

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
EXECUTIVE SESSION
AGENDA MEETING - **JANUARY 17, 2008**

Present:Chairman Angel G. Estrada, Vice Chairman Alexander Mirabella, Freeholder Chester Holmes, Freeholder Bette Jane Kowalski, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan, Freeholder Rayland Van Blake, Freeholder Nancy Ward. Freeholder Rick Proctor was absent.

Also Present: County Manager George W. Devanney, County Counsel Robert E. Barry, Esq., Clerk of the Board Nicole L. DiRado.

1. Personnel Matters / Contract Negotiations: Benefits for employees on permanent disability as a result of an injury incurred on the job

Guest: Joe Salemme, Coventus, LLC., Labor Negotiator

Providing health benefits for permanently disabled employees, who are disabled due to an injury on the job as a County employee was discussed. The Board had some outstanding issues the last time this matter was discussed. Specifically, can the County impose limitations on the benefits; do other entities in the State offer these benefits and what is the cost estimate?

The County can impose limitations on the benefits. For example, the County can limit which plans are offered. If the employee wants the premium insurance plan, they can pay the difference. Second, the County can ask the recipient to annually certify that they are not receiving other benefits and have no other source of receiving health benefits (ie: either from their employer, should they get another job, or through their spouse's employer). Further, the County can require a contribution from the employee, as other employees must pay.

The State, 19 other counties and several municipalities offer benefits for permanently disabled employees who are disabled as a result of their employ with the entity. Benefits are based on the agency's current retirement policy.

Currently, Union County only pays a subsidy wherein a portion is paid by the county and the balance by the employee. This issue would be segregating those in the past who are out on accidental permanent disability. Accidental permanent disability must be caused by a traumatic event, not induced by normal work effort, wherein an involuntary object was the cause of harm or injury. There is a very stringent set of criteria used by the Pension Board in determining whether or not an employee is eligible for accidental permanent disability.

The Board was also advised as to certain procedural issues on possible implementation. Possible Policy Resolution, Code Amendment and/or side-bar Agreements.

There are currently 13 employees which would be affected by the policy. Ten of the employees are in law enforcement. {Minutes redacted under Attorney-Client privileged communication on potential litigation / contract dispute pursuant to N.J.S.A. 47:1A-1.

Minutes redacted under Attorney-Client privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1.}

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
EXECUTIVE SESSION
AGENDA MEETING - **JANUARY 24, 2008**

Present: Chairman Angel G. Estrada, Freeholder Bette Jane Kowalski, Freeholder Rick Proctor, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan and Freeholder Rayland Van Blake were present. Vice Chairman Alexander Mirabella, Freeholder Chester Holmes and Freeholder Nancy Ward were absent.

Also Present: Acting County Manager Frank Guzzo, County Counsel Robert E. Barry, Esq., Clerk of the Board Nicole L. DiRado.

2. Personnel Matters

A discussion relative to the report of the Prosecutor's Office regarding the inmate escape at the Union County Jail was discussed.

As a result of the Prosecutor's investigation, 12 officers were identified as having violated several regulatory requirements. Disciplinary notices will be distributed tomorrow to 5 of the officers and termination will be recommended. Disciplinary actions against the remaining 7 officers will be taken. He is not pursuing criminal charges against anyone.

The Prosecutor's office does not have the authority to take disciplinary actions. It is appropriate for him to issue report and make findings of violations, but his office does not have the authority to make personnel recommendations.

{Minutes redacted relative to a personnel matter and security measures exempt under N.J.S.A. 47:1A-10.}

The new jail director, Brian Riordan, is expected to begin work on February 11, 2008, pending the background investigation and four-way check. He will address the Board in executive session on February 7, 2008, together with Gary Hilton, Paige Plus, LLC.

