

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

MINUTES OF THE REGULAR MEETING

JULY 28, 2005

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

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.

The first order of business will be the selection of a Chairman Pro-Tem. The Clerk calls for nominations of a Chairman Pro-Tem.

Freeholder Sullivan nominated Freeholder Estrada for Chairman Pro-Tem. Seconded by Freeholder Holmes roll call showed six members of the Board voted in the affirmative with Chairman Rick Proctor, Vice Chairman Alexander Mirabella, and Freeholder Bette Jane Kowalski absent.

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CHAIRMAN PRO-TEM called the meeting to order.

The Chairman Pro-Tem called for a motion to approve the minutes. On a motion by Freeholder Scanlon, seconded by Freeholder Holmes, roll call showed six members of the Board voted in the affirmative on Regular and Executive minutes of June 23, 2005, with Freeholder Kowalski, Vice Chairman Mirabella and Chairman Proctor absent; five members of the Board voted in the affirmative on the Special, Agenda and Executive minutes of July 7, 2005 with Freeholder Estrada abstaining and with Freeholder Kowalski, Vice Chairman Mirabella and Chairman Proctor absent.

APPROVAL OF THE FOLLOWING MINUTES: June 23, 2005 – Regular and Executive Meetings, July 7, 2005 – Special, Agenda and Executive Meetings.

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The Chairman Pro –Tem called for a motion to approve the Communications. On a motion by Freeholder Mapp, seconded by Freeholder Sullivan, roll call showed six members of the Board

voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski absent.

COMMUNICATIONS

OATHS OF OFFICE: (Note & file)

The Chairman Pro-Tem announced there would be several presentations this evening and called upon County Clerk Joanne Rajoppi. Ms. Rajoppi called upon the members of the Centennial Committee who presented commemorative posters and stamps to the County Manger and the Board from this year's Centennial Celebration of the Union County Courthouse.

Freeholder Sullivan presented a Resolution to Sean Baran of Westfield. Mr. Baran, who was in training to be an emergency service worker, helped the local emergency service workers in London during the July 2005 London Underground and Bus Terrorist bomb attacks. He happened to be on the scene while completing an internship in London when they occurred. Mr. Baran described the events and stated that he was proud to be able to assist and he complimented the British on their response to the attacks.

Freeholder Holmes the presented a Resolution to Vincent Lehotsky, formerly of Rahway, in recognition of his regular attendance at Freeholder and other civic meetings over the years and saying farewell to him upon his upcoming move to South Carolina. The Freeholder also presented a resolution to Susan Lehotsky, Mr. Lehotsky's wife in recognition of her work at the County's OneStop Career Center. Mr. Lehotsky thanked the Board for the recognition.

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The first order of business was the Final Reading of Ordinance No. 614-2005.

ORDINANCE NO. 614-2005

PREAMBLE

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE ADOPTING A CODIFICATION OF THE LAW, ORDINANCES, POLICIES AND RESOLUTIONS OF UNION COUNTY, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; AND SAVING FROM REPEAL CERTAIN LEGISLATION NOT INCLUDED THEREIN", ADOPTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION ON AUGUST 19, 1993

AN ORDINANCE TO AMEND THE "LAWS OF UNION COUNTY"

BE IT ORDAINED by the Board of Chosen Freeholders of the County of Union that there is hereby amends the "Laws of Union County" as outlined in the attached Appendix A:

(See attached)

Note: All text that is underlined is inserted/new language. All text that is ~~struck through~~ is deleted language.

APPENDIX A

Chapter 26, BENEFITS

[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union: Art. I, 5-14-1987 as Res. No. 396-1987; Art. II, 4-12-1973 as Res. No. 299-1973; Art. III, 6-28-1979 as Res. No. 516-1979; Art. IV, 8-26-1982 as Res. No. 419-1982; Art. V, 11-25-1986 as Res. No. 845-1986; Art. VI, 4-11-2001 as Res. No. 391-2001; Art. VII, 2-13-2003 as Res. No. 153-2003. Amendments noted where applicable.]

GENERAL REFERENCES

Administrative Code -- See Ch. 1.
Authorities -- See Ch. 20.
Indemnification and defense -- See Ch. 68.

ARTICLE I, Noncontractual Employees and Division & Department Heads

[Adopted 5-14-1987 as Res. No. 396-87]

§ 26-1. Adoption of benefit policy.

The Board of Chosen Freeholders of the County of Union does hereby adopt the following attached policy regarding benefits for all noncontractual employees and division and department heads.

A. Additional benefits for noncontractual employees.

(1) *Temporary Disability Plan.* All noncontractual employees, excluding elected officials, shall be entitled to benefits under a contributory temporary disability plan with such benefits and at such contributions as from time to time shall be determined as appropriate by the County Manager through the Division of Personnel Management and Labor Relations. Employee contributions shall be deducted from payroll. The County reserves

the right to modify or terminate this benefit at any future date. [Amended 4-10-2003 by Ord. No. 569].

(2) *Compensatory Time Policy.* All noncontractual employees, excluding elected officials, below the position of department and division head shall be entitled to the benefits of a compensatory time program. For purposes of this policy, "department head" shall include the County Manager, the Deputy County Manager and the Clerk of the Board of Chosen Freeholders. All noncontractual ~~such~~ employees who are presently compensated for authorized overtime work performed shall continue to receive such compensation in accordance with existing policies and practices. All noncontractual ~~such~~ employees who are not presently compensated for authorized overtime and who are required to work beyond their normal working hours for a minimum of at least one hour shall be entitled to receive compensatory time at the rate of one and one half (1 ½) hours for every hour of eligible time in excess of 40 hours in a week. Said compensatory time must be taken within one year of the occurrence of the overtime period. At the discretion of the County Manager, the employee may be allowed to carry over compensatory

time into the next year. Any time carried over must be in an amount equal to or less than the employee's annual vacation time. The department head shall have discretion in scheduling such time, with due consideration to the needs of the department and the wishes of the employee.

[Added by Res. No. 503-87; Amended 5-8-2003 by Res. No. 507-2003; amended 7-28-2005 by Ord. No. 614-2005].

(3) Overtime Policy. All noncontractual employees, excluding elected officials, below the position of department and division head in the following departments and/or divisions shall be entitled to the benefits of an overtime program as specified herein.—~~Overtime for certain designated noncontractual employees in the Department of Operational Services.~~

[Added 6-22-1995 by Res. No. 576-95; amended 4-25-1996 by Res. No. 463A-1996; amended 2-10-2005 by Res. No. 188-2005; amended 7-28-2005 by Ord. No. 614-2005].

(a) A policy for payment of authorized overtime worked under conditions set forth herein is hereby established and shall be applicable to all noncontractual supervisory employees below the position of department head or division head in the following departments and/or divisions:~~Department of Operational Services.~~

[1] Department of Engineering and Public Works;

[2] Department of Parks, Recreation, and Facilities;

[3] Division of Emergency Management (Department of Public Safety);

[4] Division of Motor Vehicles (Department of Administrative Services);

[5] Division of Hospital Maintenance (Department of Runnells Spec. Hospital).

(b) All ~~such~~ eligible noncontractual employees who have accumulated a total of 50 hours of compensatory time in a calendar year and who are required to perform overtime work beyond the first 50 hours in connection with emergent conditions, as defined by the department or division head, shall be paid at the rate of 1 ½ times the hourly rate of such employee for every hour actually worked in excess of 40 hours in a week. All ~~such~~ noncontractual employees who perform non-emergent overtime work shall

continue to be entitled to receive compensatory time in accordance with the existing compensatory time policy.

Chapter 49, FEES

[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Records and document fees -- See Ch. 104, Art. II.

Recreation fees -- See Ch. 107, Art. IV.

Service charges for returned checks -- See Ch. 118, Art. I.

ARTICLE I, Inmate Processing

[Adopted 4-10-2003 by Ord. No. 572; amended 7-28-2005 by Ord. No. 614-2005]

§ 49-1. Inmate Processing Fee.

A fee of **\$50.00** per inmate is hereby established as the official Inmate Processing Fee by the Department of Public Safety, Division of Corrections for the period April 20, 2003 through April 19, 2004.

§ 49-2. (Reserved)

ARTICLE II, Paratransit Service

[Adopted 2-11-1993 as Res. No. 156-93]

§ 49-3. Purpose.

The Union County Paratransit Service is, on occasion, requested to provide transportation for elderly and/or disabled residents of the County of Union outside the normal working hours or on weekends. This requires that the driver of the vehicle be paid at an overtime rate or a special driver be employed and compensated. The County desires to equitably offset such additional cost.

§ 49-4. Fee for service after normal working hours.

Be it resolved by the Board of Chosen Freeholders of the County of Union as policy that the Union County Paratransit Service shall request and obtain from the sponsoring agency or group the sum of **\$11** per vehicle, per hour, to offset such additional cost when the vehicles are utilized after normal working hours or on weekends.

Article III, Fire Academy

[Adopted 4-10-2003 by Ord. No. 570; amended 7-28-2005 by Ord. No. 614-2005]

§ 49-5. Fees for the Union County Fire Academy.

The schedule of fees for the Union County Fire Academy, ~~for the period of June 1, 2003 through May 31, 2004~~, was established pursuant to Ordinance 570, adopted April 10, 2003. A copy of the current ~~this~~ fee schedule is on file in the Office of the Clerk of the Board. A copy of the current fee schedule may be obtained from the Division of Environmental Health and Emergency Management.

Article IV, Pistol Range

[Adopted 4-10-2003 by Ord. No. 571; amended 7-28-2005 by Ord. No. 614-2005]

§ 49-6. Fees for the Union County Pistol Range.

The fees for the use of the Union County Pistol Range ~~for the period April 20, 2003 through April 19, 2004~~ are as follows: In-County Officers **-\$5.00** per officer, per qualification. Out-of-County Officers **-\$10.00** per officer, per qualification.

Chapter 104, RECORDS AND DOCUMENTS

[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union as indicated in article

histories. Amendments noted where applicable.]

ARTICLE II, Fees

[Adopted 7-10-1980 by Res. No. 485-80; amended 3-26-1992 by Res. No. 293-92; amended 4-10-2003 by Ord. No. 569]

§ 104-3. Copies of minutes and other government records.

[Amended 7-28-2005 by Ord. No. 614-2005]

- A. The Board of Chosen Freeholders of the County of Union hereby establishes the cost for copies of minutes of this Board's meetings and for all other government records maintained by the County in accordance with the New Jersey "Open Public Records Act" (OPRA) (*N.J.S.A. 47:1A-1 et seq.*) shall be as follows:
- (1) First page to tenth page: **\$0.75** per page.
 - (2) Eleventh page to twentieth page: **\$0.50** per page.
 - (3) All pages over 20: **\$0.25** per page.
- B. In accordance with the Open Public Records Act, whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the County may charge, in addition to the actual cost of duplicating the record, a special service charge that shall be reasonable and shall be based upon the actual direct cost of providing the copy or copies.
- C. If an individual requestor seeks to have any government records delivered to them via facsimile, the following special service charge shall apply:
- (1) First page to tenth page: **\$0.75** per page.
 - (2) Eleventh page to twentieth page: **\$0.50** per page.
 - (3) Twentieth to Twenty-fifth page: **\$0.25** per page. There shall be a limit of twenty-five (25) pages forwarded via facsimile to any requestor, per request. ~~Copies of this section shall be forwarded to the County Manager, department heads and all constitutional officers and agency chiefs of the County of Union.~~

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MEETING OPEN TO THE PUBLIC FOR THE PURPOSE OF COMMENTING ON ORDINANCE NO. 614-2005 ONLY

Vincent Lehotsky, Rahway commented asking a question on the nature of the Ordinance. The

Chairman Pro-Tem answered his question.

PUBLIC COMMENT PORTION CONCLUDED

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Freeholder Scanlon moved Ordinance No. 614-2005 for Final Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. Seconded by Freeholder Sullivan, roll call showed six in the affirmative with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski absent.

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The next order of business was the Final Reading of Ordinance No. 615-2005.

