasing's functions and responsibilities shall include:

- (1) Procuring goods and services required by all County departments, including the appropriate bid invitations, evaluations and recommendations to the awarding authority.
- (2) Updating and upgrading of specifications for all commodities and services purchased for the County to fit requirement decisions to the best market advantage of the County, considering all factors, including quality, quantity, time and place.
- (3) Receiving, storing, issuing and accountability of and for surplus obtained for general consumption.
- (4) Collecting, selling and disposing of surplus property according to policy.
- (5) Developing and installing a comprehensive inventory and control system for all equipment.

B. Purchasing generally.

- (1) Pursuant to the County Manager's designation of applicable subaccounts within the chart of subaccounts, all purchases for any department shall be made by the County Purchasing Agent as head of the Division of Purchasing, pursuant to a written requisition from the head of the department whose appropriation will be charged and the certification of the Department of Finance that a sufficient unencumbered balance of appropriation is available. Prior to payment, funds shall be encumbered by the Department of Finance. All such purchases which require competitive bidding shall conform to applicable requirements of the Local Public Contracts Law.



- (2) Pursuant to the County Manager's designation of applicable subaccounts within the chart of subaccounts, direct payment will be made pursuant to the certification of the Department of Finance that a sufficient unencumbered balance of appropriation to be charged is available to pay therefor.
- (3) The Director of each Department shall designate, in writing, the name or names of employees in the department authorized to receive supplies, materials and equipment. The person so designated shall accept deliveries and sign for them only where the goods are in exact conformity with the order. Should there be any doubt as to quantity or quality, the receiving employees shall immediately notify the department head for appropriate action. If any supplies, materials or equipment are rejected, the department head shall immediately notify the Department of Administrative Services.
- (4) Except as the County Manager or his or her designee may authorize in case of emergency, no purchase shall be made and no bill, claim or voucher shall be approved unless the procedures prescribed by the Code have been followed.
- (5) Emergency purchases. The Purchasing Agent shall establish a procedure for the purchase of any item or items required for the immediate protection of the public health, safety, morals or welfare, which will permit such emergency purchases to be made for specific purposes in a manner other than that prescribed by the Code. Such procedure shall be approved by the County Manager.
- (6) Purchasing by quotation. For all contracts that in the aggregate are less than the bid threshold but 15 percent or more of that amount, the contracting agent shall award the contract after soliciting at least two competitive quotations, if practicable. The award shall be made to a vendor whose response is most advantageous, price and other factors considered. The contracting agent shall retain the record of the quotation solicitation and shall include a copy of the record with the voucher used to pay the vendor. Where purchases in excess of \$500 are made without competitive bidding, the Purchasing Agent shall obtain, wherever possible, at least three written price quotations for the item or items to be purchased and shall record and maintain such quotations in his office as a public record. Whenever circumstances permit, the purchase shall be made from the lowest of such quotations received from a responsible supplier.
- (7) ~~Reserved. Standards and tests. The Purchasing Agent shall establish or approve uniform standards for requisitions and purchases. He shall control the delivery of all supplies, materials and equipment and other items purchased and shall make or cause to be made test checks and inspections thereof. He shall ascertain whether the said supplies, materials, equipment and other items purchased comply with the specifications and shall cause laboratory or other tests to be made whenever, in his opinion, it is necessary to determine whether the materials, supplies or equipment furnished are of the quality and standard required.~~
- (8) Confirmation of delivery. Immediately following each accepted delivery, the authorized departmental representative shall forward to the Purchasing Agent the accepted shipping advice, ticket or confirmation.
- (9) Contracts generally. Within the limits of available appropriations, the County Manager is authorized to negotiate and enter into contracts and other legally binding obligations

of the County. Any such document shall be approved by the County Counsel for legal form and adequacy and by the Department of Finance for sufficiency of funds and signed by the County Manager and attested by the Clerk of the Board.

- (10) Award of contracts. ~~In accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.. Where contracts are let by competitive bidding, the County Manager, or his authorized representative designated in writing prior to the opening of bids, shall act as the County's "contracting agent" for the purposes of the Local Public Contracts Law (P.L. 1971, c. 198). He shall award such contracts in the manner provided by law and shall promptly report the same to the Board.~~

- C. Division head. The Director of the Division of Purchasing shall be the head of the Division and shall be responsible to the Director of Administrative Services for its operation.

## **Chapter 49, FEES**

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

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### **Article V, Engineering & Public Works Fees**

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[Adopted 4-27-2006 by Ord. No. 627]

#### **§ 49-7. Fees for Line Striping & Roadway Markings.**

The following fees are hereby established for individual municipalities to be charged when the County of Union is requested to paint the centerline striping and other roadway markings of roads maintained by the municipality:

- A. Fee of ten Cents (\$0.10) per linear foot of four inch (4") line for basic overspray, with an additional charge of two Cents (\$0.02) per linear foot of four inch (4") line if layout is on an unmarked existing surface.

It is the intent of this Ordinance to supersede Resolution 571-1995, passed by the Board of Chosen Freeholders on June 22, 1995.

#### **§ 49-8. Fees for Sign Fabrication and Vehicle Lettering.**

The following fees are hereby established for individual municipalities to be charged when the County of Union is requested to fabricate signs and vehicle lettering to be used by the municipality:

- A. Fee of \$9.75 per square foot for retro-reflective signage;  
B. Fee of \$4.86 per square foot for non-reflective signage;  
C. Fee of \$3.56 per square foot for basic lettering/decal service, with an additional charge of \$0.38 per square foot if metallic foil is requested, or an additional charge of \$1.98 per square foot if retro-reflective sheeting is requested.