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
EXECUTIVE SESSION
AGENDA MEETING – **FEBRUARY 7, 2008**

Present: Chairman Angel G. Estrada, Vice Chairman Alexander Mirabella, Freeholder Chester Holmes, Freeholder Bette Jane Kowalski, Freeholder Rick Proctor, Freeholder Daniel P. Sullivan, Freeholder Rayland Van Blake, and Freeholder Nancy Ward were present. Freeholder Deborah P. Scanlon was absent.

Also Present: County Manager George W. Devanney, Deputy County Manager M.

Elizabeth Genievich, County Counsel Robert E. Barry, Esq., Clerk of the Board Nicole L. DiRado.

3. Personnel Matters

Guest: Frank Guzzo, Director, Department of Human Services; Brian Riordan, New Director, Union County Jail; Gary Hilton, Consultant, Acting Jail Director; Seb D'Elia, Director of Public Information

The new jail director, Brian Riordan, is introduced to the Board. Employment of Mr. Riordan will require a residency waiver resolution. He starts his employment on Monday, February 11, 2008. The Board supports the residency waiver.

4. Tactics and techniques utilized in protecting the safety and property of the public

Guest: Frank Guzzo, Director, Department of Human Services; Brian Riordan, New Director, Union County Jail; Gary Hilton, Consultant, Acting Jail Director; Seb D'Elia, Director of Public Information

Improvements made in the jail and issues still plaguing the jail thus far discussed include the following:

Improvements

- Physical security: significant improvements have already been made including the installation of the razor ribbon.
- Within the next 4-6 weeks additional lighting, cameras and motion detector cameras and rat walls will be installed. Also, cameras in the living areas and close custody detention areas will be installed.
- The outer sliders located in the housing units in the jail have not been used for quite some time. They are currently being fixed, creating a sally port which will help avoid a takeover creating a hostage situation.
- The renovations to the kitchen will begin in last spring.
- The showers will be replaced after the kitchen renovations have been completed. It is recommended that a pod be vacated while showers are being done because it is major excavation and that the women be moved to the old Juvenile Detention Center, which is equipped to handle the population.

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
EXECUTIVE SESSION
REGULAR MEETING – **APRIL 24, 2008**

Present: Chairman Angel G. Estrada, Vice Chairman Alexander Mirabella, Freeholder Chester Holmes, Freeholder Bette Jane Kowalski, Freeholder Rick Proctor, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan, Freeholder Rayland Van Blake, and Freeholder Nancy Ward were present.

Also Present: County Manager George W. Devanney, Deputy County Manager M.

Elizabeth Genievich, County Counsel Robert E. Barry, Esq., and Clerk of the Board Nicole L. DiRado.

The following item was discussed:

1. On-going Litigation and Contract Negotiations relative to Esposito Farm Park
Guests: Victoria Durbin Drake, Trust Fund Administrator, Burton Zitomer, Esq., Trust Fund Attorney

Mr. Zitomer provided an update relative to the on-going litigation surrounding the construction of Esposito Farm. {Minutes redacted under Attorney-Client privileged communication on potential litigation / contract dispute pursuant to N.J.S.A. 47:1A-1. Minutes redacted under Attorney-Client privileged communication in a matter involving on-going litigation pursuant to N.J.S.A. 47:1A-1.}

Mr. Zitomer advised {Minutes redacted under Attorney-Client privileged communication on potential litigation / contract dispute pursuant to N.J.S.A. 47:1A-1. Minutes redacted under Attorney-Client privileged communication in a matter involving on-going litigation pursuant to N.J.S.A. 47:1A-1.}

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
EXECUTIVE SESSION
AGENDA MEETING – **MAY 15, 2008**

Present: Chairman Angel G. Estrada, Vice Chairman Alexander Mirabella, Freeholder Chester Holmes, Freeholder Bette Jane Kowalski, Freeholder Rayland Van Blake and Freeholder Nancy Ward were present. Freeholder Rick Proctor, Freeholder Deborah P. Scanlon and Freeholder Daniel P. Sullivan were absent.

Also Present: County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, County Counsel Robert E. Barry, Esq., and Clerk of the Board Nicole L. DiRado.

