

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

MINUTES OF THE AGENDA MEETING

FEBRUARY 9, 2006

Chairman Alexander Mirabella presided. Roll call showed Vice Chair Bette Jane Kowalski, Freeholder Angel G. Estrada, Freeholder Chester Holmes, Freeholder Adrian O. Mapp, Freeholder Rick Proctor, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan, and Freeholder Nancy Ward in attendance. Also present were County Manager George Devanney, County Counsel Robert Barry and Clerk of the Board Nicole L. 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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Chairman Mirabella and Freehold Scanlon congratulated Miss Gabrielle K. Apigo, of Mountainside, upon being named Miss Teen NJ Galaxy and gave her a Resolution. Miss Apgio is actively involved with charities concerning Fibrodysplasia Ossificans Progressiva (FOP) disease, a rare genetic condition in which the body makes extra bones in locations where bone should not form. She hopes to raise awareness of this disease.

PRESENTATION:

By: Jerome Feder, Union County Air Traffic Noise Advisory Board

Freeholder Ward introduced Mr. Feder, Freeholder Ward and Chairman Mirabella attended last weeks meeting of the UC Air Traffic Noise Advisory Board and felt this topic needed to be presented in greater detail to all the Freeholders.

A detailed presentation was given (attached.) The Chairman opened the floor for questions. Freeholders Sullivan, Estrada, Scanlon, and Holmes all asked detailed questions about the FAA's proposal to change flight patterns at Newark Airport, creating the possibility of more air traffic noise in the residential areas in Union County. Questions were answered by Mr. Feder, who strongly urged more governmental support and suggested to curtail this project, such as a Resolution, and discussions with the Port Authority.

Chairman Mirabella and Freeholder Ward presented Mr. Feder and the Union County Air Traffic Noise Advisory Board with a Certificate, in recognition of their efforts in this area of vital concern to Union County.

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COMMUNICATIONS:

OATHS OF OFFICE: Carol Ann Lombardo; Karen Sheehy; Carolyn Vollero; Michelle Morais; and Judi Jenkins Gaudino; Commission on the Status of Women; Walter Tucker; Union County Air Traffic Noise Advisory Board; Michael D'Agostino; Union County Planning Board; Dr. Martin Sheehy; Runnells Specialized Hospital Advisory Board; Gerald Miller; Christopher Scaturo; JoAnn Gemenden; Ben Laganga; Jeff Sias; Richard McCutcheon; Ronald Kanterman; and Theodore J. Romankow; Union County Emergency Management Council; Ben Laganga; Fred Fretz; William Severage; Tom Murray; and Jay Rice; Union County Fire Advisory Board; Nancy Ogonowski; Roberta Milano; Ellen Shelley; Ben Laganga; Daniel Iradi; and Robert Quinlan; Union County Public Health/Weapons of Mass Destruction Advisory Board; Miriam Dickman; and Toby Marx; Union County Advisory Council on Aging; Thomas R. Mezzo (Alternate); and Walter Tucker; Union County Transportation Advisory Board; Jessica Sheehy; Rosemary McClave; and Carlos Alma; Union County Citizens Insurance Review Board; Bill Webb; and Catherine Saintilien; Union County Human Services Advisory Council; James Huff; Union County Utilities Authority.

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I. DEPARTMENT OF ADMINISTRATIVE SERVICES

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

The Deputy County Manager stated she will have one (1) additional Resolution for the next meeting concerning the Citizens Insurance Review Committee.

