

EXECUTIVE SESSION MINUTES
REGULAR MEETING – THURSDAY, JANUARY 21, 2010

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

Also present were 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:

1. Contract Negotiations with the Borough of New Providence and Attorney-Client communication regarding Save Oakwood Park Corp v. Borough of New Providence, et al.

Guests: Victoria Drake, Administrator, Open Space, Recreation and Historic Preservation Trust Fund, Ron Zuber, Deputy Director, Department of Parks and Community Renewal, Seb D'Elia, Director, Office of Communications

In light of the recent New Providence Planning Board decision, the Board wanted to revisit the terms of the agreement with New Providence regarding the Oakwood Park Project and discuss the County's options on how to proceed. The Board was advised that the Mayor will most likely put the item on the ballot as a referendum. {Minutes redacted under Attorney-Client privileged communication in a matter involving on-going litigation 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.}

EXECUTIVE SESSION MINUTES
AGENDA MEETING – **THURSDAY, FEBRUARY 18, 2010**

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

Also present were County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, and County Counsel Robert E. Barry, Esq.

The following items were discussed:

1. Contract Negotiations regarding the New Jersey Association of Counties

The Board discussed issues and terms relating to continued membership to the New Jersey Association of Counties and decided to continue its membership for 2010.

2. Contract Negotiations regarding the Union County Utilities Authority

Chairman Sullivan provided the Board with a brief update of contract negotiations between the Union County Utilities Authority and Covanta and options relative to expansion versus sale. The Chairman advised the Board that, {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.} A detailed analysis will be completed in the near future. Special Counsel and Financial Advisor to the UCUA have been invited to provide the Board with an update in Executive Session on March 4, 2010.

A memorandum prepared by Mr. Williams providing an update on the project is attached.

**EXECUTIVE SESSION MINUTES
THURSDAY, MARCH 4, 2010**

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

Also present were County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, and County Counsel Robert E. Barry, Esq.

The following item was discussed:

1. Contract Negotiations regarding the Union County Utilities Authority
Guests: Jonathan Williams, Esq., DeCotiis, Fitzpatrick Cole & Wisler; Dennis Enright, NW Financial and Lawrence Caroselli, Director, Department of Finance

Mr. Williams and Mr. Enright updated the Board on negotiations with Convanta regarding the future of the Union County Resource Recovery Facility. {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 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. }

2. Oakwood Plaza Redevelopment Project, Elizabeth, New Jersey
Guests: Jonathan Williams, Esq., DeCotiis, Fitzpatrick Cole & Wisler; Dennis Enright, NW Financial and Lawrence Caroselli, Director, Department of Finance

Mr. Williams and Mr. Enright updated the Board on recent developments relative to the financing structure for the Oakwood Plaza Redevelopment Project and legal obligations relative to the County guarantee ordinance and deficiency agreement. At the onset of this project, the City of Elizabeth received a commitment letter from the State of New Jersey's Urban Fund indicating that \$20 million would be committed to this project. These funds would be dedicated to paying off the debt the County and the City were responsible for by way of guarantee ordinances. The initial payment of \$4 million was received from the State.

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

EXECUTIVE SESSION MINUTES
AGENDA MEETING – **THURSDAY, MARCH 11, 2010**

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

Also present were County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, and County Counsel Robert E. Barry, Esq.

The following item was discussed:

Potential Real Estate Acquisition: {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.

Guests: Joseph Graziano, Director, Department of Engineering & Public Works, Tom Mineo, Director, Division of Engineering, Nick Netta, Netta Architects, Lawrence Caroselli, Director, Department of Finance

County Manager Devanney asked the Board for authorization to research the possible acquisition of {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 County Manager to research the possible acquisition and perform an appraisal.

EXECUTIVE SESSION MINUTES
AGENDA MEETING – THURSDAY, MARCH 18, 2010

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

Also present were County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, and County Counsel Robert E. Barry, Esq.