**§ 49-9. Tipping Fees Charged to Municipalities for Compost.**

The following fees are hereby established for individual municipalities to be charged when utilizing the County of Union Compost Facility:

- A. Tipping Fee of \$1.00 per cubic yard of un-compacted leaves accepted for composting at the County of Union Compost Facility;
- B. Tipping Fee of \$2.00 per cubic yard of compacted leaves accepted for composting at the County of Union Compost Facility.

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**MEETING OPEN TO THE PUBLIC FOR THE  
PURPOSE OF COMMENTING ON  
ORDINANCE NO. 626-2006 ONLY**

There were no comments.

**PUBLIC COMMENT PORTION CONCLUDED**

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Chairman Mirabella moved Ordinance No. 626-2006 for Final Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. The motion was seconded by Freeholder Ward. Roll call showed eight members of the Board in the affirmative. Freeholder Estrada was absent.

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**The next order of business was the Final Reading of Ordinance No. 627-2006.**

**ORDINANCE NO. 627-2006**

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE ADOPTING A CODIFICATION OF THE LAWS, 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.**

**ORDINANCE NO: 627-2006** the following proposed Ordinance was introduced and passed on the first reading at a Regular Meeting of the Board of Chosen Freeholders of the County of Union, New Jersey held on the **30<sup>TH</sup> day of March, 2006** and said Ordinance will be taken up for further consideration for final passage at a meeting of said Board to be held at its meeting room in the Administration Building, Elizabeth, New Jersey, on the **27<sup>TH</sup> day of April , 2006, at 7:00**

**p.m.**, or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

A copy of this Ordinance has been posted on the Bulletin Board upon which public notices are customarily posted in the Union County Administration Building of the County of Union and a copy is available up to and including the time of such meeting to the members of the general public of the County who shall request such copies, at the Office of the Clerk of the Board of Chosen Freeholders in said Administration Building, Elizabeth, New Jersey.

**Nicole L. Tedeschi, Clerk of the Board of Chosen Freeholders**

### **PREAMBLE**

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE ADOPTING A CODIFICATION OF THE LAWS, 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.**

**BE IT ORDAINED** by the Board of Chosen Freeholders of the County of Union that Chapters 1 and 49 of the *Laws of Union County - Administrative Code and General Policies & Legislation* are hereby amended as follows in the attached Appendix A:

*Strikeover indicates language being deleted.*

**Bold and underlined indicates language being inserted.**

**CONTINUED**

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### **APPENDIX A**

## **Chapter 1, UNION COUNTY GOVERNMENT STRUCTURE**

[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union 4-28-1976 by Ord. No. 1; amended in its entirety by Ord. No. 9-1984. Subsequent amendments noted where applicable.]

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## **ARTICLE XVII, Department of Administrative Services**

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[Added 7-18-1991 by Ord. No. 337; amended 4-27-06 by Ord. No. 627]

### **§ 1-99.2. Division of Purchasing.**

D. Under the direction and supervision of the Director of Administrative Services, the Division of Purchasing's functions and responsibilities shall include:

- (6) Procuring goods and services required by all County departments, including the appropriate bid invitations, evaluations and recommendations to the awarding authority.
- (7) Updating and upgrading of specifications for all commodities and services purchased for the County to fit requirement decisions to the best market advantage of the County, considering all factors, including quality, quantity, time and place.
- (8) Receiving, storing, issuing and accountability of and for surplus obtained for general consumption.
- (9) Collecting, selling and disposing of surplus property according to policy.
- (10) Developing and installing a comprehensive inventory and control system for all equipment.

E. Purchasing generally.

- (11) Pursuant to the County Manager's designation of applicable subaccounts within the chart of subaccounts, all purchases for any department shall be made by the County Purchasing Agent as head of the Division of Purchasing, pursuant to a written requisition from the head of the department whose appropriation will be charged and the certification of the Department of Finance that a sufficient unencumbered balance of appropriation is available. Prior to payment, funds shall be encumbered by the Department of Finance. All such purchases which require competitive bidding shall conform to applicable requirements of the Local Public Contracts Law.
- (12) Pursuant to the County Manager's designation of applicable subaccounts within the chart of subaccounts, direct payment will be made pursuant to the certification of the Department of Finance that a sufficient unencumbered balance of appropriation to be charged is available to pay therefor.
- (13) The Director of each Department shall designate, in writing, the name or names of employees in the department authorized to receive supplies, materials and equipment. The person so designated shall accept deliveries and sign for them only where the goods are in exact conformity with the order. Should there be any doubt as to quantity

or quality, the receiving employees shall immediately notify the department head for appropriate action. If any supplies, materials or equipment are rejected, the department head shall immediately notify the Department of Administrative Services.

