



# UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

**JANUARY 4, 2009**

## **MINUTES OF THE INSTALLATION AND REORGANIZATION MEETING OF THE UNION COUNTY BOARD OF CHOSEN FREEHOLDERS**

The Honorable Walter R. Barisonek, Assignment Judge, Superior Court of the County of Union, called the meeting to order, made welcoming comments and stated that he will be retiring after five years of being an Assignment Judge. He appreciates the opportunity to preside over the Reorganization meetings. He said that the Freeholders have been wonderful to the judiciaries and the citizens of Union County. He thanked them publicly for their support and then introduced the Mistress of Ceremonies, Charlotte DeFilippo, Chairman of the Democratic Committee of Union County.

Chairman DeFilippo stated that Judge Barisonek has shown no party affiliation, only the truth of the law and what he believed in. She stated that his retirement will be a loss to Union County. She wished him the best in the future and good health and happiness.

Chairman DeFilippo introduced Reverend Donald K. Hummel, St. Agnes Church, Clark, who led the Invocation.

The Presentation of the Colors was performed by the Union County Sheriff's Honor Guard that was led by The Honorable Ralph G. Froehlich, Sheriff of the County of Union. Union County Surrogate James LaCorte led the Pledge of Allegiance.

Marie Oakie led the singing of our National Anthem, the Star Spangled Banner.

Union County Sheriff G. Froehlich asked the Honor Guard to Post the Colors.

Chairman DeFilippo stated that she is honored to be Mistress of Ceremonies and that she usually begins her message with a joke. However, this year is not a good year for jokes due to the economic times, loss of jobs, problems with healthcare and war. She stated that many years ago she worked hard on a campaign when war was on everyone's mind, like it is today. She read an excerpt from a speech stating that the words are as timely now as they were then written by Senator George McGovern on September 1, 1970. Chairman DeFilippo stated that he was right then regarding the Vietnam War and President-Elect Barack Obama is right now pertaining to the Iraq War.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

### HONORED GUESTS

The Honorable Frank Pallone, 6<sup>th</sup> Congressional District  
The Honorable Leonard Lance, 7<sup>th</sup> Congressional District, Congressman-Elect  
The Honorable Donald Payne, 10<sup>th</sup> Congressional District  
The Honorable Raymond J. Lesniak, NJ Senator, 20<sup>th</sup> District  
The Honorable Annette Quijano, NJ Assemblywoman, 20<sup>th</sup> District  
The Honorable Joseph Cryan, NJ Assemblyman, 20<sup>th</sup> District  
The Honorable Nicholas P. Scutari, NJ Senator, 22<sup>nd</sup> District  
The Honorable Jerry Green, NJ Assemblyman, 22<sup>nd</sup> District  
The Honorable Linda Stender, NJ Assemblywoman, 22<sup>nd</sup> District  
The Honorable Teresa Ruiz, NJ Senator, 29<sup>th</sup> District  
The Honorable Albert Coutinho, Assemblyman, 29<sup>th</sup> District  
The Honorable Joanne Rajoppi, Union County Clerk  
The Honorable Ralph Froehlich, Union County Sheriff  
The Honorable James LaCorte, Union County Surrogate  
The Honorable J. Christian Bollwage, Mayor of the City of Elizabeth  
The Honorable James Kennedy, Mayor of the City of Rahway  
The Honorable June Fischer, Democratic National Committeewoman

Chairman DeFilippo introduced The Honorable Frank Pallone from the 6<sup>th</sup> Congressional District. Congressman Pallone stated that it was an honor for him to be in attendance and stated that there will be a lot of challenges on a national level in 2009. He stated that President-Elect Obama will certainly be challenged. He commented about the Economic Stimulus Package that is being worked on this week and stated that hopefully it will help stimulate the economy and Union County with infrastructures, roads and hospitals. He stated that President-Elect Obama has the ability to make changes and said that he is confident that the Democratic Party will make a difference by this time next year.