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. MIRABELLA)**
 - a. DIVISION OF BUILDING SERVICES: **United Rentals (North America) Inc., Piscataway, New Jersey**, to provide two (2) platform lifts (Genie's) in an amount not to exceed **\$32,900**.
 - b. DEPARTMENT OF PUBLIC WORKS: **Mid-Atlantic Truck Centre, Inc., Linden, New Jersey**, to provide one (1) 2006 6-8 yard single axle with snowplow and spreader in an amount of **\$132,675**.
 - c. OFFICE OF THE PROSECUTOR: **Maffey's Lock & Safe Co. Inc., Elizabeth, New Jersey, (Amending Resolution No. 928-2005)** requesting a change order in the amount of **\$16,500** to cover locksmith services and locking hardware for a total contract amount not to exceed **\$299,500**. {This sum does not exceed 20% of the original contract price of **\$283,000** pursuant to N.J.A.C. 5:30-11.1}

- d. DIVISION OF BUILDING SERVICES; RUNNELLS SPECIALIZED HOSPITAL; AND DEPARTMENT OF PARKS, RECREATION & FACILITIES: **SBW, Inc., Jackson, New Jersey**, to service and repair any of the County's plumbing for twenty-four (24) consecutive months estimate not to exceed **\$439,000**.
 - e. DEPARTMENT OF ENGINEERING: **Dumor Contracting, Inc., Elizabeth, New Jersey**, to provide recreational field improvements at Union Avenue, Route 22 Little League Field and the Raritan Road, Vo-Tech High School baseball and soccer fields in the Township of Scotch Plains in an amount of **\$822,271.25**.
 - f. DIVISION OF PURCHASING; RUNNELLS SPECIALIZED HOSPITAL; AND SOCIAL SERVICES: **Corporate Express, Parsippany, New Jersey; and Rahway Business Machines, Inc., Rahway, New Jersey**, to purchase printer cartridges, laser and inkjet for the entire County for a contract period of twenty-four (24) consecutive months for a total contract amount not to exceed **\$280,000**.
2. Authorizing the use of **State contracts** for an exception to public bidding as allowed by **N.J.S.A. 40A:11-12a, state contract purchases. (CH. MIRABELLA)**
 3. Authorizing the County Manager to enter into an agreement with **Kean University, Union, New Jersey**, for the continuation of the employee tuition reimbursement program for the **Undergraduate Certificate Program in Public Administration** for the contract period of January 1, 2006 – December 31, 2006, in an amount not to exceed **\$7,500. (CH. MIRABELLA)**
 4. Authorizing the County Manager to enter into an agreement with **Kean University, Union, New Jersey**, for the continuation of the employee tuition reimbursement program for candidates pursuing the **Graduate Enhancement Program in Public Administration** for the contract period of January 1, 2006 – December 31, 2006, in an amount not to exceed **\$18,000. (CH. MIRABELLA)**
 5. Authorizing the County Manager to enter into an agreement with **Kean University, Union, New Jersey**, to provide tuition reimbursement at one-half of the tuition costs and fees exclusive of books and materials for participation in **Kean University's Graduate Certificate Program in Public Administration** for the period of January 1, 2006 – December 31, 2006 in an amount not to exceed **\$18,000. (CH. MIRABELLA)**

II. DEPARTMENT OF ECONOMIC DEVELOPMENT

Al Faella, Acting Director

There were no comments.

RESOLUTIONS

1. Authorizing the County Manager, through the Division of Cultural & Heritage Affairs to apply for and execute all applications and agreements relating to a grant in the Arts

Projects Support category from the **New Jersey State Council on the Arts** in the amount of **\$18,500**, with a required hard cash match of **\$7,000** from the County of Union and the balance of the required match from **\$9,000** in registration fees from 150 paying attendees and corporate donations in the amount of **\$2,500** for a total program cost of **\$37,000** for the purpose of providing a conference called “Language and the Mind.” (VC. KOWALSKI)

2. Authorizing the County Manager, through the Division of Information Technologies to enter into an agreement with **Kean University, Union, New Jersey**, to provide the necessary professional services in the areas of data processing and telecommunications for twelve (12) months for the contract period of March 1, 2006 – February 28, 2007 in an amount not to exceed **\$60,000. (FR. SULLIVAN)**
3. Authorizing the County Manager, through the Division of Information Technologies to apply for and execute an agreement with the **State of New Jersey, Department of the Treasury, Division of Administration**, for the development of a website that connects the Union County Library Network in an amount of **\$25,000. {State funding: \$25,000} (FR. SULLIVAN)**

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

Director Dann explained Resolution #1 in greater detail, noting to the Board the importance of the Transportation Trust Fund in funding the County’s annual paving project. He encouraged the Board to support means of continued trust fund funding. Freeholder Estrada asked a question concerning how many miles would be paved this year.