- (14) Except as the County Manager or his or her designee may authorize in case of emergency, no purchase shall be made and no bill, claim or voucher shall be approved unless the procedures prescribed by the Code have been followed.
- (15) Emergency purchases. The Purchasing Agent shall establish a procedure for the purchase of any item or items required for the immediate protection of the public health, safety, morals or welfare, which will permit such emergency purchases to be made for specific purposes in a manner other than that prescribed by the Code. Such procedure shall be approved by the County Manager.
- (16) Purchasing by quotation. For all contracts that in the aggregate are less than the bid threshold but 15 percent or more of that amount, the contracting agent shall award the contract after soliciting at least two competitive quotations, if practicable. The award shall be made to a vendor whose response is most advantageous, price and other factors considered. The contracting agent shall retain the record of the quotation solicitation and shall include a copy of the record with the voucher used to pay the vendor. ~~Where purchases in excess of \$500 are made without competitive bidding, the Purchasing Agent shall obtain, wherever possible, at least three written price quotations for the item or items to be purchased and shall record and maintain such quotations in his office as a public record. Whenever circumstances permit, the purchase shall be made from the lowest of such quotations received from a responsible supplier.~~
- (17) ~~Reserved. Standards and tests. The Purchasing Agent shall establish or approve uniform standards for requisitions and purchases. He shall control the delivery of all supplies, materials and equipment and other items purchased and shall make or cause to be made test checks and inspections thereof. He shall ascertain whether the said supplies, materials, equipment and other items purchased comply with the specifications and shall cause laboratory or other tests to be made whenever, in his opinion, it is necessary to determine whether the materials, supplies or equipment furnished are of the quality and standard required.~~
- (18) Confirmation of delivery. Immediately following each accepted delivery, the authorized departmental representative shall forward to the Purchasing Agent the accepted shipping advice, ticket or confirmation.
- (19) Contracts generally. Within the limits of available appropriations, the County Manager is authorized to negotiate and enter into contracts and other legally binding obligations of the County. Any such document shall be approved by the County Counsel for legal form and adequacy and by the Department of Finance for sufficiency of funds and signed by the County Manager and attested by the Clerk of the Board.
- (20) Award of contracts. In accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ~~Where contracts are let by competitive bidding, the County Manager, or his authorized representative designated in writing prior to the opening of bids, shall act as the County's "contracting agent" for the purposes of the Local~~

~~Public Contracts Law (P.L. 1971, c. 198). He shall award such contracts in the manner provided by law and shall promptly report the same to the Board.~~

- F. Division head. The Director of the Division of Purchasing shall be the head of the Division and shall be responsible to the Director of Administrative Services for its operation.

## **Chapter 49, FEES**

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

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### **Article V, Engineering & Public Works Fees**

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[Adopted 4-27-2006 by Ord. No. 627]

#### **§ 49-7. Fees for Line Striping & Roadway Markings.**

The following fees are hereby established for individual municipalities to be charged when the County of Union is requested to paint the centerline striping and other roadway markings of roads maintained by the municipality:

- B. Fee of ten Cents (\$0.10) per linear foot of four inch (4") line for basic overspray, with an additional charge of two Cents (\$0.02) per linear foot of four inch (4") line if layout is on an unmarked existing surface.

It is the intent of this Ordinance to supersede Resolution 571-1995, passed by the Board of Chosen Freeholders on June 22, 1995.

#### **§ 49-8. Fees for Sign Fabrication and Vehicle Lettering.**

The following fees are hereby established for individual municipalities to be charged when the County of Union is requested to fabricate signs and vehicle lettering to be used by the municipality:

- D. Fee of \$9.75 per square foot for retro-reflective signage;  
E. Fee of \$4.86 per square foot for non-reflective signage;  
F. Fee of \$3.56 per square foot for basic lettering/decals service, with an additional charge of \$0.38 per square foot if metallic foil is requested, or an additional charge of \$1.98 per square foot if retro-reflective sheeting is requested.

#### **§ 49-9. Tipping Fees Charged to Municipalities for Compost.**

The following fees are hereby established for individual municipalities to be charged when utilizing the County of Union Compost Facility:

- C. Tipping Fee of \$1.00 per cubic yard of un-compacted leaves accepted for composting at the County of Union Compost Facility;

D. Tipping Fee of \$2.00 per cubic yard of compacted leaves accepted for composting at the County of Union Compost Facility.

\* \* \* \* \*

**MEETING OPEN TO THE PUBLIC FOR THE  
PURPOSE OF COMMENTING ON  
ORDINANCE NO. 627-2006 ONLY**

Bruce Paterson, Garwood asked for clarification of the phrase “saving from repeal”. County Counsel stated that it was an amendment of the Legislative Code for the Department of Purchasing. Mr. Paterson made mention of County Appreciation week in Union County.

**PUBLIC COMMENT PORTION CONCLUDED**

\* \* \* \* \*

Chairman Mirabella made the motion to move ordinance No. 627-2006 for Final Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. The motion was seconded by Freeholder Proctor. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

\* \* \* \* \*

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

Jerry Goldman, Elizabeth commented on the Division of Aging, Visiting Nurses and Health Services Resolution 2006-442. He asked the Board how this could be done legally with the merger. County Counsel stated that he was not aware of the merger, but would have the Director of Human Services look further into this claim.

Patricia Quatrochi of Garwood commented on Resolution 2006-447 and expressed concern about the amount of money the Improvement Authority had at its discretion and also stated that she was concerned about Cherron Rountree’s employment at the Union County Democratic Committee while holding a position on the Improvement Authority. Chairman Mirabella stated that Ms. Rountree does not hold a position at the Union County Democratic Committee.

Bruce Paterson, Garwood commented on Resolution 2006-439 and asked when the public hearing for that would be. Clerk of the Board Nicole L. Tedeschi replied it would take place on May 25<sup>th</sup>, 2006. Mr. Paterson asked if he would still receive only five minutes to speak. Chairman Mirabella asked him to do the best he could to stay with in the five minute limit provided for comment. Mr. Paterson commented on Resolutions 2006-448 and 2006-445 stating that he was not pleased that the PMK firm was on call and did not understand why. Chairman Mirabella explained that it was a retainer for project so that the County could evaluate things quickly and take action immediately. Mr. Paterson asked if the amount in 2006-455 was construction costs.



