



UNION COUNTY BOARD
OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES
AGENDA MEETING – THURSDAY, JANUARY 17, 2013

Chairwoman Linda Carter, Vice Chairman Chris Hudak, Freeholder Bruce Bergen, Freeholder Angel Estrada, Freeholder Mohamed Jalloh, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were County Manager Alfred Faella, County Counsel Robert Barry, Director Matthew DiRado, Director Bibi Taylor, Director Andy Moran, Director Chris Scutaro and Clerk of the Board James E. Pelletiere.

The following item was discussed:

- 1) Discussions relative to pending contract negotiations with the collective bargaining units for the FMBA and PBA Local 203.

Special Guest: Kathryn Hatfield, Esq., Bauch Zucker Hatfield LLC

County Manager introduced Kathryn Hatfield, Esq., special counsel for labor negotiations. Mrs. Hatfield informed the Board of potential settlements with the PBA 203 (weights and measures employees) and FMBA (newly organized Hazmat employees).

Mrs. Hatfield advised the Board that [REDACTED] She provided a brief history of the last contract for the PBA 203 (2009) and indicated that [REDACTED]

Mrs. Hatfield advised the Board of the FMBA negotiations involving its 5 members. She informed the Board that [REDACTED]

The Board entered into a general discussion relative to the possible overlay of staffing between the ambulances and the Hazmat ambulance. Director Moran informed the Board of the pragmatic obstacles faced with such an overlay. Director Moran also added the turnover rate in these positions is very high; stating the job expectancy is close to just 5 years before the employee finds employment as a firefighter in any given municipality.

Attorney - client privileged information
Redacted throughout these minutes,
per
OPRA.



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The Board then entered into a general discussion relative to the Health Benefits offered to the employees.

Director DiRado advised the Board the FMBA formed in 2010 and reminded they received zero increases in 2010, 2011 and 2012. He advised the Board the County will establish a salary range for various titles covered by this CBA. He stated this agreement proposes a zero percent increase in 2011 and 2012, a 2 ¼ percent increase in 2013 and a 2 ½ percent increase in 2014.

- 2) Attorney-Client privileged communication relative to the potential settlement in the matter of Otto Czulak v. County of Union.

Special Guest: County Counsel Moshood Muftau, Esq.

County Manager asked County Counsel Robert Barry to provide a brief overview of the case. County Counsel Barry advised the Board that [REDACTED]

[REDACTED] County Counsel Barry informed the Board that [REDACTED]

County Counsel advised the Board that [REDACTED]

Director DiRado informed the Board of the Safety Committee, and various subcommittees, meet regularly and has been focusing on potential liability and workman's compensation issues.

The Board approved the settlement as proposed.

- 3) Discussions and attorney-client privileged communication relative to potential acquisition of real property.

County Manager asked County Counsel Robert Barry to provide a brief overview of the property in question.

County Counsel Barry addressed the Freeholders on the subject of the Motor Vehicles property on West Grand Street, Elizabeth, which the County rents and occupies. He advised the Board that [REDACTED] He informed the Board [REDACTED]

County Counsel Barry informed the Board [REDACTED]



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[REDACTED] He advised the Board that [REDACTED]

Relative to any negotiations for the purchase of the property, County Counsel Barry informed the Board [REDACTED]

[REDACTED] The Board entered into a general discussion relative to the leasing credits. County Counsel Barry noted that [REDACTED]

[REDACTED] He further added that [REDACTED]

The Board entered into a general discussion relative to the possible financing through bonds over 10-15 years, and such financial advantages and implications. The Board discussed considering a short term lease with intent to purchase versus a five-year lease with the intention of purchase.

The Board entered into a general discussion relative to the County search for other properties as suitable to the County Motor Vehicle needs.

County Counsel Barry advised that [REDACTED] He informed the Board that [REDACTED]

[REDACTED] Additionally, County Counsel Barry advised that [REDACTED]

The Board entered into a brief discussion relative to the possibility of Condemnation Proceedings.

- 4) Discussions and attorney-client privileged communication relative to anticipated contract negotiations relative to Runnells Specialized Hospital.

Special Guest: Geoffery Perselay, Ed Rally, Todd Wagner, Dr. Maledy, of Complete Healthcare Resources-Eastern Inc (CHR), Runnells Specialized Hospital (RHS) Administrator Joan Wheeler, RHS Finance Director Michael Drummund and U.C. Human Services Director Frank Guzzo.

County Manager asked Director Frank Guzzo to introduce Geoffery Perselay and provide the Board with an overview of the analysis and development options for the operations and services at Runnells Specialized Hospital. Director Guzzo explained to the Board that the CHR Report essentially laid out 3 options for the Board to consider, given the fact that the status quo was not an option: 1) revenue enhancement opportunities 2) expense reduction opportunities and 3) alternative ownership.

