

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

MINUTES OF THE REGULAR MEETING

SEPTEMBER 25, 2003

Chairwoman Deborah P. Scanlon presided. Roll call showed Vice Chairman Angel G. Estrada, Freeholder Chester Holmes, Freeholder Lewis Mingo Jr., Freeholder Alexander Mirabella, Freeholder Rick Proctor, Freeholder Nicholas P. Scutari and Freeholder Daniel P. Sullivan in attendance. Freeholder Mary P. Ruotolo was absent.

Also present were County Manager George Devanney, County Counsel Robert Barry, and Clerk of the Board Sharda Badri.

PRAYER AND SALUTE TO THE FLAG were lead by the Clerk of the Board.

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

The Chairwoman called for a motion to approve the minutes.
On a motion by Freeholder Holmes, seconded by Freeholder Mirabella, roll call showed seven (7) members of the Board voted in the affirmative with Freeholder Proctor abstaining and Freeholder Ruotolo absent.

APPROVAL OF MINUTES: September 10, 2003 – Regular Meeting

The Chairwoman called for a motion to approve the communications.
On a motion by Freeholder Sullivan, seconded by Freeholder Mirabella, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

C O M M U N I C A T I O N :

OATHS OF OFFICE: (Note & file)

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STATUS REPORT

George Devanney, County Manager

Re: M&E and Juvenile Detention

County Manager Devanney reported on the M&E Staten Island/Rahway Valley Railroad reactivation issue, focusing on the outreach efforts by M&E and the County.

He outlined several meetings during September between M&E, the County and groups of residents. He also addressed the matter of a resident who had complained of someone cutting down trees on her property, near the railway. He reported that PSE&G was responsible for the cutting and that the County and M&E were working with PSE&G to work things out with the resident.

On the matter of the recent death at the Juvenile Detention Center of Edward Sinclair, the County Manager outlined efforts going back to June of 2002 to make changes in the Juvenile Detention facility. He detailed new changes in the center as of this year, including new security cameras and monitor equipment, and new radiator covers. He also stated that Gordon Fuller from M&E, Frank Guzzo, Director of the Human Services Department and James Daley, Director of the Economic Development Department were present at this meeting and would be available to speak to members of the public after the meeting.

The County Counsel read a statement at this time regarding protocol for the public commentary portion of the meeting. He stated that the public comment portion is not a question and answer session but a forum for the public to voice its opinion. He suggested that anyone with questions remain after the meeting and meet with the appropriate member of the County staff.

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The first order of business was the First Reading of Bond Ordinance No. 582-2003.

BOND ORDINANCE NO. 582-2003

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY IN THE TOWNSHIP OF SCOTCH PLAINS FOR OPEN SPACE CONSERVATION AND OTHER GOVERNMENTAL PURPOSES IN, BY AND FOR THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$10,500,000 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 I. The County of Union, State of New Jersey (the "County") is hereby authorized to acquire real property fronting on Cooper Road in the Township of Scotch Plains, New Jersey (the "Township"), for open space conservation and other governmental purposes. Said property to be acquired is known as "The Ponderosa" and is designated as Block 12201, Lots 3, 27.07 and 28 on the Tax Assessment Map of the Township. Said improvement shall

include real estate transaction expenses and all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$10,500,000 is hereby appropriated to the payment of the cost of making the improvement described in Section I 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. Said improvement shall be made as a general improvement 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 \$10,500,000, and (4) \$500,000 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 \$10,000,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$500,000 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 the sum of \$500,000 in the County of Union Open Space, Recreation and Historic Preservation Trust Fund is now available to serve as the down payment on said purpose. The sum of \$500,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said County of an aggregate principal amount not exceeding \$10,000,000 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 \$10,000,000 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 forty 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 \$10,000,000 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 the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, 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 improvement 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.

Chairwoman Scanlon moved Bond Ordinance No. 582-2003 for First Reading and Authorized the Clerk of the Board to advertise the same in accordance with the law. (Final Adoption: 10/9/03) Seconded by Freeholder Mirabella, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

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

Vincent Lehotsky, Rahway, commented on Resolution 978A-2003 with a question, to which the County Manager responded. He also commented on Resolutions 984-2003 and 988-2003 with questions to which Chairwoman Scanlon responded. He also commented on Resolutions 993, 974 and 1003-2003.