ORDINANCE NO. 615-2005

ORDINANCE AUTHORIZING (I) THE EXECUTION OR ACKNOWLEDGMENT AND DELIVERY BY THE COUNTY OF UNION OF CERTAIN AGREEMENTS IN RELATION TO THE UNION COUNTY IMPROVEMENT AUTHORITY “COUNTY OF UNION GENERAL OBLIGATION LEASE REVENUE BONDS, SERIES 2005 (JUVENILE DETENTION CENTER FACILITY PROJECT)”, (II) THE ISSUANCE BY THE UNION COUNTY IMPROVEMENT AUTHORITY OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$30,100,000 AND (III) CERTAIN OTHER MATTERS RELATED THERETO PURSUANT TO N.J.S.A. 40:37A-56(1).

WHEREAS, the UNION COUNTY IMPROVEMENT AUTHORITY (together with any successor thereto, the “Authority”), has been duly created by an ordinance of the Board of Chosen Freeholders (together with any successor legislative body, the “Board of Freeholders”) of the County of Union, State of New Jersey (together with any successor thereto, the “County”) duly adopted as a public body corporate and politic of the State of New Jersey (the “State”) pursuant to and in, accordance with the County Improvement Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto (the “Act”);

WHEREAS, the Authority is authorized by law, specifically Section 11 of the Act (N.J.S.A. 40:37A-54(a)), to provide public facilities for the use of the County, including, without limitation, the provision for the acquisition of land (the “Property”) for and the construction of a juvenile detention center facility (as more particularly described in Exhibit A to the hereinafter defined Lease Agreement, the “Juvenile Detention Center Facility”) located in the City of Linden, New Jersey;

WHEREAS, pursuant to the Act, specifically Section 35 thereof (N.J.S.A. 40:37A-78), the Authority is authorized to enter into and perform any lease or other agreement with the County for the lease to or use by the County of all or any part of any public facility or facilities as determined in Section 11 of the Act (N.J.S.A. 40:37A-54);

WHEREAS, the Authority intends to finance the acquisition of the Property and the construction

of the Juvenile Detention Center Facility (collectively, the “Initial Project”) through the issuance of its County of Union General Obligation Lease Revenue Bonds (Juvenile Detention Center Facility Project);

WHEREAS, the Authority has acquired the Property from the owners thereof;

WHEREAS, the County and the Authority have entered into that certain Interlocal Services Agreement dated December 22, 2003, which sets forth certain duties of the County and the Authority with respect to, among other things, the development, financing and implementation of the Initial Project;

WHEREAS, on December 29, 2004, the Authority issued \$8,900,000 aggregate principal amount of its County of Union General Obligation Lease Revenue Bonds, Series 2004 (Juvenile Detention Center Facility Project) (the “Series 2004 Bonds”) pursuant to the terms of the Act, other applicable law and the Authority's “Resolution Authorizing the Issuance of County of Union General Obligation Lease Revenue Bonds (Juvenile Detention Center Facility Project) and Additional Bonds of The Union County Improvement Authority” adopted by the Authority on August 4, 2004 (the “Initial Bond Resolution”);

WHEREAS, the proceeds of the Series 2004 Bonds financed a portion of the Initial Project consisting of the (a) costs of the acquisition of the Property, including reimbursing the County for any amount previously loaned to the Authority in connection therewith, (b) costs of the demolition of existing structures on the Property, (c) certain costs of the construction of the Juvenile Detention Center Facility including, but not limited to, architectural and engineering fees and other soft costs, (d) costs of issuing the Series 2004 Bonds, (e) capitalized interest on the Series 2004 Bonds and (f) any other costs set forth in the Initial Bond Resolution;

WHEREAS, the Authority intends to finance the remaining portion of the Initial Project through the issuance of its County of Union General Obligation Lease Revenue Bonds, Series 2005 (Juvenile Detention Center Facility Project) (the “Series 2005 Bonds”);

WHEREAS, the Series 2005 Bonds shall be issued pursuant to the terms of the Act, other applicable law, the Initial Bond Resolution and a supplemental resolution of the Authority entitled “Supplemental Bond Resolution of the Union County Improvement Authority Authorizing the Issuance of its not to exceed \$30,100,000 County of Union General Obligation Lease Revenue Bonds, Series 2005 (Juvenile Detention Center Facility Project)” to be adopted by the Authority prior to the issuance of the Series 2005 Bonds (the “Series 2005 Supplemental Bond Resolution”; the Initial Bond Resolution, together with the Series 2005 Supplemental Bond Resolution and any further amendments or supplements thereto in accordance with the terms thereof may be collectively referred to as the “Bond Resolution”);

WHEREAS, in accordance with N.J.S.A. 40:37A-78, the Authority has leased the portion of the Initial Project financed with the proceeds of the Series 2004 Bonds to the County pursuant to the terms of that certain “Lease Purchase Agreement (Juvenile Detention Center Facility Project)” dated as of December 15, 2004, between the Authority, as lessor, and the County, as lessee (the “Original Lease Agreement”);

WHEREAS, the Authority shall lease the portion of the Initial Project financed with the proceeds of the Series 2005 Bonds to the County pursuant to the Original Lease Agreement as amended pursuant to the terms of that certain “Amendment No. 1 to Lease Purchase Agreement (Juvenile Detention Center Facility Project)”, between the Authority, as lessor, and the County, as lessee (the

“Amendment No. 1 to Lease Agreement” and together with the Original Lease Agreement, the “Lease Agreement”);

WHEREAS, during the term of the Lease Agreement, title to the Initial Project will reside with the Authority;

WHEREAS, immediately prior to the expiration of the term of the Lease Agreement, the County will purchase all of the Authority's right, title and interest in and to the Initial Project for a nominal fee;

WHEREAS, the principal of, redemption premium, if any, and the interest on the Series 2005 Bonds are secured by general obligation lease payments of the County under the Lease Agreement in scheduled lease payment amounts sufficient to pay in a timely manner the principal and redemption premium, if any, of and the interest on the Series 2005 Bonds, pursuant to the terms of which Lease Agreement the County shall be obligated, if necessary, to make such lease payments from the levy of *ad valorem* taxes upon all of the taxable property within the County, without limitation as to rate or amount;

WHEREAS, pursuant to the terms of the Original Lease Agreement, the County has entered into that certain “Continuing Disclosure Agreement” with the Authority and the Bond Trustee, dated as of December 15, 2004 (the “Original Continuing Disclosure Agreement”), in order to satisfy the secondary market disclosure requirements of Rule 15c2-12 (“Rule 15c2-12”) promulgated by the Securities and Exchange Commission (“SEC”) pursuant to the Securities Exchange Act of 1934, as amended and supplemented with respect to the Series 2004 Bonds;

WHEREAS, pursuant to the terms of Amendment No. 1 to Lease Agreement, the County shall enter into that certain “Amendment No. 1. to Continuing Disclosure Agreement” with the Authority and the Bond Trustee (“Amendment No. 1 to Continuing Disclosure Agreement” and together with the Original Continuing Disclosure Agreement, the “Continuing Disclosure Agreement”) in order to further satisfy the secondary market disclosure requirements of Rule 15c2-12 with respect to the Series 2005 Bonds;

WHEREAS, in order to market and sell the Series 2005 Bonds, (i) the Authority, shall issue a Preliminary Official Statement (the “POS”) and a final Official Statement (the “OS”), (ii) the Authority shall enter into a negotiated sale of the Series 2005 Bonds with one or more underwriters (collectively, the “Underwriter”) pursuant to the terms of a bond purchase agreement (the “BPA”), (iii) the Authority, the County and the Bond Trustee, shall enter into Amendment No. 1 to Continuing Disclosure Agreement, (iv) the County shall make certain representations, warranties and covenants regarding, among other things, the Initial Project and the Series 2005 Bonds in a Tax Letter of Representations (the “Letter of Representation”), and (v) the County and the Authority shall take such actions and shall authorize, execute, or acknowledge, as the case may be, and deliver such other documents, instruments or certificates as Bond Counsel to the Authority and to the County deem necessary, convenient, useful or desirable in order to issue the Series 2005 Bonds (collectively, the “Certificate”, and together with the Bond Resolution, the Series 2005 Bonds, the bond insurance policy (if any), the Lease Agreement, the POS, the OS, the BPA, the Continuing Disclosure Agreement and the Letter of Representation, are hereinafter referred to as the “Financing Documents”);

WHEREAS, in accordance with Section 13 (“Section 13”) of the Act (N.J.S.A. 40:37A56), the Authority, after investigation and study, has made a detailed report with respect to the Initial Project and the financing thereof to the Board of Freeholders at meetings of the Board of Freeholders; and

WHEREAS, the Board of Freeholders believe: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, welfare, convenience or betterment of the inhabitants of the County; (iii) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (iv) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the County and will not create an undue financial burden to be placed upon the Authority or the County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF FREEHOLDERS OF THE COUNTY OF UNION, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. Section 40:37A-44 *et seq.*, the County is hereby authorized and directed to enter into Amendment No. 1 to Lease Agreement and perform the Lease Agreement, which Lease Agreement provides for the leasing of the Initial Project acquired and constructed with the proceeds of the Series 2004 Bonds, the Series 2005 Bonds and any additional bonds to be issued by the Authority under the Bond Resolution. Amendment No. 1 to Lease Agreement, in substantially the form submitted herewith as Exhibit A (a copy of which is on file in the office of the Office of the Clerk of the Board of Freeholders of the County), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority and counsel or bond counsel to the County.

Section 2. The County Manager and the Director of Finance of the County (collectively “Authorized Officer”) are hereby each severally authorized and directed, upon the satisfaction of all the legal conditions precedent to the execution or acknowledgment and delivery by the County of the Financing Documents to be so executed or acknowledged by the County, to execute or acknowledge and deliver such Financing Documents, with such changes thereto as the Authorized Officer, after consultation with Counsel to the County, bond counsel to the County and other professional advisors to the Authority and County (the “Consultants”) deemed in its sole discretion to be necessary, desirable, and convenient for the execution thereof and to consummate the transactions contemplated thereby which execution shall conclusively evidence the Authorized Officer’s approval of any changes to the forms thereof.

Section 3. The Clerk of the Board of Freeholders of the County is hereby authorized and directed upon execution or acknowledgment of the documents set forth in Section 2 hereof, in accordance with the terms of Section 2 hereof, to attest the Authorized Officer’s execution or acknowledgment of such documents and is hereby further authorized and directed thereupon to affix the seal of the County on such documents.

Section 4. The full faith and credit of the County are hereby pledged to the punctual payment of the obligations set forth in the Lease Agreement authorized by this ordinance, including without limitations (i) all Basic Lease Payment and Additional Lease Payment obligations of the County under the Lease Agreement including, Authority Administrative Expenses, (ii) all amounts due and owing to the Authority as a result of payments made by the Authority related to the enforcement of the Lease Agreement and (iii) all direct and indirect costs of the Authority related to the enforcement of the Lease Agreement ((i), (ii), and (iii) above are hereinafter collectively referred to as the “Lease Payment Obligation”).

The Lease Payment Obligation under the Lease Agreement shall be a direct, unlimited and general obligation of the County, not subject to annual appropriation by the County, pursuant to the Act, and unless paid from other sources, the County shall be obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment of the Lease Payment Obligation thereunder without

limitation as to rate or amount.

All representatives, officials and employees of the County are hereby authorized and directed to enforce and to implement provisions of the Lease Agreement.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The maximum principal amount for which the County shall be obligated hereunder for the payment of principal of and interest on the Series 2005 Bonds of the Authority shall not exceed the sum necessary to lease the portion of the Initial Project financed with the proceeds of the Series 2005 Bonds for the Lease Agreement term and to pay the costs of issuance, Authority Administrative Expenses, and all other amounts required to be paid by the County under the Lease Agreement in connection therewith.

(b) The Series 2005 Bonds shall mature no later than May 1, 2034.

