

**MINUTES OF THE
UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
REGULAR MEETING**

APRIL 19, 2007

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

Prayer and Salute to the Flag were led by the Clerk of the Board.

Chairwoman Kowalski asked everyone to remain standing to observe a moment of silence in remembrance of the victims of the Virginia Tech tragedy, and to remember the late Hillside Councilman Peter Corvelli. She also extended a speedy recovery to Governor Jon Corzine.

The statement of compliance with the Open Public Meetings Act was read by the Clerk of the Board. Chairwoman Kowalski stated that there would be several presentations this evening. Chairwoman Kowalski called upon Freeholder Holmes to make the first presentation. Freeholder Holmes presented a Resolution to Officer Kevin Buckley of the Sheriff's Office for his K9 Yasha, who was inducted into the NJ Veterinarian Medical Association Animal Hall of Fame in the "Hero" category. Sheriff Ralph Froehlich made remarks recounting some of the dog's history. He said the dog had suffered a disc injury in its spine, and at first the veterinarian said the dog would have to be euthanized. The Sheriff said that Officer Buckley would not give up on his partner, sought a second opinion, persuaded another Veterinarian to do surgery and worked with the dog throughout a long recovery. The Sheriff said the dog has made a full recovery. Officer Buckley thanked the Board and the Sheriff for the recognition and praised Yasha.

Freeholder Scanlon then presented Resolutions to students from various Union County schools that were winners in the Union County Young Writers Contest. She had several of the students read their work and she praised them for their creativity.

The Chairwoman stated that the Board would enter into Executive Session. Chairwoman Kowalski asked County Counsel Robert Barry to make his statement relative to Executive Session. County Counsel Robert Barry stated that pursuant to provisions of the Open Public Meetings Act, a public body may enter into Executive Session for the purpose of discussing certain enumerated subjects. This Board now wishes to enter Executive Session for the purpose of discussing Contract Negotiations – Union County Assistant Prosecutors' Association.

The minutes of the Executive Session shall be separated from the minutes of the Open Public Session. The minutes of the Executive Session, redacted as appropriate and necessary, shall be available in approximately 30 days. The Clerk to the Board shall retain the original minutes until

such time as the confidential limitations have been removed, at which time they shall be made available.

Upon the affirmative vote of a majority of the members present, the Board may retire to Executive Session. Upon the Board's return, it may take formal action on the matters discussed, as this is a Regular Meeting.

Chairwoman Kowalski called for a motion to enter Executive Session. On a motion by Freeholder Sullivan seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative, with Vice Chairman Estrada absent.

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EXECUTIVE SESSION

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Chairwoman Kowalski called for a motion to return to the Regular Meeting. On a motion by Freeholder Mirabella and seconded by Freeholder Proctor, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

Chairwoman Kowalski called for a motion to approve the minutes of **March 22, 2007 – Executive Meeting; March 29, 2007 – Regular and Executive Meetings and April 12, 2007 – Agenda Meeting.**

On a motion by Freeholder Scanlon and seconded by Freeholder Sullivan, roll call showed seven members of the Board voted in the affirmative of the Minutes of March 22, 2007 Executive Meeting, with Freeholder Mirabella abstaining and Vice Chairman Estrada absent; eight members of the Board voted in the affirmative on the Minutes of March 29, 2007 Regular and Executive Meetings with Vice Chairman Estrada absent and six members of the Board voted in the affirmative on the Minutes of April 12, 2007 on the Agenda Meeting with Freeholder Mapp and Freeholder Sullivan abstaining and Vice Chairman Estrada absent.

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COMMUNICATIONS:

OATHS OF OFFICE: (Note & file)

Chairwoman Kowalski called for a motion to approve the Communications. On a motion by Freeholder Sullivan, seconded by Freeholder Holmes, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

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The next order of business was the Final Reading of Bond Ordinance No. 645-2007.

BOND ORDINANCE NO. 645-2007

ORDINANCE PROVIDING THE CONSENT OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION TO THE ISSUANCE BY THE UNION COUNTY IMPROVEMENT AUTHORITY OF ITS TAX-EXEMPT BONDS IN THE AMOUNT OF NOT TO EXCEED \$1,275,000 AS FINANCING FOR THE ACQUISITION OF 10 CHERRY STREET, ELIZABETH, NJ PROJECT TO BE UNDERTAKEN BY THE AUTHORITY.

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

WHEREAS, the Authority is authorized under the provisions of the Act to acquire real estate within the County by lease or purchase and to construct, reconstruct and rehabilitate improvements thereon; and

WHEREAS, the Authority had previously authorized ARD Appraisal Company to undertake an appraisal of 10 Cherry Street, Elizabeth, New Jersey (the “Property”) in order to ascertain the market value of said Property; and

WHEREAS, the Authority has received a copy of the appraisal for the Property and determined that it is in the best interest of the Authority to acquire the Property (the “Project”); and

WHEREAS, the Authority has determined that in order to acquire the Property the Authority will issue not to exceed \$1,275,000 of its “Revenue Bonds, Series 2007” (Acquisition of 10 Cherry Street) (the “2007 Bonds”), and to induce the prospective purchasers of the 2007 Bonds of the Authority issued for the Project to purchase the same, it will be necessary that payment of the principal of (including sinking fund installments, if any) and interest on the herein defined 2007 Bonds be secured by a full faith and credit, unconditional and irrevocable guaranty of the County in accordance with a guaranty ordinance to be finally adopted by the governing body of the County and a guaranty certificate executed on the face of each Bond upon the issuance thereof by an authorized officer of the County (the “Guaranty”), all in accordance with Section 37 (“Section 37”) of the Act (N.J.S.A. 40:37A-80) and other applicable law; and

WHEREAS, the Authority will issue its “Revenue Bonds, Series 2007” (Acquisition of 10 Cherry Street) ” to provide financing for the acquisition and improvement of the Property; and

WHEREAS, the 2007 Bonds have such other terms as shall be set forth in that certain Resolution authorizing the issuance of the “Union County Improvement Authority Revenue Bonds, Series 2007 (Acquisition of 10 Cherry Street) of the Union County Improvement Authority and any Additional Bonds or Notes of the Union County Improvement Authority” adopted by the

Authority prior to the issuance of the Bond (the “Initial Bond Resolution” and any amendments or supplements thereto in accordance with the terms thereof may be collectively referred to as the “Bond Resolution”); and

WHEREAS, the payment of the principal of and interests on the 2007 Bonds are secured by a Deficiency Agreement by and among the County, the Trustee for the 2007 Bonds and the Authority (the “Acquisition of 10 Cherry Street Deficiency Agreement, Series 2007 Bonds”); and

WHEREAS, the Authority has made application, on behalf of the County, to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the “Local Finance Board”) for the Local Finance Board’s review of the financing, including, *inter alia*, the Acquisition of 10 Cherry Street Deficiency Agreement and the Guaranty; and

WHEREAS, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the Guaranty, the County shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the County without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the 2007 Bonds; and

WHEREAS, in order to market and sell the 2007 Bonds , (i) the Authority shall issue a Preliminary Official Statement (the “POS”) and a final Official Statement (the “OS”) , (ii) the Authority shall enter into a negotiated sale of the 2007 Bonds with one or more underwriters (collectively, the “Underwriter”) pursuant to the terms of a bond purchase agreement (the “BPA”), (iii) the Authority, the County and the trustee for the 2007 Bonds, or any successor thereto in accordance with the terms of the Bond Resolution (the “Trustee”) shall enter into a Continuing Disclosure Agreement (the “Continuing Disclosure Agreement”) upon the issuance of the 2007 Bonds if necessary, convenient, useful or desirable in connection with Rule 15c2-12 promulgated by the Securities and Exchange Commission Act of 1934, as amended, or any successor rule or regulation thereto (“Rule 15c2-12”), and (iv) the County and the Authority shall take such actions and shall authorize, execute or acknowledge, as the case may be, and deliver such other documents, instruments or certificates as Bond Counsel to the Authority and to the County deem necessary, convenient, useful or desirable in order to issue the 2007 Bonds (collectively, the “Certificate”); and

WHEREAS, in order to induce the prospective purchasers of the 2007 Bonds to purchase same, the 2007 Bonds shall otherwise be secured by a guaranty ordinance of the County, unconditionally and irrevocably guaranteeing the principal of and interest on the 2007 Bonds , all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80); and

WHEREAS, the Authority has made application to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the “Local Finance Board”) for the Local Finance Board’s review of the Project; and

WHEREAS, the Authority believes: (i) it is in the public interest to accomplish such

purpose; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the County; (iii) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (iv) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the County and will not create an undue financial burden to be placed upon the Authority or the Participants.