Jerry Goldman, Elizabeth, commented on Resolution 969-2003.

PUBLIC COMMENT PORTION CONCLUDED

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The Chairwoman called for a motion to move Resolutions 965-2003 through 1021-2003. On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

**THE FOLLOWING RESOLUTIONS WERE BEING OFFERED
FOR ADOPTION:**

965-2003 **FREEHOLDER MINGO**, approving the Union County Comprehensive Economic Development Strategy – 2003 Progress Report Update, June 26, 2003.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

966-2003 **FREEHOLDER MIRABELLA**, authorizing the County Manager to enter into an agreement with McKesson Medical/Surgical Products Dayton, OH, through NJHA pursuant to N.J.S.A. 30:9-87 and 88, to purchase two (2) Kinetec spectra knee continuous passive motion machines for Runnells Specialized Hospital in an amount not to exceed \$4,704.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

967-2003 **FREEHOLDER MIRABELLA**, authorizing the County Manager to enter into a contract with Ostap Tershakovec, DDS, Westfield, NJ, to provide professional dental services to the patients/residents of Runnells Specialized Hospital for the contract period of 10/1/03 – 9/30/04. {This is a Fee for Service Agreement}

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

968-2003 **FREEHOLDER MIRABELLA**, authorizing the County Manager to enter into a contract with Alice C. Tzeng, MD, Morristown, NJ, to provide professional services for the patients/residents of Runnells Specialized Hospital for the period of 10/1/03 – 9/30/04. {This is a Fee for Service Agreement}

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

969-2003 **FREEHOLDER MIRABELLA**, appointing the following to the Children’s Museum of Central N J, to expand the Board of Trustees to be selected at the sole discretion of the County all of whom shall be voting Trustees and will act as liaison with the County of Union commencing immediately: Deborah Scanlon in her capacity as Chairwoman of the Board, Alexander Mirabella in his capacity as Chairman of the Freeholder Standing Committee and George Devaney in his capacity as County Manager or his designee.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

970-2003 **FREEHOLDER SCUTARI**, authorizing the County Manager to donate the sum of \$3,000 to the City of Linden Diamond Gloves Tournament.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

971-2003 **FREEHOLDER SCUTARI**, authorizing the County Manager to donate the sum of \$500 to Community Access Unlimited’s Annual Walk-a-Thon.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

972-2003 **VICE CHAIRMAN ESTRADA**, authorizing the County Manager to enter into a contract with UC Educational Services Commission, Westfield, NJ, to provide educational services to residents of the Juvenile Detention Center for the period of 9/1/03 – 8/31/04 in an amount not to exceed \$265,320.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

973-2003 **VICE CHAIRMAN ESTRADA**, pursuant to N.J.S.A. 40A:4-85, requesting the Director of the Division of Local Government Services to make corrections, changes and transfers in the title, text and amount of items appearing in the budget for the County of Union for the year 2003.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

974-2003 **VICE CHAIRMAN ESTRADA**, amending the 2003 Capital Budget for \$10,500,000 for the acquisition of property in Scotch Plains.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

975-2003 **VICE CHAIRMAN ESTRADA**, requesting the Director of the Division of Local Government Services to approve the insertion of an item, of revenue in the budget of the year 2003 in the sum of \$2,824, which item is now available as an additional revenue from the NJ Office of Victim Witness Advocacy for a program entitled: “Sexual Assault Nurse Examiner (SANE).”

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

976-2003 **VICE CHAIRMAN ESTRADA**, requesting the Director of the Division of Local Government Services to approve the insertion of an item, of revenue in the budget of the year 2003 in the sum of \$20,000, which item is now available as an additional revenue from the NJ State Division of Highway and Traffic Safety for a program entitled: “County DWI Enforcement Grant.”

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

- 977-2003** **VICE CHAIRMAN ESTRADA**, requesting the Director of the Division of Local Government Services to approve the insertion of an item, of revenue in the budget of the year 2003 in the sum of \$25,000, which item is now available as an additional revenue from the NJ Department of Health and Senior Services for a program entitled: "Emergency Exercise Grant."