Mr. Dann replied approximately fourteen miles.

Vice Chair Kowalski asked a question in regard to #3, on how the contract costs were reduced. Director Dann explained that contingency costs were projected in anticipation with problems with the soil and utilities that did not occur. Vice Chair Kowalski congratulated him on completing the contract under budget.

RESOLUTIONS

1. Approving an **Annual Transportation Plan (ATP)** for State Aid, and to enter into an Agreement between the County of Union and the **New Jersey Department of Transportation (NJDOT)** for State Aid 2006. The 2006 allotment of **\$4,014,000** will be applied in the following manner: **\$3,000,000 for 2006 resurfacing (2005 Capital Budget) and \$1,014,000 for Traffic Control Standards, Signs, and Markings Force Account.** (State Aid 2006 is the 2006 installment of an annual grant from the New Jersey Department of Transportation (NJDOT) for the purpose of constructing capital transportation projects

in Union County. This grant will be paid in advance to the County). (CH. MIRABELLA)

2. Approving **Change Order No. 1 (Final)** to the contract with **Persistent Construction, Inc., Fairview, New Jersey**, for the replacement of culverts – Essex and Cranford Avenue, Linden, New Jersey in the amount of **\$27,890**, for a new contract amount of **\$734,805**. (CH. MIRABELLA)

Previous Contract Amount:	\$706,915
<u>Change Order No. 1 & Final:</u>	<u>+\$27,890</u>
New Contract Amount:	\$734,805

3. Approving **Change Order No. 1 (Final)** to the contract with **Persistent Construction, Inc., Fairview, New Jersey**, for the replacement of the Union Avenue Bridge, Union and Hillside, New Jersey. This request is a **decrease** in the original contract amount by **\$106,144.50**, for a new contract amount of **\$594,911**. (CH. MIRABELLA)

Previous Contract Amount:	\$701,055.50
<u>Change Order No. 1 & Final (Reduction)</u>	<u>- \$106,144.50</u>
New Contract Amount:	\$594,911.00

IV. DEPARTMENT OF FINANCE Lawrence Caroselli, Director

There were no comments.

RESOLUTIONS

1. Authorizing the County Manager to enter into a professional service contract with **CBIZ Valuation Group, LLC, Chicago, Illinois**, for updates to the Asset Valuation Report for the County of Union at a cost of **\$4,900**. (No change in cost from prior years) (FR. ESTRADA)
2. An amendment to the 2006 Temporary Budget, pursuant to the provisions of **CH.96, P.L. 1951 (N.J.S.A. 40A:4-20)**. (FR. ESTRADA)
3. Transfer Resolution for the 2005 appropriations, pursuant to **N.J.S.A. 40A:4-59**. (FR. ESTRADA)
4. An amendment to the Temporary 2006 Budget in the amount of **\$49,506** as a result of notification received from the New Jersey Department of Human Services for a grant entitled: **“Human Services Planning/Missing Children Program.”** In addition, appropriating **\$11,925** from the matching funds grant account entitled: **“Match-Human Services Planning/Missing Children Program.”** (FR. ESTRADA)

