



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES REGULAR MEETING – JANUARY 28, 2009

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

Also Present: County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, County Counsel Robert E. Barry, Esq., and Clerk of the Board Nicole L. DiRado.

The following items were discussed:

1. Ongoing Litigation: Tipari v. The County of Union
Guest: Norm Albert, Esq., First Deputy County Counsel

Mr. Albert and County Counsel provided an overview of the case and status as to potential settlement. A recommendation was made to settle the matter at a sum of \$65,000.

The Board supports the recommendation and settlement.

2. Personnel Matters

A discussion relative to the layoff plan as it pertains to the Office of the Prosecutor ensued.

EXECUTIVE SESSION MINUTES AGENDA MEETING – FEBRUARY 19, 2009

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

Also present were County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, First Deputy County Counsel, Norman W. Albert, Esq., and Deputy Clerk of the Board Annie Croom.

The following items were discussed:

1. Personnel Matters:

The Deputy County Manager/Director of Administrative Services Genievich advised {Minutes redacted relative to a personnel matter exempt under N.J.S.A. 47:1A-10.}

2. Potential Land Acquisition: {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.}

Guests: Victoria Drake, Administrator, Open Space, Recreation and Historic Preservation Trust Fund and Al Faella, Director of Parks and Community Renewal.

The County Manager Devanney provided an update regarding the {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.} Mr. Devanney stated that the appraisals are in at {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.} Mr. Devanney said {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.}

County Manager Devanney stated that the {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.}

The Board supported the recommendation.

3. Personnel/ Collective Bargaining Matter-Layoff – Pension Deferral Bill

The County Manager advised the Board on the status of Senate Bill S14 and Assembly Bill A3688. Mr. Devanney said the Senators will be voting on the bill this Monday and its relation to the budget, layoffs and negotiations with bargaining units. County Manager Devanney said the League of Municipalities has taken a strong stand on the bill. He also stated that he's trying to avoid a general layoff. Mr. Devanney said the budget will be introduced on March 12, 2009 and if the State Senate votes it down the County will have to re-introduce. County Devanney stated he would update the Board in fiscal committee and executive session on February 26, 2009.

**EXECUTIVE SESSION MINUTES
FISCAL AFFAIRS COMMITTEE HEARING
WEDNESDAY, MARCH 4, 2009**

Roll Call: Chairman Alexander Mirabella, Vice Chairman Daniel P. Sullivan, Freeholder Angel G. Estrada, Freeholder Chester Holmes and Freeholder Bette Jane Kowalski were present. Freeholder Rick Proctor Freeholder Deborah P. Scanlon, Freeholder Rayland Van Blake and Freeholder Nancy Ward were absent.

Also Present: County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, County Counsel Robert E. Barry, Esq., and Clerk of the Board Nicole L. DiRado.

The following item was discussed:

1. Personnel Matters & Collective Bargaining Matters

Guests: Lawrence Caroselli, Director, Department of Finance, Alfred Faella, Director, Department of Parks and Community Renewal, Sebastian D'Elia, Public Information Officer, Armando Sanchez, Director, Division of Golf Operations

The County Manager updated the Board as to the status of the golf operations management plan. The RFP for the management of the golf courses is ready to go out on Friday. A complete privatization of the golf courses would eliminate the need for seasonal employees. Also, if the pension deferral plan does not pass the legislature, additional layoffs will take place, which will include positions in golf maintenance.

When the RFP is released, the county has to notify the affected unions and give them an opportunity to submit a proposal, which would essentially render the need to privatize moot. Such a proposal might include reduced salaries and wages.

EXECUTIVE SESSION MINUTES AGENDA MEETING – MARCH 19, 2009

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

Also Present: County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, County Counsel Robert E. Barry, Esq., and Clerk of the Board Nicole L. DiRado.

The following items were discussed:

1. Contract Negotiations: Union County Improvement Authority & Berkeley Aquatics
Guests: Guests: Jonathan Williams, Esq., DeCotiis, Fitzpatrick, Cole & Wisler, Joe Graziano, Director, Department of Public Work, Engineering and Facilities; Al Faella, Director, Department of Parks and Community Renewal; Victoria Drake, Administrator, Trust Fund

The existing contract with Berkeley Aquatics provides for an easement on county property for utility purposes. It has since been determined that the cost of running utility lines is considerably higher than expected. The UCIA is requesting that the Board consider allowing Berkeley Aquatics to tie into the County's existing water and sewer lines, upon receipt of sound engineering proposals indicating that the capacity can sustain the needs of Runnells as well as Berkeley Aquatics. Berkeley Aquatics will bear every expense to tie into the lines and will share the expense of costs and maintenance. {Minutes redacted under Attorney-Client privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1.}

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Additionally, Berkeley Aquatics is seeking a contract amendment to allow them to terminate the contract at any time up to their obtaining all necessary governmental approvals. Given their obligation to diligently pursue these approvals, it is recommended this amendment be granted.