(c) The Lease Payment Obligation authorized herein shall remain effective until all the Authority's Bonds (as defined in the Lease Agreement) shall have been paid in full in accordance with their terms and/or when all obligations of the County under the Lease Agreement have been satisfied, notwithstanding the occurrence of any other event, including but not limited to the termination of the Lease Agreement with respect to all or a portion of the Initial Project leased thereunder.

(d) The Initial Project is hereby approved to be leased from the Authority in accordance with the terms of the Lease Agreement, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

Section 6. The Board of Freeholders of the County hereby authorizes the performance of any act, the execution or acknowledgment and delivery of any other document, instrument or closing certificates, which the Authorized Officer, after consultation with the Consultants, deems necessary, desirable or convenient in connection with this contemplated transaction, and the Board of Freeholders hereby directs the Authorized Officer to execute or acknowledge, and cause the Clerk of the Board of Freeholders of the County to attest and affix the seal to any such documents, instruments or closing certificates, the authorization of which actions shall be conclusively evidenced by the execution or acknowledgment, attestation, affixation and delivery, as the case may be, thereof by such person. Such closing certificates shall include, without limitation, (a) a determination that any information provided by the County in connection with the preparation and distribution of (i) the POS or any supplement thereto in connection with the Series 2005 Bonds is "deemed final" for the purposes and within the meaning of Rule 15c2-12 and (ii) the OS or any supplement thereto in connection with the Series 2005 Bonds constitutes a final official statement for the purposes and within the meaning of Rule 15c2-12, (b) a determination that the Continuing Disclosure Agreement complies with Rules 15c2-12, (c) a determination that any information provided by or on behalf of the County or relating to the County, the Initial Project or the Financing Documents or the transactions contemplated thereby in connection with the preparation and distribution of the POS or the OS complies with Section 10 and Rule 10b-5 of the Securities Exchange Act, and (d) any representations, warranties, covenants, certificates or instruments required by any issuer of a municipal bond insurance policy or any other form of credit enhancement securing all or a portion of the Series 2005 Bonds or the issuer of a rating on all or a portion thereof.

Section 7. Upon the payment of all amounts referred in Section 5(c) hereof, the full faith and credit pledge of the County as to its Lease Payment Obligations authorized herein shall cease to exist.

Section 8. In accordance with Section 13, the Board of Freeholders acknowledges the presentation by the Authority of a detailed report with respect to the Initial Project and the financing thereof at meetings of the Board of Freeholders.

Section 9. In accordance with Section 13 and all other applicable law, the Board of Freeholders hereby consents to (a) the acquisition, construction and installation of the Initial Project and the financing of same through the Financing Documents and any other agreements to which the Authority shall be a party and as may be necessary for the issuance by the Authority of the Series 2005 Bonds and/or the financing of the Initial Project, (b) the execution and delivery by the Authority of the Financing Documents and any other agreements to which the Authority shall be a party and as may be necessary for the issuance by the Authority of the Series 2005 Bonds and/or the financing of the Initial Project, (c) the adoption by the Authority of the Series 2005 Supplemental Bond Resolution in substantially the form attached hereto as Exhibit B and (d) the issuance, sale and delivery of the Series 2005 Bonds in an aggregate principal amount not to exceed \$30,100,000 to effect such purpose. The County's consent hereto to the Financing Documents contemplates the insertion of the final financing terms therein that will result from the sale of the Series 2005 Bonds, which financing terms shall be limited only by those financing term parameters set forth in the application of the Authority filed with the State Local Finance Board relating to the Series 2005 Bonds and the parameters set forth herein.

Section 10. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 11. A public hearing shall be held on this ordinance on July 28, 2005 at the meeting of the Board of Freeholders, County Administration Building, Elizabeth, New Jersey.

Section 12. The Clerk of the Board of Freeholders of the County is hereby directed to publish and post notice of this ordinance as required by law.

Section 13. Upon the adoption hereof the Clerk of the Board of Freeholders of the County shall forward certified copies of this ordinance to the County Manager, the Director of Finance, the County Counsel, the Authority, Rogut McCarthy Troy LLC, Bond Counsel to the County, and McCarter & English, LLP, Bond Counsel to the Authority.

Section 14. This ordinance shall take effect twenty (20) days after final adoption and publication in accordance with applicable law.

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**MEETING OPEN TO THE PUBLIC FOR THE
PURPOSE OF COMMENTING ON
ORDINANCE NO. 615-2005 ONLY**

Bruce Patterson, Garwood, commented on the Ordinance, particularly on the dollar amount in the Ordinance, and asked a question on the total amount. Finance Department Director Lawrence Caroselli responded to his question, outlining the financing of the Project.

PUBLIC COMMENT PORTION CONCLUDED

* * * * *

Freeholder Sullivan moved Ordinance No. 615-2005 for Final Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. Seconded by Freeholder Scanlon, roll called showed six members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski absent.

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The next order of business was the First Reading of Bond Ordinance No. 616-2005.

BOND ORDINANCE NO. 616-2005

AN ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$21,576,863 TO PAY THE COST THEREOF, TO APPROPRIATE STATE AND FEDERAL GRANTS, TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

The purposes, appropriations, bonds/notes authorized and grants appropriated in this multipurpose bond ordinance are as follows:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Department of Economic Development, Division of Information Technologies - Acquisition of new additional or replacement equipment and machinery and new communication and signal systems equipment consisting of computers and communications and information systems equipment for the use of various County departments, offices and agencies, as set forth on a list on file with the Clerk of the Board of Chosen Freeholders and hereby approved and incorporated herein by this reference thereto.

Appropriation and Estimated Cost \$ 935,697
Down Payment Appropriated \$ 46,789
Bonds and Notes Authorized \$ 888,908
Period of Usefulness 10 years

B. Department of Economic Development, Division of Information Technologies - Acquisition of new communication and signal systems equipment consisting of radio equipment for the use of various County departments, offices and agencies, as set forth on a list on file with the Clerk of the Board of Chosen Freeholders and hereby approved and incorporated herein by this reference thereto.

Appropriation and Estimated Cost \$ 72,100

Down Payment

Appropriated

\$ 3,606 Bonds and

Notes Authorized \$ 68,494 Period of Usefulness

10 years

C. Runnells Specialized Hospital - Renovation of long-term care units, dining rooms and food service department office, upgrading lighting and fire alarm systems, installation of walk-in bath tubs and acquisition of new additional or replacement equipment and machinery consisting of food preparation equipment, patient lift equipment, HVAC units, specialty chairs and a tent for activities therapy.

Appropriation and Estimated Cost \$ 946,364

Down Payment Appropriated Bonds and Notes \$ 47,321 \$ 899,043
Authorized

Period of Usefulness 10 years

D. Department of Human Services - Acquisition of new additional or replacement equipment and machinery consisting of a file system, window replacement and bathroom improvements at the Juvenile Detention Center and various interior renovations and equipment acquisitions at the Childrens Shelter.

Appropriation and Estimated Cost \$ 853,870

Down Payment Appropriated \$ 42,694

Bonds and Notes Authorized \$ 811,176

Period of Usefulness 15 years

E. Department of Human Services - Acquisition of new additional or replacement equipment and machinery and new additional furnishings consisting of (i) furniture for use at various locations and (ii) van ovens and other equipment for the Meals on Wheels Program.

Appropriation and Estimated Cost \$ 165,174 Down Payment Appropriated \$ 8,259 Bonds and Notes
Authorized \$ 156,915 Period of Usefulness 5 years

F. Department of Engineering and Public Works, Division of Engineering - Repair or replacement of various bridges, as set forth on a list on file with the Clerk of the Board of Chosen Freeholders and hereby approved and incorporated herein by this reference thereto.

Appropriation and Estimated Cost \$ 1,236,000

Federal Grant Appropriated \$ 600,000 Down Payment Appropriated \$ 31,800 Bonds and Notes

Authorized \$ 604,200 Period of Usefulness 15 years

G. Department of Engineering and Public Works, Division of Engineering - Undertaking of

various culvert repairs or replacements.

Appropriation and Estimated Cost \$ 1,545,000

Down Payment Appropriated \$ 77,250

Bonds and Notes Authorized \$ 1,467,750

Period of Usefulness 15 years

H. Department of Engineering and Public Works, Division of Engineering - Inspection and rehabilitation of various dams.

Appropriation and Estimated Cost \$ 103,000 Down Payment Appropriated \$ 5,150 Bonds and Notes Authorized \$ 97,850

Period of Usefulness 15 years

I. Department of Engineering and Public Works, Division of Engineering - Undertaking of the County Traffic Signal Rehabilitation Program at various locations, as set forth on a list on file with the Clerk of the Board of Chosen Freeholders and hereby approved and incorporated herein by this reference thereto.

Appropriation and Estimated Cost \$ 1,476,800 Down Payment Appropriated \$ 73,840 Bonds and Notes Authorized \$ 1,402,960 Period of Usefulness 10 years

J. Department of Engineering and Public Works, Division of Engineering - The resurfacing of various County roads, as set forth on a list on file with the Clerk of the Board of Chosen Freeholders and hereby approved and incorporated herein by this reference thereto. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost \$ 3,605,000 State Grant Appropriated \$ 3,000,000 Down Payment Appropriated \$ 30,250 Bonds and Notes Authorized \$ 574,750 Period of Usefulness 10 years

K. Department of Engineering and Public Works, Division of Engineering - Undertaking of (i) environmental monitoring and remediation (including permit applications) at various underground storage tank sites, former landfill sites and other County facilities, (ii) various engineering services in connection with various infrastructure projects and (iii) inspection of underground storage tanks.

Appropriation and Estimated Cost \$ 1,184,500 Down Payment Appropriated \$ 59,225 Bonds and Notes Authorized \$ 1,125,275 Period of Usefulness 15 years

L. Department of Engineering and Public Works, Division of Engineering - Acquisition of new additional or replacement equipment and machinery and new communication and signal systems equipment consisting of (i) an asset management computer system, (ii) drafting equipment and (iii)

messageboards for the Traffic Safety/Intelligent Transportation systems.

Appropriation and Estimated Cost \$ 262,690

Down Payment Appropriated \$ 13,135

Bonds and Notes Authorized \$ 249,555

Period of Usefulness 10 years

M. Department of Operations and Facilities, Division of Building Services - The undertaking of various improvements to public buildings consisting of (i) various improvements to the ammunition storage facility, (ii) renovations at the County Clerk's Office, (iii) improvements to the County Firing Range, (iv) mechanical system upgrades at various buildings, (v) replacement of ceiling tiles and asbestos removal at various public buildings and (vi) roof replacement at various public buildings. It is hereby determined and stated that said public buildings being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost \$ 1,611,950 Down Payment Appropriated \$ 80,598

Bonds and Notes Authorized \$ 1,531,352 Period of Usefulness 15 years

N. Department of Operations and Facilities, Division of Building Services - The undertaking of various improvements to public buildings consisting of (i) replacing elevators and upgrading building management and fire alarm systems in various public buildings, (ii) upgrading sprinkler and security systems at the Courthouse Complex and (iii) installation of new siding and windows at the K-9 building.

Appropriation and Estimated Cost \$ 1,313,250 Down Payment Appropriated \$ 65,663 Bonds and Notes Authorized \$ 1,247,587 Period of Usefulness 10 years

O. Various Departments, Offices and Agencies - Acquisition of new automotive vehicles, including original apparatus and equipment, new additional or replacement equipment and machinery and new communication and signal system equipment, as set forth on a list on file with the Clerk of the Board of Chosen Freeholders and hereby approved and incorporated herein by this reference thereto.

Appropriation and Estimated Cost \$ 1,217,838 Down Payment Appropriated \$ 60,894 Bonds and Notes Authorized \$ 1,156,944 Period of Usefulness 5 years

P. Department of Parks and Recreation - The undertaking of various park and recreation improvements consisting of (i) improvements to the Echo Lake Service Yard, (ii) repair or replace roofs at various buildings, (iii) energy efficiency improvements at Rahway Park and Oak Ridge Service Yards, (iv) replacement of heating system at Watchung Stables and (v) upgrading pumping system and replacement of bridges at Ash Brook Golf Course.