5. An amendment to the Temporary 2006 Budget in the amount of **\$467,505** as result of notification received from the New Jersey Department of Youth and Family Services for a program entitled: **“Social Services to the Homeless.”(FR. ESTRADA)**
6. An amendment to the Temporary 2006 Budget in the amount of **\$93,750** as a result of notification received from the Union County Department of Human Services for a program entitled: **“Intoxicated Drivers Resource Center.” (FR. ESTRADA)**
7. An amendment to the Temporary 2006 Budget in the amount of **\$459,352** as a result of notification received from the New Jersey Department of Human Services for a program entitled: **“Personal Attendant Demonstration Program.” (FR. ESTRADA)**
8. An amendment to the Temporary 2006 Budget in the amount of **\$715,723** as a result of notification received from the New Jersey Department of Health and Senior Services for a program entitled: **“County Comprehensive Alcoholism and Drug Abuse Grant.”** In addition appropriating **\$150,000** from the matching funds grant account entitled: **“Match-County Comprehensive Alcoholism and Drug Abuse Grant.” (FR. ESTRADA)**
9. An amendment to the Temporary 2006 Budget in the amount of **\$437,182** as a result of notification received from the New Jersey Governor’s Council on Alcoholism and Drug Abuse for a program entitled: **“Alliance to Prevent Alcoholism and Drug Abuse.” (FR. ESTRADA)**
10. An amendment to the Temporary 2006 Budget in the amount of **\$265,272** as a result of notification received from the New Jersey Department of Health and Human Services for a program entitled: **“Respite Care Program.” (FR. ESTRADA)**
11. An amendment to the Temporary 2006 Budget in the amount of **\$5,260** as a result of notification received from the New Jersey Department of Community Affairs for a program entitled: **“Handicapped Person’s Program.”** In addition appropriating **\$1,052** from the matching funds grant account entitled: **“Match-Handicapped Person’s Program.” (FR. ESTRADA)**
12. An amendment to the Temporary 2006 Budget in the amount of **\$344,725** as a result of notification received from the New Jersey Department of Health and Human Services for a program entitled: **“Community Care for the Elderly – Title XX.”** In addition appropriating **\$110,534** from the matching funds grant account entitled: **“Match-Community Care for the Elderly.”(FR. ESTRADA)**
13. An amendment to the Temporary 2006 Budget in the amount of **\$2,545,426** as a result of notification received from the New Jersey Department of Aging for a program entitled: **“Older Americans Act – Title III.”** In addition appropriating **\$13,158 and \$29,425** from the matching funds grant account entitled: **“Match-Home Delivered Meals and Match-Safe Housing” respectively. (FR. ESTRADA)**

14. An amendment to the Temporary 2006 Budget in the amount of **\$103,511** as a result of notification received from the New Jersey Department of Human Services for a program entitled: **“Paratransit Elderly – Title XX.”** In addition appropriating **\$23,215** from the matching funds grant account entitled: **“Match – Paratransit Elderly – Title XX.”** (FR. ESTRADA)
15. An amendment to the Temporary 2006 Budget in the amount of **\$1,393,412** as a result of notification received from New Jersey Transit for a program entitled: **“Senior Citizen Transportation Program.”** (FR. ESTRADA)
16. An amendment to the Temporary 2006 Budget in the amount of **\$375,000** as a result of notification received from the Union County Department of Human Services for a program entitled: **“Transportation for the Elderly – Title XIX.”** (FR. ESTRADA)
17. An amendment to the Temporary 2006 Budget in the amount of **\$75,000** as a result of notification received from the Union County Department of Human Services for a program entitled: **Home Health Care – Title XX.”** (FR. ESTRADA)
18. An amendment to the Temporary 2006 Budget in the amount of **\$145,957** as a result of notification received from the New Jersey Council on the Arts for a program entitled: **“Council on the Arts Program.”** In addition appropriating the sum of **\$36,488** from the matching funds grant account entitled: **“Match – Council on the Arts.”** (FR. ESTRADA)
19. An amendment to the Temporary 2006 Budget in the amount of **\$30,000** as a result of notification received from the New Jersey Department of Health and Senior Services for a program entitled: **“Office on Aging – State Grant.”** (FR. ESTRADA)
20. An amendment to the Temporary 2006 Budget in the amount of **\$181,812** as a result of notification received from the New Jersey Office of Insurance Fraud for a program entitled: **“Insurance Fraud Program.”** (FR. ESTRADA)
21. An amendment to the Temporary 2006 Budget in the amount of **\$262,483** as a result of notification received from the New Jersey Division of Solid and Hazardous Waste for a program entitled: **“Solid Waste Services Fund Program.”** (FR. ESTRADA)
22. An amendment to the Temporary 2006 Budget in the amount of **\$7,500** as a result of notification received from the New Jersey Department of Law and Public Safety for a program entitled: **“Urban Area Security Initiative (UASI) Program.”** (FR. ESTRADA)
23. An amendment to the Temporary 2006 Budget in the amount of **\$18,000** as a result of notification received from the New Jersey Department of Senior Services for a program entitled: **“State Health Insurance Program (SHIP).”** (FR. ESTRADA)