Chairman DeFilippo introduced The Honorable Donald Payne from the 10<sup>th</sup> Congressional District. Congressman Payne stated it is always a pleasure to attend the Reorganization Meetings. He made recognition to the Honorable Judges, The Honorable Frank Pallone and welcomed the new Congressman-Elect, Leonard Lance of the 7<sup>th</sup> Congressional District and the remaining elected officials. He acknowledged the challenging times ahead and stated that everyone must work together.

Chairman DeFilippo introduced The Honorable Leonard Lance of the 7<sup>th</sup> Congressman-Elect from the 7<sup>th</sup> District. Congressman-Elect Lance stated that he was honored to be part of the Reorganization of the Union County government. He mentioned the municipalities that will work alongside his colleagues on behalf of the interest of the residents. He also made comments pertaining to the men and women who have lost their lives for us and for the firefighter, Gary Stephens, who recently lost his life in the line of duty in Elizabeth. He urged everyone to remember those who serve Union County and those who are serving from abroad. Congressman-Elect Lance stated that he pays tribute particularly to Assemblywomen Linda Stender and said how difficult it is to campaign and he extends his hand to her and everyone else who has campaigned.



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Chairman DeFilippo introduced the Honored Guests and stated that The Honorable Joseph Cryan, Assemblyman of the 20<sup>th</sup> District, apologized for not being able to remain for the duration of the meeting.

Chairman DeFilippo stated that she inadvertently forgot to acknowledge The Honorable Roberto Alcazar and she also introduced County Manager George W. Devanney and Deputy County Manager M. Elizabeth Genievich.

The Certifications of Election of Angel G. Estrada, Rick Proctor and Nancy Ward to the Office of Freeholder of the County of Union for a three year term were read by Joanne Rajoppi, Union County Clerk and stated that they received the highest number of votes at the general election of November 4, 2008.

Chairman DeFillipo stated that the Union County Board of Chosen Freeholders are doing an extraordinarily grand job during these extraordinarily hard times and asked for a round of applause for the well deserved Freeholders.

### ADMINISTRATION OF THE OATH OF OFFICE TO FREEHOLDER ANGEL G. ESTRADA

The Honorable Roberto Alcazar administered the Oath of Office to Freeholder Angel G. Estrada.

Holding the Bible for Freeholder Estrada were his wife, Teresa and his children, Jorge, Daniel, and Liliana, son in law, Chris and grandson, Keith.

### ADMINISTRATION OF THE OATH OF OFFICE TO FREEHOLDER RICK PROCTOR

Chairman DeFillipo announced and congratulated Freeholder Proctor on his recent engagement to Denise Santiago.

The Honorable Walter R. Barisonek administered the Oath of Office for Freeholder Rick Proctor.

Holding the Bible for Freeholder Proctor were his fiancée, Denise Santiago, daughter and son-in-law, Kimberley and Dan Manning, and his daughter Kathryn Proctor and her fiancée, Justin Fusom.

### ADMINISTRATION OF THE OATH OF OFFICE TO FREEHOLDER NANCY WARD

The Honorable Walter R. Barisonek administered the Oath of Office for Freeholder Nancy Ward.

Holding the Bible for Freeholder Ward were her daughter, Josielee, and her sister, Josie. They were also joined by Freeholder Ward's family.

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## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

Mistress of Ceremonies Charlotte DeFilippo turned the meeting over to Nicole L. DiRado, Clerk of the Board of Chosen Freeholders. Roll call showed nine members of the Board were present.

The Open Public Meetings Act compliance statement was read by the Clerk of the Board.

### ELECTION OF A CHAIRMAN FOR THE UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

The first order of business was the election of a Chairman Pro-Temp. The Clerk called for nominations of a Chairman Pro-Temp to conduct the election of a Chairman.

Freeholder Scanlon nominated Freeholder Holmes for Chairman Pro-Temp. The motion was seconded by Freeholder Proctor. Roll call showed nine members of the Board voted in the affirmative.