The CHR Representatives provided the board with a preliminary report (attached) and preceded with the presentation; outlining the key parts of the 3 options. After an extensive overview of the three options, the CHR representatives opened the presentation for questions and answers. The Board entered into discussions ranging from the number of



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other Counties operating similar facilities, the ability to increase revenue by \$1.8 Million (as outlined in the report), potential contractual options, labor/management issues, the number of employees required to offer quality care to the condition of the facility and the value of the "Bed License."

The Board entered into a brief discussion relative to the potential sale of the facility while retaining Cornerstone with an operating transfer agreement. Mr. Perselay advised the Board that any potential buyer has to go through the state, which will ensure a good buyer. A discussion was had relative to interim measures the County can entertain for cost savings.

James Pellettiere,
Clerk of the Board of Chosen Freeholders



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, FEBRUARY 7, 2013

Chairwoman Linda Carter, Vice Chairman Chris Hudak, Freeholder Bruce Bergen, Freeholder Angel Estrada, Freeholder Mohamed Jalloh, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were County Manager Alfred Faella, County Counsel Robert Barry, and Records Manager Anita McNamara (filling in for the Clerk of the Board James E. Pellettiere).

The following item was discussed:

- 1) Discussions and attorney-client privileged communications relative to on-going potential acquisition of real property.

County Counsel Robert Barry addressed the Freeholders on the subject of the Motor Vehicles property on Grand street, which the County rents and occupies. He stated that

[REDACTED]

County Counsel Barry recommended to the Board

[REDACTED] He stated that [REDACTED] He outlined [REDACTED]

A discussion was had relative to the process of a Condemnation proceeding and whether or not such a process had been part of the original negotiations. The County Counsel replied that

[REDACTED]

County Counsel Barry informed the Board that

[REDACTED]



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A discussion was had relative to previous Condemnation proceedings involving another property on that street and on other properties around the County in general; and the negotiation/condemnation process.

The Board agreed to follow the County Counsel's strategy of [REDACTED]
[REDACTED]

James Pelletiere,
Clerk of the Board of Chosen Freeholders



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, FEBRUARY 28, 2013

Chairwoman Linda Carter, Freeholder Bruce Bergen, Freeholder Angel Estrada, Freeholder Mohamed Jalloh, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were County Manager Alfred Faella, County Counsel Robert Barry, Director Frank Guzzo, Director Matthew DiRado, Director Bibi Taylor, Director Sebastian D'Elia, and Clerk of the Board James E. Pellettiere.

The following item was discussed:

- 1) Pending contract negotiations relative to potential professional service contract with the Union County Alliance.

County Manager Alfred J. Faella provided the Board with an overview of the Alliance; noting they recently hired Geoffrey Perselay; speaking of his many years of private and public experience. He provided the Board with an overview of the recent accomplishments of the Alliance; including quarterly Union County Directions publication (in print and online), the Brownfields Study which has assisted the County's efforts in seeking grants in Housing and Economic Development. The County Manager informed the Board of the Alliance's funding request (attached) in the amount of \$232,125.00.

The Board entered into a discussion relative to prior accomplishments and level of productivity of the Alliance. The Board also discussed the many years of the Alliance's existence (over 20 years) and of the immense potential the organization has to offer; especially with Mr. Perselay at the helm.

The Board discussed the salaries/benefits of the employees; noting that as executive director, Mr. Perselay will be making \$72,000 (with no benefits), compared to the previous executive director's salary of \$120,000. The Board also discussed the level of office hours expected from the Alliance.

Director Sebastian D'Elia, provided the Board a brief overview of the history of projects the Alliance. Director D'Elia informed the Board of the issues pertaining to sponsorship. He advised the Board that the Alliance is a 501c3 autonomous entity, independent of the County of Union. The Board entered a general discussion relative to the make-up of the Board of Directors and the level of County participation if the County was to continue with a contractual relationship with the Alliance.



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The Board agreed to the Alliance's proposal with the caveat that the Alliance seeks outside sponsorship and produce at a much higher level. The Board would continue to monitor its progress and determine if future contracts would be warranted.

James Pelletiere,
Clerk of the Board of Chosen Freeholders



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EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, MARCH 21, 2013

Chairwoman Linda Carter, Freeholder Bruce Bergen, Freeholder Bette Jane Kowalski, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were County Manager Alfred Faella, County Counsel Robert Barry, Director Frank Guzzo, Director Bibi Taylor, and Clerk of the Board James E. Pelletiere.

The following item was discussed:

- 1) Attorney Client privileged communication relative to the potential settlement in the matter of Dawkins v. County of Union.

Special Guest: Alex Booth, Esq.

County Counsel Robert Barry provided the Board with a brief overview of the Dawkins case; noting that [REDACTED]

[REDACTED]

County Counsel Barry advised the Board that [REDACTED]

He advised the Board [REDACTED]

County Counsel Barry advised the Board that [REDACTED]

[REDACTED]

[REDACTED]

County Counsel Barry advised the Board that [REDACTED]

[REDACTED]

Alex Booth, Esq., lead counsel for our defense team, advised the Board that [REDACTED]

[REDACTED]

[REDACTED]

The Board agreed to the proposed settlement.