24. An amendment to the Temporary 2006 Budget in the amount of **\$183,080** as a result of notification received from the New Jersey Department of Community Affairs for a program entitled: **“Youth Services – Courts.” (FR. ESTRADA)**
25. An amendment to the Temporary 2006 Budget in the amount of **\$327,979** as a result of notification received from the New Jersey Juvenile Justice Commission for a program entitled: **“Community Partnership Grant.” (FR. ESTRADA)**
26. An amendment to the Temporary 2006 Budget in the amount of **\$12,301** as a result of notification received from the New Jersey Department of Health and Human Services for a program entitled: **“Right to Know.” (FR. ESTRADA)**
27. An amendment to the Temporary 2006 Budget in the amount of **\$58,264** as a result of notification received from the County of Mercer for a program entitled: **“Mercer County Case Management.” (FR. ESTRADA)**
28. An amendment to the Temporary 2006 Budget in the amount of **\$356,250** as a result of notification received from the Department of Human Services for a program entitled: **“Community Care for Persons Elderly & Disabled.” (FR. ESTRADA)**
29. An amendment to the Temporary 2006 Budget in the amount of **\$45,000** as a result of notification received from the New Jersey Juvenile Justice Commission for a program entitled: **“Job Access and Reverse Commute (JARC).” (FR. ESTRADA)**
30. An amendment to the Temporary 2006 Budget in the amount of **\$42,339** as a result of notification received from the New Jersey Juvenile Justice Commission for a program entitled: **“Juvenile Accountability Block Program.”** In addition appropriating **\$4,704** from the matching funds grant account entitled: **“Match – Juvenile Accountability Block Grant.” (FR. ESTRADA)**
31. An amendment to the Temporary 2006 Budget in the amount of **\$24,225** as a result of notification received from the New Jersey State Council on the Arts for a program entitled: **“Local Arts Staffing Initiative Program.” (FR. ESTRADA)**
32. An amendment to the Temporary 2006 Budget in the amount of **\$4,875** as a result of notification received from the New Jersey State Council on the Arts for a program entitled: **“Co-Sponsored Senior Art Show.” (FR. ESTRADA)**
33. An amendment to the Temporary 2006 Budget in the amount of **\$438,684** as a result of notification received from the New Jersey Juvenile Justice Commission for a program entitled: **“State Incentive Program.” (FR. ESTRADA)**
34. An amendment to the Temporary 2006 Budget in the amount of **\$395,769** as a result of notification received from New Jersey Department of Community Affairs for a program entitled: **“Community Service Block Grant.” (FR. ESTRADA)**

35. An amendment to the Temporary 2006 Budget in the amount of **\$168,699** as a result of notification received from the New Jersey Department of Labor and Workforce Development for a program entitled: **“Workforce Learning Link Program.” (FR. ESTRADA)**

V. DEPARTMENT OF HUMAN SERVICES
Frank Guzzo, Director

RESOLUTION

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

Director Sigmund said he would have two more resolutions for the next meeting. The first concerns continued leasing with the Elizabeth Housing Authority for their Farley Towers parking spaces. The second concerning a request from Plainfield to support having Cedar Brook Park placed on the National Registry of Historic Places.

RESOLUTIONS

1. Authorizing the use of **Competitive Contracting** under N.J.S.A. 40a:11-4.3 et seq. for concessions for Union County. **(VC. KOWALSKI)**

Freeholder Ward asked a question on #2 regarding how much money was spent on this program last year. The Director responded \$48,000.00 was spent last year.