County Counsel stated that the money was for engineering services. Mr. Paterson asked if there was a savings promised. County Counsel stated that the evaluation by PMK is to create a bid specification consult in the evaluation of proposals and help select an appropriate vendor. It is a consulting services contract. Mr. Paterson commented on 2006-472 asking if there were specific Prosecutors retiring early. County Counsel remarked that he was not aware of any early retirees and that the Resolution was a house keeping action to make sure the pension funds was appropriately executed for the Prosecutors.

Davendra Makkar of Springfield commented on Resolution 2006-448 and 2006-449 questioning why Union County would use outside vendors. County Manager George Devaney responded that these contracts were specific to certain kinds of environmental needs requiring a level of expertise the County does not have in house.

### **PUBLIC COMMENT PORTION CONCLUDED**

\* \* \* \* \*

Chairman Mirabella asked for a motion to move Resolutions 2006-427 through 2006-487. The motion was made by Freeholder Sullivan and seconded by Freeholder Proctor. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

### **THE FOLLOWING RESOLUTIONS ARE BEING OFFERED FOR ADOPTION:**

**2006-437**      **FREEHOLDER ESTRADA**, authorizing the establishment of a **Cap Bank** within the Calendar Year 2006 County Budget pursuant to **N.J.S. § 40A:4-45.15b**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-438**      **FREEHOLDER ESTRADA**, authorizing an amendment to the **Temporary 2006 Budget**, pursuant to the provisions of **CH.96, PL 1951 (N.J.S.A. 40A:4-20)**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-439**      **FREEHOLDER ESTRADA**, introducing the **2006 Operating Capital Budget**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-440**      **FREEHOLDER ESTRADA**, authorizing an amendment to the **Temporary 2006 Budget** in an amount of **\$192,460,729.37** as a result of notification received from the following agencies:

- a. Department of Human Service: **Respite Care Cost Share: \$2,377.**

- b. New Jersey Department of Community Affairs: **Rape Care Program: \$15,000.**
- c. New Jersey Division of Criminal Justice: **Project Safe Neighborhoods Program: \$89,420.**
- d. New Jersey Division of Criminal Justice: **Sheriff Booking Department: \$12,375.**
- e. County of Mercer: **Mercer County Case Management: \$156,650.**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-441 FREEHOLDER ESTRADA,** authorizing the County Manager to enter into an **Inter-Local Services Agreement with Mercer County** to provide Case Management Services to clients that have exceeded the 60 month lifetime limit for public assistance and will reimburse Union County the sum not to exceed **\$156,650** for case management services to Union and Middlesex clients for the contract period of April 1, 2006 to March 31, 2007.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-442 FREEHOLDER ESTRADA,** authorizing the County Manager to renew sub-contracts, through the Division on Aging, with **Visiting Nurse and Health Services, Elizabeth, New Jersey; SAGE Eldercare, Summit, New Jersey; and Visiting Health Services, Westfield, New Jersey,** for the purpose of providing ongoing care management services to elderly and disabled clients referred by the U.C. Division on Aging to help them remain in their homes with appropriate and coordinated services for the period of January 1, 2006 – December 31, 2006 in an amount not to exceed **\$100,000.**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-443 FREEHOLDER ESTRADA,** authorizing the County Manager to enter into contract with **Jewish Family Services, Elizabeth, New Jersey,** to provide care management to clients eligible for Community Care for the Elderly and Disabled Program (CCPED) for the period of January 1, 2006 – December 31, 2006 in an amount not to exceed **\$109,440.**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-444 FREEHOLDER ESTRADA,** authorizing the County Manager to renew sub-contracts for ongoing **State Respite Program services** for unpaid caregivers as a

means to prevent premature institutionalization of the care recipient for the period commencing January 1, 2006 – December 31, 2006 in an amount not to exceed **\$320,327:**

- **Catholic Charities/Engel Day Care Center**
- **Elizabeth Nursing Home**
- **Jewish Family Services**
- **Meals on Wheels**
- **SAGE Day Care**
- **Tri-County Chapter, American Red Cross**
- **Runnells Hospital**
- **Visiting Health Services**
- **Visiting Nurse and Health Services**
- **Daughters of Israel Day Care**
- **Union Hospital WISE Day Care**
- **Alzheimers Association**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-445**      **FREEHOLDER ESTRADA**, authorizing the County Manager to enter into a two (2) year lease agreement with the **Morning Star Community Development Urban Renewal Corporation, Inc., Linden, New Jersey**, for the purpose of leasing space for the Youth Services Bureau located at 1130 East St. George Avenue, Linden, New Jersey, for the contract period of May 1, 2006 – April 30, 2008 in an amount not to exceed **\$152,000**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-446**      **FREEHOLDER HOLMES**, appointing **Gloria Mejias, Roselle, New Jersey**, to the Union County Advisory Board on Aging for a term commencing immediately and terminating December 31, 2008.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-447**      **FREEHOLDER SCANLON**, appointing **Cherron Rountree** to the **Union County Improvement Authority** for a term commencing immediately and terminating December 31, 2010.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-448**      **FREEHOLDER SCANLON**, amending **Resolution No. 2006-19**, to the contract with **PMK Group, Cranford, New Jersey**, to provide General On-Call