Appropriation and Estimated Cost \$ 1,380,200 Down Payment Appropriated \$ 69,011 Bonds and Notes Authorized \$ 1,311,189 Period of Usefulness 15 years

Q. Department of Parks and Recreation - Acquisition of new additional or replacement

equipment and machinery, as set forth on a list on file with the Clerk of the Board of Chosen Freeholders and hereby approved and incorporated herein by this reference thereto.

Appropriation and Estimated Cost \$ 283,250
Down Payment Appropriated \$ 14,163
Bonds and Notes Authorized \$ 269,087
Period of Usefulness 15 years

R. Department of Parks and Recreation - Acquisition of new automotive vehicles, including original apparatus and equipment, as set forth on a list on file with the Clerk of the Board of Chosen Freeholders and hereby approved and incorporated herein by this reference thereto.

Appropriation and Estimated Cost \$ 283,250
Down Payment Appropriated \$ 14,163
Bonds and Notes Authorized \$ 269,087
Period of Usefulness 5 years

S. Department of Public Safety, Division of Police - Acquisition of new additional or replacement equipment and machinery consisting of (i) refrigeration units, (ii) forensic lab equipment and (iii) critical incident response equipment.

Appropriation and Estimated Cost \$ 164,800
Down Payment Appropriated \$ 8,240
Bonds and Notes Authorized \$ 156,560
Period of Usefulness 15 years

T. Sheriff's Office - Acquisition of new additional or replacement equipment and machinery and new communication and signal systems equipment consisting of (i) x-ray machines and (ii) a communications console.

Appropriation and Estimated Cost \$ 120,510
Down Payment Appropriated \$ 6,026
Bonds and Notes Authorized \$ 114,484
Period of Usefulness 10 years

U. Sheriff's Office - Acquisition of new additional or replacement equipment and machinery consisting of firearms.
Appropriation and Estimated Cost \$ 77,250
Down Payment Appropriated \$ 3,863
Bonds and Notes Authorized \$ 73,387
Period of Usefulness 5 years

V. Prosecutor's Office - Acquisition of new additional or replacement equipment and machinery and new communication and signal systems equipment, as set forth on a list on file with the Clerk of the Board of Chosen Freeholders and hereby approved and incorporated herein by this reference thereto.

Appropriation and Estimated Cost \$ 276,155
Down Payment Appropriated \$ 13,808
Bonds and Notes Authorized \$ 262,347
Period of Usefulness 10 years

W. Prosecutor's Office - Acquisition of new additional or replacement equipment and machinery consisting of firearms.

Appropriation and Estimated Cost \$ 18,025
Down Payment Appropriated \$ 901
Bonds and Notes Authorized \$ 17,124
Period of Usefulness 5 years

X. Surrogate's Office - Acquisition of new additional furnishings and new additional or replacement equipment and machinery consisting of furniture, computers and other office equipment and computer equipment for records storage.

Appropriation and Estimated Cost \$ 33,990
Down Payment Appropriated \$ 1,701
Bonds and Notes Authorized \$ 32,289
Period of Usefulness 5 years

Y. County Clerk's Office - Acquisition of new additional furnishings and new additional or replacement equipment and machinery consisting of furniture and office equipment.

Appropriation and Estimated Cost \$ 92,700

Down Payment Appropriated \$ 4,635
Bonds and Notes Authorized \$ 88,065
Period of Usefulness 5 years

Z. Union County College - Acquisition of new additional or replacement equipment and machinery and the making of various improvements consisting of (i) college-wide technology upgrades, including expansion of the voice and data and storage area networks, computer lab upgrades and replacement of computers, printers and servers and (ii) acquisition of instructional and non-instructional equipment for all campuses. It is hereby determined and stated that (A) all resolutions to be filed by the Board of Trustees of Union County College and the Board of School Estimate of Union County College in order to request the Board of Chosen Freeholders to raise funds for the aforesaid purposes have been filed; (B) no down payment is required for such purposes pursuant to the provisions of N.J.S.A. 18A:64A-19(2)(b); (C) Union County College may apply for debt service aid from the State of New Jersey pursuant to Chapter 12 of the Laws of 1971 of New Jersey (N.J.S. 18A:64A 22.1 et seq.) for any or all of the projects described in the preceding sentence; and (D) if such Chapter 12 State Aid is received, it shall be applied to the payment of principal and interest on bonds or notes issued by the County for such projects.

Appropriation and Estimated Cost \$ 772,500
Bonds and Notes Authorized \$ 772,500
Period of Usefulness 10 years

AA. Union County Vocational-Technical Schools Acquisition of computers and other instructional equipment and machinery for various educational programs and the undertaking of the following improvements (i) upgrading fire alarm and security systems and (ii) resurfacing the East and West Parking Lots. It is hereby determined and stated that (A)

all resolutions to be filed by the Board of Education of the Union County Vocational-Technical Schools and the Board of School Estimate of Union County Vocational-Technical Schools in order to request the Board of Chosen Freeholders to raise funds for the aforesaid purposes have been filed and (B) no down payment is required for such purposes pursuant to the provisions of N.J.S.A. 18A:54-31.

Appropriation and Estimated Cost \$ 772,500
Bonds and Notes Authorized \$ 772,500

Period of Usefulness 10 years

BB. Union County Vocational-Technical Schools -Undertaking the following improvements (i) various electrical system upgrades, (ii) construction of outdoor physical education facilities and (iii) renovation of the Administration Building. It is hereby determined and stated that (A) all resolutions to be filed by the Board of Education of the Union County Vocational-Technical Schools and the Board of School Estimate of Union County Vocational-Technical Schools in order to request the Board of Chosen Freeholders to raise funds for the aforesaid purposes have been filed and (B) no down payment is required for such purposes pursuant to the provisions of N.J.S.A. 18A:54-31.

Appropriation and Estimated Cost \$ 746,750
Bonds and Notes Authorized \$ 746,750

Period of Usefulness 15 years

CC. Union County Vocational-Technical Schools -Acquisition of new additional or replacement equipment and machinery and new additional furnishings consisting of audiovisual equipment and furniture for the Board office. It is hereby determined and stated that (A) all resolutions to be filed by the Board of Education of the Union County Vocational-Technical Schools and the Board of School Estimate of Union County Vocational-Technical Schools in order to request the Board of Chosen Freeholders to raise funds for the aforesaid purposes have been filed and (B) no down payment is required for such purposes pursuant to the provisions of N.J.S.A. 18A:54-31.

Appropriation and Estimated Cost \$ 25,750

Bonds and Notes Authorized \$ 25,750

Period of Usefulness 5 years

Aggregate Appropriation and Estimated Cost \$21,576,863
Aggregate State and Federal Grants Appropriated \$ 3,600,000 Aggregate

Down Payment Appropriated \$ 782,985 Aggregate Amount of Bonds and Notes Authorized

\$17,193,878 Section 20
Costs:
\$1,767,822 Useful Life:
11.83 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

Freeholder Sullivan moved Ordinance No. 616-2005 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. (Final Reading: 8/18/05) Seconded by Freeholder Scanlon, roll call showed six members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski absent.

The next order of business was the First Reading of Ordinance No. 617-2005.

ORDINANCE NO. 617-2005

ORDINANCE AUTHORIZING (I) THE EXECUTION OR ACKNOWLEDGMENT AND DELIVERY BY THE COUNTY OF UNION OF CERTAIN AGREEMENTS IN RELATION TO THE UNION COUNTY IMPROVEMENT AUTHORITY "COUNTY OF UNION GENERAL OBLIGATION LEASE REVENUE BONDS, SERIES 2005 (COUNTY PROSECUTOR'S OFFICE PROJECT)", (II) THE ISSUANCE BY THE UNION COUNTY IMPROVEMENT AUTHORITY OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,500,000 AND (III) CERTAIN OTHER MATTERS RELATED THERETO PURSUANT TO N.J.S.A. 40:37A-56(1).

WHEREAS, the UNION COUNTY IMPROVEMENT AUTHORITY (together with any successor thereto, the "Authority"), has been duly created by an ordinance of the Board of Chosen Freeholders (together with any successor legislative body, the "Board of Freeholders") of the County of Union, State of New Jersey (together with any successor thereto, the "County") duly adopted as a public body corporate and politic of the State of New Jersey (the "State") pursuant to and in, accordance with the County Improvement Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto (the "Act"); and

WHEREAS, the Authority is authorized by law, specifically Section 11 of the Act (N.J.S.A. 40:37A-54(a)), to provide public facilities for the use of the County, including, without limitation, the provision for the acquisition of approximately one (1) acre of land and an approximately 11,000 square foot structure located thereon (collectively, the "Property") and the renovation of such structure for use as a County Prosecutor's Office (as more particularly described in Exhibit A to the

hereinafter defined Lease Agreement, the “Facility”) located in the Township of Union, New Jersey;

WHEREAS, pursuant to the Act, specifically Section 35 thereof (N.J.S.A. 40:37A-78), the Authority is authorized to enter into and perform any lease or other agreement with the County for the lease to or use by the County of all or any part of any public facility or facilities as determined in Section 11 of the Act (N.J.S.A. 40:37A-54);

WHEREAS, the Authority intends to finance the acquisition of the Property and the renovation thereof (collectively, the “Initial Project”) through the issuance of its County of Union General Obligation Lease Revenue Bonds, Series 2005 (County Prosecutor’s Office Project) (the “Series 2005 Bonds”);

WHEREAS, the Authority has entered into that certain “Purchase and Sale Agreement” dated the 18th day of May, 2005 in order to acquire the Property from the owner thereof;

WHEREAS, in accordance with N.J.S.A. 40:37A-78, the Authority will lease the Initial Project to the County pursuant to the terms of that certain “Lease Purchase Agreement (County Prosecutor’s Office Project)” dated as of the first day of the month of issuance of the Series 2005 Bonds between the Authority, as lessor, and the County, as lessee (the “Lease Agreement”);

WHEREAS, the County and the Authority have entered into that certain Interlocal Services Agreement dated February 24, 2005, as amended from time to time, which sets forth certain duties of the County and the Authority with respect to, among other things, the development, financing and implementation of the Initial Project;

WHEREAS, during the term of the Lease Agreement, title to the Initial Project will reside with the Authority;

WHEREAS, immediately prior to the expiration of the term of the Lease Agreement, the County will purchase all of the Authority's right, title and interest in and to the Initial Project for a nominal fee;

WHEREAS, the Series 2005 Bonds will be issued pursuant to the terms of the Act, other applicable law and the Authority’s “Resolution Authorizing the Issuance of County of Union General Obligation Lease Revenue Bonds (County Prosecutor’s Office Project) and Additional Bonds of the Union County Improvement Authority” to be adopted by the Authority prior to the issuance of the Series 2005 Bonds (the “Initial Bond Resolution”; the Initial Bond Resolution, and any amendments or supplements thereto in accordance with the terms thereof may be collectively referred to as the “Bond Resolution”);

WHEREAS, the proceeds of the Series 2005 Bonds will be applied to, inter alia, the payment of the (a) costs of the acquisition of the Property, including reimbursing the County and the Authority for any amounts previously incurred in connection therewith, (b) costs of renovating the structure located on the Property, (c) costs of issuing the Series 2005 Bonds, (d) capitalized interest on the Series 2005 Bonds and (e) any other costs set forth in the Bond Resolution;

WHEREAS, the principal of, redemption premium, if any, and the interest on the Series 2005 Bonds will be secured by general obligation lease payments of the County under the Lease Agreement in scheduled lease payment amounts sufficient to pay in a timely manner the principal and redemption premium, if any, of and the interest on the Series 2005 Bonds, pursuant to the terms of which Lease Agreement the County shall be obligated, if necessary, to make such lease payments from the levy of *ad valorem* taxes upon all of the taxable property within the County, without limitation as to rate or amount;

WHEREAS, pursuant to the terms of the Lease Agreement, the County will enter into that certain “Continuing Disclosure Agreement” with the Authority and the bond trustee to be appointed by the Authority (the “Bond Trustee”) dated as of the first day of the month of issuance of the Series 2005 Bonds (the “Continuing Disclosure Agreement”) in order to satisfy the secondary market disclosure requirements of Rule 15c2-12 (“Rule 15c2-12”) promulgated by the Securities and Exchange Commission (“SEC”) pursuant to the Securities Exchange Act of 1934, as amended and supplemented;