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

- 978-2003** **VICE CHAIRMAN ESTRADA**, requesting the Director of the Division of Local Government Services to approve the insertion of an item, of revenue in the budget of the year 2003 in the sum of \$75,000, which item is now available as an additional revenue from the NJ Department of Health and Senior Services for a program entitled: "Decontamination Trailer Grant."

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

- 978A-2003** **VICE CHAIRMAN ESTRADA**, authorizing the County Manager to adjust and/or change the Internal Position Control of the budget.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

- 979-2003** **VICE CHAIRMAN ESTRADA**, requesting the Director of the Division of Local Government Services to approve the insertion of an item, of revenue in the budget of the year 2003 in the sum of \$455,309, which item is now available as an additional revenue from the NJ Department of Labor for a program entitled: "Work First NJ."

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

980-2003 **VICE CHAIRMAN ESTRADA**, requesting the Director of the Division of Local Government Services to approve the insertion of an item, of revenue in the budget of the year 2003 in the sum of \$10,000, which item is now available as an additional revenue from the NJ Council for the Humanities for a program entitled: “Archival Collection Grant.”

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

981-2003 **VICE CHAIRMAN ESTRADA**, requesting the Director of the Division of Local Government Services to approve the insertion of an item, of revenue in the budget of the year 2003 in the sum of \$29,869, which item is now available as an additional revenue from the NJ Division of Criminal Justice for a program entitled: “Megan’s Law.” In addition, appropriating \$3,319 from the Matching Funds for Grant account entitled: “Match-Megan’s Law.”

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

981A-2003 **VICE CHAIRMAN ESTRADA**, authorizing the County Manager to enter into contracts with various Union County based community agencies and organizations that applied for the County’s Families First Funding Program.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

982-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager to apply for and accept a sub-grant from the NJ Department of Law and Public Safety, Division of State Police to support critical infrastructure security enhancements for target hardening and security upgrades at identified “hot spots” in Union County in the amount of \$855,835.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

983-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager to apply for and accept a sub-grant from the NJ Department of Law and Public Safety, Division of State Police to enhance Union County's capabilities to respond to acts of terrorism involving chemical biological agents, as well as radiological, nuclear, and explosive devices in the amount of \$345,238.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

984-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager to enter into an agreement with Nature's Choice Corporation, Union, NJ, for the Operation and Maintenance of the Union County Conservation Center, and for the marketing of the recyclable compost material generated by the Union County Conservation Center; for a period of three years whereby Nature's Choice will pay the County of Union \$117,800.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

985-2003 **CHAIRWOMAN SCANLON**, approving Change Order No. 1 (Final) to contract with Sparwick Contracting, Lafayette, NJ, for the replacement of Union Avenue Bridge (Sc59) in Scotch Plains, NJ. This Change Order is a reduction in the contract amount by \$108,940.15 for a new contract amount of \$618,399.85.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

986-2003 **CHAIRWOMAN SCANLON**, authorizing application forthwith to the North Jersey Transportation Planning Authority for the 2004 Local Scoping Program for the South Front Street Bridge over the Elizabeth River Replacement, City of Elizabeth and Gordon Street Bridge over Conrail Replacement, Borough of Roselle and Roselle Park (Orphan Bridge).

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

987-2003 **CHAIRWOMAN SCANLON**, granting permission to the Borough of Roselle and the Roselle Fire Department to hang a banner across Second Avenue and Chestnut Street, Roselle, NJ, from October 1, 2003 – October 17, 2003, advertising Fire Prevention Week, which will be held October 5, 2003 through October 11, 2003.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

988-2003 **CHAIRWOMAN SCANLON**, granting permission to the Junior League of the Oranges and Short Hills, Millburn, NJ, in conjunction with the Susan J. Komen Breast Cancer Foundation, to tie 8 inch pink ribbons around trees within Union County Jurisdiction in the City of Elizabeth (West Grand Street and Magie Avenue), Township of Cranford (South Avenue), and Township of Union (Vauxhall Road, Chestnut Street, and Galloping Hill Road) from October 4, 2003 through October 12, 2003 in recognition of National Breast Cancer Awareness Month.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

989-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager through the Office of the Union County Prosecutor, to apply for and to accept grant funding from the NJ Division of Criminal Justice FY2003 Multi-Jurisdictional Narcotic Task Force Grant in order to continue to meet the goals and objectives as defined in the Statewide Narcotics Action Plan for the period of January 1, 2003 – December 31, 2003, in an amount of \$324,147.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

