

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

MINUTES OF THE AGENDA MEETING

SEPTEMBER 22, 2005

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

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

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

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

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PRESENTATION

The Safety Committee delivered a slide presentation: Work Zone Safety Training Program. The Deputy County Manager introduced the members of the Safety Committee and a copy of the presentation is attached here. The Freeholders engaged in a lengthy discussion of the presentation and questions and answers ranged from types of accidents, frequency of accidents, accident prevention programs, previous surveys of safety issues and insurance concerns.

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I. DEPARTMENT OF ADMINISTRATIVE SERVICES

M. Elizabeth Genievich, Deputy County Manager/Dir. of Administrative Services

The Deputy County Manager said she would have one further item from the floor under proposed contracts for horseshoeing services at the Watchung Stables for 24 months for \$147,000.

RESOLUTIONS

1. 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: (CH. PROCTOR)**
 - a. RUNNELLS SPECIALIZED HOSPITAL: WHL Enterprises, Inc., T/A Bill Leary A/C & Htg., Metuchen, New Jersey, to furnish thirty (30)

replacement incremental heating / air conditioning units in an amount of **\$34,500.**

Freeholder Estrada asked for a further explanation of item “b”. First Assistant Prosecutor Al Cernadas commented on item “b” outlining the pieces of equipment to be purchased and what the machines do. He stated they would arrive in about six weeks after purchase.

b. OFFICE OF THE PROSECUTOR: Applied Biosystems, Foster City, CA., to provide one (1) DNA Analysis System which is composed of three (3) different instruments used in testing DNA in an amount of **\$156,510.97.**

2. Authorizing the County Manager to renew the following policies as recommended by the **Citizen Insurance Review Committee (CIRC) (CH. PROCTOR)**

- **Renewing the Emergency Management Accident Policy for volunteers with AIG Insurance Company, Berkeley Heights, New Jersey, for the contract period of September 14, 2005 – September 14, 2006 in an amount not to exceed \$1,600. (No increase)**

II. DEPARTMENT OF ECONOMIC DEVELOPMENT
James Daley, Director

Steve Merman represented the Department in Director Daley’s absence.

RESOLUTION

1. Endorsing the **2006 PHA Annual Plan for Housing Assistance Payment Program** in the County of Union. **(FR. SULLIVAN)**

III. DEPARTMENT OF ENGINEERING & PUBLIC WORKS
Frank Dann, Director

An additional resolution for a one-day road closure in Scotch Plains will be on the agenda for next week.

RESOLUTIONS

1. Granting permission to the **City of Linden** to close Wood Avenue from Elm Street to Elizabeth Avenue, Linden, New Jersey, from 6:00 p.m. on Friday, October 7, 2005 to 11:00 p.m. on Sunday, October 9, 2005 for the City of Linden’s **“Annual Fall Festival”** run by the Cultural & Heritage Committee. **(CH. PROCTOR)**

2. Granting permission to the **Township of Scotch Plains** to hang a banner across Park Avenue, at Front Street, Scotch Plains, NJ, from September 30, 2005 to October 10, 2005 to advertise “**Scotch Plains Day**” to be held on Sunday, October 9, 2005. **(CH. PROCTOR)**
3. Granting permission to the **Township of Scotch Plains** to hang a banner across Park Avenue, at Front Street, Scotch Plains, New Jersey, from October 10, 2005 to October 24, 2005 to advertise the “**New Hope For Recoverers, Inc., Walk-A-Thon**” to be held on Saturday, October 22, 2005. **(CH. PROCTOR)**
4. Granting permission to the **City of Summit** in conjunction with the YMCA to close Broad Street from Summit Avenue to Maple Street, Summit, New Jersey, between 12:00 p.m. and 5:00 p.m. on Sunday, October 16, 2005 for a “**5-Mile Run and 1.5-Mile Walk**” sponsored by the YMCA. **(CH. PROCTOR)**

Freeholder Sullivan asked who requested the change in the speed limit in item #5. Director Dann stated that usually it is the town who requests it, and that is so in his case, due to a nearby community center and two houses of worship. Freeholder Scanlon also asked about the previous speed on the road, and Director Dann responded to her question. Vice Chairman Mirabella also asked about the speed limit and stated he does not often see requests for changes come before the Board. Director Dann and the County Engineer Jeff Sias outlined the DOT’s role in speed issues.