The following item was discussed:

1. Potential Land Acquisition: The Hungarian Club Property, Clark, New Jersey
Guests: Victoria Drake, Trust Fund Administrator, Al Faella, Director, Parks & Community Renewal

The County Manager asked the Board's authorization to negotiate the purchase of the Hungarian Club Property in Clark. The property is .77 acres and is adjacent to the Schwartz Farm, the St. Agnes Property and the Clark Reservoir. The appraisals came in at \$600,000 and \$650,000.

The County Manager requested authorization to negotiate up to {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of

real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.}

The Board authorized the negotiation.

2. Personnel Matters: Corrections Officers/Disciplinary Actions related to the escape of two Jail inmates

Guests: Brian Riordan, Director, Department of Correctional Services

County Counsel Barry and Director Riordan provided an update on the disciplinary matters regarding the corrections officers. The two Corrections Officers have {Minutes redacted relative to a personnel matter exempt under N.J.S.A. 47:1A-10.}

3. Potential Contract Negotiations

Guests: Brian Riordan, Director, Department of Correctional Services

Director Riordan outlined several items in the current Corrections Officers' contract that he would like to modify during the next negotiation process.

4. Public Safety and Security Issues at the Union County Jail

Guests: Brian Riordan, Director, Department of Correctional Services

Director Riordan discussed several upgrades which have already been completed at the jail, as well as additional upgrades he would like to pursue { Minutes redacted relative to a security matters exempt under N.J.S.A. 47:1A-10

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
EXECUTIVE SESSION
AGENDA MEETING – **SEPTEMBER 11, 2008**

Present: Chairman Angel G. Estrada, Vice Chairman Alexander Mirabella, Freeholder Chester Holmes, Freeholder Bette Jane Kowalski, Freeholder Rick Proctor, Freeholder Deborah P. Scanlon and Freeholder Daniel P. Sullivan and Freeholder Rayland Van Blake were present. Freeholder Nancy Ward was absent.

Also Present: County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, County Counsel Robert E. Barry, Esq., and Clerk of the Board Nicole L. DiRado.

The following items were discussed:

5. Contract Negotiations with Council 8:

Guests: Joseph Salemme, Coventus Labor Consulting, LLC; Lawrence Caroselli, Director, Department of Finance

Progress made on negotiations as well as proposals and concessions with Council 8 were discussed. {Minutes redacted under Attorney-Client privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1.}

Exclusionary employee increases were also discussed.

6. Anticipated Litigation/Negotiation: South First Street Bridge in Elizabeth

Guests: Rose Comas, Second Deputy County Counsel; Joseph Graziano, Director, Engineering, Public Works and Facilities

The County began the process to demolish and reconstruct the South First Street Bridge in Elizabeth in 2003. The project is prepared to proceed. However, because the bridge should be elevated to a 12 foot clearance, and not grade, it may be necessary to acquire property on the southern side of the bridge.

The property is occupied by the Galluzzo Brothers, a carting business, and approximately one-third of Galluzzo's property would be required to proceed with the project. The Galluzzo property totals approximately one-third to one-half of an acre. {Minutes redacted under Attorney-Client privileged communication on potential litigation / contract dispute pursuant to N.J.S.A. 47:1A-1.}

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
EXECUTIVE SESSION
AGENDA MEETING – **OCTOBER 2, 2008**

Present: Chairman Angel G. Estrada, Vice Chairman Alexander Mirabella, Freeholder Chester Holmes, Freeholder Bette Jane Kowalski, Freeholder Rick Proctor, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan, Freeholder Rayland Van Blake and Freeholder Nancy Ward were present.

Also Present: County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, County Counsel Robert E. Barry, Esq., and Clerk of the Board Nicole L. DiRado.