990-2003 **CHAIRWOMAN SCANLON**, amending Resolution No. 206-2003, to enter into a lease agreement with Antonia Lingwood c/o Lingwood Company, Plainfield, NJ, for the premises known as the Union County Probation Satellite Offices, Plainfield, NJ, for the contract period of 4/1/03 – 3/31/04, to reflect the annual sum of \$54,000 and the monthly installments of \$4,500, plus reimbursable expenses not to exceed \$7,000 annually for a total lease amount not to exceed \$61,000.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

991-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager to enter into a professional service contract with Netta Architects, L.L.C., Springfield, NJ, to provide architectural services for acoustical ceiling replacement and installation of NFPA-13 Suppression System for the Union County Courthouse-New Annex Basement, in an amount of \$43,100.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

992-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager to enter into a professional service contract with Consolidated Construction Management Services, Colts Neck, NJ, to provide Consulting & Design services for the County Police Dispatch and Communication Center as well as the operation area for the Office of Emergency Management, in an amount of \$127,000.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

993-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager to donate nine (9) surplus vehicles to the City of Elizabeth, six (6) to the City of Plainfield, two (2) to the Township of Hillside, and two (2) to the U.S. Marshals Fugitive Task Force.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

994-2003 **CHAIRWOMAN SCANLON**, amending Resolution No. 929-2002, authorizing the County Manager to enter into a contract with Xerox Corporation, Inc, Princeton, NJ, for professional document management and daily operation of the Union County Print Shop, for the contract period of 10/1/03 – 11/30/03, in an amount not to exceed \$11,473 per month for a total contract amount of \$22,946.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

995-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager, through the Office of the Union County Prosecutor, to apply for and to accept grant funding from the State of NJ, Division of Criminal Justice for the purpose of implementing a regional Gang Suppression Initiative in Union County in order to continue law enforcement efforts to prosecute gang-related crime in Union County and educate school-aged children about the dangers of gang participation for the contract period of September 1, 2003 – August 31, 2004, in the amount of \$240,000.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

996-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager to award the proposed contracts obtained through advertised public bidding in accordance with Local Public Contracts Law 40A:11-1 et seq.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

997-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager to award the proposed contracts obtained through negotiation in accordance with Local Public Contracts Law 40A:11-1 et seq.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

998-2003 **VOID**

999-2003 **CHAIRWOMAN SCANLON**, amending Resolution No. 927-2003, authorizing the County Manager to award proposed contracts in accordance with Local Public Contracts Law 40A:11-1 et seq, deleting BA #62.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1000-2003 **CHAIRWOMAN SCANLON**, amending Resolution No. 353-2003, increasing the appropriation to Paul Femia, Esq, Elizabeth, NJ, as Special Counsel for the County of Union in a disciplinary matter involving Correction Officers William Burkert, Timothy Riley and Michael Roche in an additional amount of \$2,500 for a new total contract amount not to exceed \$5,500.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1001-2003 **CHAIRWOMAN SCANLON**, amending Resolution No. 308-2002, increasing the appropriation to Killian & Salisbury, PC, Clark, NJ, as Special Counsel for the County of Union in the matter entitled: County of Union v. Aetna Insurance Company et al. in an additional amount of \$25,000 for a new total contract amount not to exceed \$325,000.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1002-2003 **CHAIRWOMAN SCANLON**, amending Resolution No. 588-2003, increasing the appropriation to Brownstein, Booth and Associates, Union City, NJ, as special counsel for the County of Union on an “as needed” basis in an additional amount of \$5,000 for a new total contract amount not to exceed \$30,000.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1003-2003 **CHAIRWOMAN SCANLON**, authorizing the County Manager to enter into a contract with Acrow Corp, Carlstadt, NJ, to lease a 160 feet temporary bridge to be installed at Vaux Hall Road, Union Township and Millburn Township, NJ, in an amount not to exceed \$126,400; and awarding a contract to Key Contracting, L.L.C., Brick, N J, to install a 160 feet temporary bridge at Vaux Hall Road, Union Township and Millburn Township, NJ in an amount not to exceed \$122,200.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1004-2003 **CHAIRWOMAN SCANLON**, granting permission to the Borough of Roselle to close Chestnut Street between 1st Avenue and 4th Avenue, Roselle, NJ, on Saturday, October 4, 2003 between the hours of 8:00 am to 6:00 pm for the Annual Ethnic and Cultural Festival