The following item was discussed:

1. Ongoing Litigation: Aspen Landscaping v. UC

Guests: Joseph Graziano, Director, Department of Engineering & Public Works; Al Faella, Director, Department of Parks & Community Renewal; Ronald Zuber, Deputy Director, Department of Parks & Community Renewal; Victoria Drake, Administrator, Trust Fund; Rosalba Comas, Esq., Second Deputy County Counsel; Lawrence Caroselli, Director, Department of Finance; Sebastian D’Elia, Director, Office of Public Information; Burton Zitomer & Nuris Portuondo, Schwartz, Simon, Edelstein, Celso, & Zitomer, LLC

{Minutes redacted under Attorney-Client privileged communication in a matter involving on-going litigation pursuant to N.J.S.A. 47:1A-1.}

2. Personnel Matters and Attorney Client Privileged Communications

Guests: Joseph Graziano, Director, Department of Engineering & Public Works; Al Faella, Director, Department of Parks & Community Renewal; Ronald Zuber, Deputy Director, Department of Parks & Community Renewal; Victoria Drake, Administrator, Trust Fund; Lawrence Caroselli, Director, Department of Finance; Sebastian D’Elia, Director, Office of Public Information

The future of Wheeler Pool was discussed as it relates to hiring lifeguards as seasonal employees for the summer. A study will be conducted to see if the pool can be opened and if so, what needs to be done to open it before lifeguards are hired.

EXECUTIVE SESSION MINUTES
REGULAR MEETING – **THURSDAY, MARCH 25, 2010**

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

Also present were County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, and County Counsel Robert E. Barry, Esq.

The following item was discussed:

1. Contract Negotiations: Parks Maintenance

Guests: Joseph Salemme, Conventus Labor Consulting, LLC, and Lawrence Caroselli, Director, Department of Finance

The pending contract had not been approved prior to Governor Christie's recent changes in the health insurance contribution legislation. The County Manager explains that the County is in a position wherein intervening legislative action is a cause to go back into negotiations with the Parks Maintenance union. The legislation imposes a health insurance contribution equal to 1.5% of the employee's salary, which would produce \$30,000 annually. The County Manager believes this provision should be included in the new contract.

The Board supports the continued negotiations of this contract, which should include the 1.5% health insurance contribution, in light of Governor Christie's legislation.

EXECUTIVE SESSION MINUTES
REGULAR MEETING – THURSDAY, APRIL 1, 2010

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

Also present were County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, and County Counsel Robert E. Barry, Esq.

The following item was discussed:

1. Contract Negotiations: Law Enforcement Entities

Guests: Lawrence Caroselli, Director, Department of Finance; Brian Riordan, Director, Department of Correctional Services; Andrew Moran, Director, Department of Public Safety; Joseph Salemme, Conventus Labor Consulting, LLC; Kathryn Hatfield, Esq., Bauch, Zucker & Hatfield

Contracts with eight law enforcement groups including the Corrections Officers, Union County Police and the Sheriff's Officers have expired as of the end of 2009. Mr. Salemme & Ms. Hatfield recently met with representatives of each of the unions and they opened negotiations with the following: {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.}

The Freeholders and the County Manager {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.}

The Board asks that a {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.}

Contract Negotiations: Parks Maintenance Union

Guests: Joseph Salemme, Conventus Labor Consulting, LLC and Lawrence Caroselli, Director, Department of Finance

The Parks Maintenance Union agreed to the 1.5% health insurance contribution pursuant to new state legislation. Mr. Salemme asks that a concurring Resolution be placed on next week's agenda for the Board's consideration. The Chairman agrees that the resolution will appear on next week's agenda.

EXECUTIVE SESSION MINUTES
REGULAR MEETING – THURSDAY, APRIL 15, 2010

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

Also present were County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, and County Counsel Robert E. Barry, Esq.

The following items were discussed:

1. Contract Negotiations relative to the Union County Utilities Authority
Guests: Jonathan Williams, Esq. & Gina Bilangi, Esq., DeCotiis, Fitzpatrick, Cole & Wislwer; Lawrence Caroselli, Director, Department of Finance; John Kulish, UCUA Commissioner; and Dennis Enright, NW Financial

Mr. Williams and Mr. Enright have advised the Board that {Minutes redacted under Attorney-Client privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1.}

A Memorandum of Understanding will be available within a couple months for review. There will be a few options for the Board to consider in this agreement.