5. Supporting the **Township of Springfield’s Ordinance No. 2003-17**, establishing new speed limits along Shunpike Road, from City of Summit Line to Mountain Avenue increase the established speed limit from 25 MPH to 35 MPH and from Mountain Avenue to South Springfield Avenue decrease the established speed limit from 35 MPH to 30 MPH. (Both of these speed limit changes are based on speed studies conducted in accordance with established NJDOT procedures). **(CH. PROCTOR)**

Freeholder Mapp asked about the reduction in item number 6. Director Dann said that reductions were from a bit less steel and concrete used and from not having to have a police officer on duty to direct traffic; instead the road was closed.

6. Authorizing **Change Order No. 1 and (Final)** to the contract with **Sparwick Contracting, Inc., Lafayette, New Jersey**, for the replacement of UC Bridge No. Un45 – Township of Springfield & Union Superstructure – Milltown Road Bridge over Rahway River. This change order will *reduce* the contract amount by **\$113,492.03** for a new contract amount of **\$1,021,056.97**. **(CH. PROCTOR)**

- **Original Contract Amount:** **\$1,134,549.00**
- **Change Order # 1 & Final:** **\$ - 113,492.03**
- **Final Contract Amount:** **\$1,021,056.97**

Estrada asked a question regarding if this is a yearly inspection. Director Dann replied it occurs every other year. There are 10 County dams. Freeholder Estrada asks what happens if there are problems found. Director Dann said if it was an emergency problem they might undertake repairs, but for other problems a contractor would have to be engaged. Many have been recently rebuilt.

7. Awarding a professional engineering service contract to **O'Brien & Gere Engineers, Inc., Edison, New Jersey**, for the purpose of providing the 2005 cycle of the mandatory biannual dam safety inspections, in accordance with N.J.A.C. 7:20-1.11 in the amount of **\$19,200. (CH. PROCTOR)**
8. Awarding a professional engineering service contract to **Keller & Kirkpatrick Consulting Engineers, Parsippany, New Jersey**, for the purpose of providing construction administration and inspection services for the intersection improvements in Clark & Westfield in an amount not to exceed **\$63,525.** (This project includes the intersection of Westfield Avenue at Raritan Road, Clark, New Jersey, and East Broad Street at Mountain Avenue/Central Avenue/Elm Street, Westfield, New Jersey). **(CH. PROCTOR)**
9. Awarding a professional engineering and land surveying service contract to **Harbor Consultants, Cranford, New Jersey**, to perform on-call services for various small projects within the County of Union in an amount of **\$70,000.** (Included in this is an expanded scope of work required to complete Waterfront Development, Stream Encroachment, General Permit #10, and Tideland Grant Application Process for East Inman Avenue Bridge in Rahway, New Jersey). **(CH. PROCTOR)**

Freeholder Estrada asked for more information on this project. Director Dann explains the intersection has a large blind area and there have been many accidents. A request was received from Union to remediate it. It is a county road.

10. Awarding a professional engineering service contract to **Maser Consulting, P.A., Hamilton, New Jersey**, for the purpose of providing an Intersection Improvement Study for the Intersection of Chestnut Street with West Chestnut Street and Stuyvesant Avenue, Township of Union, in an amount not to exceed **\$54,480. (CH. PROCTOR)**

Freeholder Holmes asked if Director Dann had seen the Inman Avenue Bridge where apparently he had previously cited a problem. Director Dann said that yes it is being addressed.

Freeholder Sullivan – just toured new Engineering building and it is very impressive and a good work environment, a great improvement over the old building.

IV. DEPARTMENT OF FINANCE
Lawrence Caroselli, Director

RESOLUTIONS

V. DEPARTMENT OF HUMAN SERVICES
Frank Guzzo, Director

RESOLUTIONS

VI. DEPARTMENT OF PARKS, RECREATION & FACILITIES
Charles Sigmund, Director

RESOLUTIONS

1. Authorizing the County Manager to sponsor the **Union County Baseball Association** for its Youth League fall activities in an amount not to exceed **\$5,000. (FR. KOWALSKI)**

Freeholder Mapp asked if there had been a similar resolution a while back. The Director said that there was a prior one involving a different organization for song licensing. Freeholder Kowalski asked questions regarding the types of music covered by this and performers. Director Sigmund outlined his understanding of the license.