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

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

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

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

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**MEETING OPEN TO THE PUBLIC FOR THE
PURPOSE OF COMMENTING ON
ORDINANCE NO. 645-2007 ONLY**

Tina Renna, Cranford made statements relative to the Executive Director at the Union County Improvement Authority. She also asked why the County was purchasing the building.

Dennis Clark, Garwood asked what made the site at 10 Cherry Street, so valuable. County Manager, George Devanney stated that an appraisal was performed and the County is purchasing the property for less than the appraised value. It’s location and space make the property valuable.

Bruce Paterson, Garwood asked the appraised value of 10 Cherry Street. County Manager, George Devanney stated that he did not have the value. Mr. Paterson then asked the name of the appraisal firm. County Manager George Devanney replied that he did not have the information with him, however, Mr. Paterson could request the information.

PUBLIC COMMENT PORTION CONCLUDED

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Freeholder Scanlon moved Bond Ordinance No. 645-2007 for Final Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. Freeholder Sullivan seconded the motion. Roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

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The next order of business was the Final Reading of Bond Ordinance No. 646-2007.

BOND ORDINANCE NO. 646-2007

ORDINANCE OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE EXECUTION OR ACKNOWLEDGMENT AND DELIVERY BY THE COUNTY OF UNION OF CERTAIN AGREEMENTS IN CONNECTION WITH THE UNION COUNTY IMPROVEMENT AUTHORITY'S REVENUE BONDS, SERIES 2007 (ACQUISITION OF 10 CHERRY STREET, ELIZABETH, NJ) IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$1,275,000.

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

WHEREAS, the Authority is authorized under the provisions of the Act to acquire real estate within the County by lease or purchase and to construct, reconstruct and rehabilitate improvements thereon; and

WHEREAS, the Authority had previously authorized ARD Appraisal Company to undertake an appraisal of 10 Cherry Street, Elizabeth, New Jersey (the "Property") in order to ascertain the market value of said Property; and

WHEREAS, the Authority has received a copy of the appraisal for the Property and determined that it is in the best interest of the Authority to acquire the Property (the "Project"); and

WHEREAS, the Authority has determined that in order to acquire the Property the Authority will issue not to exceed \$1,275,000 of its "Revenue Bonds, Series 2007" (Acquisition of 10 Cherry Street) (the "2007 Bonds"), and to induce the prospective purchasers of the 2007 Bonds of the Authority issued for the Project to purchase the same, it will be necessary that payment of the principal of (including sinking fund installments, if any) and interest on the herein defined 2007 Bonds be secured by a full faith and credit, unconditional and irrevocable guaranty of the County in accordance with a guaranty ordinance to be finally adopted by the governing body of the County and a guaranty certificate executed on the face of each Bond upon the issuance thereof

by an authorized officer of the County (the "Guaranty"), all in accordance with Section 37 ("Section 37") of the Act (N.J.S.A. 40:37A-80) and other applicable law; and

WHEREAS, the Authority will issue its "Revenue Bonds, Series 2007" (Acquisition of 10 Cherry Street) " to provide financing for the acquisition and improvement of the Property; and

WHEREAS, the 2007 Bonds have such other terms as shall be set forth in that certain Resolution authorizing the issuance of the "Union County Improvement Authority Revenue Bonds, Series 2007 (Acquisition of 10 Cherry Street) of the Union County Improvement Authority and any Additional Bonds or Notes of the Union County Improvement Authority" adopted by the Authority prior to the issuance of the Bond (the "Initial Bond Resolution" and any amendments or supplements thereto in accordance with the terms thereof may be collectively referred to as the "Bond Resolution"); and

WHEREAS, the payment of the principal of and interests on the 2007 Bonds are secured by a Deficiency Agreement by and among the County, the Trustee for the 2007 Bonds and the Authority (the "Acquisition of 10 Cherry Street Deficiency Agreement, Series 2007 Bonds"); and

WHEREAS, the Authority has made application, on behalf of the County, to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the "Local Finance Board") for the Local Finance Board's review of the financing, including, *inter alia*, the Acquisition of 10 Cherry Street Deficiency Agreement and the Guaranty; and

WHEREAS, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the Guaranty, the County shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the County without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the 2007 Bonds; and

WHEREAS, in order to market and sell the 2007 Bonds , (i) the Authority shall issue a Preliminary Official Statement (the "POS") and a final Official Statement (the "OS") , (ii) the Authority shall enter into a negotiated sale of the 2007 Bonds with one or more underwriters (collectively, the "Underwriter") pursuant to the terms of a bond purchase agreement (the "BPA"), (iii) the Authority, the County and the trustee for the 2007 Bonds, or any successor thereto in accordance with the terms of the Bond Resolution (the "Trustee") shall enter into a Continuing Disclosure Agreement (the "Continuing Disclosure Agreement") upon the issuance of the 2007 Bonds if necessary, convenient, useful or desirable in connection with Rule 15c2-12 promulgated by the Securities and Exchange Commission Act of 1934, as amended, or any successor rule or regulation thereto ("Rule 15c2-12"), and (iv) the County and the Authority shall take such actions and shall authorize, execute or acknowledge, as the case may be, and deliver such other documents, instruments or certificates as Bond Counsel to the Authority and to the County deem necessary, convenient, useful or desirable in order to issue the 2007 Bonds (collectively, the "Certificate"); and

WHEREAS, in order to induce the prospective purchasers of the 2007 Bonds to purchase same, the 2007 Bonds shall otherwise be secured by a guaranty ordinance of the County, unconditionally and irrevocably guaranteeing the principal of and interest on the 2007 Bonds, all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80); and

WHEREAS, the Authority has made application to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the "Local Finance Board") for the Local Finance Board's review of the Project; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring) as follows:

Section 1. The Project and the financing of the Project through the Financing Documents (hereinafter defined) is hereby approved.

Section 2. The County Manager, Chief Financial Officer, County Treasurer, Assistant Treasurer or such other authorized officer of the County (each an "Authorized Officer") are hereby each severally authorized and directed, upon the satisfaction of all the legal conditions precedent to the execution or acknowledgment and delivery by the County, of the Acquisition of 10 Cherry Street Deficiency Agreement, Series 2007 Bonds, the County Guaranty and the Continuing Disclosure Agreement and all other financing documents (collectively the "Financing Documents") to be so executed or acknowledged by the County, to execute or acknowledge and deliver such documents in substantially the forms presented hereto, with such changes thereto as the Authorized Officer, after consultation with counsel to the County, and other professional advisors to the County and the Authority (the "Consultants"), deems their sole discretion to be necessary, desirable or convenient for the execution thereof and to consummate the transactions contemplated hereby, which execution thereof shall conclusively evidence the Authorized Officer's approval of any changes to the forms thereof that will result from the sale of the Bonds, which financing terms shall be limited only by those financing term parameters set forth in the application of the Authority filed with the State Local Finance Board relating to the Bonds and the parameters set forth herein.

Section 3. The Clerk of the Freeholder Board (the "Clerk of the Board") is hereby authorized and directed, upon the execution or acknowledgment of the documents set forth in Section 2 hereof in accordance with the terms of Section 2 hereof, to attest to the Authorized Officer's execution or acknowledgment of such documents and is hereby further authorized and directed to thereupon affix the seal of the County to such documents.