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- 2) Attorney Client privilege relative to on-going contract negotiations between the County of Union and the Union County Improvement Authority relative to golf operations.

Special Guest: Director Ron Zuber and Golf Operations Director Armando Sanchez

Golf Operations Director Armando Sanchez provided the Board with an overview of current golf operations and an update on the construction of the Galloping Hill Clubhouse Project; noting that the Clubhouse is approximately 85% to 90% complete.

He informed the Board of a target opening date of April 1, 2013. He advised the Board that the golf operations schedule of events have nearly doubled from last year. He also informed the Board of the various events already planned for the catering facility; mentioning 120-person Bridal Shower and various NJSA events. He advised the Board that there have been no major issues with the construction of the facility, with the exception of the challenges relative to paving, which were due to the inclement weather.

County Counsel Robert Barry informed the Board of [REDACTED]

He informed the Board [REDACTED]

County Counsel Barry spoke on [REDACTED]

He advised that [REDACTED]

He informed the Board that [REDACTED]

The Board entered into a brief discussion relative to the flexibility of the Improvement Authority's involvement relative to Local Lands and Buildings Law and specific conditions required for any such transaction; including but not limited to the requirement that the 2 golf courses be maintained at a high level and that they be open and available to the public at affordable rates.

County Counsel Barry advised the Board that [REDACTED]

James Pelletiere,
Clerk of the Board of Chosen Freeholders



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EXECUTIVE SESSION MINUTES
REGULAR MEETING – THURSDAY, MARCH 28, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Mohamed Jalloh, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were County Manager Alfred Faella, County Counsel Robert Barry, Deputy County Counsel Rose Comas, Esq., Director Frank Guzzo, Director Matthew DiRado, Communications Director Sebastian D'Elia, Parks Maintenance Director Michael Brennan, County Engineer Thomas Mineo, and Clerk of the Board James E. Pellettiere.

The following item was discussed:

- 1) Attorney Client privileged communication relative to contracts between the County of Union and Birdsall Engineering.

County Counsel Robert Barry provided the Board with an overview of the current contracts (19 contracts) the County of Union held with Birdsall Engineering; noting [REDACTED]

[REDACTED] County Counsel Barry informed the Board that [REDACTED]

[REDACTED] He advised the Board that [REDACTED]

County Counsel Barry informed the Board [REDACTED] He advised the Board [REDACTED]

[REDACTED] He reminded the Board that, [REDACTED]

[REDACTED] County Counsel further stated that [REDACTED]

The Board entered into a discussion relative to the various projects held with Birdsall Engineering and spoke on any implications there may be with PMK Engineering.

County Engineer Thomas Mineo went over the various projects that would incur a negative impact within the next 30-60 days; which included the OakRidge contract, East Hazelwood Bridge contract, the LSRP for Contaminated Sites (3 of 10 sites) and the Courthouse Project. He added that there are currently no outstanding RFP's relative to Birdsall Engineering.



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The Board entered into discussion relative to a contingency plan if Birdsall Engineering will not be able to perform the duties of the various contracts; noting that there were a number of firms that the Board had pre-qualified for such services, and submitted proposals on these projects.

County Manager Alfred J. Faella advised the Board that other County Agencies, ie Union County Vocational-Technical Schools and the Union County College, are awaiting direction from the County of Union.

The Board advised the County Manager not to execute the three previously mentioned contacts until further clarification from Birdsall Engineering and/or the Attorney General's office relative to its' investigation. The Board asked to be further updated at the next Freeholder Meeting.

James Pelletiere,
Clerk of the Board of Chosen Freeholders



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EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, APRIL 4, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Mohamed Jalloh, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella and Freeholder Daniel Sullivan were present.

Also present were Director Frank Guzzo, County Counsel Robert Barry, Deputy Counsel Rose Comas, Esq., Director Matthew DiRado, Director Joseph Graziano, County Engineer Thomas Mineo, and Clerk of the Board James E. Pellettiere.

The following item was discussed:

- 1) Attorney-Client privileged communication relative to contracts between the County of Union and Birdsall Engineering.

County Counsel Robert Barry updated the Board regarding the County's internal review of all contracts with Birdsall Engineering. He assured the Board that [REDACTED]. He informed the Board [REDACTED].

County Counsel Barry informed the Board that [REDACTED].

The Board entered general discussions relative to the relationship of PMK Engineering has with Birdsall Engineering, and any implications thereof. County Counsel advised the Board [REDACTED].

The Board entered general discussions relative to the current projects with Birdsall Engineering and the implications associated in changing contracts midstream; including but not limited to new bid specifications and financial considerations. Special attention was given to the Courthouse Project, as Birdsall Engineering has been advising as the Fire Code Consultant since 2002 and the Boiler project.

The Board entered general discussions relative to the costs associated with eliminating all contracts with Birdsall Engineering. County Counsel Barry informed the Board that [REDACTED]. County Engineer Thomas Mineo advised the Board of [REDACTED].