Chairman Pro-Temp Holmes thanked the Board for the nomination and gave his best wishes to Judge Barisonek on his retirement and stated that he was saddened by the news. He thanked all the elected officials for their support.

Chairman Pro-Temp Holmes called for nominations for Chairman of the Board of Chosen Freeholders of Union County for the year 2009. Freeholder Proctor nominated Freeholder Mirabella for Chairman of the Board. The motion was seconded by Freeholder Scanlon. Roll call showed nine members of the Board voted in the affirmative.

The Honorable Raymond J. Lesniak wished Judge Barisonek well on his upcoming retirement.

The Honorable Raymond J. Lesniak administered the Oath of Office to the newly elected Chairman, Alexander Mirabella, who then assumed the seat as Chairman of the Union County Board of Chosen Freeholders for the year 2009.

Holding the Bible for Vice Chairman Mirabella were his wife, Phyllis, and their children Alex and Micayla.

### ELECTION OF A VICE CHAIRMAN FOR THE UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

The next order of business is the election of a Vice Chairman for the Board of Chosen Freeholders for the year 2009. Chairman Mirabella called for nominations for the office of Vice Chairman of the Board of Chosen Freeholders. Freeholder Angel G. Estrada nominated Freeholder Daniel P. Sullivan to Vice Chairman. The motion was seconded by Freeholder Ward. Roll call showed nine members of the Board voted in the affirmative.

The Honorable J. Christian Bollwage administered the Oath of Office to Vice Chairman Daniel P. Sullivan. Holding the Bible for Vice Chairman Sullivan was Clerk of the Board Nicole L. DiRado.



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## ANNUAL MESSAGE

Chairman Alexander Mirabella delivered the Chairman's Annual Message. First, he thanked his loving family for their support.

Chairman Mirabella announced four initiatives for 2009: "Union County Works," "Go Green II," the Union County Foreclosure Task Force, and mobile meetings.

Chairman Mirabella's primary initiative is "Union County Works," a set of six programs to assist the unemployed, retain jobs, and spark job development.

"It takes a comprehensive approach in order to turn things around, and keep Union County strong," Mirabella said. "As elected leaders, we are called upon to take swift and bold action in helping our residents set a course for positive change. Active, smart government starts to play a role now."

Chairman Mirabella's four Freeholder initiatives for 2009 are:

### **1.) UNION COUNTY WORKS, a six-point program aims to:**

- Provide more locations throughout the County for workers looking for information on unemployment benefits and job opportunities, including a mobile facility designed to do so.
- Expand County work in training and upgrading the skills of those who already have a job, to increase the likelihood of keeping the job. Expand use of training funds for these incumbent workers. Apply for State funds for this purpose and provide training through Union County College.
- Work with Union County College, Kean University and the Vocational Technical Schools to expand adult education and basic skills for all residents so they are better prepared for new opportunities.
- Concentrate efforts in the strong sectors of our economy. Work to identify new opportunities in the transportation and distribution, as well as healthcare fields. This year brings an exploration of "green collar" or environmentally-friendly jobs in areas such as recycling, construction, and energy retrofits.
- Make infrastructure investments and apply for funding through President-elect Obama's transportation stimulus package. The County will re-work an existing committee (the Comprehensive Economic Development Strategy committee) with all municipalities and the County as a whole to prepare applications for infrastructure stimulus monies as soon as possible.
- Create a new *Workforce and Economic Leadership Team* to help refine and expand the above proposals through the Workforce Investment Board and economic development. The team will include representatives from government and service



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organizations, Union County business leaders, and key officials from neighboring counties.