Section 4. Upon the execution or acknowledgment and attestation of and, if required, the affixing of the seal on the documents set forth in Section 2 hereof as contemplated by Sections 2

and 3 hereof, the Authorized Officer is hereby authorized and directed to (i) deliver the fully executed or acknowledged, attested and sealed documents to the other parties thereto and (ii) perform such other actions as the Authorized Officer deems necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 5. The Freeholder Board hereby authorizes the preparation and the distribution of financial statements and demographic and other information concerning the County, the Project, the Financing Documents and the transactions contemplated thereby contained in the Preliminary Official Statement and the Official Statement to be issued in connection with the marketing of the Bonds. In furtherance of such authorization, the Freeholder Board hereby directs the Authorized Officer to take such action and execute such certificates, documents or instruments as the Authorized Officer, after consultation with the Consultants deems in their discretion to be necessary, desirable or convenient in connection with the preparation and distribution of the Preliminary Official Statement and the Official Statement to market the Bonds at the most efficient economical cost to the County, including without limitation, the execution and delivery of the County Letter in such form as is required by the Authority, the Underwriter and the Consultants to market the Bonds.

Section 6. The Freeholder Board hereby authorizes the performance of any act, the execution or acknowledgment and delivery of any other document, instrument or closing certificate, including without limitation, bring down certificates concerning the County Letter, which the Authorized Officer, after consultation with the Consultants, deems necessary, desirable or convenient in connection with this contemplated transaction, and the Board of Freeholders hereby directs the Authorized Officer to execute or acknowledge, attest and affix the seal to any such documents, instruments or closing certificates, the authorization of which actions shall be conclusively evidenced by the execution or acknowledgment, attestation, affixation and delivery, as the case may be, thereof by such persons. Such closing certificates shall include, without limitation, (a) a determination that any information provided by the County in connection with the preparation and distribution of the (i) Preliminary Official Statement is “deemed final” for the purposes and within the meaning of Rule 15c2-12 and (ii) Official Statement constitutes a final Official Statement for the purposes and within the meaning of Rule 15c2-12, (b) a determination that the Continuing Disclosure Agreement complies with Rule 15c2-12, (c) a determination that any information provided by or on behalf of the County or relating to the County, the Project, the Financing Documents or the transactions contemplated thereby in connection with the preparation and distribution of the Preliminary Official Statement and the Official Statement complies with Section 10 and Rule 10b-5 thereunder, of the Securities Exchange Act of 1934, and (d) any representations, warranties, covenants, certificates or instruments required by any issuer of a municipal bond insurance policy or any other form of credit enhancement securing all or a portion of the Bonds or the issuer of a rating on all or a portion thereof.

Section 7. Notwithstanding anything contained herein to the contrary, it is expressly agreed and understood that the Authority may issue the Bonds in one or several series, accordance with one or more Preliminary Official Statement(s) and Official Statement(s), Continuing Disclosure Agreement(s), Guaranty(s), County Letter(s), Acquisition of 10 Cherry Street Deficiency Agreement, Series 2007 Bonds and Financing Document(s) and in accordance with one or more plans of financing.

Section 8. This ordinance shall take effect at the time and in the manner prescribed by law.

Section 9. A public hearing shall be held on this ordinance on April 19, 2007, at 7 P.M. at the Administration Building, 6th Floor, Elizabeth, New Jersey.

Section 10. The Clerk of the Board is hereby directed to publish and post notice of this ordinance as required by law.

Section 11 Upon the adoption hereof, the Clerk of the Board of Freeholders shall forward certified copies of this ordinance to the County Manager, County Counsel, Executive Director of the Authority, and the Law Office of John G. Hudak, Esq., LLC, Bond Counsel to the Authority.

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**MEETING OPEN TO THE PUBLIC FOR THE
PURPOSE OF COMMENTING ON
ORDINANCE NO. 646-2007 ONLY**

There were no comments.

PUBLIC COMMENT PORTION CONCLUDED

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Freeholder Scanlon moved Bond Ordinance No. 646-2007 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 members of the Board voted in the affirmative with Vice Chairman Estrada absent.

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The next order of business was the Final Reading of Bond Ordinance No. 647-2007.

BOND ORDINANCE NO. 647-2007

**GUARANTY ORDINANCE OF THE COUNTY OF UNION, NEW JERSEY
REGARDING THE PAYMENT OF THE PRINCIPAL OF AND INTEREST
ON CERTAIN REVENUE BONDS, SERIES 2007 (ACQUISITION OF 10
CHERRY STREET, ELIZABETH, NJ) OF THE UNION COUNTY
IMPROVEMENT AUTHORITY IN AN AGGREGATE PRINCIPAL
AMOUNT NOT EXCEEDING \$1,275,000 FOR THE PURPOSE OF
PROVIDING ADDITIONAL SECURITY IN CONNECTION WITH THE
AUTHORITY'S PROJECT**

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

WHEREAS, the Authority is authorized under the provisions of the Act to acquire real estate within the County by lease or purchase and to construct, reconstruct and rehabilitate improvements thereon; and

WHEREAS, the Authority had previously authorized ARD Appraisal Company to undertake an appraisal of 10 Cherry Street, Elizabeth, New Jersey (the “Property”) in order to ascertain the market value of said Property; and

WHEREAS, the Authority has received a copy of the appraisal for the Property and determined that it is in the best interest of the Authority to acquire the Property (the “Project”); and

WHEREAS, the Authority has determined that in order to acquire the Property the Authority will issue not to exceed \$1,275,000 of its “Revenue Bonds, Series 2007” (Acquisition of 10 Cherry Street) (the “2007 Bonds”), and to induce the prospective purchasers of the 2007 Bonds of the Authority issued for the Project to purchase the same, it will be necessary that payment of the principal of (including sinking fund installments, if any) and interest on the herein defined 2007 Bonds be secured by a full faith and credit, unconditional and irrevocable guaranty of the County in accordance with a guaranty ordinance to be finally adopted by the governing body of the County and a guaranty certificate executed on the face of each Bond upon the issuance thereof by an authorized officer of the County (the “Guaranty”), all in accordance with Section 37 (“Section 37”) of the Act (N.J.S.A. 40:37A-80) and other applicable law; and

WHEREAS, the Authority will issue its “Revenue Bonds, Series 2007” (Acquisition of 10 Cherry Street) ” to provide financing for the acquisition and improvement of the Property; and

WHEREAS, the 2007 Bonds have such other terms as shall be set forth in that certain Resolution authorizing the issuance of the “Union County Improvement Authority Revenue Bonds, Series 2007 (Acquisition of 10 Cherry Street) of the Union County Improvement Authority and any Additional Bonds or Notes of the Union County Improvement Authority” adopted by the Authority prior to the issuance of the Bond (the “Initial Bond Resolution” and any amendments or supplements thereto in accordance with the terms thereof may be collectively referred to as the “Bond Resolution”); and

WHEREAS, the payment of the principal of and interests on the 2007 Bonds are secured by a Deficiency Agreement by and among the County, the Trustee for the 2007 Bonds and the Authority (the “Acquisition of 10 Cherry Street Deficiency Agreement, Series 2007 Bonds”); and

WHEREAS, the Authority has made application, on behalf of the County, to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the “Local Finance Board”) for the Local Finance Board’s review of the financing, including, *inter alia*, the Acquisition of 10 Cherry Street Deficiency Agreement and the Guaranty; and

WHEREAS, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the Guaranty, the County shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the County without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the 2007 Bonds; and