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the general status of each project. County Counsel Barry informed the Board that [REDACTED]

County Counsel Barry advised the Board [REDACTED]

- 2) Discussion relative to pending contract negotiations between the County of Union and the collective bargaining unit for the PBA 250A.

Special Guest: Kathleen Hatfield, Esq.

Director Matthew DiRado updated the Board regarding the County's negotiations with the PBA 250A-Prosecutor's Supervisor of Detectives and Investigators. Director DiRado advised that the PBA 250A agreed to a zero percent increase in 2010, a 2 ¼ percent increase in 2011 and a 2 ½ percent increase in 2012 (effective July 1st); adding these funds were anticipated in the budget. He informed they now have to negotiate 2013 and 2014 contracts.

- 3) Discussions relative to on-going contract negotiations with various Unions and Attorney-Client privileged communication relating to same.

Special Guest: Kathleen Hatfield, Esq.

Director Matthew DiRado provided the Board with an update relative to the County's negotiations with the all other collective bargaining units. Director DiRado informed the Board that they still need to negotiate with 19 of the 22 unions; stating they are very close to coming to an agreement with the Park Foreman with 2% increases inclusive of increments. They indicated to the Board that they are optimistic that agreements can be made relatively quickly with other unions, such as HPAE, PBA 73 & 73A (County Police), PBA 250 (Detectives). However, Director DiRado informed the Board that negotiations with Council 8 are far apart.

Kathleen Hatfield, Esq. informed the Board that [REDACTED]

[REDACTED] Kathleen Hatfield, Esq. suggested [REDACTED]

The Board advised to continue negotiating as proposed.



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James Pelletiere,
Clerk of the Board of Chosen Freeholders



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EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, MAY 2, 2013

Chairwoman Linda Carter, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Mohamed Jalloh, Freeholder Bette Jane Kowalski, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were County Manager Alfred J. Faella, Director Frank Guzzo, County Counsel Robert Barry, Director Joseph Graziano, Director Bibi Taylor and Clerk of the Board James E. Pellettiere.

The following item was discussed:

- 1) Discussions relative to on-going negotiations and potential collective bargaining agreements with the Park Foreman Association and the Union County Supervisors Association and general terms and conditions for continuing negotiations.

Director Matthew DiRado provided the Board with an update on the Park Foreman Association and the Union County Supervisors Association agreements; stating that the Park Foreman Association ratified the MOA. Director DiRado stated that the negotiations followed the pattern of a 2 percent increase inclusive of increments.

Director DiRado articulated the Health Care concessions sought in other 2013 settled contracts. Director DiRado asked for direction from the Board to continue negotiating with this pattern and not call for an Executive Session if such negotiations follow suit.

County Counsel Barry assured the Board that

He clarified that

The Board advised to continue negotiating as proposed.

James Pellettiere,
Clerk of the Board of Chosen Freeholders



UNION COUNTY BOARD
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EXECUTIVE SESSION MINUTES
REGULAR MEETING – THURSDAY, MAY 16, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were County Manager Alfred J. Faella, Director Frank Guzzo, County Counsel Robert Barry, and Clerk of the Board James E. Pelletiere.

The following item was discussed:

- 1) Attorney-Client privileged communication and potential contract negotiations with the Union County Improvement Authority relative to the Renewable Energy Program.

Special Guest: Steve Rogut, Rogut & McCarthy

County Counsel Robert Barry provided the Board with a history of the Renewable Energy Program; stating that [REDACTED]

[REDACTED] County Counsel Barry informed the Board that [REDACTED]

County Counsel Barry notified [REDACTED]

[REDACTED] County Counsel Barry informed [REDACTED]

The Board entered into a brief discussion relative to TIOGA's company structure; identifying the parent company and its many subsets. The Board also discussed TIOGA's plans to dissolve some of the assets over the next 4-8 weeks with the intention of profiting enough to pay the \$4 Million guarantee owed. County Counsel Barry indicated that [REDACTED]

Steve Rogut, Esq. provided the Board with [REDACTED]

[REDACTED] Steve Rogut, Esq. provided the Board with [REDACTED]

He indicated to the Board that [REDACTED]

County Counsel Barry informed the Board that [REDACTED]



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The Board entered into brief discussions relative to entering into potential contract negotiations to find a new provider; noting that given the current rates, companies like PSE&G may be interested.

The Board asked to see a copy of the Notice given to the Bond Market, and to be kept up to date with any new information.

James Pelletiere,
Clerk of the Board of Chosen Freeholders



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OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES
AGENDA MEETING – THURSDAY, MAY 30, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Bette Jane Kowalski, Freeholder Mohamed Jalloh, Freeholder Alexander Mirabella, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were County Manager Alfred J. Faella, County Counsel Robert Barry, Director Matthew DiRado, and Clerk of the Board James E. Pellettiere.

The following item was discussed:

- 1) Discussions relative to the potential acquisition of real property and attorney-client privileged communication.