Engineering Services to the County of Union through the Open Space, Historical Preservation, & Recreation Trust Fund in an additional amount of **\$50,000** for a new contract amount not to exceed **\$75,000**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-449**      **FREEHOLDER SCANLON**, amending **Resolution No. 2006-25**, to the contract with **Schwartz, Simon, Edelstein, Celso & Kessler, LLP, Florham Park, New Jersey**, for the purpose of related legal negotiations for work done in conjunction with and for the Union County Office of Open Space, Historical Preservation, & Recreation Trust Fund for a new total contract amount not to exceed **\$180,000**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-450**      **FREEHOLDER SCANLON**, amending **Resolution No. 483-2005**, authorizing the County Manager to enter into agreements with municipalities for reimbursement in accordance with **“Greening Union County” Matching Grant Program** in an additional amount of **\$150,000** for a new funding amount of **\$500,000**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-451**      **FREEHOLDER SULLIVAN**, authorizing the County Manager to enter into an agreement with **Development Directions, LLC, Rahway, New Jersey**, to provide necessary administrative services to Union County and the U.S. Department of Housing and Urban Development Section 8 Housing Assistance Payments Program for the period of January 1, 2006 – December 31, 2006 to be compensated in the amount of **\$22,500** per month, in an amount not to exceed **\$270,000** per year.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-452**      **FREEHOLDER SULLIVAN**, appointing **Guadalupe Salamanca, Elizabeth, New Jersey; Heather Mills-Pevonis, Elizabeth, New Jersey; Kenneth Quigley, Jr., Roselle Park, New Jersey; and Warren Hehl, Rahway, New Jersey**, to serve on the Mental Health Advisory Board for a term commencing immediately and terminating December 31, 2008.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-453**      **VICE CHAIR KOWALSKI**, authorizing the County Manager to enter into a license agreement with **Atlantic Health System, Florham Park, New Jersey** to enable them to land a helicopter in the Houdaille Quarry, Springfield, New Jersey, which would then transport critically ill patients to Over Look Hospital, Summit,

New Jersey for treatment for a contract period ending December 31, 2007. **{The license fee shall be \$1}**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-454 VICE CHAIR KOWALSKI**, appointing **Nora Mislan, Linden, New Jersey**, to the **Cultural & Heritage Advisory Board** for a term commencing immediately and terminating December 31, 2008.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-455 VICE CHAIR KOWALSKI**, authorizing the County Manager to enter into a contract with **PMK Group, Cranford, New Jersey**, for the purpose of replacing the Automatic Temperature Control System at the Oriscello Correctional Facility Elizabeth, New Jersey, in an amount not to exceed **\$150,000**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-456 VICE CHAIR KOWALSKI AND FREEHOLDER HOLMES**, amending **Resolution No. 1202-2005**, to amend the list of **Associate Attending Physicians** who provide on-call medical coverage for nights, weekends, emergency and holiday coverage for the residents / patients of Runnells Specialized Hospital for the contract period January 1, 2006 – December 31, 2006.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-457 VICE CHAIR KOWALSKI AND FREEHOLDER HOLMES**, authorizing the County Manager to enter into a contract with **Life Medical Supplies, Inc., Linden, New Jersey**, to provide orthopedic footwear and orthotic services for the residents / patients at Runnells Specialized Hospital for the contract period of January 1, 2006 – December 31, 2006 in an amount not to exceed **\$2,500**. **{The vendor will directly bill qualified third party insurance}**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-458 VICE CHAIR KOWALSKI AND FREEHOLDER HOLMES**, authorizing the County Manager to enter into a contract with **Vani Andavolu, MD, Edison, New Jersey**, to provide professional Psychiatric Services to the residents / patients of Runnells Specialized Hospital for the contract period of May 1, 2006 – June 30, 2006. **{This is a Fee for Service Agreement, At No Cost to the County of Union}**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-459**      **VICE CHAIR KOWALSKI AND FREEHLDER HOLMES**, authorizing the County Manager to enter into a contract with **Forman, Holt & Eliades, LLC, Rochelle Park, New Jersey**, to provide legal services and credit and collections for Runnells Specialized Hospital for the contract period May 1, 2006 – April 30, 2007 in an amount not to exceed **\$50,000**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-460**      **CHAIRMAN MIRABELLA**, authorizing the County Manager to award the proposed contracts obtained through advertised public bidding in accordance with **Local Public Contracts Law 40A:11-1 et seq:**

- a. DEPARTMENT OF ENGINEERING & PUBLIC WORKS AND THE DEPARTMENT OF PARKS, RECREATION & FACILITIES: **Louis Barbato Landscaping, Inc., Holbrook, New York**, for the purposes of furnishing, delivering and installing trees in an amount not to exceed **\$68,705**.
- b. DEPARTMENT OF PARKS, RECREATION & FACILITIES, DIVISION OF GOLF OPERATIONS: **Humphries Farm Turf Supply, Joppa, Alabama**, to furnish and deliver various golf course supplies in the amount of **\$9,700.75**.
- c. DEPARTMENT OF PARKS, RECREATION & FACILITIES, DIVISION OF GOLF OPERATIONS: **Ron Regner, Summit, New Jersey** to operate the Pro Shop Concessions at Ash Brook Golf Course and **McCluney's Golf Pro Shop, Clark, New Jersey**, to operate the Pro Shop Concessions at Oak Ridge Golf Course. This is a revenue generating bid. {**Mr. Regner will pay \$409 per month for 36 months generating \$14,724 and McCluney's Golf Pro Shop will pay \$402 per month for 36 months generating \$14,472**}
- d. DEPARTMENT OF PARKS, RECREATION & FACILITIES: **Russell Reid Waste Hauling & Disposal Service Co., Inc., Keasbey, New Jersey**, to exercise the first 12-month option for the furnishing and servicing of portable toilets for Union County parks and other sites in the amount of **\$41,209.34**.
- e. OFFICE OF THE UNION COUNTY PROSECUTOR: **Universal Uniform Sales, Co., Inc., Newark, New Jersey**, to provide uniforms and various police equipment for the Prosecutor's Office in the amount of **\$40,000**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