WHEREAS, in order to market and sell the 2007 Bonds , (i) the Authority shall issue a Preliminary Official Statement (the “POS”) and a final Official Statement (the “OS”) , (ii) the Authority shall enter into a negotiated sale of the 2007 Bonds with one or more underwriters (collectively, the “Underwriter”) pursuant to the terms of a bond purchase agreement (the “BPA”), (iii) the Authority, the County and the trustee for the 2007 Bonds, or any successor thereto in accordance with the terms of the Bond Resolution (the “Trustee”) shall enter into a Continuing Disclosure Agreement (the “Continuing Disclosure Agreement”) upon the issuance of the 2007 Bonds if necessary, convenient, useful or desirable in connection with Rule 15c2-12 promulgated by the Securities and Exchange Commission Act of 1934, as amended, or any successor rule or regulation thereto (“Rule 15c2-12”), and (iv) the County and the Authority shall take such actions and shall authorize, execute or acknowledge, as the case may be, and deliver such other documents, instruments or certificates as Bond Counsel to the Authority and to the County deem necessary, convenient, useful or desirable in order to issue the 2007 Bonds (collectively, the “Certificate”); and

WHEREAS, in order to induce the prospective purchasers of the 2007 Bonds to purchase same, the 2007 Bonds shall otherwise be secured by this ordinance unconditionally and irrevocably guaranteeing the principal of and interest on the 2007 Bonds , all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80); and

WHEREAS, the Authority has made application to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the “Local Finance Board”) for the Local Finance Board’s review of the Project; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring) as follows:

Section 1. Revenue Bonds, Series 2007 (Acquisition of 10 Cherry Street) are sometimes collectively referred to herein as the “2007 Bonds”.

Section 2. This guaranty ordinance shall be adopted by the governing body of the County in the manner provided for adoption of a bond ordinance as provided in the Local Bond Law, constituting Chapter 169 of the Pamphlet Laws of 1960 of the State, as amended (the “Local Bond Law”), codified as N.J.S.A. 40A:2-1, et seq.

Section 3. Pursuant to and in accordance with the terms of the Act, specifically Section 37 of the Act (N.J.S.A. 40:37A-80), the County is hereby authorized to and hereby shall unconditionally and irrevocably guarantee the punctual payment of the principal of (including sinking fund installments, if any) and interest on the Bond in an aggregate principal amount not exceeding \$1,275,000, which Series 2007 Bonds are to be issued to finance the Project as described in the preamble hereof, on such terms and conditions as may be agreed to by and between the County and the Authority. Upon the endorsement of the 2007 Bonds referred to in Section 3 below, the County shall be unconditionally and irrevocably obligated to pay the principal of (including sinking fund installments, if any) and interest on the 2007 Bonds, when due, in the same manner and to the same extent as in the case of bond issued by the County and accordingly, the County shall be unconditionally and irrevocably obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment thereof without limitation as to rate or amount when required under the provisions of applicable law.

Section 4. An authorized representative of the Board of Chosen Freeholders (“Authorized Officer”) of the County shall, by manual or facsimile signature, execute an endorsement on each of the 2007 Bonds evidencing this guaranty by the County as to the punctual payment of the principal of and interest thereon. The endorsement on each 2007 Bonds shall be in substantially the following form, and absent the fully executed endorsement in such following form on any such 2007 Bond, such 2007 Bond shall not be entitled to the benefits of this guaranty ordinance:

GUARANTY OF THE COUNTY OF UNION OF THE STATE OF NEW JERSEY

The payment of the principal of and interest on the within Bond is hereby fully, unconditionally and irrevocably guaranteed by the County of Union of the State of New Jersey (the “County”), and the County shall be unconditionally and irrevocably obligated to pay the principal of (including sinking fund installments, if any) and interest on this Bond, when due, in the same manner and to the same extent as in the case of bond issued by the County and accordingly, the County shall be unconditionally and irrevocably obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment hereof without limitation as to rate or amount when required under the provisions of applicable law.

IN WITNESS WHEREOF, the County of Union of the State of New Jersey, has caused this Guaranty to be executed by the manual or facsimile signature of an Authorized Officer

COUNTY OF UNION

STATE OF NEW JERSEY

By:
Name:
Title:

Section 5. It is hereby found, determined and declared by the governing body of the County that:

(a) This guaranty ordinance may be adopted notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to the Local Bond Law, but the aggregate principal amount of the Bond which shall be entitled to the benefits of this guaranty ordinance, being an amount not to exceed \$1,275,000, shall, after their issuance, be included in the gross debt of the County for the purpose of determining the indebtedness of the County under or pursuant to the Local Bond Law.

(b) The principal amount of the 2007 Bond entitled to the benefits of this guaranty ordinance and included in the gross debt of the County shall be deducted and is hereby declared to be and to constitute a deduction from such gross debt under and for all the purposes of the Local Bond Law (i) from and after the time of issuance of the 2007 Bonds until the end of the fiscal year beginning next after the completion of the Project, and (ii) in any annual debt statement filed pursuant to the Local Bond Law as of the end of said fiscal year or any subsequent fiscal year if the revenues or other receipts or moneys of the Authority in such year are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account of the principal of and interest on all such guaranteed 2007 Bonds, all bonds of the County issued as provided in Section 36 of the Act (N.J.S.A. 40:37A-79) and all bond of the Authority issued under the Act.

Section 6. The following matters are hereby determined, declared, recited and stated:

(a) The maximum principal amount of 2007 Bond of the Authority which are hereby and hereunder guaranteed as to the punctual payment of the principal thereof and interest thereon is and the maximum estimated cost the Project to be financed in accordance with the transaction contemplated hereby is \$1,275,000.

(b) The purpose described in this guaranty ordinance is not a current expense of the County and no part of the cost thereof has been or shall be assessed on property specially benefitted thereby.

(c) A supplemental debt statement of the County has been duly made and filed in the office of the Board of Chosen Freeholders and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State, and such debt statement shows that while the gross debt of the County, as defined in the Local Bond Law, is increased by this guaranty ordinance by \$1,275,000 in accordance with the provisions of the Act, the net debt of the County is not increased, and the

obligation of the County authorized by or incurred pursuant to the terms of this guaranty ordinance is permitted by an exception to the debt limitations of the Local Bond Law which exception is contained in the Act.

(d) All other items to be contained in a bond ordinance adopted pursuant to the Local Bond Law are hereby determined to be inapplicable to the County's guaranty of the 2007 Bonds hereby.

Section 7. This guaranty ordinance shall take effect at the time and in the manner provided by law, but in any event no later than upon the issuance of the 2007 Bond.

Section 8. Upon the adoption hereof, the Clerk of the Board of Freeholders shall forward certified copies of this ordinance to the County Manager, County Counsel, Executive Director of the Authority, and the Law Office of John G. Hudak, Esq., LLC, Bond Counsel to the Authority.

PASSED:

Board of Chosen Freeholders of the
County of Union, New Jersey

APPROVED:

Board of Chosen Freeholders of the
County of Union, New Jersey

Attest:

Clerk

* * * * *

**MEETING OPEN TO THE PUBLIC FOR THE
PURPOSE OF COMMENTING ON
ORDINANCE NO. 647-2007 ONLY**

There were no comments.

PUBLIC COMMENT PORTION CONCLUDED

* * * * *

Freeholder Scanlon moved Bond Ordinance No. 647-2007 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 Sullivan. Roll call showed eight members of the Board in the affirmative with Vice Chairman Estrada absent.

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The next order of business was the First Reading of Bond Ordinance No. 648-2007.

BOND ORDINANCE NO. 648-2007

BOND ORDINANCE TO AUTHORIZE THE RESTORATION OF LAKES IN COUNTY PARKS IN, BY AND FOR THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$5,281,609 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Board of Chosen Freeholders of the County of Union, State of New Jersey, as follows:

Section 1. The County of Union, State of New Jersey (the "County") is hereby authorized to undertake the restoration of the following lakes in County parks: (A) Cedar Brook Lake at Cedar Brook Park (Plainfield) - supplemental funding; and (B) Upper Echo Lake at Echo Lake Park (Westfield and Mountainside). Said improvements shall include all work, materials and appurtenances necessary and suitable therefor. It is hereby determined and stated that the County has heretofore appropriated the aggregate sum of \$797,630 for the restoration of Cedar Brook Lake pursuant to three bond ordinances adopted by the Board of Chosen Freeholders of the County on July 23, 1998 (Ord. No. 480-98, as amended by Ord. No. 574-2003 adopted on April 24, 2003, and as further amended by Ord. No. 630-2006 adopted on July 20, 2006), July 22, 1999 (Ord. No. 501-99, as amended by Ord. No. 631-2006 adopted on August 17, 2006) and December 14, 2000 (Ord. No. 518-00).