2. Authorizing the County Manager enter into a contract with **Goose Control Technology of New Jersey, Inc., Metuchen, New Jersey**, for the purpose of managing the Canada goose population which inhabit the Union County Park System for the contract period of February 1, 2006 – December 31, 2006 in an amount not to exceed **\$40,000. (VC. KOWALSKI)**

VII. DEPARTMENT OF PUBLIC SAFETY
Harold Gibson, Director

There were no comments.

RESOLUTIONS

1. Amending **Resolution No. 1173-2004**, a contract with **Comprehensive Psychological Services, PA, Clark, New Jersey**, to extend the contract period **only** from January 1, 2005 – February 28, 2006. **{No additional funding is required} (CH. MIRABELLA)**
2. Authorizing the County Manager to apply, accept, and expend the **New Jersey Department of Environmental Health Act (CEHA)** grant in the amount of **\$245,000** with a 50/50 match of cash and/or in-kind services **(\$125,000 mandatory in-kind**

matching funds) of the total grant dollar received excluding the non-matching funds. **{State funding: \$245,000; County funding: \$125,000 (mandatory in-kind matching funds) (CH. MIRABELLA)**

3. Authorizing the County Manager to enter into a contract with **Ira R. Titunik, DDS, New York, New York**, to provide consulting forensic odontologist for identification of charred remains and unidentifiable remains for the contract period of January 1, 2006 – December 31, 2006 in an amount not to exceed **\$2,500. {price based on an estimated 7 cases at \$350 per case} (CH. MIRABELLA)**
4. Exercising Option Term with **Radiac Research Corporation, Brooklyn, New York**, for the collection, sorting, packaging, transportation, recycling and disposal of spent batteries for the contract period of February 1, 2006 – February 1, 2007 in an amount not to exceed **\$22,015. {State funding: \$22,015 (2005 Solid Waste Grant G-02-05-309-385)} (CH. MIRABELLA)**
5. Exercising Option Term with **Key Environmental Services, Andover, New Jersey**, for the collection and recycling of used motor oil and used motor oil filters from various county and municipal collection depots for the contract period of February 1, 2006 – February 1, 2007 in an amount not to exceed **\$15,880. {State funding: (2005 Solid Waste Grant G-02-05-309-285)} (CH. MIRABELLA)**

VIII. RUNNELLS SPECIALIZED HOSPITAL

Joseph Sharp, Director

There were no comments.

RESOLUTIONS

1. Renewing the contract with **Michele Parker, DPM, Hillside, New Jersey**, to provide podiatry services for the patients/residents of Runnells Specialized Hospital for the contract period of March 1, 2006 – February 28, 2006. **{This is a Fee For Service Agreement at No Cost to the County} (VC. KOWALSKI)**
2. Authorizing the County Manager to enter into a contract with **Angel Lazo, MD, Green Brook, New Jersey**, to provide professional medical services / wound care for the patients/residents of Runnells Specialized Hospital for the contract period of February 1, 2006 – January 31, 2007. **{This a Fee For Service Agreement at No Cost to the County} (VC. KOWALSKI)**
3. Authorizing the County Manager to enter into a contract with **Posey Company, Arcadia, California**, through NJHA Group Purchasing pursuant to N.J.S.A. 30:9-87 and 88 to purchase occupational therapy and nursing supplies for Runnells Specialized Hospital for the contract period of February 1, 2006 – January 31, 2007 in an amount of **\$4,000. (VC. KOWALSKI)**