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

THE FOLLOWING RESOLUTIONS WERE LAUDATORY IN CONTENT:

1005-2003 **FREEHOLDER HOLMES**, commending the staff of Jersey Gardens Outlet Mall for their dedicated efforts to promote the value and excellence of the arts in Union County and encourage the residents of Union County to attend the cultural activities presented at “Art in the Gardens.”

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1006-2003 **FREEHOLDER HOLMES**, acknowledging Schering Plough Corporation for its leadership role in promoting the partnership of the public and private sectors in support of the arts, history and humanities in Union County.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1007-2003 **FREEHOLDER HOLMES**, proclaiming the month of October as “National Arts and Humanities Month” and proclaiming October 18th and 19th as Visit “Four Centuries in a Weekend.”

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1008-2003 **FREEHOLDER MINGO**, congratulating St. Marks’s Episcopal Church, Plainfield, NJ, on their 100th Anniversary Celebration, with a “Day of Thanksgiving and Praise.”

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1009-2003 **FREEHOLDER MIRABELLA**, commending the Food Service Employees of Runnells Specialized Hospital and declaring October 5 through October 11, 2003 as “Healthcare Food Service Employee Week” in Union County.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1010-2003 **FREEHOLDER MIRABELLA**, congratulating Aaron Doliber, Fanwood, NJ, for choosing and completing his Eagle Scout project in the Fanwood Nature Center.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1011-2003 **FREEHOLDER MIRABELLA**, welcoming and extending best wishes to the Rolling Thunder Motorcycle Group of NJ and the Union County area in conjunction with National POW/MIA Day on Sunday, September 21, 2003 at Warinanco Park.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1012-2003 **FREEHOLDER MIRABELLA**, declaring Friday, September 19, 2003 as National POW/MIA Remembrance Day in Union County.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1013-2003 **FREEHOLDER PROCTOR**, congratulating the Union County HIV Consortium on the celebration of their 10th Anniversary on Saturday, October 25, 2003.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1014-2003 **VICE CHAIRMAN ESTRADA**, declaring the week of October 5th through October 11, 2003 as “Mental Illness Awareness Week.”

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

- 1015-2003** **VICE CHAIRMAN ESTRADA**, congratulating the Hispanic Law Enforcement Association of Union County as they celebrate their 12th Annual Gala Dinner Dance.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

- 1016-2003** **VICE CHAIRMAN ESTRADA**, congratulating the YWCA of Eastern Union County on the Eve of their Annual Jubilee Ball, celebrating the 25th Anniversary of Project Protect.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

- 1017-2003** **CHAIRWOMAN SCANLON**, proclaiming the month of October as Domestic Violence Awareness month.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

- 1018-2003** **CHAIRWOMAN SCANLON**, declaring the month of October as “Youth Sports Safety Month” and will dedicate time and efforts to keeping parents informed about their children’s safety.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

- 1019-2003** **CHAIRWOMAN SCANLON AND THE ENTIRE BOARD**, congratulating Sara Katenback, Linden, NJ, for being honored at the Community Access Unlimited Annual Retired and Senior Volunteer Recognition Luncheon on September 23, 2003.

On a motion by Freeholder Holmes, seconded by Vice Chairman Estrada, roll call showed eight (8) members of the Board voted in the affirmative with Freeholder Ruotolo absent.

1020-2003 CHAIRWOMAN SCANLON AND THE ENTIRE BOARD,
congratulating John Italia, Linden, NJ, for being honored at the
Community Access Unlimited Annual Retired and Senior Volunteer
Recognition Luncheon on September 23, 2003.

On a motion by Freeholder Holmes, seconded by Vice Chairman
Estrada, roll call showed eight (8) members of the Board voted in the
affirmative with Freeholder Ruotolo absent.

1021-2003 CHAIRWOMAN SCANLON AND THE ENTIRE BOARD,
congratulating Sara Ratner, Vauxhall, NJ, for being honored at the
Community Access Unlimited Annual Retired and Senior Volunteer
Recognition Luncheon on September 23, 2003.