Section 2. The sum of \$5,281,609 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. It is anticipated that the County will receive \$2,443,890 in Lake Restoration Program loans (the "Lake Restoration Loans") from the State of New Jersey, acting through the New Jersey Department of Environmental Protection, to finance the cost of the improvements (\$750,000 for Cedar Brook Lake and \$1,693,890 for Upper Echo Lake). The County's obligation to repay the Lake Restoration Loans shall constitute the issuance of bonds

pursuant to this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said County, and (2) it is necessary to finance said purpose by the issuance of obligations of said County pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$5,281,609, and (4) \$252,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$5,029,609, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$115,909 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$252,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said County, are now available to finance said purposes. The sum of \$252,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 5. To finance said purpose, bonds of said County of an aggregate principal amount not exceeding \$5,029,609 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said County of an aggregate principal amount not exceeding \$5,029,609 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Chairperson of the Board of Chosen Freeholders, by the County Manager and by the County Treasurer and shall be under the seal of said County and attested by the Clerk or Deputy Clerk of the Board of Chosen Freeholders. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the

County Treasurer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of twenty years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Clerk of the Board of Chosen Freeholders of said County, and that such statement so filed shows that the gross debt of said County, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$5,029,609 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the State of New Jersey or any of its agencies or any funds received from the United States of America or any of its agencies in aid of such purpose (other than the Lake Restoration Loans, which shall be applied to the cost of said purpose or the payment of outstanding bond anticipation notes, but shall not reduce the amount of bonds authorized), shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Clerk of the Board of Chosen Freeholders and is available for public inspection.

Section 12. The County intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the County incurs such costs prior to the issuance of the bonds or notes, the County hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the County are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the County, and the County shall levy ad valorem taxes upon all the taxable real property within the County for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

* * * * *

Freeholder Mirabella moved Bond Ordinance No. 648-2007 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. {Final Reading is scheduled for May 10, 2007.} The motion was seconded by Freeholder Scanlon. Roll call showed eight members of the Board in the affirmative with Vice Chairman Estrada absent.

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

Jerry Goldman, Elizabeth, commented that items on the Agenda stating that similar topics should be grouped together for easier reading by the public. He also commented on Resolution No. 2007-393 stated that he did not feel that the County should waive the golf fees for Union Township.

Dennis Clark, Garwood commented on the fact that many bidding awards go to out-of-state companies. He asked if more awards could go to firms within Union County. County Manager Devanney deferred to Michael Yuska, Director of Division of Purchasing who stated that we are required by law to purchase from the lowest bidder, regardless of where they are from. Our goal is to save money.

Mary Ellen Taylor, Berkeley Heights commented on Resolution No. 2007-380 expressing support for the Ill and Disabled Advisory Board. She commented that she felt certain segments of the ill and disabled population were underserved, specifically ages 21-65. She also made several comments regarding Paratransit, noting she had heard of complaints in the past regarding the conduct of Paratransit drivers. She also stated that having the van labeled as being for the disabled violated their HIPAA rights to privacy. She stated the appearance of the van and the drivers should be more discreet Karen Dinsmore Assistant Director of Human Services was responsive to her requests.

Tina Renna, Cranford comment followed up on the comments of Ms. Taylor, suggesting that Ms. Taylor be invited to serve on the Advisory Board of the Disabled.

Bruce Paterson, Garwood, New Jersey commented on Resolution 2007-379 asking if the cost of \$343,800 included the design. Chairwoman Kowalski called upon Charles Sigmund, Director of Parks and Recreation to respond. Director Sigmund said the cost covered the purchase of the playground safety surface equipment, and skate board park. These items are being purchased through a state contract vendor to save money. Mr. Paterson asked if the money came from the Open Space, Recreation and Historic Preservation Trust Fund. Director Sigmund replied that it did.

Mr. Paterson commented on Resolution 2007-386, simply noting the decrease in costs. He then commented on Resolution 2007-399 and asked if someone could elaborate on the particulars of the contract. Chairwoman Kowalski called upon Joseph Salemme, Director of Labor Management Relations. Mr. Salemme responded that the contract includes increased health benefits for 3 years from 3.5-3.65%, health concessions including contributions towards premiums. The agreement conforms with all contracts settled in the last 3 years. Mr. Paterson then commented on Resolution 2007-403 regarding Community Access Unlimited. He stated that he had heard there was some investigation of this group and that Senator Scutari was involved. He thanked the Board for answering his questions.

PUBLIC COMMENT PORTION CONCLUDED

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Chairwoman Kowalski called for a motion to move Resolutions 2007-374 through 2007-413.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative on Resolutions 2007-374 through 2007-392 with Vice Chairman Estrada absent. Seven members of the Board voted in the affirmative on Resolution 2007-393 with Freeholder Holmes voting in the negative and Vice Chairman Estrada absent. Eight members of the Board voted in the affirmative on Resolutions 2007-394 through 2007-413 with Vice Chairman Estrada absent.

THE FOLLOWING RESOLUTIONS WERE BEING OFFERED FOR ADOPTION:

2007-374 FREEHOLDER HOLMES, authorizing the County Manager to enter into a contract with **Christina Strong, Esq., Belle Mead, New Jersey**, to provide legal services concerning several regulatory and reimbursement matters at Runnells Specialized Hospital for the contract period of April 1, 2007 through May 31, 2007 in an amount not to exceed **\$10,000**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-375 FREEHOLDER MIRABELLA, amending to the Temporary 2007 Budget in the amount of **\$18,876** resulting in a cumulative total of **\$138,400,414** as a result of notification received from the following agency:

- a. NJ Department of Children and Families in the amount of **\$18,876** – **“Summer Expansion Project.”**

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-376 FREEHOLDER MIRABELLA, adopting a **Temporary 2007 Capital Budget** for the Cedar Brook and Upper Echo Lake Parks Dredging Program.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-377 FREEHOLDER MIRABELLA, authorizing the County Manager to enter into a contract with **Proquest Information and Learning, Chicago, Illinois**, for databases for Union County Libraries for the contract period of May 1, 2007 through April 30, 2008 in an amount not to exceed **\$114,035**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-378 FREEHOLDER SCANLON, appointing **Samuel McGhee, Hillside, New Jersey**, to the Union County Improvement Authority to an unexpired term commencing February 1, 2003 and terminating January 31, 2008.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-379 FREEHOLDER SULLIVAN, authorizing the County Manager to enter into an agreement with **Marturano Recreation Co., Spring Lake, New Jersey**, for playground and skateboard park components on the Esposito property in an amount not to exceed **\$353,800**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-380 VICE CHAIRMAN ESTRADA, supporting the passage of **New Jersey Assembly Bill No. A1707 and New Jersey Senate Bill No. S1522**, which provide for the establishment of county offices for the disabled and would appropriate annual state funding of up to **\$20,000** to each county office for the disabled.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-381 VICE CHAIRMAN ESTRADA, amending **Resolution No. 2006-1222** to reflect the correct list of agencies that provide the necessary services under the Older Americans Act.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-382 VICE CHAIRMAN ESTRADA, appointing **Leslie K. Moorman, Mountainside, New Jersey**, to the Mental Health Advisory Board commencing January 1, 2007 through December 31, 2009.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-383 CHAIRWOMAN KOWALSKI, authorizing the County Manager to enter into a lease agreement with **St. Mary's Roman Catholic Church, Plainfield, New Jersey**, for the use of four (4) offices (S.A.L.T. Project) for the contract period of April 1, 2007 through June 30, 2007 at no cost to the County of Union in the amount of **\$1,850** per month for a total amount of **\$5,550**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-384 CHAIRWOMAN KOWALSKI, authorizing the County Manager to award the proposed contracts obtained through advertised public bidding in accordance with **Local Public Contracts Law N.J.S.A. 40A:11-1 et seq:**