Special Guest: Robert F. Renaud, Esq., Palumbo & Renaud

County Counsel Robert Barry provided the Board with an update relative to the potential acquisition of the Smith Motors property on West Grand St., Elizabeth. He stated

[REDACTED]

County Counsel Barry informed the Board that

[REDACTED] County Counsel Board assured the Board that [REDACTED] He informed the Board that

[REDACTED]

The Board entered into brief discussions relative to those impacts and the concept of filing condemnation on the property.

Mr. Robert Renaud, special counsel, provided the Board with an overview of the history of ownership, including various sublease agreements, of the property between Smith Motors Realty Corporation, West Grand Jersey Corporation and the County of Union. Mr. Renaud informed the Board

[REDACTED]

The Board entered into a brief discussion relative to a potential Phase II site assessment.

The Board entered a discussion relative to a number of potential credits involved in any purchase agreement; with specific discussions relative to the costs associated with rent paid (approximately \$105,000) and roof replacement/repair (approximately \$225,000). The Board entered further discussions relative to additional costs associated with returning the



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property back to its original state; with specific discussion relative to the 14 hydraulic lifts and 3 major air conditioning units. There was a brief discussion relative to a fuel tank Smith Motors Realty Corporation may have unlawfully abandoned prior to the County's lease.

County Counsel Barry advised the board [REDACTED]
[REDACTED] He informed the Board that [REDACTED]
[REDACTED]

James Pelletiere,
Clerk of the Board of Chosen Freeholders



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EXECUTIVE SESSION MINUTES
AGENDA MEETING – THURSDAY, JUNE 13, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Bette Jane Kowalski, Freeholder Mohamed Jalloh, Freeholder Alexander Mirabella, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were Director Frank Guzzo, County Counsel Robert Barry, Director Matthew DiRado, Director Bibi Taylor and Clerk of the Board James E. Pelletiere.

The following items were discussed:

- 1) Discussions relative to personnel matters and attorney-client privileged communication.

County Counsel Robert Barry provided the Board with a general update on the Union County Prosecutor's investigation on theft of public property during Superstorm Sandy. He confirmed and advised the Board that [REDACTED]

County Counsel Barry informed the Board that [REDACTED]

County Counsel Barry informed the Board that [REDACTED]

[REDACTED]. County Counsel Barry advised the Board [REDACTED]

He informed the Board that [REDACTED]

County Counsel Barry informed the Board that, [REDACTED]

A brief discussion was had relative to the process of the disciplinary hearings.



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2) B&B Press and Royal Printing Services for the United States Senate Special Primary Election.

County Counsel Robert Barry informed the Board [REDACTED]

[REDACTED] He advised the Board of [REDACTED]

[REDACTED] He advised the Board that [REDACTED]

[REDACTED] He advised the Board that [REDACTED]

[REDACTED] He advised the Board that [REDACTED]

County Counsel Barry informed the Board that [REDACTED]

The Board entered into a general discussion relative to the need for the Governor to call upon a Special General Election three (3) weeks before the November Election (Resolution on the Agenda Meeting's agenda). The Board directed Director Taylor to proceed with submitting a resolution establishing an Emergency Appropriation to cover costs associated with the Special Primary Election only, in an amount not to exceed \$885,000.00. The Board discussed authorizing payments for contracts associated with the Special General Election when the State clarifies reimbursement figures with all Counties.

3) Attorney Client privileged communication and contract negotiations relative to the County's Health Insurance Provider.

Director Matthew DiRado provided the Board with an update on the proposals received by Brown and Brown Insurance. Director DiRado provided the Board with a copy of the "Proposal of Employee Benefits Coverage and Service" (attached) and reviewed said proposal. The Board entered into discussions relative to the 3 different models provided; a Fully-Insured model, a Self-Insured model, and the State Health plan.

Director DiRado informed the Board that the costs associated with the current Fully-Insured plan (County cost inclusive of any employee contributions) is at the rate of \$54.4 Million per month compared to the 2013-2014 cost of \$52.2 Million. A discussion ensued relative to the factors that contributed to the decrease in Health Care costs. Director DiRado also noted that any savings associated with concessions as a result of newly negotiated contracts are not figured into these numbers, but that Horizon is aware of them.

Director DiRado also noted that the Summit Medical Group was now considered "In-Network" with Horizon; stating that this was a concern of many employees. He also noted that there was a positive trend in health care costs during the first three (3) quarters, however, utilization spiked in the last quarter.



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Director DiRado informed the Board that consideration was given to the State Health plan, however it was clear that the State Health plan was more costly; \$4 Million per month as opposed to \$3.55 Million per month under Horizon's proposal.

The Board entered into a brief discussion relative to the \$7.9 Million premium lag repayment to Horizon.

James Pellettiere,
Clerk of the Board of Chosen Freeholders



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, JULY 25, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella and Freeholder Daniel Sullivan were present.

Also present were County Manager Alfred J. Faella, Director Frank Guzzo, Deputy County Counsel Norm Albert, Assistant County Counsel Carolyn Sullivan, Director Matthew DiRado, Director Bibi Taylor and Clerk of the Board James E. Pellettiere.