WHEREAS, in order to market and sell the Series 2005 Bonds, (i) the Authority, shall issue a Preliminary Official Statement (the “POS”) and a final Official Statement (the “OS”), (ii) the Authority shall enter, into a negotiated sale of the Series 2005 Bonds with one or more underwriters (collectively, the “Underwriter”) pursuant to the terms of a bond purchase agreement (the “BPA”), (iii) the Authority, the County and the Bond Trustee, shall enter into the Continuing Disclosure Agreement, (iv) the County shall make certain representations, warranties and covenants regarding, among other things, the Initial Project and the Series 2005 Bonds in a Tax Letter of Representations (the “Letter of Representation”), and (v) the County and the Authority shall take such actions and shall authorize, execute, or acknowledge, as the case may be, and deliver such other documents, instruments or certificates as Bond Counsel to the Authority and to the County deem necessary, convenient, useful or desirable in order to issue the Series 2005 Bonds (collectively, the “Certificate”, and together with the Bond Resolution, the Series 2005 Bonds, the bond insurance policy (if any), the Lease Agreement, the POS, the OS, the BPA, the Continuing Disclosure Agreement and the Letter of Representation, are hereinafter referred to as the “Financing Documents”);

WHEREAS, in accordance with Section 13 (“Section 13”) of the Act (N.J.S.A. 40:37A56), the Authority, after investigation and study, has made a detailed report with respect to the Initial Project and the financing thereof to the Board of Freeholders at meetings of the Board of Freeholders; and

WHEREAS, the Board of Freeholders believe: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, welfare, convenience or betterment of the inhabitants of the County; (iii) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (iv) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the County and will not create an undue financial burden to be placed upon the Authority or the County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF FREEHOLDERS OF THE COUNTY OF UNION, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. Section 40:37A-44 et seq., the County is hereby authorized and directed to enter into and perform the Lease Agreement, which Lease Agreement provides for the leasing of the Initial Project acquired and renovated with the proceeds of the Series 2005 Bonds to be issued by the Authority under the Bond Resolution. The Lease Agreement, in substantially the form submitted herewith as Exhibit A (a copy of which is on file in the office of the Office of the Clerk of the Board of Freeholders of the County), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority and counsel or bond counsel to the County.

Section 2. The County Manager and the Director of Finance of the County (collectively “Authorized Officer”) are hereby each severally authorized and directed, upon the satisfaction of all the legal conditions precedent to the execution or acknowledgment and delivery by the County of the Financing Documents to be so executed or acknowledged by the County, to execute or acknowledge and deliver such Financing Documents, with such changes thereto as the Authorized Officer, after consultation with Counsel to the County, bond counsel to the County and other professional advisors to

the Authority and County (the “Consultants”) deemed in its sole discretion to be necessary, desirable, and convenient for the execution thereof and to consummate the transactions contemplated thereby which executions shall conclusively evidence the Authorized Officer’s approval of any changes to the forms thereof.

Section 3. The Clerk of the Board of Freeholders of the County is hereby authorized and directed upon execution or acknowledgment of the documents set forth in Section 2 hereof, in accordance with the terms of Section 2 hereof, to attest the Authorized Officer’s execution or acknowledgment of such documents and is hereby further authorized and directed thereupon to affix the seal of the County on such documents.

Section 4. The full faith and credit of the County are hereby pledged to the punctual payment of the obligations set forth in the Lease Agreement authorized by this ordinance, including without limitations (i) all Basic Lease Payment and Additional Lease Payment obligations of the County under the Lease Agreement including, Authority Administrative Expenses, (ii) all amounts due and owing to the Authority as a result of payments made by the Authority related to the enforcement of the Lease Agreement and (iii) all direct and indirect costs of the Authority related to the enforcement of the Lease Agreement ((i), (ii), and (iii) above are hereinafter collectively referred to as the “Lease Payment Obligations”).

The Lease Payment Obligations under the Lease Agreement shall be direct, unlimited and general obligations of the County, not subject to annual appropriation by the County, pursuant to the Act, and unless paid from other sources, the County shall be obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment of the Lease Payment Obligations thereunder without limitation as to rate or amount.

All representatives, officials and employees of the County are hereby authorized and directed to enforce and to implement the provisions of the Lease Agreement.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The maximum principal amount for which the County shall be obligated hereunder for the payment of principal of and interest on the Series 2005 Bonds of the Authority shall not exceed the sum necessary to lease the Initial Project for the Lease Agreement term and to pay the costs of issuance, Authority Administrative Expenses, and all other amounts required to be paid by the County under the Lease Agreement.

(b) The Series 2005 Bonds shall mature within fifteen (15) years of the date of issue.

(c) The Lease Payment Obligations authorized herein shall remain effective until all the Authority’s Bonds (as defined in the Lease Agreement) shall have been paid in full in accordance with their terms and/or when all obligations of the County under the Lease Agreement have been satisfied, notwithstanding the occurrence of any other event, including but not limited to the termination of the Lease Agreement with respect to all or a portion of the Initial Project leased thereunder.

(d) The Initial Project is hereby approved to be leased from the Authority in accordance with the terms of the Lease Agreement, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

Section 6. The Board of Freeholders of the County hereby authorizes the performance of any act, the execution or acknowledgment and delivery of any other document, instrument or closing certificates, which the Authorized Officer, after consultation with the Consultants, deems necessary, desirable or convenient in connection with this contemplated transaction, and the Board of Freeholders hereby directs the Authorized Officer to execute or acknowledge, and cause the Clerk of the Board of Freeholders of

the County to attest and affix the seal to any such documents, instruments or closing certificates, the authorization of which actions shall be conclusively evidenced by the execution or acknowledgment, attestation, affixation and delivery, as the case may be, thereof by such person. Such closing certificates shall include, without limitation, (a) a determination that any information provided by the County in connection with the preparation and distribution of (i) the POS or any supplement thereto in connection with the Series 2005 Bonds is "deemed final" for the purposes and within the meaning of Rule 15c2-12 and (ii) the OS or any supplement thereto in connection with the Series 2005 Bonds constitutes a final official statement for the purposes and within the meaning of Rule 15c2-12, (b) a determination that the Continuing Disclosure Agreement complies with Rules 15c2-12, (c) a determination that any information provided by or on behalf of the County or relating to the County, the Initial Project or the Financing Documents or the transactions contemplated thereby in connection with the preparation and distribution of the POS or the OS complies with Section 10 and Rule 10b-5 of the Securities Exchange Act, and (d) any representations, warranties, covenants, certificates or instruments required by any issuer of a municipal bond insurance policy or any other form of credit enhancement securing all or a portion of the Series 2005 Bonds or the issuer of a rating on all or a portion thereof.

Section 7. Upon the payment of all amounts referred in Section 5(c) hereof, the full faith and credit pledge of the County as to its Lease Payment Obligations authorized herein shall cease to exist.

Section 8. In accordance with Section 13, the Board of Freeholders acknowledges the presentation by the Authority of a detailed report with respect to the Initial Project and the financing thereof at meetings of the Board of Freeholders.

Section 9. In accordance with Section 13 and all other applicable law, the Board of Freeholders hereby consents to (a) the acquisition and renovation of the Initial Project and the financing of same through the Financing Documents and any other agreements to which the Authority shall be a party and as may be necessary for the issuance by the Authority of the Series 2005 Bonds and/or the financing of the Initial Project, (b) the execution and delivery by the Authority of the Financing Documents and any other agreements to which the Authority shall be a party and as may be necessary for the issuance by the Authority of the Series 2005 Bonds and/or the financing of the Initial Project, (c) the adoption by the Authority of the Bond Resolution in substantially the form attached hereto as Exhibit B and (d) the issuance, sale and delivery of the Series 2005 Bonds in an aggregate principal amount not to exceed \$3,500,000 to effect such purpose. The County's consent hereto to the Financing Documents contemplates the insertion of the final financing terms therein that will result from the sale of the Series 2005 Bonds, which financing terms shall be limited only by those financing term parameters set forth in the application of the Authority filed with the State Local Finance Board relating to the Series 2005 Bonds and the parameters set forth herein.

Section 10. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 11. A public hearing shall be held on this ordinance on August 18, 2005 at the meeting of the Board of Freeholders, County Administration Building, Elizabeth, New Jersey.

Section 12. The Clerk of the Board of Freeholders of the County is hereby directed to publish and post notice of this ordinance as required by law.

Section 13. Upon the adoption hereof the Clerk of the Board of Freeholders of the County shall

forward certified copies of this ordinance to the County Manager, the Director of Finance, the County Counsel, the Authority, Rogut McCarthy Troy LLC, Bond Counsel to the County, and McCarter & English, LLP, Bond Counsel to the Authority.

Section 14. This ordinance shall take effect twenty (20) days after final adoption and publication in accordance with applicable law.

* * * * *

Freeholder Sullivan moved Ordinance No. 617-2005 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. (Final Reading: 8/18/05) Seconded by Freeholder Holmes roll call showed six members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski absent.

* * * * *

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

Vincent Lehotsky, Rahway, commented on Resolution 753-2005 letter “h”, Spruce Industries, in favor of the vendor. He also commented on Resolution 739-2005, noting that the firm may be closing but another vendor may be using the name. He asked if this voided the contract. Chairman Pro-Tem Estrada responded to his question saying the contract would be met by the new firm buying the name. Mr. Lehotsky commented on 803-2005 passing his compliments on to Vice Chairman Mirabella.

Bruce Patterson, Garwood, commented on a combining resolution for \$70 million for many projects saying he does not see that on this agenda. Director Caroselli responded to his question saying that he and bond counsel met and they advised the County Manager to issue notes, and explained his reasoning in regard to the interest. Mr. Patterson asked further questions to which Mr. Caroselli responded. Mr. Patterson commented on Resolution 778-2005, asking questions about the vendor, to which the Chairman Pro-Tem responded. He also commented on Resolution 776-2005 asking that if suit had been settled why were there more fees? The County Counsel explained that these fees were incurred through the litigation and not part of the settlement amount. Director Caroselli elaborated on how the remainder of unused allocations are put back into the County’s accounts.

PUBLIC COMMENT PORTION CONCLUDED

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The Chairman Pro-Tem called for a motion to move resolutions 723-2005 – 810-2005. On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder

Ward absent.