- a. Division of Data Processing and Telecommunications: **Maffey's Lock & Safe Co., dba Maffey's Security Group, Elizabeth, New Jersey**, to provide duress and burglar alarm installation services for various County properties for a contract period of twenty-four (24) consecutive months in an amount not to exceed **\$164,800**.
- b. Office of the County Clerk: **Alltech Business Solutions, Whippany, New Jersey**, to continue maintaining four (4) coin operated copy machines for an additional twenty-four (24) month period in an amount of **66% of Gross Proceeds**.
- c. Runnells Specialized Hospital: **Standard Elevator, Clifton, New Jersey**, to provide elevator maintenance and repair services for four (4) elevators for a contract period of twenty-four (24) consecutive months in an amount not to exceed **\$32,042**.
- d. Division of Golf Operations & Bureau of Horticulture and Park Maintenance: **Fertl-Soil Turf Supply, Inc., Scotch Plains, New Jersey**, in the amount of **\$69,020.82**; **UAP Distribution, Inc., North Brunswick, New Jersey**, in the amount of **\$39,228.85**; **Lesco, Inc., Cleveland, Ohio**, in the amount of **\$53,821.95**; **Synatek, LP, Sounderton, Pennsylvania**, in the amount of **\$30,190**; **Reed & Perrine Sales, Inc., Tennent, New Jersey**, in the amount of **\$39,228.85**; **Grass Roots Turf Products, Randolph, New Jersey**, in the amount of **\$15,166**; **Seeton Turf Warehouse, Mount Laurel, New Jersey**, in the amount of **\$1,984.50**; **Alenza (Division of DeAngelo Bros., Inc.) Hazleton, Pennsylvania**, in the amount of **\$7,072**, to furnish and deliver grounds maintenance chemicals.
- e. Division of Golf Operations: **Storr Tractor, Somerville, New Jersey**, to furnish and deliver Toro Irrigation Products at a 43% discount for the existing system of Toro irrigation equipment/parts for a contract period of twenty-four (24) consecutive months in an amount not to exceed **\$40,000**.
- f. Division of Information Technologies, Bureau of Data Processing & Telecommunications: **Rahway Typewriter Co., Inc., A/K/A Rahway Business Machines, Rahway, New Jersey**, to repair various makes and models of printers throughout the County that are not under warranty in an amount not to exceed **\$45,000**.
- g. Division of Golf Operations: **Reed & Perrine Sales, Inc., Tennent, New Jersey**, in the amount of **\$8,538**; **ET Equipment Company, Groton on Hudson, New**

York, in the amount of **\$8,910**; **Northern Nurseries of New Jersey, Inc., Somerset, New Jersey**, in the amount of **\$1,147.50**; **Grass Roots Turf Products, Inc., Randolph, New Jersey**, in the amount of **\$4,164.50**, to purchase various grass seeds.

- h. Division of Motor Vehicles: **Polsky's, Inc., Woodbury, New Jersey**, to exercise the 1st twelve (12) month extension option to measure and supply uniforms in the amount of **\$12,750**.
- i. Division of Golf Operations: **Wilfred MacDonald, Inc., S. Hackensack, New Jersey**, to purchase and deliver a Mower – Jacobsen Trufcat 628D in the amount of **\$17,374**.
- j. Division of Information Technologies: **Dell Marketing, LP, Round Rock, Texas**, in the amount of **\$25,709.60**; **Millennium Communications Group, Inc., East Hanover, New Jersey**, to provide uninterruptible power supply units and surge protectors for the period of twenty-four (24) consecutive months in the amount of **\$1,365**.
- k. Division of Motor Vehicles: **Absolute Fire Protection Co., Inc., South Plainfield, New Jersey**, to provide vehicle equipment installation services including, but not limited to lights, light bars, strobes and communication equipment for the County of Union's fleet of marked and unmarked units in an amount not to exceed **\$32,100**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-385 CHAIRWOMAN KOWALSKI, amending **Resolution No. 757-2005 (BA #5)** to the contract with **JN Auto Body, Elizabeth, New Jersey**, to cover unforeseen expenses associated with auto body repairs of County vehicles in an additional amount of **\$21,200** for a new contract amount of **\$127,200**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-386 CHAIRWOMAN KOWALSKI, amending **Resolution No. 379-2004**, approving Change Order No. 1 (final) to a contract with **RLI Insurance Company, Blue Bell, Pennsylvania**, for the construction of the Vauxhall Road Bridge and Channel Improvements for the Upper Rahway River Flood Control Project. This request **decreases** the original contract amount by **\$90,052.65** for a new total contract amount of **\$1,684,418.66**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-387 CHAIRWOMAN KOWALSKI, concurring with the Mayor and Borough Council of the **Borough of Roselle Park, New Jersey**, granting permission to close Chestnut Street, from Grant Avenue to Webster Avenue from 10:00 a.m. to 1:00 p.m. on Monday, May 28, 2007 to hold the Borough's Memorial Day Parade.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-388 CHAIRWOMAN KOWALSKI, concurring with the Mayor and Common Council Members of the **City of Summit, New Jersey**, granting permission to the Our House Foundation for the 5-Mile Run, on Sunday, May 6, 2007 to close Broad Street, from Summit Avenue to Maple Street during the hours of 12:00 p.m. and 5:00 p.m.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-389 CHAIRWOMAN KOWALSKI, concurring with the Mayor and Township Committee Members of the **Township of Springfield, New Jersey**, granting permission to the Springfield Chamber of Commerce, for the annual Street Fairs to be held on Saturday, May 12, 2007 and Saturday, September 15, 2007 to close Mountain Avenue between Caldwell Place and Morris Avenue from 7:00 a.m. to 6:00 p.m. Also concurring with the Mayor and Township Committee Members of the Township of Springfield, New Jersey, granting permission to hang a banner on Mountain Avenue to North Trivett Avenue and a banner on Meisel Avenue at Meisel Park from April 20, 2007 to May 14, 2007 and from August 20, 2007 to September 17, 2007.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-390 CHAIRWOMAN KOWALSKI, concurring with the Mayor and the Township Council Members of the **Township of Berkeley Heights, New Jersey**, granting permission to the American Cancer Society, Eastern Division to hang a banner across Springfield Avenue at Snyder Avenue from May 1, 2007 through June 4, 2007 to publicize the "Relay for Life" event.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-391 CHAIRWOMAN KOWALSKI, amending **Resolution No. 2007-113 (BA. #143)** to the contract with **Fai-Gon Electric, Inc., Piscataway, New Jersey**, for the purpose of providing safety upgrades to the existing traffic signal at the intersection of Mountainside Avenue and Glenside Road/South Street, Borough of New Providence, New Jersey, in an additional amount of **\$13,630** for the replacement of two existing poles/arms for a new total contract amount not to exceed **\$124,408**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-392 CHAIRWOMAN KOWALSKI, authorizing the County Manager to enter into a contract with **Samuel Stothoff Co., Inc., Flemington, New Jersey**, for the repair of irrigation pumps at the Union County Golf Courses in an amount not to exceed **\$20,000**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-393 CHAIRWOMAN KOWALSKI, waiving the fees for the **Township of Union Annual Senior Golf Tournament** to be held at the Galloping Hill Golf Course on Thursday, June 7, 2007 (rain date June 8, 2007).

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed seven members of the voted in the affirmative with Freeholder Holmes voting in the negative and Vice Chairman Estrada absent.