On a motion by Freeholder Holmes, seconded by Vice Chairman
Estrada, roll call showed eight (8) members of the Board voted in the
affirmative with Freeholder Ruotolo absent.

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

Salaam Ismail, Chairman, United Youth Council, Elizabeth, commented upon the death of Edward Sinclair at the Union County Juvenile Detention Center, and introduced several people who were with him who would be commenting on this matter this evening. He issued a list of demands to the County, which included closing down the Center, dismissing the Director, developing a health and safety policy and establishing an advisory board for the facility with youth representatives. He stated that civil disobedience would follow in ten days if these demands were not met.

The following persons unless otherwise indicated, commented on various issues surrounding the death of Edward Sinclair and in opposition to the Juvenile Detention Center facility, agreeing with Mr. Ismail's demand that it be closed:

Yolanda Padillo, Elizabeth, NJ, mother of Edward Sinclair.
Vonnie Crinos, Human Rights Advocate from the American Friends Service Committee.
Darius _____, (inaudible) Human Rights Watch.
Rev. A. Jackson, Plainfield, NJ.
Mara Martinez, Staten Island, aunt of Edward Sinclair.
Stephanie Bartas, Elizabeth, NJ.
Anthony Hall, Elizabeth, NJ.
Rose Padillo, Elizabeth, NJ, grandmother of Edward Sinclair.
Jaret Peterson, Elizabeth, NJ.
Steven Gilliard, Elizabeth, NJ.

Christine Vega, Elizabeth, NJ.
 Jonathan _____, Elizabeth, NJ
 Marie Nievas, Elizabeth, NJ.
 Edward Torres, Plainfield, NJ, cousin of Edward Sinclair.
 Mary Beth Kelley, Roselle, NJ.
 Harold Miranda, Elizabeth, NJ.
 Mariana _____, Elizabeth, NJ.
 _____Mercada, Elizabeth, NJ.
 Joe Renna, Cranford, NJ.
 Morganna _____, Elizabeth, NJ.

Howard Andrews, Roselle, NJ, spoke on the Juvenile Detention Center issue and on the reactivation of the Staten Island/Rahway Valley railroad.

Robert Reilly, Winfield Park, NJ.
 Letisha Santiago, Elizabeth, NJ.
 Abdul Al Amin, Hillside, NJ.
 Vincent Lehotsky, Rahway, NJ.
 Jerry Goldman, Elizabeth, NJ, commented on the Bond Ordinance, 582-2003, that was on the agenda tonight, with questions. County Manager Devanney and Director Caroselli of the Finance Department responded to his questions.

Bruce Patterson, Garwood, thanked the Board for its support of Garwood during Garwood's 100th Anniversary celebration at Unami Park recently.

PUBLIC COMMENT PORTION CONCLUDED

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REPORTS

STANDING & SPECIAL COMMITTEES

COUNTY MANAGER

COUNTY COUNSEL

FREEHOLDERS COMMENTS

Freeholder Sullivan had no comments.

Freeholder Scutari stated that the Policy Committee will be meeting in the coming weeks.

Freeholder Mingo reported that the Economic Development Committee met and saw a presentation on the Newark/Elizabeth light rail project. He stated that the project is now

in a phase where it is awaiting another level of funding. The rail link may be in place three years from now.

Vice Chairman Estrada stated that on September 30th the Shade Tree Advisory Board would be sponsoring a workshop on chainsaw safety. He stated that he also attended the Rolling Thunder Motorcycle event, which is a rally that takes place simultaneously throughout the country of Vietnam Veterans to commemorate and honor POW/MIAs. He also attended the Elizabeth Youth League Picnic, where that group presented a plaque to the Union County Department of Parks and Recreation.

The Chairwoman stated that at this point, Director Frank Guzzo of the Human Services Department would address the board on the matter of the Juvenile Detention Center.

Director Guzzo stated that he had spoken to Mr. Ismail earlier and that he would meet with Mr. Ismail but a date had not yet been set for that meeting. He also stated that the County Manager and the Freeholder Board have had the Detention Center as a top priority for a long time. The Human Services Department has tried to correct some problems but has stressed that a new facility is really what is needed. He echoed the County Manager's earlier remarks that a lot of retrofitting has been done recently on the facility. He also stated that the problems with the facility are a State issue also, and that programs need to be developed to deal with juveniles after the courts have dealt with them.