The following items were discussed:

- 1) Attorney Client privileged communication relative to on-going litigation in the matter of Smith Motors Realty Corp v. County of Union.

Deputy County Counsel Norm Albert updated the Board [REDACTED]

He advised the Board, [REDACTED]

James Pellettiere,
Clerk of the Board of Chosen Freeholders



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, AUGUST 8, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Bette Jane Kowalski, Freeholder Mohamed S. Jalloh, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were County Manager Alfred J. Faella, Director Frank Guzzo, County Counsel Robert Barry, Deputy County Counsel Norm Albert, Director Matthew DiRado, Director Bibi Taylor and Clerk of the Board James E. Pelletiere.

The following items were discussed:

- 1) Attorney-Client privileged communication relative to Personnel Matters and potential litigation.

Special Guest: Allan C. Roth Esq. & Rachel M. Caruso Esq., Roth D'Aquanni, LLC

County Counsel Robert Barry introduced Mr. Allan Roth, special counsel, to the Board.

Mr. Roth provided the Board with a general overview of the settlements relative to the disciplinary actions involving improper use of County property during Superstorm Sandy. He advised the Board [REDACTED]

[REDACTED] The Board agreed with the overall assessment and advised Mr. Roth to continue with the negotiations as presented.

The Board entered into a general discussion relative to requests made by employees for Public Hearings. County Counsel advised the Board [REDACTED]

[REDACTED] The Board asked to be notified of any Public Hearing dates scheduled.

The Board entered into a general discussion relative to the County's policy regarding use of County Property and the various amendments that clarified said policy.

- 2) Attorney-Client privileged communication relative to County of Union v. Township of Springfield.

Deputy County Counsel Norm Albert provided the Board with an overview of the various Red Light Camera agreements the County has with other Municipalities; and the litigation with the Township of Springfield.

Deputy County Counsel Albert informed the Board that [REDACTED]



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[REDACTED]

County Counsel Barry advised the Board [REDACTED]

The Board agreed with County Counsel and advised to move forward accordingly.

James Pelletiere,
Clerk of the Board of Chosen Freeholders



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, AUGUST 22, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Bette Jane Kowalski, Freeholder Mohamed S. Jalloh, Freeholder Alexander Mirabella, Freeholder Daniel Sullivan and Freeholder Vernell Wright were present.

Also present were County Manager Alfred J. Faella, Director Frank Guzzo, County Counsel Robert Barry and Clerk of the Board James E. Pellettiere.

The following items were discussed:

- 1) Attorney-Client privileged communication relative to on-going litigation in the matter of Bravo v. County of Union, et als.

Special Guest: Michael Simitz Esq., Kologi & Simitz

County Counsel Robert Barry introduced Mr. Michael Simitz, special counsel, to the Board.

Mr. Simitz provided the Board with a brief overview of the case and [REDACTED] Mr. Simitz thought [REDACTED]

Mr. Simitz explained the [REDACTED]

A brief discussion was had relative to the continued training of supervisors/managers regarding not only FMLA, but of all the County policies; with a special focus on being proactive. The Board advised the County Manager to revisit and highlight other such policies and training opportunities.

The Board agreed with County Counsel and outside counsel on general settlement costs and advised them to negotiate the settlement accordingly.

James Pellettiere,
Clerk of the Board of Chosen Freeholders



UNION COUNTY BOARD
OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES
AGENDA MEETING – THURSDAY, SEPTEMBER 19, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Sergio Granados, Freeholder Bette Jane Kowalski, Freeholder Mohamed S. Jalloh, Freeholder Alexander Mirabella and Freeholder Vernell Wright were present.

Also present were County Manager Alfred J. Faella, Director Frank Guzzo, County Counsel Robert Barry, Director Bibi Taylor and Clerk of the Board James E. Pelletiere.

The following items were discussed:

- 1) Anticipated contract negotiations relative to Runnells Specialized Hospital RFP/RFQ and attorney-client privileged communication.

Special Guest: Daniel P. Sullivan, Union County Utilities Authority Executive Director, Jonathan Williams, Union County Improvement Authority Special Counsel, Runnells Hospital Finance Director Michael Drummond and Runnells Hospital Acting Administrator Sandra Adour.

County Counsel Robert Barry informed the Board [REDACTED]

Jonathan William spoke to the Board regarding [REDACTED]

He advised the Board of [REDACTED]
He reiterated [REDACTED]

Mr. Williams reiterated to the Board [REDACTED]

Mr. Williams further advised the Board [REDACTED]



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County Counsel Barry advised the Board that [REDACTED]

2) Potential Contract negotiations with Department of Transportation and Phillips 66.

County Counsel Robert Barry provided the Board with an overview of the 25 year lease agreement with the State of New Jersey relative to the Staten Island and Rahway Valley lines; including the contract, through an RFP process, with M&E as the official carrier.