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THE FOLLOWING RESOLUTIONS ARE BEING OFFERED FOR ADOPTION:

723-2005 **FREEHOLDER ESTRADA**, supporting the passage of **New Jersey State Legislation A-3531** and the companion **Bill S-485** to increase funds available for addiction services through the Alcohol, Education, Rehabilitation and Enforcement Fund. This legislation proposes the change of the alcohol beverage excise tax (“booze tax”) distribution from a flat rate of \$11 million to a maximum of 50% of the annual collections. The proposed increase would be phased in over several years.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

724-2005 **FREEHOLDER ESTRADA**, authorizing the County Manager to enter into a contract with the **Department of Community Affairs - Division on Women** and accept **\$9,800** in Rape Care Services Funds. This grant covers an eighteen (18) month period starting July 1, 2005 through December 31, 2006.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

725-2005 **FREEHOLDER ESTRADA**, authorizing the County Manager to enter into a lease agreement with the **Parking Authority of the City of Elizabeth**, for the rental of an average of 31 parking spaces for employees of the Eastern Center of the Division of Workforce Development Operations, on a month to month basis for the contract period of July 1, 2005 – June 30, 2006, in amount not to exceed **\$24,180**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

726-2005 **FREEHOLDER ESTRADA**, amending **Resolution No. 610-2005 (BA #222005)** to the contract with **PNC FLM, LLC DBA Princeton Nassau Coover FLM, Princeton, New Jersey**, to reflect the correct account numbers only, the dollar amount remains the same.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

727-2005 **FREEHOLDER ESTRADA**, authorizing the County Manager to award Youth Service Commission 2005 subcontracts pursuant to the Request for Proposal (RFP) procurement process to provide services based on the **Union County YSC Comprehensive Plan and the Juvenile Justice Commission Points of Intervention** for youths involved with the juvenile justice system for the contract period of January 1, 2005 – December 31, 2005 for a total amount of **\$1,247,729**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

728-2005 **FREEHOLDER ESTRADA**, authorizes the County Manager to accept funding from the **New Jersey Department of Environmental Protection** and the **Garden State Preservation Trust** in the amounts of **\$1,000,000** to be used for Park Development and **\$1,200,000** for Property Acquisition in accordance with the Green Acres Program

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

729-2005 **FREEHOLDER ESTRADA**, authorizing the County Manager to enter into an agreement with **PMK Group, Cranford, New Jersey**, to perform a Property Transfer Feasibility Study for the Clark Wildlife Preserve, Clark, New Jersey in an amount not to exceed **\$23,500**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

730-2005 **FREEHOLDER ESTRADA**, authorizing the County Manager to execute the Amendment to **Green Acres Project Agreement** dated June 9, 2003 entitled “Union County Open Space and Recreation Plan” for a total amended cost for the cost for approved project of **\$9,300,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

731-2005 **FREEHOLDER ESTRADA**, authorizing the County Manager to enter into an agreement to encumber and allocate funds with **Union County Arts Center, Inc.**, for the purchase of **The Union County Arts Center (\$1,300,000)** and **The Bank Building (\$1.00)** located at 1591 – 1605 Irving Street, Rahway, New Jersey (Block 159, Lots 4 and 5); also for the purchasing of the **Parking Lot (\$1.00)** from the City of Rahway (Block 159, Lot 1) in an amount not to exceed **\$1,300,002**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

732-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager, through the Division of Cultural & Heritage Affairs to apply for and execute all applications and agreements relating to a grant from the **New Jersey Theatre Group** for the period of August 1, 2005 – December 31, 2006 in an amount of **\$1,000** with a hard cash match of **\$1,000** and the balance of **\$2,272** from the Division’s operating budget for a total cost of **\$4,272**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman

Mirabella and Freeholder Kowalski and Freeholder Ward absent.

733-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Speech & Hearing Associates, Westfield, New Jersey**, to continue to provide speech, language pathology services to the residents/patients at Runnells Specialized Hospital for the contract period of August 1, 2005 – July 31, 2006 in an amount of **\$72,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

734-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Speech & Hearing Associates, Westfield, New Jersey**, to continue to provide audiology services for the residents/patients of Runnells Specialized Hospital for the contract period of August 1, 2005 – July 31, 2006 in an amount of **\$10,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

735-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Robert Restifo, DO, Summit, New Jersey**, to provide services as the Director of Pulmonary Medicine/Respiratory Care for the patients/residents of Runnells Specialized Hospital for the contract period of September 1, 2005 – August 31, 2006 in an amount of **\$4,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

736-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Henry Borrelli, DPM, Cranford, New Jersey**, to provide professional podiatric services to the patients/residents of Runnells Specialized Hospital for the contract period of September 1, 2005 – August 31, 2006. **(This is a Fee for Service Agreement)**

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

737-2005 **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Evan Kelner, DPM, Elizabeth, New Jersey**, to provide professional podiatric services to the patients/residents of Runnells Specialized Hospital for the contract period of September 1, 2005 – August 31, 2006. **(This is a Fee for Service Agreement)**

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

738-2005 FREEHOLDER KOWALSKI, approving the minutes of **Runnells Specialized Hospital (RSH) Advisory Board of Managers Meeting** of March 9, 2005.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

739-2005 FREEHOLDER KOWALSKI, authorizing the County Manager to enter into a contract with **Somerset Prosthetics & Orthotics, Inc., Bound Brook, New Jersey**, to continue to provide prosthetic and orthotic services for the patients at Runnells Specialized Hospital for the contract period of August 1, 2005 – July 31, 2006 in an amount of **\$30,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

740-2005 FREEHOLDER KOWALSKI, authorizing the County Manager to enter into a contract with **Modern Limb & Brace Co., Union, New Jersey**, to provide prosthetic and orthotic services for the patients at Runnells Specialized Hospital for the contract period of August 1, 2005 – July 31, 2006 in an amount of **\$15,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

741-2005 FREEHOLDER KOWALSKI, authorizing the County Manager to enter into a contract with **England Orthopedics, Inc., Avenel, New Jersey**, to continue to provide prosthetic and orthotic services for the patients at Runnells Specialized Hospital for the contract period of August 1, 2005 – July 31, 2006 in an amount of **\$25,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

742-2005 FREEHOLDER KOWALSKI, approving the dissolving of an **outstanding patient balance** owed to Runnells Specialized Hospital in an amount of **\$6,500**, as it is uncollectible.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

743-2005 FREEHOLDER KOWALSKI, amending **Resolution No. 1080-2003 (BA #732003)** with **All Type Medical Transcription Services** by increasing the contract amount as permitted by law by **20% (\$12,000)** for a new contract amount of **\$72,000** due to the increase in doctors resulting in more lines of medical dictation.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

- 744-2005** **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a contract with **Tuscan Dairies, Union, New Jersey**, through NJHA Group Purchasing pursuant to N.J.S.A. 30:9-87 & 88, to purchase milk & dairy products for the contract period of October 1, 2005 – September 30, 2006 in an amount of **\$113,000**.
On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.
- 745-2005** **FREEHOLDER KOWALSKI**, amending **Resolution No. 1144-2004**, which amends the list of **Specialty Consultants** who provide services to the patients/residents of Runnells Specialized Hospital for the contract period of January 1, 2005 – December 31, 2005.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.
- 746-2005** **FREEHOLDER KOWALSKI**, amending **Resolution No. 1238-2004** authorizing a change in vendor only from **HLP Associates to Morning Star Community Development Corporation, Linden, New Jersey** for a lease agreement for the premises known as the Youth Service Bureau, located at 1130 East Saint Georges Avenue, Linden, New Jersey.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.
- 747-2005** **FREEHOLDER KOWALSKI**, authorizing the County Manager to enter into a Local Government License Agreement with **ASCAP (American Society of Composers, Authors & Publishers)** to cover music played or performed on County owned premises or at County sponsored events during 2005 in an amount of **\$4,089**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.
- 748-2005** **FREEHOLDER SULLIVAN**, authorizing the County Manager, through the Division of Planning and Community Development to apply for and execute all agreements relating to the FY 2006 Subregional Transportation Planning (STP) Grant from the **North Jersey Transportation Planning Authority (NJTPA)** for the contract period of July 1, 2005 – June 30, 2006 with a required County cash match of **\$21,031** for a total grant in an amount no to exceed **\$105,155**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.
- 749-2005** **FREEHOLDER SULLIVAN**, authorizing the County Manager, through the Division of Planning & Community Development to enter into an agreement with **The Louis Berger Group, Inc., Florham Park, New Jersey**, to perform the New Jersey Department of Community Affairs grant funded study to **“Perform Transit Village Planning Along the**

Raritan Valley Line” for the contract period of July 1, 2005 – June 30, 2006 in an amount not to exceed **\$100,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

750-2005 **FREEHOLDER SULLIVAN**, amending **Resolution No. 425-2004** to the contract with **The Louis Berger Group, Inc., Florham Park, New Jersey**, to provide project management and technical assistance for the rehabilitation and reactivation of the Staten Island and Rahway Valley Railroad Lines for an additional six (6) months starting April 1, 2004 to – September 30, 2005 in an amount of **\$74,000**, for a new total contract amount of **\$199,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

751-2005 **FREEHOLDER SULLIVAN**, amending **Resolution No. 1158-2004** which allowed for the implementation of a **Cafeteria 125 Plan** also known as a **Flexible Spending Plan**, administered by Horizon Healthcare Insurance Agency with the plan year running 12 consecutive months. The amendment will allow for the extension of the plan year to run an additional 2 ½ months, which is allowed by IRS Notice 2005-42.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

752-2005 **FREEHOLDER SULLIVAN**, giving the **Department of Parks, Recreation & Facilities** a Temporary Change Fund for the period of July 10, 2005 – October 16, 2005, in an amount of **\$2,000** to be used at various special events sponsored by the County. After October 16, 2005, the Temporary Change will be returned to Finance.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

753-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County Adopted Budget in the amount of **\$12,000** as a result of notification received from the New Jersey Department of Military & Veterans Affairs for a program entitled: **“Veterans Paratransit.”**

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

754-2005 **FREEHOLDER SULLIVAN**, modifying the 2005 Union County Adopted Budget in the amount of **\$1,272,710** as a result of notification received from the New Jersey Department of Law and Public Safety for a program entitled: **“FY 05 Homeland Security Grant Program.”**

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

755-2005 FREEHOLDER SULLIVAN, modifying the 2005 Union County Adopted Budget in the amount of **\$10,000** as a result of notification received from the New Jersey Department of Environmental Protection for a program entitled: **“Municipal Stormwater Regulation Program.”**

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

756-2005 FREEHOLDER SULLIVAN, declaring its official intent to reimburse expenditures for project costs from proceeds of debt obligations.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

757-2005 CHAIRMAN PROCTOR, authorizing the County Manager to award the proposed contracts obtained through advertised public bidding in accordance with **Local Public Contracts Law 40A:11-1 et seq: (CH. PROCTOR)**

a. BUREAU OF MOTOR VEHICLES FOR PARKS, RECREATION & FACILITIES:
Storr Tractor Company, Somerville, New Jersey, to furnish and deliver one (1) Toro Reelmaster; two (2) Toro Greenmasters and one (1) Toro Procure in the amount of **\$131,386**.

b. BUREAU OF MOTOR VEHICLES FOR PARKS, RECREATION & FACILITIES:
Wilfred MacDonald, Inc., South Hackensack, New

k. DIVISION OF ENGINEERING: **Daidone Electric, Inc., Newark, New Jersey**, to provide intersection improvements for the Morris Avenue Corridor in an amount of **\$3,250,000**.

l. DIVISION OF ENGINEERING: **P. Cipollini, Inc., Dover, New Jersey**, to provide roof coating for various buildings at Watchung Stables, Watchung Reservation in an amount of **\$134,000**.

m. DEPARTMENT OF ENGINEERING & PUBLIC WORKS, DIVISION OF FACILITIES MANAGEMENT AND DEPARTMENT OF PARKS, RECREATION & FACILITIES: **(Items #1, 2, 3 and 5) Bayway Lumber Linden, New Jersey, and (Item #4) The Viva Group, LLC, Berkeley Heights, New Jersey**, to furnish and deliver tools and supplies for maintenance repair operations for various entities of the County of Union for a term of twenty-four (24) consecutive months in an amount not to exceed **\$625,000**.

n. OFFICE OF THE PROSECUTOR: **Fisher Scientific Co., LLC, Pittsburgh, PA**, laboratory equipment in an amount of **\$25,369**.

Jersey, to furnish and deliver one (1) Ryan GA30 Ride-on Aerator in an amount of **\$13,835**.