Freeholder Proctor had no comments.

Freeholder Mirabella thanked the County Manager and Angie Devanney for their work in negotiation the acquisition of the Seville property. Getting those 23 acres exceeds the County's goal for acquiring open space. He also thanked Nicole Tedeschi for her efforts in the dedication ceremony of the Union County September 11 Memorial, and her work on the Jersey Jazz Festival. Freeholder Mirabella also commented that he attended the Rolling Thunder event with Vice Chairman Estrada.

Freeholder Holmes offered his sympathy to the family of Edward Sinclair, and stated that the Board cares for the quality of life for all the people in this County. He also commented that the Jersey Jazz festival was a magnificent event.

The County Counsel had no comment.

The County Manager thanked Freeholder Mirabella for his comments on the Seville Property acquisition. He also thanked James Pelletieri for his efforts on the project as well. He thanked Nicole Tedeschi for her work on the September 11 Memorial dedication ceremony and thanked Freeholder Mirabella for his efforts on the aggressive fund raising drive, which allowed the memorial to be built without taxpayer dollars. The County Manager also thanked Nicole Tedeschi for her work on the Jersey Jazz festival and thanked all the volunteers who worked on it.

Chairwoman Scanlon also commented on the September 11 Memorial Ceremony and thanked all those who worked to create it and donated to create it. She commented on the need for Resolution 1003-2003, (temporary bridge to be installed at Vaux Hall Road) and explained the reason for needing the bridge, which involved a contractor defaulting on some earlier work.

The Chairwoman called for a motion to adjourn the meeting. On a motion by Freeholder Mirabella, seconded by Freeholder Holmes, roll call showed eight members of the Board voted in the affirmative.

ADJOURNMENT

The voucher list through **September 17, 2003** will be available for public perusal in the Office of the Clerk of the Board.

The next **Regular Meeting** of the Union County Board of Chosen Freeholders will be held on **October 9, 2003 at 7:00 P.M.** in the Freeholders Meeting Room, Administration Building, 6th Floor, Elizabeth, NJ.

Sharda Badri
Clerk of the Board

SB/amc

My name is Yolanda Padilla, on May 10, 2003 at the Union County Detention Center what I would refer to as a death trap set up for our children. My son was housed in cell 714 they had a violation of a sprinkler that wasn't the type recommended by the Juvenile Justice Commission. On October 2001 that cell was not supposed to be used by anyone until it was repaired so why two years later was it still used everyday to house our children? Eddie was also on a 24 hour lockdown which is a violation of the Manual of Standards. On June 2000 the Commissioner informed Frank Guzzo and Daryl Hatchet of this practice. Daryl Hatchet wrote the commission on November 2000 to ensure them that this practice had been discontinued. He lied and continued to put our children in danger for three more years until Eddie's death. Frank Guzzo and Daryl Hattchet did this and continued to run this facility still to this day and I want to know why. This death trap facility has a capacity of 34 but on May 10th it was housing 57 residents why? The county deciding to keep this death trap open knowing of all these violations made the worse Dyfus case ever. Because many juveniles were and continue to be put at risk and everyone involved knew of its risk for years. You have all chosen to say loud and clear to every parent that you don't care about our children or any future children coming through those doors of a neglected facility. How many more children will die in your hands? I have lost my

oldest son to this death trap and to know it could have been prevented is a slap in the face by the county and everyone involved with this facility. No one spoke no one cares and for that they are all negligent. If I were to be found negligent and my son died in my hands I would be in jail. Well who is going to jail now? I want each and every one of you to know that my son Edward Sinclair, Jr. didn't die in vain. And he does have a voice. Eddie was only a month away from being 18. He will never see his mother or his sisters. We will never talk or cry together. He won't come walking through the door saying "Hey mom I'm home". He won't get married, have children or grow old. Many people loved Eddie and we miss him, his big smile, his silly jokes, funny faces, we're left with nothing but a memory of someone so full of life. The county neglected Eddie and for that they will be made an example of. He wasn't an animal, he was a child, my child. And I will not rest until changes are made and you can secure the health and safety of our children and a new facility run by new officials and staff. This is a damn disgrace that authorized officials are all over this mess and we pay them to do a job and no one is doing it. I have over thirteen hundred names of people who want this death trap shut down and I will continue.... I want something done and I don't want anyone else's son to die. Just be thankful that it wasn't your child this time. But what if it becomes your child? Then what?