County Counsel Barry reminded the Board that [REDACTED]

There was a brief discussion relative to the Certificate of Insurance obtained by the County to provide sufficient coverage. However, due to the delay in the State's RFP, there were questions relative to providing a carrier for the line.

County Counsel Barry informed the Board [REDACTED]

County Counsel Barry advised the Board [REDACTED]

County Counsel advised the Board that [REDACTED]

He advised the Board that [REDACTED]

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Clerk of the Board of Chosen Freeholders



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES REGULAR MEETING – THURSDAY, NOVEMBER 14, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Granados, Freeholder Bette Jane Kowalski, Freeholder Mohamed S. Jalloh, Freeholder Alexander Mirabella, and Freeholder Vernell Wright were present.

Also present were County Manager Alfred J. Faella, Deputy County Manager William Reyes, Director Frank Guzzo, County Counsel Robert Barry, Deputy County Counsel Norman Albert, Director Matthew DiRado and Clerk of the Board James E. Pellettiere.

The following items were discussed:

- 1) Attorney-client privileged communication relative to on-going litigation regarding Lapolla v. County of Union.

Special Guest: Robert Varady, of LaCorte, Bundy, Varady & Kinsella.

Freeholder Bruce Bergen excused himself from the Executive Session citing a conflict of interest relative to a law partner's prior relationship and representation of the Plaintiff.

County Counsel Robert Barry provided the Board with a brief overview of the circumstances surrounding the lawsuit. County Counsel Barry introduced Outside Counsel Bob Varady.

Mr. Varady provided the Board with [REDACTED]

County Counsel Robert Barry advised the Board that, [REDACTED]

[REDACTED] A brief discussion was had relative to the differences between the previous job title of "Director of the Department of Operations and Facilities" and the current job title "Director of the Division of Facilities Management."

The Board clarified that, based upon the options discussed; there was no interest in any settlement.



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- 2) Attorney-client privileged communication relative to on-going litigation regarding Kolbeck v. County of Union.

Outside Counsel Bob Varady advised the Board that [REDACTED]

[REDACTED] However, he informed the Board

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UNION COUNTY BOARD
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EXECUTIVE SESSION MINUTES
REGULAR MEETING – THURSDAY, DECEMBER 5, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Granados, Freeholder Bette Jane Kowalski, Freeholder Mohamed S. Jalloh, Freeholder Alexander Mirabella, and Freeholder Vernell Wright were present.

Also present were County Manager Alfred J. Faella, Deputy County Manager William Reyes, County Counsel Robert Barry, Deputy County Counsel Norman Albert, Director Bibi Taylor, Public Information Officer Sebastian D'Elia and Clerk of the Board James E. Pellettiere.

The following items were discussed:

- 1) Attorney-client privileged communication relative to Hatton v County of Union, et al.

Special Guest: Michael Simitz, Law Offices of Kologi Simitz.

County Counsel Robert Barry provided the Board with a brief overview of the case. He informed the Board that [REDACTED]

[REDACTED] County Counsel advised the Board that [REDACTED]

Outside Counsel Simitz informed the Board that [REDACTED]

[REDACTED] There was a brief discussion relative to the various claims, including the plaintiff's wife's pro-quid claim. Mr. Simitz spoke on [REDACTED]

County Counsel Barry informed the Board that [REDACTED]

Mr. Simitz left Executive Session.

County Counsel Barry reiterated [REDACTED] Mr. Barry also advised the Board [REDACTED]

The Board agreed to the settlement of \$175,000 and an additional \$20,000 for the workman's compensation claim.



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- 2) Attorney-client privileged communication relative to pending litigation – Tax Appeal – Block 184, Lot 3.01, Kenilworth.

Director Norman Albert left Executive Session.

County Counsel Barry provided the Board with a brief history of the development of the Galloping Hill Golf Course Clubhouse and [REDACTED]

County Counsel Barry informed the Board that [REDACTED]

County Counsel Barry indicated that [REDACTED]

County Counsel Barry informed the Board [REDACTED]

There was a brief discussion of the possibility of Kenilworth withdrawing their counterclaim and doing the apportionment if the County withdrew its' appeal.

There was a brief discussion relative to the subdivision of the training facility and clubhouse.

The Board entered into an discussion relative to three (3) courses of action if the property were to be owned by the Improvement Authority; 1) claim a tax-exemption 2) agree to an apportionment for the banquet facility and N J Golf Assn. on the third floor 3) enter into a PILOT (Payment In Lieu of Taxes) agreement with the Borough of Kenilworth.

County Counsel spoke [REDACTED]

He also noted, [REDACTED]

County Counsel Barry informed the Board that [REDACTED]

The Board agreed to a withdrawal of appeal if Kenilworth agreed to withdraw its' counterclaim.



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3) Attorney-client privileged communication relative to potential litigation regarding Workers Compensation Lien – Christopher Coon.

County Counsel Barry provided the Board with the history of the car accident that severely injured On-Duty Officer Christopher Coon. He informed the Board that [REDACTED]

He advised the Board that [REDACTED]

He further advised the Board [REDACTED]

County Counsel further advised the Board that [REDACTED]

County Counsel advised [REDACTED]

The Board entered into a discussion relative to the workman's compensation lien and its' options.