2006-461

**CHAIRMAN MIRABELLA**, authorizing the County Manager to renew the following Policies as recommended by the **Citizens Insurance Review Committee (CIRC) dated April 12, 2006:**

- a. Renewing the Lawyer's Professional Liability for the Prosecutor's Office with **Lloyd's of London/Continental Marmorstein & Malone, Paramus, New Jersey**, for the period of May 1, 2006 – April 30, 2007 in an amount not to exceed **\$107,484. (No increase)**
- b. Renewing the Professional Malpractice Liability Policy for Dr. Raymond Lanza, D.O., with the **Princeton Insurance Company, Princeton, New Jersey**, for the period of May 1, 2006 – April 30, 2007 in an amount not to exceed **\$17,266.98. (An increase of \$1,668.86 from last year)**
- c. Renewing the Travel Accident Policy with the **Hartford Insurance Company, Rockaway, New Jersey**, for the period of April 1, 2006 – March 31, 2007 in an amount not to exceed **\$474. (No increase)**
- d. Renewing the Travel Accident for County Officials with the **Hartford Insurance Company, Rockaway, New Jersey**, for the period of April 1, 2006 – March 31, 2009 in an amount not to exceed **\$750. (No increase)**
- e. Authorizing the following new Public Official Bonds:
  - i. Alan Falcone, Deputy County Clerk, with the **Hartford Fidelity & Bond Center, Maitlan, Florida**, for the period of March 31, 2006 – February 28, 2007 in an amount not to exceed **\$1,750.**
  - ii. David Wright, Deputy County Clerk, with the **Hartford Fidelity & Bond Center, Maitlan, Florida**, for the period of March 31, 2006 – February 28, 2007 in an amount not to exceed **\$1,750.**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

2006-462

**CHAIRMAN MIRABELLA**, concurring with the **Township of Springfield** granting permission to the Springfield Chamber of Commerce to hang a banner on Mountain Avenue at North Trivett Avenue, Springfield, New Jersey, and a banner on Meisel Avenue at Meisel Park, from April 25, 2006 to May 15, 2006, and from August 29, 2006 to September 18, 2006 to advertise their Annual Street Fairs to be held on Saturday, May 13, 2006 and Saturday, September 16, 2006; and also closing Mountain Avenue, between Caldwell Place and Morris Avenue, Springfield, New Jersey, on Saturday, May 13, 2006 and Saturday, September 16, 2006 from 7:00 a.m. to 6:00 p.m. to all but emergency traffic, for the Street Fair.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-463** CHAIRMAN MIRABELLA, authorizing the County Manager to enter into a contract with **Keystone Precision Instruments of Whitehall, Pennsylvania**, for the purpose of procuring a GPS Surveying System in the amount of **\$17,401.50**.

- GPS Surveying System consisting of: Trimble R8 RTK Rover No Radio, Trimble R-track Technology, Trimble TSC2 Survey Controller No Radio, Trimble 2 meters fixed height carbon fiber range pole with bipod, Trimble Geomatics Office 1.62 Basic Training, Trade-In for obsolete GPS equipment. **(Quote \$19,401.50, Trade-In \$2,000, Final Price \$17,401.50)**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-464** CHAIRMAN MIRABELLA, approving **Amendment No. 1** to a professional engineering service contract with **Matrix New World Engineering, Inc., East Hanover, New Jersey**, for an additional amount of **\$6,439** for the purpose of providing continued Environmental Remediation Monitoring of the decommissioned Underground Storage Tank (UST) at Ashbrook Golf Course, Scotch Plains, New Jersey, for a new contract amount of **\$22,543**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-465** CHAIRMAN MIRABELLA, authorizing the County Manager to enter into an agreement with the **County of Passaic Police Academy, Wayne, New Jersey**, to provide basic recruiting courses for Union County Jail Correction Officers for the contract period of January 1, 2006 – December 31, 2006 in an amount not to exceed **\$6,000**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-466** CHAIRMAN MIRABELLA, authorizing the County Manager to enter into a contract with **B&B Press, Inc., Kenilworth, New Jersey**, to print absentee ballots for the 2006 Primary and General Elections in an amount of **\$23,797 and \$19,667** respectively, for a total contract amount of **\$43,464**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-467** CHAIRMAN MIRABELLA, approving a pre-qualified provision for the purposes of providing legal services in the area of Workers Compensation Defense Counsel and notifying the County's third party administrator of same: **the Law Offices of James Jude Plaia, Esq., Verona, New Jersey**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.