I'm a human rights advocate on behalf of prisoners for the American Friends Service Committee for the past two years we have been collecting testimony from children who have spent time in the Union and Essex county detention facilities into a pamphlet called our children's house those babies told us of being 12 years old 14 years old and 15 years old and being placed in continuous 24 hour isolation. They spoke of being cold, hungry, sexually abused, beaten and being kept filthy, They spoke of being placed in cages with no clothing on they spoke of only getting showers once a week they spoke about adults who didn't care about them they spoke of being beaten with night sticks, enduring pepper spray and having to fight for food. They told of being watched while they showered and of the terrible smells. They told of children crying in the night and being brutalized when they wouldn't stop crying. They spoke of being victims of the worse things of one human being can do to another. Sadly it turns out that the loudest voice of all was that of Eddie Sinclair, Jr. Eddie's death leaves us understanding that he endured all of this for a stolen bicycle. I do not believe that this would be tolerated if we were speaking about mostly rich children, or mostly white children. What Edward Sinclair Jr. and others cope with in the youth detention facility right now today as we speak violates the United Nations convention against torture the United Nations convention against elimination of racial discrimination & the UN convention on the rights of the child. We are asking that the freeholders take a much more active and oversight role and responsibility and transfer all of those children out of the youth facility now. We are concerned that the director of the facility reported that 23 hour lock-down was no longer being used when this was not true. Clearly that person doesn't have the best interest as the children as a priority. And above all we are asking that a citizens advisory board be appointed immediately which includes youth and their parents.

We are urging that you the freeholders ensure that the voice of Edward Sinclair, Jr. remains the loudest voice of all. Thank you.

Darius, We are here tonight to demand that the juvenile detention center be closed cdown. The history of this center proves that it should have been

Former juvenile detainee

I feel so sad for you guys. You're looking for a public watchdog, this is your public watchdog we elected them to watch over us, this is the year of the family, I'll see you bye you don't want to hear it (comment while freeholder Scanlon left the room) She's up for election November 4th, this is your public watchdog right here. This is the year of the family they elected you to watch over them. This is your family here, not just your family – you're immediate family, the family of Union County, every resident, kids the elderly, this is the watchdog, We pay you 340,000,000 every time we right a rent check, every time we pay property tax, this is your money, this is our money, if we give it to you it's the public trust we're giving you to take care of everything and as managers you make choices, this is the top manager here George Devanney County manager, ultimate responsibility, this is the top dog, you want the perch you've got to take the responsibility. Manager's make choices every day. You can chose to put on a Jersey Jazz Fest you can chose to build a porch on this building so you can smoke outside, the choice is up there. Take care of the kids first. You buy your SUV's you have your concerts, but take care of business first. That's all these people are asking. The young girl who spoke before said "now we have to do something about it". The time to do something was before Eddie's death. Not now. You were supposed to prevent Eddie's death, not to react to it. And there is going to be other Eddie's deaths later. This is the time to do it. The gentleman wanted to call for a time of civil disobedience. I think it's time for our civil duty. And our civil duty is November 4 and they can vote and what these people have to do is they have to tell their friends that how they turn out for Eddie's death you turn out you get your representation up there ...I'd like to see all this youth here, this is your introduction to government, and like one gentleman said "you can be up there" you keep coming back and you keep getting involved.

this is the third meeting I have come to because I found a cause that I believed in that you people were doing wrong and I've also watched how county government works. What I've seen out of the 3 meetings whether it is the garbage burning facility in Rahway or the way you lie to those people or as far as the train sending out letters stating that there is no train going through when months before you signed papers to reactivate the train or what you've done to these people ...what is government for? What is county government for? What do you people do? You people just do what you want. You look at everybody like there zombies. I don't think anybody up there cares. ...we should get rid of county government and I know

the towns can take care of the policing ...I hope that there is a movement to get rid of county government because to me it's a waste I feel sorry for you people.