

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
EXECUTIVE SESSION MINUTES
REGULAR MEETING – MAY 3, 2007

Chairwoman Bette Jane Kowalski presided. Vice Chairman Angel G. Estrada, Freeholder Chester Holmes, Freeholder Alexander Mirabella, Freeholder Rick Proctor, Freeholder Deborah P. Scanlon, and Freeholder Daniel P. Sullivan. Freeholder Adrian O. Mapp and Freeholder Nancy Ward were absent.

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 were also present.

The following items were discussed:

1. Contract Negotiations: Department of Human Services and the YMCA of Eastern Union County

Guests: Frank Guzzo, Department of Human Services

The Prosecutor asked the county to move the day care center located in the Ruotolo Building because the Child Advocacy Center needs space until their new facility is ready. The lease with the YMCA, which operates the day care, will expire on June 30, 2007. Because Elizabeth is an abbot district, the YMCA needs to notify the Elizabeth Board of Education as soon as possible.

The Board supports renewing the lease with the YMCA of Eastern Union County for Herb's House.

2. On-Going Litigation: Exxon Mobile v. Union County

Guest: Norman Albert, Esq., Assistant County Counsel

This case involves inverse condemnation. Union County, Essex County and Millburn are doing work on the Vauxhall Bridge. It was Union County's understanding that Millburn was responsible for obtaining an easement from the owner of a gas station near the bridge, as it was needed to complete some work. The easement was not secured by Millburn. {Minutes redacted under Attorney-Client Privileged communication in a matter involving on-going litigation pursuant to N.J.S.A. 47:1A-1.} It is difficult to assess damages at this time. There are four parties in this matter: three defendants and one plaintiff. Deputy County Counsel recommends {Minutes redacted under Attorney-Client Privileged communication in a matter involving on-going litigation pursuant to N.J.S.A. 47:1A-1.} The owner will accept \$75,000 to fix the system. Each party, Essex County, Union County and Millburn, will each be responsible for \$25,000. This would settle last remaining issue surrounding this project. This is a claim that was submitted as part of our insurance claim. The deal is subject on all parties accepting the settlement.

The Board supports the settlement.