The Board agreed that the issue should be decided by the Courts.

James Pellettiere,
Clerk of the Board of Chosen Freeholders



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES REGULAR MEETING – THURSDAY, DECEMBER 19, 2013

Chairwoman Linda Carter, Vice-Chairman Christopher Hudak, Freeholder Bruce Bergen, Freeholder Angel G. Estrada, Freeholder Sergio Granados, Freeholder Bette Jane Kowalski, Freeholder Mohamed S. Jalloh, Freeholder Alexander Mirabella, and Freeholder Vernell Wright were present.

Also present were County Manager Alfred J. Faella, Deputy County Manager William Reyes, County Counsel Robert Barry, Director Bibi Taylor, Director Frank Guzzo and Clerk of the Board James E. Pellettiere.

The following items were discussed:

- 1) Attorney-client privileged communication and anticipated contract negotiations relative to the Runnells Specialized Hospital RFP's.

Special Guest: Daniel P. Sullivan, Union County Utilities Authority, Executive Director
Jonathan Williams, DeCotiis, FitzPatrick & Cole, LLC
Catherine E. Tamasik, DeCotiis, FitzPatrick & Cole, LLC

To place the discussion in prospective, the County Manager Alfred Faella provided the Board with preliminary budget deficit projections for 2014.

Daniel Sullivan spoke on the Runnells Specialized Hospital Feasibility Report (CHR Report) and informed the Board that, in accordance with the Shared Services Agreement, the Improvement Authority produced an RFP/RFQ in October with an opening on December 10, 2014. Mr. Sullivan informed the Board of the series of meetings with prospective bidders in November. He indicated to the Board that it was a fair and open process and the information has been and continues to be available to all interested parties.

Mr. Sullivan informed the Board that there were 5 respondents to the RFP. He informed the Board that the Review Team consisted of himself, Mr. Jonathan Williams (DeCotiis, FitzPatrick & Cole, LLC), Catherine Tamasik (DeCotiis, FitzPatrick & Cole, LLC), Dennis Enright (NW Financial) and Director Guzzo. Mr. Sullivan described the three options in detail with various sub-options (attached). Mr. Sullivan informed the Board that there were no responses to the 3rd option to purchase and lease back to the County. He also added that there was one response that was determined non-responsive.

Mr. Sullivan reminded the Board that this process is different from a typical governmental bid process; that the Improvement Authority has the authority to go back to respondents and negotiate further. The Board then discussed the options and its' preferences as to the options to be negotiated.



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Mr. Jonathan Williams advised the Board that [REDACTED]

There was a discussion relative to the parameters of said negotiations; specifically that all respondents must currently operate nursing homes in the NY/NJ Metro Area; all current patients would remain as patients at the facility; and all current employees would be afforded the right of first refusal.

Director Guzzo informed the Board that all respondents would be vetted to ensure that respondents do not have violations with the Department of Health. He also relayed to the Board that they would look to determine any pattern relative to a record of care (1-5 star rating).

County Manager Faella spoke on the mental health component and Director Bibi Taylor provided the Board with revenue estimates generated compared to operational costs in 2012. A brief discussion ensued. The Board entered into a brief discussion relative to the appraisal of the 44 acre property; emphasizing the need to maximize the full value of the property.

The Board was also advised of, and entered into a brief discussion relative to, the implications of the Affordable Health Care Act.

The Board directed the Administration to continue obtaining a cost analysis for property appraisals and financial implications of the Affordable Health Care Act, and detailed financial reports for the psychiatric unit.

Mr. Sullivan stated he would speak to all the respondents and have a firm proposal within 6 weeks.

James Pelletiere,
Clerk of the Board of Chosen Freeholders



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

EXECUTIVE SESSION MINUTES REGULAR MEETING – THURSDAY, FEBRUARY 27, 2014

Chairman Christopher Hudak, Vice-Chairman Mohamed Jalloh, Freeholder Bruce Bergen, Freeholder Linda Carter, Freeholder Angel Estrada, Freeholder Sergio Granados, Freeholder Bette Jane Kowalski, Freeholder Alexander Mirabella, and Freeholder Vernell Wright were present.

Also present were County Manager Alfred Faella, Deputy County Manager William Reyes, County Counsel Robert Barry, Deputy County Counsel Rose Comas, Director Bibi Taylor, and Clerk of the Board James E. Pellettiere.

The following items were discussed:

- 1) Attorney-Client privileged communication on potential litigation relative to the Tax Appeal regarding Galloping Hill Clubhouse.

County Counsel Robert Barry provided the Board with an overview of last year's assessment. He advised the Board that

[REDACTED]

County Counsel Barry advised the Board that

[REDACTED]

County Counsel Barry advised the Board of

[REDACTED]

A brief discussion was had relative to other legal options

[REDACTED]

County Counsel Barry informed the Board that

[REDACTED]