2007-394 CHAIRWOMAN KOWALSKI, authorizing **Change Order No. 1 (final)** to a construction contract with **Pennetta Industrial Automation, LLC, Jersey City, New Jersey**, for a water tank replacement at the Union County Courthouse, Elizabeth, New Jersey. This request decreases the original contract by **\$3,910** for a new contract amount of **\$97,890**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-395 CHAIRWOMAN KOWALSKI, amending **Resolution No. 1032-2004**, authorizing Change Order No. 1 to the contract with **Watson & Henry Associates, Bridgeton, New Jersey**, for an additional change of scope and increase in contract amount desired now to provide for the design of emergency stabilization measures, and to rework the construction documents into two phases of work, increasing the contract by **\$21,861.25** for a new total contract amount of **\$175,051.25**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-396 CHAIRWOMAN KOWALSKI, authorizing **Change Order No. 1, (BA #68)** with **Best Uniform, Westville, New Jersey**, due to the influx of personnel and increased cost it is necessary to exercise the 20% option to increase the original **\$60,000** bid by **\$12,000 (20%)** therefore, changing the total encumbrance to **\$72,000** for the 2nd year option.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-397 CHAIRWOMAN KOWALSKI, authorizing an agreement with **Simplex Grinnell, Rockaway, New Jersey**, for the 2120 Fire Alarm System upgrade at the Union County Oriscello Correctional Facility, Elizabeth, New Jersey in an amount not to exceed **\$446,000**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-398 CHAIRWOMAN KOWALSKI, amending **Resolution No. 2007-113** to increase the appropriation to **Schenck, Price, Smith & King, Morristown, New Jersey**, special counsel in the matter entitled **Edgardo Ortiz v. UC, et als.** for an additional amount of **\$5,000** for a new total contract amount not to exceed **\$10,000**.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-399 CHAIRWOMAN KOWALSKI, authorizing the County Manager to enter into a Collective Bargaining Agreement with **CWA Local 1080** for the period of July 1, 2006 through June 30, 2009.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-400 CHAIRWOMAN KOWALSKI, appointing **Edward Huey, Rahway, New Jersey**, as an Alternate to the Construction Board of Appeals to fill a vacancy with a term commencing January 1, 2007 and terminating December 31, 2010.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

THE FOLLOWING RESOLUTIONS WERE LAUDATORY IN CONTENT:

2007-401 FREEHOLDER HOLMES, congratulating **Ethel Simmons** upon celebrating her 100th Birthday on Sunday, April 8, 2007.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-402 FREEHOLDER MAPP AND THE ENTIRE BOARD, extending deepest condolences to the family of former **Plainfield Mayor Albert T. McWilliams**, in this, their time of sorrow.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-403 FREEHOLDER MIRABELLA AND VICE CHAIRMAN ESTRADA, congratulating various staff members, community persons and organizations by the **Community Access Unlimited** at their 23rd Annual Awards Night Celebration, L'Affaire, Mountainside, New Jersey, April 25, 2007.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-404 FREEHOLDER MIRABELLA AND THE ENTIRE BOARD, extending warmest congratulations to **Chief Parenti of the John Stamler Academy** on the occasion of his retirement.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-405 FREEHOLDER MIRABELLA, congratulating **Nicolas Milici** on being named to the All Mountain Valley Conference squad and the Central First Team All State Bowling Team.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-406 FREEHOLDER MIRABELLA, congratulating **Andrew Pavlica** for receiving his Master Municipal Clerk designation.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-407 FREEHOLDER SCANLON, congratulating **Michael Dennis, Nick Devlin, Bridget Laverty, Meaghan Lenahan, James Melody and Melissa Montagna** who are being honored by the Irish American Society of Union at their Annual Brunch.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-408 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, proclaiming the week of April 29, 2007 through May 5, 2007 as **“Municipal Clerks’ Week in Union County.**

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-409 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, extending deepest condolences to the family of **Peter Corvelli, Hillside, New Jersey,** in this, their time of sorrow.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-410 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, extending deepest condolences to the family of **Thomas J. Fela, Laborer, Division of Park Planning and Maintenance, Department of Parks, Recreation and Facilities**, in this, their time of sorrow.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-411 CHAIRWOMAN KOWALSKI, recognizing and commending the historical societies and organizations for preserving and protecting the artifacts and structures that tell Union County's history.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-412 CHAIRWOMAN KOWALSKI, proclaiming the month of April 2007 as **“National Autism Awareness Month”** in the County of Union and acknowledging the late Dr. Bernard Rimland who devoted his life to researching the cause of Autism.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-413 CHAIRWOMAN KOWALSKI, designating the month of April as **“Poetry Month”** in Union County.

On a motion made by Freeholder Sullivan seconded by Freeholder Ward, roll called showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

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

There were no comments.

PUBLIC COMMENT PORTION CONCLUDED

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Chairwoman Kowalski called for a motion to suspend the rules. On a motion made by Freeholder Mirabella and seconded by Freeholder Holmes, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

Chairwoman Kowalski called for a motion to move Resolution 2007-414 through 2007-429 from the floor. On a motion by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

THE FOLLOWING RESOLUTIONS WERE FROM THE FLOOR:

2007-414 FREEHOLDER PROCTOR, recognizing April 15 through April 21, 2007 as **“National Volunteer Week”** and recognizing the Rutgers Cooperative Extension Volunteers for their work all year long.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-415 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, extending deepest condolences to the family of former **Mayor Bill Cieri, Springfield, New Jersey**, in this, their time of sorrow.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-416 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Mary Phillips, Community Relations Coordinator, ConocoPhillips Bayway Refinery**, on her receipt of the Award for “Achievement by a Corporation” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-417 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Daphne Boyd, President, Newborns in Need/Plainfield Chapter**, on her receipt of the Award for “Achievement by a Non-Profit Organization” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-418 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Faye Zealand, Executive Director and Deborah Leib, Director of Social Services, St. Claire’s Home for Children**, on their receipt of the Award for “Achievement by a Community Organization” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-419 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Helen Donahue, Sandwich Ladies, aka “The Baloney Club”**, on their receipt of the Award for “Achievement by an Individual” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-420 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Albeiro and Maria Hincaple**, on their receipt of the Award for “Achievement by an Individual” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-421 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Hassan Edwards, Union County Vocational-Technical School**, on his receipt of the Award for “Achievement by a Student” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-422 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Maria Esteves, Union County Prosecutor’s Office, Victim/Witness Unit**, on her receipt of the Award for “Achievement by Law Enforcement” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-423 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Angel G. Estrada, Vice Chairman, Union County Board of Chosen Freeholders**, on his receipt of the Award for “Achievement in Public Service” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-424 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Kevin LaMastra, ESL/World Languages Teacher**, on his receipt of the Award for “Special Achievement” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-425 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating the late **Kevin Apuzzio**, on his receipt of the Award for “Special Achievement” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-426 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Robert O’Leary, Executive Assistant, Union County Prosecutor’s Office, (retired)** on his receipt of the Award for “Special Achievement” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-427 CHAIRWOMAN KOWALSKI AND THE ENTIRE BOARD, congratulating **Karen Positan, Assistant Public Information Officer, Union County Prosecutor’s Office**, on her receipt of the Award for “Special Achievement” from the Union County Human Relations Commission.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-428 FREEHOLDER HOLMES, proclaiming the month of April as “**Occupational Therapy Month**” in Union County.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

2007-429 FREEHOLDER SULLIVAN AND VICE CHAIRMAN ESTRADA, recognizing **Herb Levitt, President of the Union County Education Association**, for thirty years of service as President of UCEA.

On a motion made by Freeholder Scanlon and seconded by Freeholder Mirabella, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

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

Mr. Ken Dick, Scotch Plains, presented a Model Ordinance regarding the appointment process of members to Advisory Boards. He stated there should be an open application process and vacancy issues should be discussed. He asked if it could be placed on the Agenda for the next meeting. He

stated that 10 municipalities in New Jersey passed the Ordinance. The Model Ordinance is attached.

Mr. David Golish, Westfield, of the Citizens Campaign urged the Board to adopt the Model Appointments Proposal and said he would like to see it on next week's agenda.