2. Authorizing the County Manager to enter into a licensing agreement with **SESAC, Nashville, TN**, to cover music played or performed on County owned premises or at County sponsored events during 2005 in an amount not to exceed **\$2,371. (FR. KOWALSKI)**

Freeholder Estrada asked questions about the easement in item #3. Director Sigmund outlined the history of the easement process. Freeholder Estrada asked other questions regarding the paving of the road. Director Sigmund responded to his question regarding the club and the property.

Freeholder Ward asked questions regarding the history of the easement. Director Sigmund outlined the history and property ownership.

3. Entering into an agreement with the **Cranford Swimming Club, Inc., Cranford, New Jersey**, for a long term easement to use County Park Drive, Cranford, New Jersey, in order for members, guests and vendors to access the Club property in the amount of **\$1.00. (FR. KOWALSKI)**

Freeholder Holmes commented on repairs to Rahway Park steps and thanked the director for addressing the problem. Freeholder Holmes also asked a question

about why the aerator was removed from the lake in the Rahway Park. Director Sigmund said he would check into it, citing it probably needed to be fixed.

VII. DEPARTMENT OF PUBLIC SAFETY
Harold Gibson, Director

There were no questions

RESOLUTION

1. To apply for and accept the **Enhanced 9-1-1 Grant Program** offered by the **State of New Jersey, Office of Information Technology, Office of Emergency Telecommunications Services** in the amount of **\$880,562** for the purpose of purchasing, upgrading, maintaining and operating the technology necessary to provide the most reliable cost effective state-of-the-art emergency telephone reporting system in New Jersey. **{State funding: \$880,562} (CH. PROCTOR)**

VIII. RUNNELLS SPECIALIZED HOSPITAL
Joseph Sharp, Director

There were no questions.

RESOLUTIONS

1. Renewing the contract with **Rabbi Moshe A. Abramowitz, Elizabeth, New Jersey**, to provide religious services for the Jewish residents/patients at Runnells Specialized Hospital for the contract period of November 1, 2005 – October 31, 2006 in an amount of **\$6,000. (FR. KOWALSKI)**
2. Renewing the contract with **Leevon N. Coles, Plainfield, New Jersey**, to provide religious services for the Protestant residents/patients at Runnells Specialized Hospital for the contract period of November 1, 2005 – October 31, 2006 in an amount of **\$8,000. (FR. KOWALSKI)**
3. Amending **Resolution No. 657-2005** to the contract with **Sammons Preston Rehabilitation Products, Bolingbrook, IL**, to purchase additional physical and occupational therapy supplies for the contract period of January 1, 2005 – December 31, 2005 in an additional amount of **\$2,000** for a new contract amount of **\$26,500. (FR. KOWALSKI)**

IX. COUNTY COUNSEL
Robert E. Barry, Esq.,

RESOLUTIONS

1. Amending **Resolution No. 793-2005** to increase the appropriation to **Edward Kologi, Esq., Linden, New Jersey**, as special counsel in the matter entitled **Brunson v. Dougherty, et als.** in an additional amount of **\$5,000** for the final total contract amount not to exceed **\$20,000. (CH. PROCTOR)**
2. Amending **Resolution No. 622-2005** to increase the appropriation to **Edward Kologi, Esq., Linden, New Jersey**, as special counsel in the matter entitled **Baptiste v. Barber et als.** in an additional amount of **\$5,000** for a new total contract amount not to exceed **\$15,000. (CH. PROCTOR)**
3. Amending **Resolution No. 872-2005** to increase the appropriation to **Robert Renaud, Esq., Cranford, New Jersey**, as special counsel in the matter entitled **Baptiste v. Barber et als.** in an additional amount of **\$5,000** for a new total contract amount not to exceed **\$20,000.00. (CH. PROCTOR)**
4. Amending **Resolution No. 156-2005** to increase the appropriation to **Thomas C. Jardim, Esq., Morristown, New Jersey**, as special counsel in the matter entitled **Baptiste v. Barber et als.** in an additional amount of **\$5,000** for a new total contract amount not to exceed **\$20,000. (CH. PROCTOR)**
5. Amending **Resolution No. 621-2005** to increase the appropriation to **Edward Kologi, Esq., Linden, New Jersey**, as special counsel in the matter entitled **Roberts v. UC et als.** in an additional amount of **\$5,000** for a new total contract amount not to exceed **\$15,000. (CH. PROCTOR)**
5. Amending **Resolution No. 836-2004** to increase the appropriation to **Robert Renaud, Esq., Cranford, New Jersey**, as special counsel in the matter entitled **Murphy v. UC et als.** in an additional amount of **\$5,000** for a new total contract amount not to exceed **\$10,000. (CH. PROCTOR)**
6. Amending **Resolution No. 835-2004** to increase the appropriation to **Edward Kologi, Esq., Linden, New Jersey**, as special counsel in the matter entitled **Murphy v. UC et als.** in an additional amount of **\$5,000** for a new total contract amount not to exceed **\$10,000. (CH. PROCTOR)**
7. Amending **Resolution No. 1107-2004** to increase the appropriation to **Edward Kologi, Esq., Linden, New Jersey**, as special counsel in the matter entitled **Fanelli v. UC et als.** in an additional amount of **\$15,000** for a new total contract amount not to exceed **\$120,000. (CH. PROCTOR)**