**2006-468** CHAIRMAN MIRABELLA, authorizing the County Manager to enter into a contract with **Access Systems, Manilus, New York**, to provide consulting services to the Clerk of the Board's Office during the vendor selection process for the Electronic Document Management System and to oversee the implementation of the system in an amount not to exceed **\$10,000**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-469** CHAIRMAN MIRABELLA, appointing **Vice Chair Bette Jane Kowalski, Cranford, New Jersey, and Freeholder Deborah P. Scanlon, Union, New Jersey**, to serve on the **Industrial Pollution Control Authority of the County of Union** for a term to commence February 1, 2006 – February 1, 2011.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-470** CHAIRMAN MIRABELLA, amending **Resolution No. 2006-348**, to add **Full Service Mailer, Inc.** as an additional vendor to provide postal and mailing services for the School Board and Special School Board Elections only in an amount of **\$17,500**.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-471** CHAIRMAN MIRABELLA, authorizing the County Manager to enter into an affiliation agreement with **Monmouth University, West Long Branch, New Jersey**, for interns studying at the Union County Medical Examiners Office for the Spring Term, 2006 through May 31, 2007 at no cost to the County of Union.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-472** CHAIRMAN MIRABELLA, amending **Resolution No. 2006-361** to include the Office of the Prosecutor as part of the Union County Early Retirement Incentive Program.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**THE FOLLOWING RESOLUTIONS ARE LAUDATORY IN CONTENT:**

**2006-473** **FREEHOLDER ESTRADA**, proclaiming the month of April, 2006 as **“National Child Abuse Prevention Month”** in Union County.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-474 FREEHOLDER HOLMES**, proclaiming the month of May 2006 as “**Older American’s Month**” and supporting this year’s theme “**Independence + Dignity + Choice = Health Aging.**”

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-475 FREEHOLDER HOLMES**, proclaiming the week of May 7 – May 13, 2006 as “**Corrections Officers Week**” in Union County.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-476 FREEHOLDER MAPP**, extending deepest condolences to the family of **Charles E. Billups, Plainfield, New Jersey**, in this, their time of sorrow.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-477 FREEHOLDER SCANLON**, congratulating each winner of the 2006 Shade Tree “**Young Writers of Union County**” contest.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-478 FREEHOLDER SCANLON AND THE ENTIRE BOARD**, extending deepest condolences to the family of **Firefighter Kevin Apuzzio, Union, New Jersey**, in this, their time of sorrow.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-479 FREEHOLDER WARD**, congratulating **Rosa Floyd, Elizabeth, New Jersey**, the 2006 Grand Marshall of the African Heritage Day Parade in Elizabeth, New Jersey.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-480 FREEHOLDER WARD**, congratulating **Diodato Villani, Linden, New Jersey**, on receiving the 30<sup>th</sup> “**Outstanding Senior Citizen of the Year**” Award from the Department of Recreation and Community Services.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-481 VICE CHAIR KOWALSKI AND FREEHOLDER HOLMES**, extending condolences to the family of **Peter “Al” R. Briggs, Sr.**, in this, their time of sorrow.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-482 VICE CHAIR KOWALSKI**, designating May 6, 2006 as “**Nurses Day**” in Union County.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-483 CHAIRMAN MIRABELLA**, honoring the following 2006 Union County Volunteer Recognition Awardees: **Dr. Inez Phillips Durham, Plainfield; Peggy Lore, Elizabeth; Psi Sigma Phi Fraternity, Kean University Chapter, Union; Marvin Smith, Westfield.**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-484 CHAIRMAN MIRABELLA**, congratulating the following **Union County Hazmat** personnel on a job well done on overturned gasoline tanker in Linden: **Daniel Warchol; William Kane; Michael Tharaldsen; Bruce Padulsky; Rich Cocca and Drew Wirkus.**

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-485 CHAIRMAN MIRABELLA**, congratulating **Christopher C. Sheridan, Cranford, New Jersey, Boy Scouts of America, Troop 75**, on attaining his Eagle Scout Award.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-486 CHAIRMAN MIRABELLA**, congratulating **Robert Colicchio, Personal Assistant Service Programmer, Department of Human Services, Division on Disability Services**, who is being recognized by the State of New Jersey on his services for the disabled.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-487** CHAIRMAN MIRABELLA AND THE ENTIRE BOARD, congratulating **Denise Santiago, Union County Office of Emergency Management**, who recently completed a Master of Arts Degree in Homeland Security Studies at the Naval Postgraduate School's Center for Homeland Defense and Security in Monterey, California.

On a motion made by Freeholder Sullivan and seconded by Freeholder Proctor roll call showed eight in the affirmative. Freeholder Estrada was absent.

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

There were no comments.

**PUBLIC COMMENT PORTION CONCLUDED**

\* \* \* \* \*

Chairman Mirabella asked for a motion to suspend the rules. A motion was made by Freeholder Proctor and seconded by Freeholder Holmes. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

Chairman Mirabella asked for a motion to adopt Resolutions 2006-488 through 2006-494. A motion was made by Freeholder Proctor and seconded by Vice Chair Kowalski. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

**THE FOLLOWING RESOLUTIONS ARE FROM THE FLOOR:**

**2006-488** CHAIRMAN MIRABELLA, congratulating **Mike Murray Jr., Westfield, New Jersey**, who was selected to play in the 2006 National All-American Game on June 7, 2006 at Isotopes Park in Albuquerque, New Mexico. He will represent the East on the 18 member team and play against the West.

A motion was made by Freeholder Proctor and seconded by Vice Chair Kowalski. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-489** CHAIRMAN MIRABELLA, extending deepest condolences to the family of **Frank Toro, Rahway, New Jersey**, in this, their time of sorrow.