Mr. George DeCarlo, Berkeley Heights, Chairman of the Green Party stated he supports the Model Ordinance for Open Application Law and supports having a Public Directory of Appointed County Positions.

Tina Renna, Cranford said she supports the Model Ordinance, and commented on some swearing-in ceremonies that she had previously attended where the elected officials made the public feel welcome, and suggested several ways in which the Freeholder Board might make the public feel more comfortable coming to Elizabeth. She stated that the City of Elizabeth is intimidating and commented on the lack of security outside the building and said there should be police officers on the corners. She also commented on the County's website, noting that there are no directions to the Administration building where the Freeholder's meetings take place or where to park.

Mr. Bruce Paterson, Garwood wished Governor Corzine a "speedy" recovery. He also stated that he supports the Model Ordinance for Open Appointment Law. He inquired as to why there were so many vacancies on some County Advisory Boards.

Ms. Patricia Quatrocchi, Garwood stated she reviewed the list of Advisory Boards and suggested that parents, teachers and/or ministers would be interested in filling the vacancies for Union County Juvenile Detention Center, Criminal Justice and Union County Americans with Disabilities Advisory Boards, i.e., parents of disabled children may be interested. She would also like to see a list of all the Advisory Boards and their vacancies on the County website.

Ms. Mary Ellen Taylor, Berkeley Heights stated she called several times to get information on getting involved with the Advisory Board of the Disabled, and she was not apprised of the vacancies. She feels that government needs to demonstrate a more respectful attitude toward the disabled, and feels the courts need to support and uphold the laws.

Mr. Jerry Goldman, Elizabeth said he supports the proposed Ordinance, however, he would like the logistics to be considered as it will be very time consuming. He was curious to know how much weight would be given to experience and political party of applicants and if the application list would be kept on file and how it would be determined who would be appropriate to be placed on the Advisory Board.

PUBLIC COMMENT PORTION CONCLUDED

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FREEHOLDER REPORTS AND COMMENTS

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Chairwoman Kowalski thanked the public for their concern and suggestions regarding the Model Ordinance. She stated she would review the Ordinance but does not know when it will be on the Agenda.

Chairwoman Kowalski called for Freeholder comments.

Freeholder Proctor had no comments.

Freeholder Holmes agreed with Chairwoman Kowalski and was happy to see the public come to the Freeholder Board meetings with positive ideas.

Freeholder Ward stated that the FAA announced its decision of the new flight plan. The Integrated Air Space plan will increase the noise in Union County to a greater degree than all other proposed plans. There will be only one public hearing on April 25, 2007. The public has until May 11th to submit comments and it will be finalized by June 2007. Freeholder Ward urged the public to attend the hearing.

Vice Chairman Estrada was absent.

Chairwoman Kowalski expressed the Board's concern to Freeholder Mapp regarding the recent threat to his safety.

Freeholder Mapp responded by thanking the Board for all the calls and genuine care and concern. He also stated he was familiar with the group known as Common Cause and Citizens' Campaign for transparency in government and this Model Ordinance is the kind of thing we should be working towards. By making the vacancies known they can be filled with qualified people with genuine interests and he urged his colleagues to review the Ordinance.

Freeholder Sullivan referenced Mr. Clark's comments regarding bids awarded to firms outside Union County. He stated that in 1999 when Senator Nicholas Scutari was a Union County Freeholder, he founded the Union County First initiative. This initiative encouraged all County directors to seek out vendors for services in the County first and to demonstrate that they pursued all avenues (such as advertisements) to solicit bids from in-County vendors before the Board would approve an out-of-county vendor. He thanked everyone who came to support the Model Ordinance. Further, he said that he does not feel the City of Elizabeth to be unsafe. He was born and raised in Elizabeth and stated that he was insulted by Ms. Renna's comments. Freeholder Sullivan also wanted to wish his mother a happy 80th birthday.

Freeholder Scanlon also wished Kay Sullivan (Freeholder Sullivan's mother) a happy birthday. Freeholder Scanlon expressed sorrow about the Virginia Tech University shooting tragedy. She stated that school is a place where students should feel safe. She extended her deepest sympathy to the grieving families. Freeholder Scanlon congratulated the Department of Public Works on their hard work in helping with the roads and clearing the drains during the past week's rainstorm. She also stated that Friday, April 27th is Arbor Day. On April 23rd and 24th many children will be participating in a County program to learn how to plant and care for trees and they will maintain them through the summer months.

Chairwoman Kowalski interjected that the poetry, that is on display as part of the Arbor Day celebration, was impressive.

Freeholder Mirabella wanted to commend the Department of Human Services, the Office of Emergency Management, the Department of Public Works, and Runnells Specialized Hospital on their work helping residents during the flooding and the aftermath of last week's rainstorm. He was proud of the County's response.

The County Counsel had no comments.

County Manager George Devanney, responded to some of the public comments, stating that in regard to the Advisory Boards, the Model Ordinance is conceptually a good idea, but there are some housekeeping tasks that need to be done that might make the current methods of filling positions simpler. Some of the boards are defunct because their missions have been completed, for example, he cited the Advisory Board that was created to search for a new location for the Juvenile Detention Center, and the ADA Advisory Board had merged with another board which is why it is not active.

The County Manager echoed the comments of Freeholder Scanlon stating that the Office of Emergency Management did a great job in the aftermath of the storm last week. He also complimented the County Police, saying that while there were over 100 reports into the Office of Emergency Management, there were no fatalities.

The County Manager then stated that this year's MusicFest (which will be held in September) kicked off this week with an event celebrating the partnership of the concert with the Love, Strength and Hope charity group. The event was a walk up the steps of the Empire State Building and the announcement of the line-up for the concert which includes: Chuck Berry, The Smithereens, The Alarm, The English Beat and The Old Ceremony. Love, Strength and Hope was started by cancer survivors and supports stem cell research. The County Manager thanked those who worked on the event and who are working on MusicFest: Carolyn Sullivan, Sebastian D'Elia, Victoria Durbin Drake and Kelly Coyle.

Chairwoman Kowalski thanked the County employees for their response to the flooding after the storm. She stated that she had a request from Cranford for assistance in debris pick-up. She stated if other towns need assistance to contact the Freeholder's office. She also stated that the County has a multi-jurisdictional program that offers financial help to senior citizens and low income residents whose homes suffered storm damage. Interested persons should contact the Freeholder Office. She further commented on the topic of global warming, stating that it is a very serious matter and that government should act in an environmentally conscious manner.

Chairwoman Kowalski thanked those who participated in the MusicFest and Love, Strength and Hope kick off.

Chairwoman Kowalski also mentioned that the County is celebrating its 150th Anniversary on May 19th. There will be seminars at Union County College in the morning and festivities in the Nomahegan Park across from the college in the afternoon.

Chairwoman Kowalski called for a motion to adjourn the meeting. On a motion made by Freeholder Sullivan and seconded by Freeholder Holmes, roll call showed eight members of the Board voted in the affirmative with Vice Chairman Estrada absent.

ADJOURNMENT

The voucher list through **April 11, 2007** will be available for public perusal in the Office of the Clerk of the Board.

Listed below is the schedule for upcoming Freeholders Meetings. Meetings are generally held on **Thursday at 7:00 pm** in the Meeting Room, Administration Building, 6th Floor, Elizabeth, New Jersey, unless otherwise specified.

AGENDA/WORK SESSIONS

7:00 P.M.

April 26 *

**May 3
May 17**

June 7 Summer Session

July 19 Summer Session

August 9 Summer Session

**September 6*
September 20**

**October 4
October 18**

**November 8*
November 29***

**December 6
December 20***

REGULAR/PUBLIC MEETINGS

7:00 P.M.

April 26*

**May 10
May 24**

June 21

July 26

August 23

**September 6*
September 27**

**October 11
October 25**

**November 8*
November 29***

**December 13
December 20***

***COMBINED AGENDA SESSION AND REGULAR MEETING**

Nicole L. DiRado, RMC, MPA
Clerk of the Board

NLD:mb