The following items were discussed:

7. On-going Litigation: Estate of Donald Davis vs. County of Union

Guests: Norman Albert, Esq., Deputy County Counsel; James Green, Esq., Schenck, Price, Smith & King

Deputy County Counsel Norman Albert and Special Counsel James Green are recommending {Minutes redacted under Attorney-Client privileged communication in a matter involving on-going litigation pursuant to N.J.S.A. 47:1A-1.} The Board supports.

8. Contract Negotiations w the non-profit organization, Friends of the Child Advocacy Center of Union County

The Board will support the Friends of the Child Advocacy Center of Union County in the amount of \$2 million, which will include the sale of the current facility.

It is agreed that once the funds are raised, the money will be directed to the County, construction of the building will be coordinated by the County, and the County will take ownership of the building once it is complete.

The group has already raised \$50,000 (incorrectly stated as \$500,000) and the Prosecutor has secured a grant in the amount of \$500,000. The group is also already in discussions for a potential site. The County's commitment, together with a site, will help the fundraising efforts tremendously.

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
EXECUTIVE SESSION
AGENDA MEETING – **NOVEMBER 13, 2008**

Present: Chairman Angel G. Estrada, Vice Chairman Alexander Mirabella, Freeholder Chester Holmes, Freeholder Bette Jane Kowalski, Freeholder Rick Proctor, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan, and Freeholder Rayland Van Blake and Freeholder Nancy Ward were present.

Also Present: County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, County Counsel Robert E. Barry, Esq., and Clerk of the Board Nicole L. DiRado.

The following items were discussed:

9. Contract Negotiations relative to the Division of Golf Operations

Guests: Al Faella, Director, Department of Parks and Community Renewal; Ron Zuber, Deputy Director, Department of Parks and Community Renewal; Armando Sanchez, Director, Division of Golf Operations; Lawrence Caroselli, Director of Finance; Jonathan Williams, Esq., and Wayne Hasenbalg, Esq., DeCotiis, Fitzpatrick, Gluck & Wisler, representing the Union County Improvement Authority (UCIA)

County Manager Devanney opened the discussion on the future of golf operations, {Minutes redacted under Attorney-Client privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1. Minutes redacted under Attorney-Client privileged communication pursuant to N.J.S.A. 47:1A-1. Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.} He introduced Mr. Sanchez, Mr. Williams and Mr. Hasenbalg {Minutes redacted under Attorney-Client privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1. Minutes redacted under Attorney-Client privileged communication pursuant to N.J.S.A. 47:1A-1. Minutes redacted as same involve on-going negotiations / discussions relative

to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.}

Through their research, {Minutes redacted under Attorney-Client privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1. Minutes redacted under Attorney-Client privileged communication pursuant to N.J.S.A. 47:1A-1. Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.}

10. Contract Negotiations w Council 8

Guest: Joseph Salemme, Labor Negotiator, Coventus Consulting, LLC; Lawrence Caroselli, Director, Department of Finance

Mr. Salemme advised the Board that Council 8 has come back with a counter offer which would include a \$1,000 bonus in 2nd year, \$1,000 bonus in 4th year, and 3% in last year. They are also proposing a health coverage contribution scale for new employees: 3% for family coverage; 2.5% for an employee with a child; and 2% for a single employee. The escalation clause in the contract would increase proportionate to the health plan increase. They would like to leave their contribution at a max of 2.5% for family coverage, 2% for an employee with a child and 1.5% for a single employee, which is .5% less than new employees hired in 2009 and gives them some seniority status.

{Minutes redacted relative to a personnel matter exempt under N.J.S.A. 47:1A-10. Minutes redacted under Attorney-Client privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1.}

11. Personnel Matters – Exclusionary Employee Merit Increases

Guest: Joseph Salemme, Labor Negotiator, Coventus Consulting, LLC; Lawrence Caroselli, Director, Department of Finance

The County Manager advised the Board that merit increases for exclusionary employees will be retroactive only to July 1st and will not exceed an average of 3%. {Minutes redacted relative to a personnel matter exempt under N.J.S.A. 47:1A-10.}