Approval of the Berkeley Heights Board of Adjustment is necessary but was not initially anticipated. The Board approves this amendment.

**EXECUTIVE SESSION MINUTES
AGENDA MEETING – APRIL 23, 2009**

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

Also Present: County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, County Counsel Robert E. Barry, Esq., and Clerk of the Board Nicole L. DiRado.

The following items were discussed:

1. Contract Negotiations with the US Department of Health and Human Services
Guest: Brian Riordan, Department of Correctional Services; Lawrence Caroselli, Director, Department of Finance; Frank Guzzo, Director, Department of Human Services

Director Guzzo has been in negotiations with the US Department of Health and Human Services to house children who enter the US illegally and are detained by the federal government. This would be the 5th center in the United States, and the only one in the Northeast. Attached is a presentation prepared by Director Guzzo.

The contract would guarantee 15 beds at a rate of \$200 per day whether they use the beds or not; \$1.094 million will be realized by the County annually. An additional three beds will be made available for females on an as needed basis. The contract is likely to grow because of enforcement issues regarding new immigration laws. If services other than those we operate are needed (i.e.: services in native languages) the government will pay for them separately. Although the children do not have health insurance, the Juvenile Detention Center does offer a managed care unit and any services required beyond that will be billed directly by Trinitas to the US DHHS.

Director Guzzo contacted the other centers and they have not experienced any problems with the children or working with the federal government.

Currently, the County funds 76 beds as required by law in the budget. However, because of substantially reduced population in the Facility, we were staffed for a population of 60. Even with our staffing for 60, given our reduced population, the addition of these children will not in any way impair our operations and will provide significant revenue to offset costs.

The contract will commence June 1.

2. Contract Negotiations with the US Department of Homeland Security
Guest: Brian Riordan, Department of Correctional Services; Lawrence Caroselli, Director, Department of Finance; Frank Guzzo, Director, Department of Human Services

The old Juvenile Detention Center is going to be retrofitted to accommodate an adult prison population to ensure the construction upgrades to the Jail are done safely. Once the construction is complete, 138 new beds will have been created and available.

Director Guzzo has been in negotiations with the US Department of Homeland Security to house federal inmates in our facility. Although the contract {Minutes redacted under Attorney-Client privilege communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1.}

EXECUTIVE SESSION MINUTES AGENDA MEETING – MAY 7, 2009

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

Also Present: County Manager George W. Devanney, Deputy County Manager M. Elizabeth Genievich, County Counsel Robert E. Barry, Esq., and Clerk of the Board Nicole L. DiRado.

The following items were discussed:

1. Potential Land Acquisition

Guests: Vikki Drake, Administrator, Open Space, Recreation & Historic Preservation Trust Fund, Al Faella, Director and Ron Zuber, Deputy Director, Department of Parks & Community Development

Two pieces of property adjacent to existing County parkland has come to the attention of the County as potential acquisitions.

The first piece of property is located in {Minutes redacted as same involve ongoing negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest}, adjacent to the {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.} There is a {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.} The County's appraisals came in at {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.} The Board supports allowing the County Manager to negotiate up to {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.}

The second piece of property, which is {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.}

There is a {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.} The property is of interest to the County because it is {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.}. The owner is asking for approximately {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.} The appraisals came in at {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.} The Board has asked the County Manager to send a letter offering to purchase the property for {Minutes redacted as same involve on-going negotiations / discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1. Disclosure at this time could adversely affect the public interest.}

2. Personnel Matters

Guests: Lawrence Caroselli, Director, Department of Finance; Al Faella, Director & Ron Zuber, Deputy Director, Department of Parks & Community Renewal; Robert Cagnassola, Supplee Clooney

The County Manager updated the Board on an {Minutes redacted relative to a personnel matter exempt under N.J.S.A. 47:1A-10.}

The County was able {Minutes redacted relative to a personnel matter exempt under N.J.S.A. 47:1A-10.}

As a result, {Minutes redacted relative to a personnel matter exempt under N.J.S.A. 47:1A-10.}

The County Manager discussed a {Minutes redacted relative to a personnel matter exempt under N.J.S.A. 47:1A-10.}

Robert Cagnassola of Supplee Clooney, the County's auditor, was invited in at this point to discuss the audit process and additional fail safes which should be considered moving forward to prevent this from happening again.