- c. DIVISION OF FACILITIES MANAGEMENT: **B & G Elevator, Inc., Newton, New Jersey**, to provide services to maintain and repair elevators (21) in various county buildings for the contract period of twelve (12) months in an amount of **\$305,500**.
- d. RUNNELLS SPECIALIZED HOSPITAL: **Woodruff Energy, Bridgeton, New Jersey**, to provide Natural Gas for Runnells Specialized Hospital for the contract period of twenty-four (24) months in an amount of **\$350,000**.
- e. DIVISION OF MOTOR VEHICLES: **JN Auto Body Inc., Elizabeth, New Jersey**, to provide collision repair service for a period of twenty-four (24) consecutive months in an amount not to exceed **\$106,000**.
- f. RUNNELLS SPECIALIZED HOSPITAL: **Bayway Lumber, Linden, New Jersey**, to supply Lumber and Building Materials in an amount of **\$2,175.35**; and **US Lumber Inc., Woodbury Heights, New Jersey**, to supply Lumber and Building Materials in an amount of **\$10,106.24** for a total bid amount of **\$12,281.59**.
- g. DEPARTMENT OF PARKS, RECREATION & FACILITIES, DIVISION OF FACILITIES MANAGEMENT AND DIVISION OF PUBLIC WORKS: **(Lot #1 and Lot #2) Bayway Lumber, Linden, New Jersey**, to provide various Lumber and Associated Materials for the Department of Parks, Recreation & Facilities, Division of Facilities Management and the Division of Public Works for a period of twenty-four (24) months in an amount not to exceed **\$195,000**.
- h. DEPARTMENT OF PARKS, RECREATION & FACILITIES: **Spruce Industries, Inc., Garwood, New Jersey**, to provide Janitorial Supplies for a period of twenty-four (24) months in an amount not to exceed **\$38,996.71**.
- i. BUREAU OF MOTOR VEHICLES FOR PARKS, RECREATION & FACILITIES: **Seeley Equipment & Supply Company, Farmingdale, New Jersey**, to furnish and deliver one (1) Carlton Stump Grinder in an amount of **\$22,638**.
- j. RUNNELLS SPECIALIZED HOSPITAL: **2K's Commercial Kitchen, Jobstown, New Jersey**, to provide maintenance and repair of kitchen equipment for a period of twenty-four (24) consecutive months in an amount not to exceed **\$65,880**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

758-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to award the proposed

contracts under **N.J.S.A. 40A:11-5(dd)**. This is an allowable **exception to bidding**:

- a. **BUREAU OF COMMUNICATIONS: M/A-COM Inc., (Formerly Ericsson) Lynchburg, Virginia**, to provide maintenance service for proprietary software for Edac Fx Radio System for a period of twelve months (12) in an amount of **\$75,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

759-2005 CHAIRMAN PROCTOR, amending **Resolution No. 1183-2004 (BA #119)** to the contract with **Rachles/Michele's Oil Co., Inc., Clifton, New Jersey**, to provide lubricants & motor oil for the following: Department of Public Works & Engineering in an additional amount of **\$20,000**; and Bureau of Motor Vehicles in an additional amount of **\$120,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

760-2005 CHAIRMAN PROCTOR, pursuant to N.J.S.A. 40A:11-3 (c) and 18A:18A-3(b), Acting Governor Richard J. Codey has exercised his authority to adjust the bid thresholds for awarding contracts by various units. The County of Union, having a **Qualified Purchasing Agent** pursuant to N.J.S.A. 40A:11-9(b), therefore sets a bid threshold of **\$29,000** pursuant to N.J.S.A. 40A:11-3(a) and 18A:18A-3(a).

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

761-2005 CHAIRMAN PROCTOR, announcing the prequalification of bidders pursuant to the **“Local Unit Technology Pilot Program and Study Act (P.L.2001, c.30) (NJLOWESTBID.COM.LLC)”**. These bidders will subsequently be allowed to participate in an online public bid for **“Rock Salt”** on August 2, 2004: **International Salt Company, LLC, Clarks Summit, PA; Atlantic Salt, Inc., Lowell, MA; and Cargill, Incorporated-Deicing Technology, North Olmsted, OH.**

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

762-2005 CHAIRMAN PROCTOR, granting permission to the **Township of Springfield** to establish temporary parking restrictions on County roads in the Township of Springfield, New Jersey, from 12:01 a.m. on Monday, August 8, 2005 through 11:59 p.m. on Sunday, August 14, 2005 in conjunction with the 2005 PGA National Tournament to be held at Baltusrol Golf Club, Springfield, New Jersey.

- . **No Parking, Hillside Avenue, Both Sides, Entire Length.**
- . **No Parking, Shunpike Road, Both Sides, Entire Length.**

. **No Parking, South Springfield Avenue, Both Sides, From Mountain Avenue to Hillside Avenue.**

. **1 Hour Parking Only, Mountain Avenue, West Side, From Kipling Avenue to Route 22.**

. **1 Hour Parking Only, Mountain Avenue, East Side, From Route 22 to Edgewood Avenue.**

. **1 Hour Parking Only, Mountain Avenue, Both Sides, From Ashwood Avenue to Henshaw Avenue/Oakland Avenue.**

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

763-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to award a professional engineering service contract to **Matrix New World Engineering Inc., East Hanover, New Jersey**, for the purpose of providing environmental services associated with Underground Storage Tank (UST) Remediation at the Galloping Hill Service Yard, Kenilworth, New Jersey, in an amount not to exceed **\$33,115**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

764-2005 **CHAIRMAN PROCTOR**, authorizing a four (4) week reduction in an amount of **\$9,061.56** to the 2005 annual lease payment of **\$117,800** to the County of Union by Nature's Choice Corporation to compensate for their cease of operations at the **Union County Conservation Center, Springfield, New Jersey**, as the facility is being prepared for parking for the 2005 PGA National Tournament for a new total amount of **\$108,738.44**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

765-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into a professional engineering service contract to **French & Parrello Associates, Holmdel, New Jersey**, for the purpose of providing testing, investigative services, and inspection services for various road, bridge, and environmental projects, on an as needed basis for a period of one year beginning August 1, 2005 thru July 31, 2006 in an amount of **\$100,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

766-2005 **CHAIRMAN PROCTOR**, granting permission to the **Township of Springfield** to hang a banner across Mountain Avenue at North Trivett Avenue, Springfield, New Jersey, during the months of July through September 2005 to advertise the "**Annual Springfield Farmers' Market**."

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed

five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

767-2005 **CHAIRMAN PROCTOR**, granting permission to the **Borough of Kenilworth** to hang the following banners:

. Across the Boulevard at the Boulevard and North 22nd Street, Kenilworth, New Jersey, from August 2, 2005 to August 27, 2005 to publicize the “**Firemen’s Carnival**” sponsored by the Kenilworth Volunteer Fire Department.

. August 27, 2005 to September 17, 2005 to publicize the “**Health Fair**” sponsored by the Kenilworth Board of Health.

. September 19, 2005 to October 28, 2005 to publicize the Kenilworth “**Octoberfest Street Fair**” sponsored by the Pride in Kenilworth Committee.

. October 28, 2005 to November 1, 2005 to publicize “**Red Ribbon Week**” sponsored by the Kenilworth Municipal Alliance Against Drug and Alcohol Abuse.

. Closing the Boulevard from 23rd Street to 18th Street on Sunday, October 9, 2005 (rain date Sunday, October 16, 2005) from 8:00

a.m. to 8:00 p.m. for the “**Annual Kenilworth Octoberfest Street Fair.**”

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

768-2005 **CHAIRMAN PROCTOR**, concurring with the **City of Elizabeth** granting permission to the Morris Midtown Business Association (MMBA) Colombian Independence Festival Committee to close Morris Avenue from Julian Place to Sayre Street, Elizabeth, New Jersey, from 12:00 noon to 8:00 p.m. on Sunday, July 31, 2005, for the “**Colombian Independence Festival.**”

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

769-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 843-2004** increasing the **LINCS Grant** by **\$10,000** for use in completing the Assessment Phase of Mobilization for Action through Planning and Partnerships (MAPP).

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

770-2005 **CHAIRMAN PROCTOR**, extending the contract with **New Tech Recycling, Inc., Bridgewater, New Jersey**, for one additional year for the collection, demanufacturing, and recycling/disposal of computer and electronic equipment in an amount of **\$70,000** based on the quoted price of **\$.10/lb.**

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

771-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into a contract with the **New Jersey State Toxicology Laboratory, Newark, New Jersey**, to provide laboratory services for the Union County Medical Examiner's Office. Toxicology tests include alcohol and illicit drugs for the contract period of July 1, 2005 – June 31, 2006 at **\$285** per case in an amount not to exceed **\$85,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

772-2005 **CHAIRMAN PROCTOR**, authorizing an agreement and any and all other documents as may be necessary to authenticate the in-kind contribution of **\$300,000** and to secure the receipt of **\$365,000** by the **Union County Food Stamp Nutrition Education Project** from October 1, 2005 – September 30, 2006.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

773-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into a contract with **County Business Systems, Inc., Pennington, New Jersey**, for back file imaging land records from 1977 – 1991 in an amount of **\$111,840**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

774-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into a contract to **County Business Systems, Inc., Pennington, New Jersey**, for the restoration of map books in the amount of **\$311,065**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

775-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 237-2005** increasing the appropriation to **Schenck, Price, Smith & King, Morristown, New Jersey**, special counsel in the matter entitled **Roberts v. County of Union, et als.** in an additional amount of **\$5,000** for a new total contract amount not to exceed **\$20,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

776-2005 **CHAIRMAN PROCTOR**, amending **Resolution 832-2004** increasing the appropriation to **Robert Renaud, Esq., Palumbo & Renaud, Cranford, New Jersey**, special counsel in the matter entitled **Roberts v. County of Union, et als.** in an additional amount of **\$5,000** in a new total contract amount not to exceed **\$10,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed

five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

777-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 304-2005** increasing the appropriation to **Brownstein, Booth & Associates, Union City, New Jersey**, special counsel in the matter entitled **Estate of Edward Sinclair v. County of Union, et als.** in an additional amount of **\$10,000** for a new total contract amount not to exceed **\$15,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

778-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 95-2005** increasing the appropriation to **Garrubbo & Capece, Westfield, New Jersey**, special counsel in the matter entitled **Ewanus v. County of Union, et als.** in an additional amount of **\$5,000** for a new total contract amount not to exceed **\$45,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

779-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 155-2005** increasing the appropriation to **Brownstein, Booth & Associates, Union City, New Jersey**, special counsel in the matter entitled **Blanchard Securities v. County of Union, et als.** in an additional amount of **\$10,000** for a new total contract amount not to exceed **\$35,000**.
On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

780-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 900-2004** increasing the appropriation to **Edward Cooper, Esq., Linden, New Jersey**, special counsel in the matter entitled **Baptiste v. County of Union, et als.** in an additional amount of **\$5,000** for a new total contract amount not to exceed **\$10,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

781-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 396-2005** increasing the appropriation to **Garrubbo & Capece, Westfield, New Jersey**, special counsel in the matter entitled **Freitas v. County of Union, et als.** in an additional amount of **\$10,000** for a new total contract amount not to exceed **\$25,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

782-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 1106-2004** increasing the appropriation to **Edward Kologi, Esq., Linden, New Jersey**, special counsel in the matter

entitled Nazario v. County of Union, et als. in an additional amount of \$5,000 for a new total contract amount not to exceed \$15,000.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

783-2005 **CHAIRMAN PROCTOR**, appointing **Brownstein, Booth & Associates, Union City, New Jersey**, special counsel in the matter entitled State v. MacDermant for a sum of \$5,000.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

784-2005 **CHAIRMAN PROCTOR**, amending **Resolution No. 396-2005** to increase the appropriation to **Garrubbo & Capece, Westfield, New Jersey**, special counsel in the matter entitled Todaro v. County of Union, et als. in an additional amount of \$5,000 for a new total contract amount not to exceed \$50,000.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

785-2005 **CHAIRMAN PROCTOR**, approving the settlement of an **outstanding patient balance** owed to Runnells Specialized Hospital in the amount of \$16,500 as it is has been settled in consideration of \$8,000.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

786-2005 **CHAIRMAN PROCTOR**, approving the settlement of an **outstanding patient balance** owed to Runnells Specialized Hospital in the amount of \$9,750 as it is has been settled in consideration of \$1,000.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

787-2005 **CHAIRMAN PROCTOR**, to apply for and accept funding from the **State of New Jersey, Office of Victim Witness Advocacy** to continue the operation of the Union County Sexual Assault Nurse Examiner Program for the period of October 1, 2005 – September 30, 2006 in an amount of \$66,800, with a county cash match of \$8,226 and an In-Kind match of \$55,241 are required.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

788-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into a contract with **Margaret M. Poltorak Keyes, Design Consultant, North Plainfield, New Jersey**, to provide professional exhibit design for the Courthouse Centennial Exhibition in an amount of **\$50** per hour and not to exceed fifteen (15) hours for a total amount of **\$750**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