A motion was made by Freeholder Proctor and seconded by Vice Chair Kowalski. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-490** CHAIRMAN MIRABELLA, congratulating **Melissa Loewinger, Scotch Plains Fanwood Girl Scouts**, who is being honored with the Gold Award.

A motion was made by Freeholder Proctor and seconded by Vice Chair Kowalski. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-491 CHAIRMAN MIRABELLA**, congratulating **Cristin A. Joy, Scotch Plains Fanwood Girl Scouts**, who is being honored with the Gold Award.

A motion was made by Freeholder Proctor and seconded by Vice Chair Kowalski. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-492 CHAIRMAN MIRABELLA**, congratulating **Elizabeth Jane Katz, Scotch Plains Fanwood Girl Scouts**, who is being honored with the Gold Award.

A motion was made by Freeholder Proctor and seconded by Vice Chair Kowalski. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-493 FREEHOLDER ESTRADA, FREEHOLDER ESTRADA**, authorizing an amendment to the **Temporary 2006 Budget** in an amount of **\$192,753,746.37** as a result of notification received from the following agencies:

- a. State of New Jersey Office on Information Technology for a grant entitled: **Enhanced 9-1-1 Consolidation Grant**: in an amount of **\$100,000**.
- b. NJ Department of Labor for a program entitled **Workforce NJ**: in an amount of **\$193,017**.

A motion was made by Freeholder Proctor and seconded by Vice Chair Kowalski. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

**2006-494 FREEHOLDER HOLMES**, congratulating **The Senior Citizen Council of Union County** for their 35<sup>th</sup> Annual Luncheon.

A motion was made by Freeholder Proctor and seconded by Vice Chair Kowalski. Roll call showed eight in the affirmative. Freeholder Estrada was absent.

\* \* \* \* \*

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

Jerry Goldman, Springfield, commented on Union County Employee Appreciation Week. Mr. Goldman asked the Board to create a Resolution to allow Union County employees to receive discounted fees at the various County-run golfing ranges.

Judy Byron of Roselle commented on the geese management programs. She stated that she strongly opposes lethal means and implores the Board to speak with the people at Geese Peace. Chairman Mirabella commented saying we utilize many of the Geese Peace methodologies, but he would be glad to meet with the Geese Peace people.

Tina Renna of Cranford requested ethics reform by government offices. She asked what the Public Information Departments budget was and stated that she opposed the function of the Public Information Office. Mrs. Renna submitted her comments to the clerk.

Patricia Quattrochi of Garwood commented on the proposed sales taxes by Governor Corzine. She asked the Board to not support Governor Corzine's tax hikes.

Bruce Paterson, Garwood asked about specifics having to do with the Chief Financial Officer's employment. Mr. Paterson commented on the Department of Public Works and about the Director for that Department. Then went on to discuss matters of on-going litigation, County Counsel responded and instructed Mr. Paterson to cease his personal comments and to please follow Roberts Rules of Order.

Davendra Makkar, Springfield commented in opposition to fund cuts for the arts in schools and construction development in Springfield. Mr. Makkar submitted documents to the Clerk of the Board.

Jacob Mazurek, Roselle Park requested that the Board create a Resolution to President Bush requesting that Exxon and Mobile Oil Companies bring down their high cost of gasoline.

Vincent Lehotsky, South Carolina spoke about his life in Horry County South Carolina. Mr. Lehotsky made mention of his appreciation for the Union County Board of Chosen Freeholders and his thirteen years of speaking with them.

**PUBLIC COMMENT PORTION CONCLUDED**

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Chairman Mirabella asks for a motion to enter into Executive Session. On a motion made by Freeholder Proctor and seconded by Vice Chair Kowalski, roll call showed eight members of the Board voted in the affirmative. Freeholder Estrada was absent.

County Counsel Barry stated pursuant to provisions of the Open Public Meeting Act a public body may enter into Executive Session for the Purpose of discussing certain enumerated subjects. This Board will now enter Executive Session for the purpose of discussing Attorney Client Privilege & Contract Negotiations.

The minutes of the Executive Session shall be separated from the minutes of the Open Public Session and retained by the Clerk to the Board until such time as the confidential limitations have been removed.

Upon the Boards return, the Board will not take formal action on the matters discussed.

The Board may now retire to Executive Session.

**EXECUTIVE SESSION:**

**Re: Attorney Client Privilege & Contract Negotiations**

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Chairman Mirabella asked for a motion to re-enter the Regular Meeting. The motion was made by Freeholder Mapp and seconded by Freeholder Kowalski. The roll call showed eight members of the Board voted in the affirmative. Freeholder Estrada entered the meeting during the Executive Sessions. Freeholder Holmes was absent.

Chairman Mirabella asked for a motion to adjourn. On a motion made by Freeholder Proctor and seconded by Freeholder Estrada. Roll call showed eight members of the Board voting in the affirmative. Freeholder Holmes was absent.

The voucher list through **April 20, 2006** will be available for public perusal in the Office of the Clerk of the Board.

The next **Regular Meeting (“MOBILE”)** of the Union County Board of Chosen Freeholders will be held on **Thursday, May 11, 2006 at 7:00 pm** at **the Park Madison Building, 200 West 2<sup>nd</sup> Street, Plainfield, New Jersey.**

**ADJOURNMENT**

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Nicole L. Tedeschi  
Clerk of the Board

NLT/je