4. Amending **Resolution No. 744-2005** to the contract with **Tuscan Dairies, Union, New Jersey**, for the purchase of milk and dairy products for Runnells Specialized Hospital for the contract period of October 1, 2005 – September 30, 2006 in an amount of **\$113,000**. Tuscan Dairy and Cream-O-Land have entered into a distribution agreement. **Cream-O-Land, Florence, New Jersey**, serving all the facilities that had been serviced by the Tuscan Union facility which has been closed. (VC. KOWALSKI)
5. Retaining the services of **Reimbursement Specialists, Inc., (T/A Health Care Resources) Princeton, New Jersey**, as consultants to complete and file all 2005 cost reports and analyze initial rate determinations in an amount not to exceed **\$17,500**. (VC. KOWALSKI)
6. Amending the contract with **McKesson Medical / Surgical Products, Golden Valley, Minnesota**, through NJHA pursuant to N.J.S.A. 30:9-87 and 88 for the purchase of thermometers and vital check equipment for Runnells Specialized Hospital for the contract period of January 1, 2006 – December 31, 2006, in an additional amount of **\$21,747.62** for a total contract amount of **\$555,747.62**. (VC. KOWALSKI)
7. Authorizing the County Manager to enter into a contract with **Righter Group, Wilmington, Massachusetts**, through NJHA Group Purchasing pursuant to N.J.S.A. 30:9-87 and 88 to purchase koreseal wall covering for Runnells Specialized Hospitals for the contract period of February 1, 2006 – January 31, 2007 in an amount of **\$4,486.40**. (VC. KOWALSKI)

IX. OFFICE OF THE PROSECUTOR
Theodore J. Romankow, Prosecutor

The County Manager stated that the County Counsel, Robert Barry, was available to answer questions concerning this department.

Freeholders Sullivan and Estrada asked for a clarification on the investigators position in #1. Is this the position the Prosecutor asked about in the budget hearings? Is it funding for 1 year? Who does these investigations now?

RESOLUTION

1. To apply for and accept funding from the **New Jersey Division of Highway Traffic Safety** to fund a County Investigator position to oversee the investigation of traffic fatalities in Union County in an amount of **\$102,990**. (CH. MIRABELLA)

X. COUNTY COUNSEL
Robert E. Barry, Esq.

The County Counsel states that he will have two additional Resolutions. One concerning voter accessibility and one will amend a prior resolution for prequalified attorneys. County Counsel stated the first 4 items will be the subject of discussions in the Executive Session.

There were no comments.

RESOLUTIONS

1. Approving the settlement of pending litigation entitled **Virginia Fanelli v. UC, et al**, Docket No. UNN-L-5148-01. (CH. MIRABELLA)
2. Approving the settlement of pending litigation entitled **Beverly Figueroa v. UC, et al**, Docket No. UNN-L-446-04. (CH. MIRABELLA)
3. Approving the settlement of pending litigation entitled **Brian Murphy v. UC, et al** Docket No. UNN-L-2406-04. (CH. MIRABELLA)
4. A Resolution approving the settlement of pending litigation entitled **Francis Roberts v. UC, et al**, Docket No. UNN-L-2331-04. (CH. MIRABELLA)
5. Amending **Resolution No. 90-2005** to the contract with **Donald Smith, Esq., Elizabeth, New Jersey**, to extend the term of the contract to March 31, 2006 and increase the appropriation to provide legal representation to Union County Mental Health Patients in their commitment hearings, for an additional amount not to exceed **\$10,500**. (CH. MIRABELLA)
6. Amending **Resolution No. 1323-2005** to increase the appropriation to **Garrubbo, Capece, D’Arcangelo, Millman & Smith, Westfield, New Jersey**, special counsel in the matter entitled: **Renna v. County of Union, et als.** for an additional amount of **\$10,000** for a new total contract amount not to exceed **\$47,500**. (CH. MIRABELLA)
7. Amending **Resolution No. 1231-2005** to increase the appropriation to **Schenk, Price, Smith & King, Morristown, New Jersey**, special counsel in the matter entitled: **Roberts v. County of Union, et als.** for an additional amount of **\$5,000** for a new total contract amount not to exceed **\$35,000**. (CH. MIRABELLA)
8. Amending **Resolution No. 1007-2005** to increase the appropriation to **Palumbo & Renaud, Cranford, New Jersey**, special counsel in the matter entitled: **Baptiste v. County of Union, et als.** for an additional amount of **\$5,000** for a new total contract amount not to exceed **\$25,000**. (CH. MIRABELLA)
9. Amending **Resolution No. 1011-2005** to increase the appropriation to **Edward Kologi, Esq. Linden, New Jersey**, special counsel in the matter entitled: **Murphy v. County of Union, et als.** for an additional amount of **\$5,000** for a new total contract amount not to exceed **\$15,000**. (CH. MIRABELLA)