789-2005 **CHAIRMAN PROCTOR**, approving the settlement of pending litigation entitled **Lynn Jimenez v. County of Union, et als.** in the amount of **\$50,000** as recommended by the Department of Law, Office of the County Counsel.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

790-2005 **CHAIRMAN PROCTOR**, approving the settlement of pending litigation entitled **County of Union vs. Dignatorio and Theresa Cerdeira** in the amount of **\$65,000** due to the County of Union as recommended by the Department of Law, Office of the County Counsel.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

791-2005 **CHAIRMAN PROCTOR**, authorizing the County Manager to enter into an agreement with **Access Systems, Manlius, New York**, to perform a county-wide records management needs assessment in an amount of **\$220,000** which shall be funded through the PARIS Grant Award from the New Jersey Department of State, Division of Archives and Records Management.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

792-2005 **CHAIRMAN PROCTOR**, supporting **Kean University's** project to construct a one-lane bridge over the Elizabeth River in a section of the Elizabeth River Parkway which will be used by a shuttle bus to link the University's two campuses.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

793-2005 **CHAIRMAN PROCTOR**, appointing **Elizabeth Geminder**, to the **Union County Air Traffic Noise Advisory Board**, to serve from January 1, 2005 through December 31, 2006.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman

Mirabella and Freeholder Kowalski and Freeholder Ward absent.
THE FOLLOWING RESOLUTIONS WERE LAUDATORY IN CONTENT:

794-2005 FREEHOLDER ESTRADA, congratulating the 183rd Anniversary of the **National Independence of Peru** to the Peruvian Organizations of Union County.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

795-2005 FREEHOLDERS ESTRADA AND SULLIVAN, extending deepest condolences to the family of **Stephen Sampson, Elizabeth, New Jersey**, in this, their time of sorrow.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

796-2005 FREEHOLDER HOLMES, congratulating **Robert Sarnecki, Township of Clark Police Officer** for being named Municipal Police Officer of the Year.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

797-2005 FREEHOLDER HOLMES, congratulating **Sister Annabelle Carter Bartee**, on the occasion of her 95th Birthday.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

798-2005 FREEHOLDELR HOLMES AND THE ENTIRE BOARD, extending deepest condolences to the family of **Luther Vandross**, in this, their time of sorrow.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

799-2005 FREEHOLDERS HOLMES, ESTRADA AND SULLIVAN, congratulating the following **Township Police Officers** for being named Municipal Police Officer of the Year: **Anthanasios “Tommy” Mikros, City of Elizabeth and Todd M. Kelly, City of Elizabeth**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

800-2005 **FREEHOLDERS HOLMES AND MAPP**, congratulating **John Furda, City of Plainfield Police Officer** for being named Municipal Police Officer of the Year.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

801-2005 **FREEHOLDER MAPP**, congratulating the **Jamaica Organization of New Jersey** and commemorating Jamaica's 43rd Anniversary as an independent nation.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

802-2005 **FREEHOLDER SCANLON**, congratulating **Mary Toy, Union, New Jersey**, upon her retirement after 33 years of dedicated service to the public school system.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

803-2005 **FREEHOLDER SCANLON**, congratulating **Sean Baran, Westfield, New Jersey**, who, while studying abroad, courageously used his emergency medical technician training to aide those wounded in the London bombings.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

804-2005 **FREEHOLDER SULLIVAN**, congratulating the **Occupational Center of Union County** on being awarded the 2005 Community Development Award of Excellence by the New Jersey Urban Counties Community Development Association.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

805-2005 **VICE CHAIRMAN MIRABELLA**, extending deepest condolences to the family of **Pasquale ("Pat") Vertorano**, in this, their time of sorrow.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

806-2005 **CHAIRMAN PROCTOR**, congratulating **Marianne Espinosa** on her reappointment as a Superior Court Judge.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

807-2005 **CHAIRMAN PROCTOR**, acknowledging and thanking the following Union County businesses for their generosity in co-sponsoring the County with the 2005 Summer Arts Concert Series at Echo Lake Park: **Pfizer, Bank of America, Union County Education Association, Verizon, Wachovia, Schering Plough Corporation, ConocoPhillips - Bayway Refinery.**

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

808-2005 **CHAIRMAN PROCTOR**, congratulating **Vincent Lehotsky, Rahway, New Jersey**, on his move to Loris, South Carolina.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

809-2005 **CHAIRMAN PROCTOR AND THE ENTIRE BOARD**, congratulating **Henrietta “Nettie” S. Froehlich** for the century anniversary of her birth, and to her family in this time of joy.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

810-2005 **CHAIRMAN PROCTOR AND THE ENTIRE BOARD**, congratulating **Susan Lehotsky, Rahway, New Jersey**, upon the occasion of her retirement from the Business and Community Outreach Coordinator for the County of Union. Susan will be moving out-of-state with her husband Vincent and son Nicholas.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board in the affirmative, with Chairman Proctor, Vice Chairman Mirabella and Freeholder Kowalski and Freeholder Ward absent.

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MEETING OPEN TO THE PUBLIC FOR THE PURPOSE OF COMMENTING ON RESOLUTIONS FROM THE FLOOR ONLY

Vince Lehotsky, Rahway commented on Resolution 813-2005 and offered his condolences to Freeholder Holmes and his family.

PUBLIC COMMENT PORTION CONCLUDED

* * * * * The Chairman Pro-Tem Estrada called for a motion to suspend the rules. On a motion by Freeholder Scanlon, seconded by Freeholder Sullivan, roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

The Chairman Pro-Tem called for a motion to move the Resolutions from the Floor. On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

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THE FOLLOWING RESOLUTIONS WERE FROM THE FLOOR:

811-2005 FREEHOLDER SULLIVAN, rescinding **Resolution 715-2005** and authorizing the County Manager to make available by way of a sponsorship payment to the **Winfield Volunteer Fire Department Association** for their 2005 Carnival in the sum of **\$2,800**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

812-2005 CHAIRMAN PROCTOR, authorizing the County Manager to allow **Union County LINCS / GPHP** to enter into an agreement with the **Union County Alliance** for MAPP-related research projects in an amount not to exceed **\$30,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

813-2005 CHAIRMAN PROCTOR AND THE ENTIRE BOARD, extending deepest condolences to the family of **Chester Holmes, Jr., son of Freeholder Chester Holmes**, in this, their time of sorrow.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

814-2005 CHAIRMAN PROCTOR, authorizing the County Manager to enter into an agreement with **Iselin Veterinary Hospital, Iselin, New Jersey**, to provide on-call veterinary care for the Sheriff's K-9 unit for the 2005 calendar year in an amount of **\$18,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

815-2005 FREEHOLDER ESTRADA, amending **Resolution No. 1148-2004** to the contract with **ATC/Vancom, Inc., Chicago, IL**, to expand the provision of Transportation Services

through December 31, 2005 in an additional amount of **\$68,174** for a new contract amount of **\$2,003,067**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

816-2005 **FREEHOLDELR ESTRADA**, amending **Resolution No. 366-2005** for an additional contract amount of **\$75,000** with **Schwartz, Simon, Edelstein, Celso & Kessler, LLP, Florham Park, New Jersey**, to provide the County of Union with general law services related to legal negotiations for work done in conjunction with and for the Union County Office of Open Space, Recreation and Historic Preservation Trust Fund for a new contract amount not to exceed **\$200,000**.

On a motion by Freeholder Sullivan, seconded by Freeholder Scanlon, roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

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

Jerry Goldman complimented Vincent Lehotsky on his participation over the years in the Freeholder Board and Union County meetings. He also commented on strategies for increasing the usage of County golf courses and on conditions in the clubhouse. Mr. Goldman also commented on Resolution 597-2005 from the May 26, 2005 meeting regarding the Arts Guild of Rahway and other donations asking about the program and its funding. He also commented with questions on Mattano Park.

Charles Sigmund and the County Manager responded to his questions. He also commented on other resolutions from that previous meeting.

Tony Grace, Elizabeth, commented on the condition of veteran's footstones, many of which have been sinking into the ground and deteriorating. He is from Bayway (inaudible) Post #60. He noted that he had contacted Freeholder Estrada last year on this issue to ask for funding but had received no response. Chairman Pro-Tem Estrada responded to his comments noting that the County has tried to assess all the cemeteries in the County to try to deal with the broader problem.

Brian Keene, Roselle Park, commented on Freeholder Meetings not being shown on Comcast Cable network from last year. He had been told that Comcast had not received any tapes since 2004. County Manager Devanney responded to his comments citing technical difficulties. He asked other questions regarding getting copies of video tapes to which the County Manager

responded.

Vincent Lehotsky, Rahway, thanked the Board for honoring his wife with a resolution. He also commented on other meetings he attends in the County and on magazines he will be writing for such as Weird NJ. He thanked the Board again for their recognition.

Bruce Patterson, Garwood, commented on an article in the Star Ledger recently regarding persons who serve in public office in various municipalities and also work for the County. He also commented in opposition to raises in County taxes.

PUBLIC COMMENT PORTION CONCLUDED

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REPORTS: STANDING & SPECIAL COMMITTEES

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The Chairman Pro-Tem called for a motion to enter into the Executive Session. On a motion by Freeholder Scanlon seconded by Freeholder Sullivan roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

EXECUTIVE SESSION

* * * * * The Chairman Pro-Tem called for a motion to re-enter the Regular Meeting. On a motion by Freeholder Holmes, seconded by Freeholder Scanlon, roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

County Counsel stated that Resolution 610-2005 passed on 5/26/05 must be amended and read a new version of this resolution into the record as follows:

WHEREAS, the Board of Chosen Freeholders of the County of Union adopted Resolution No. 610-2005 dated May 26, 2005 awarding vendors who were identified as the lowest responsible bidders in public bids for the procurement of goods and/or services for the County of Union; and

WHEREAS, in accordance with Resolution No. 610-2005, BA Number 17-2005, the Board of Chosen Freeholders approved the award of a contract to Cobra Construction Company, Inc. of North Arlington, New Jersey, in the amount of \$6,325,000.00 for the First Floor Renovation and Security System Upgrade at the Oriscello Correctional Facility (“Project”); and

WHEREAS, based upon further review of the specifications and plans for the Project it is the position of the Board of Chosen Freeholders that significant revisions are necessary to adequately address

the needs of the facility and the work to be performed on this Project; and

WHEREAS, this Board wishes to amend Resolution No. 610-2005 by deleting and thereby rescinding the award of a contract to Cobra Construction Company, Inc.:

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Union that it hereby amends Resolution No. 610-2005 adopted May 26, 2005, by deleting the award of a contract to Cobra Construction Company, Inc.

The Chairman Pro-Tem called for a motion to suspend the rules. On a motion by Freeholder Scanlon, seconded by Freeholder Holmes, roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

The Chairman Pro-Tem called for a motion to approve resolution 817-2005. On a motion by Freeholder Sullivan, seconded by Freeholder Holmes, roll call showed five members of the Board voted in the affirmative, with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

817-2005 CHAIRMAN PROCTOR, amending **Resolution No. 610-2005 (BA #22-2005)** to the contract with **Cobra Construction Company, Inc., North Arlington, New Jersey**, by deleting and thereby rescinding the award of a contract to **Cobra Construction Company, Inc.**


The Chairman Pro-Tem called for a motion to adjourn the meeting. On a motion by Freeholder Sullivan seconded by Freeholder Holmes roll call showed five members of the Board voted in the affirmative with Chairman Proctor, Vice Chairman Mirabella, Freeholder Kowalski and Freeholder Ward absent.

The voucher list through **July 20, 2005** will be available for public perusal in the Office of the Clerk of the Board.

The next **Regular Meeting** of the Union County Board of Chosen Freeholders will be held on **August 18, 2005 at 7:00 P.M.** in the Freeholders Meeting Room, Administration Building, 6th Floor, Elizabeth, New Jersey.

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ADJOURNMENT



Nicole L. Tedeschi
Clerk of the Board

NLT/amc