8. Amending **Resolution No. 92-2005** to increase the appropriation to **Robert Renaud, Esq., Cranford, New Jersey**, as special counsel in the matter entitled **Nazario v. UC et als.** in an additional amount of **\$5,000** for a new total contract amount not to exceed **\$15,000. (CH. PROCTOR)**

X. COUNTY MANAGER
George Devanney

RESOLUTIONS

The County Manager mentioned that he will most likely have two resolutions on the agenda for the Board's consideration next week. The first will be to award the bid contract for the redevelopment of Meisel Field in Springfield. The other resolution will be to approve an interlocal agreement with Summit regarding litigation settlement.

XI. FREEHOLDERS

RESOLUTIONS

Freeholder Mapp announced he will have two laudatory resolutions on the agenda for next week.

Freeholder Kowalski announced that she will have two laudatory resolutions on the agenda for next week.

Freeholder Sullivan mentioned that the fiscal committee met this evening and he will have position controls before the Board for their consideration next week.

Freeholder Scanlon would like to join with Freeholder Estrada on the resolutions being awarded by the Boys and Girls Club.

FREEHOLDER ESTRADA

Freeholder Estrada will have an additional resolutions coming from the Open Space, Recreation and Historical Preservation Trust Fund to award a contract to PMK Group for the design of a new permanent chilling system for the Warinanco Skating Center.

1. Congratulating the following winners of this year's Boys and Girls Club Best of the Best Awards: **Amerigroup Foundation, Union Center National Bank, Assemblyman Joseph Cryan, and Union County Department of Human Services.**
2. Authorizing the County Manager to enter into an agreement with **PMK Group, Cranford, New Jersey**, for the purpose of providing the County of Union with oversight services pertaining to the remediation of the Synder Avenue/Stanford Drive property in Berkeley Heights, New Jersey; in conjunction with and for the

Union County Office of Open Space, Recreation and Historic Preservation Trust Fund in an amount not to exceed **\$202,222.25**.

FREEHOLDER SCANLON

1. Adopting the **Union County Electronic Mail Management Policy**.

The Freeholders asked that the resolution for Ann Baran be from the entire board.

2. Congratulating **Ann Baran** for receiving the Dolores Del Raudelumas Spirit of Caring Award.

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The Chairman called for a motion to enter into Executive Session. On a motion made by Vice Chairman Mirabella, seconded by Freeholder Scanlon, the roll call showed 9 members of the Board voted in the affirmative.

EXECUTIVE SESSION
Re: Pending Litigation

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The Chairman called for a motion to return from Executive Session. On a motion made by Vice Chairman Mirabella, seconded by Freeholder Kowalski, the roll call showed 9 members of the Board voted in the affirmative.

County Counsel Robert Barry announced that he will have an additional resolution for the agenda as a result of the discussion in Executive Session to authorize a settlement in the matter of The Estate of Lezarski v. the County of Union.

The Chairman called for a motion to adjourn the meeting. On a motion made by Freeholder Scanlon and seconded by Freeholder Holmes, all freeholders voted in the affirmative on a voice vote.

The next **Agenda Meeting** of the Union County Board of Chosen Freeholders will be held on, **October 6, 2005 at 7:00 PM** in the Freeholders Meeting Room, Administration Building, 6th Floor, Elizabeth, New Jersey.

ADJOURNMENT

Nicole L. Tedeschi
Clerk of the Board

NLT/amc