XI. COUNTY MANAGER George Devanney

RESOLUTIONS

XII. FREEHOLDERS

The Chairman stated that the Freeholders will have some additional Laudatory Resolutions.

RESOLUTIONS

FREEHOLDER ESTRADA

Freeholder Estrada stated he will have appointments for the Workforce Investment Board.

Congratulating **Fonda Mazzillo, Union Township**, for her extensive community service and volunteerism.

FREEHOLDER HOLMES

Freeholder Holmes said he would add a Resolution for two youngsters who have been selected to attend a conference in Washington, D.C.

The Chairman stated that this Resolution would come from the entire Freeholder Board.

1. Extending deepest condolences to the family of **Corretta Scott King** in this, their time of sorrow.

FREEHOLDER PROCTOR

1. Re-appointing **Patricia Rufolo, Union, New Jersey, to the Senior Citizen & Disabled Resident Transportation Advisory Board** commencing January 16, 2006 – December 31, 2009.

FREEHOLDER SULLIVAN

1. Congratulating and commending **Mo'Dish Café of Hillside, New Jersey**, for its outstanding warmth and hospitality.
2. Extending deepest condolences to the family of **Jack Sievers, Union, New Jersey**, in this, their time of sorrow.

Chairman Mirabella expresses deep sorrow for the loss of Mr. Sievers and asks to also be added on this resolution with Freeholder Sullivan.

VICE CHAIR KOWALSKI

The Vice Chair said she would like to add Resolutions concerning the upcoming “Women of Excellence” event.

1. Declaring the month of March 2006 as “**Women’s History Month**” in Union County.

CHAIRMAN MIRABELLA

1. Proclaiming the week of February 12 – 18, 2006 as “**National Career and Technical Education Week**” in Union County.

Freeholders Mapp and Holmes stated that they would have a condolence Resolution for the family of Helen Miller, a former Councilwoman from Plainfield.

Chairman Mirabella stated that the Board would now enter into Executive Session and called for a motion. On a Motion by Freeholder Holmes and seconded by Vice Chair Kowalski roll call showed nine (9) members of the Board in the affirmative.

EXECUTIVE SESSION:

Re: Pending Litigation:

- 1) **Fanelli v. County of Union**
- 2) **Figueroa v. County of Union**
- 3) **Murphy v. County of Union**
- 4) **Roberts v. County of Union**

The Chairman called for a motion to reenter the Agenda Meeting. On a motion made by Freeholder Holmes seconded by Freeholder Estrada roll call showed: six (6) members of the Board voted in the affirmative with Vice Chair Kowalski, Freeholder Proctor, and Freeholder Ward absent.

The County Counsel announced relative to the Executive Session, that labor union negotiations had also been discussed. This was a last minute development that he was not aware of prior to the Executive session. He also mentioned that he would have appointments to the Voter Accessibility Advisory Board for the regular agenda.

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The Chairman called for a motion to adjourn. On a motion made by Freeholder Sullivan, seconded by Freeholder Scanlon, roll called showed seven (7) members of the Board voted in the affirmative with Freeholders Proctor and Freeholder Ward absent.

ADJOURNMENT

The next **Agenda Setting Session (“MOBILE”)** of the Union County Board of Chosen Freeholders will be held on **Wednesday, February 22, 2006 at 6:30 pm at the Berkeley Heights Town Hall, 29 Park Avenue, Berkeley Heights, New Jersey.**

Nicole L. Tedeschi
Clerk of the Board of Freeholders

NLT/je