2. Contract Negotiations relative to the Oakwood Plaza Redevelopment Project
Guests: Lawrence Caroselli, Director, Department of Finance; Jonathan Williams, Esq. & Gina Bilangi, Esq., DeCotiis, Fitzpatrick, Cole & Wisler; Dennis Enright, NW Financial

{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.}

3. Contract Negotiations relative to Berkeley Aquatic Club
Guests: Lawrence Caroselli, Director, Department of Finance; Jonathan Williams, Esq. & Gina Bilangi, Esq., DeCotiis, Fitzpatrick, Cole & Wisler; Dennis Enright, NW Financial

The Berkeley Aquatic Club has terminated the agreement w the Union County Improvement Authority and Union County because the Berkeley Heights Zoning Board had made many adjustments and there was a lot of local opposition.

{Minutes redacted under Attorney-Client privileged communication pursuant to N.J.S.A. 47:1A-1.}

The revenue from the potential sale to the Berkeley Aquatic Club was never anticipated in the budget.

4. Contract Negotiations with the New Jersey State Golf Association

Guests: Lawrence Caroselli, Director, Department of Finance; Alfred Faella, Director, Department of Parks & Community Renewal; Armando Sanchez, Director, Division of Golf Operations; Jonathan Williams, Esq., Kevin Kinsella, Esq. & Gina Bilangi, Esq., DeCotiis, Fitzpatrick, Cole & Wisler

The County Manager updated the Board on the status of negotiations with the New Jersey State Golf Association (NJSGA), a not for profit entity. This agreement {Minutes redacted under Attorney-Client privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1.}

The negotiations will include {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 privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1.}

5. Potential Real Estate Acquisitions: 112 Park Drive, Cranford

Guests: Victoria Durbin, Administrator, Open Space, Recreation & Historic Preservation Trust Fund; Alfred Faella, Director, Department of Parks & Community Renewal; Lawrence Caroselli, Director, Department of Finance; Sebastian D'Elia, Director, Office of Public Information

Previous offers to purchase this property were rejected by the owner. Recently, the owner contacted Ms. Drake and agreed to accept \$495,000. The property is .59 acre and is a great acquisition for the expansion of Nomahegan Park.

The Board supports the purchase of the property.

6. Potential Real Estate Acquisitions: {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 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.}

Guests: Lawrence Caroselli, Director, Department of Finance; Joseph Graziano, Director, Department of Engineering, Public Works and Facilities; Niel Palmieri, Director, Division of Building Services

Appraisals came back at {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 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 purchase of this property would allow the County {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 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 County Manager would like authorization to negotiate up to {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 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 supports the negotiations.

7. Attorney-Client Privileged Communications

Guests: Victoria Durbin, Administrator, Open Space, Recreation & Historic Preservation Trust Fund; Alfred Faella, Director, Department of Parks & Community Renewal; Lawrence Caroselli, Director, Department of Finance; Sebastian D'Elia, Director, Office of Public Information

Discussions relative to {Minutes redacted under Attorney-Client privileged communication pursuant to N.J.S.A. 47:1A-1.} No changes will be made.

8. Contract Negotiations with the Borough of Fanwood

Guests: Lawrence Caroselli, Director, Department of Finance; Andrew Moran, Director, Department of Public Safety; Cherron Rountree, Director, Office of Intergovernmental Policy & Planning; Sebastian D'Elia, Director, Office of Public Information

Director Moran recently completed a study outlining shared services opportunities in the area of public safety. Providing a shared dispatch center for 911, EMS, police, and fire is one area where municipal savings can be realized. The County has the capability to expand to provide this service.

Currently, the Borough of Fanwood spends approximately \$200,000 annually on personnel and software. The County's cost in the first year is approximately \$200,000 which includes personnel and a onetime cost to update software; the cost thereafter is approximately \$140,000. Costs will ultimately drop when additional

municipalities join as savings are realized through economies of scale. Other municipalities are also interested in pursuing this shared service. The County Manager is negotiating with the Borough of Fanwood and will recommend \$100,000 per year with the opportunity for a price reduction in the future. They may decide to take the price reduction up front and maintain it for a few years.

When more municipalities come on board, part time employees could be hired.

If the agreement was made next week, the service could be operational by September 15, conservatively.

The board supports the agreement and negotiations.