### **2.) GO GREEN (phase) II**

- Work with educational institutions such as Kean, Union County College and Union County Vocational Technical Schools to help promote and develop “Green Collar” job training.
- Develop green components for the annual College for Teens program at Union County College. Introduce these students to conservation programs, careers in green technology, energy audits and more.
- The Vo-Tech School and County College will begin a new teacher training program to prepare children and adults for careers in the emerging green industry.
- Work on a number of measures aimed at efficiency and the development of alternative energy sources for our County buildings, including direct digital control systems that provide temperature resets, and programmable thermostats. Explore solar and geothermal applications.
- Begin a pilot program to use biofuels in heavy duty County vehicles to reduce harmful emissions. Any other vehicles for consideration by the County must be Hybrid, Flex-Fuel or Biodiesel compatible, meeting all CAFE fuel mandates
- Continue to apply LEED green standards to the County’s construction and renovation projects as last year. LEED means Leadership in Energy and Environmental Design. The County is currently building the Venneri building in Westfield in order to meet the LEED standard. The County has made a commitment to build future facilities in line with these standards.
- This month will also witness the distribution of grants to schools to promote unique ways of recycling.
- Re-offer the Greening Union County grant program through the Open Space division, which has planted more than a thousand trees across the County.

### **3.) FORECLOSURE TASK FORCE**

- The task force will work to prevent foreclosures and help Union County residents achieve the best possible housing and credit outcomes. The task force is formed of community leaders, counseling organizations and municipal administrators. It already held its first meeting, and will expand to include bank representatives.
- As one of its main goals, the task force will position the County to apply for funding available through President Obama’s \$10 billion “Foreclosure prevention fund” stimulus program.



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### 4.) MOBILE MEETINGS

- Some residents have difficulty coming to our meetings so the Freeholder Board will come to them, at the local town hall or nearest public facility with the proper space. This time, meetings will be held in several western and central portions of the County.

In addition to the new initiatives, Chairman Mirabella announced improvements recently completed in the parks system, including the restoration of the lake at Cedar Brook Park in Plainfield, the restoration of Upper Echo Lake in Mountainside, and the rehabilitation of the shoreline of the pond and stream at Warinanco Park in Elizabeth. Plans for improvements at the popular Dog Park in Mountainside will be finalized this year, and Mirabella also announced the construction of a driving range at the Galloping Hill golf facility in Union by the end of the fall.

“We have gotten a good jump on some projects, but we must continue to press forward as a team,” Mirabella said. “We need to move fast and we need to move quickly on creating jobs, participating in the green economy, and assisting homeowners. The mission of change cannot be undertaken alone. We are an army of many, but we are one team, striving toward a common goal to succeed.”

### PRESENTATIONS BY MEMBERS OF THE PUBLIC

A gift presentation to Freeholders Angel G. Estrada, Rick Proctor and Nancy Ward was made by Ryan Kuber, Executive Director of the Union County Democratic Committee.

Union County Clerk Joanne Rajoppi, former President of the Union County Women’s Political Caucus and Michele Bitritto made a gift presentation to Freeholder Nancy Ward on behalf of the Union County Women’s Political Caucus.

Union County Clerk Joanne Rajoppi and Union County Sheriff Ralph G. Froehlich made a presentation to Chairman Alexander Mirabella and Vice Chairman Daniel P. Sullivan on behalf of the Constitutional Officers’ Association of New Jersey. They were each presented with a silk tie having the seals of the 21 counties of New Jersey.

The Honorable William H. Malone presented a gift to Freeholder Angel G. Estrada on behalf of the County of Union and the City of Elizabeth.

The Honorable James Kennedy made a presentation to Freeholder Rick Proctor and thanked the Freeholder Board and County Manager Devanney for the support given to the City of Rahway.

The Honorable Christopher Hudak made a presentation to Freeholder Nancy Ward and wished her luck in her term of office.



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## BENEDICTION

Pastor Kelmo C. Porter, St. John's Church, Scotch Plains led the Benediction.

## RECESS

There was a five minute recess.

### REGULAR MEETING OF THE UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

**JANUARY 4, 2009**

Chairman Alexander Mirabella called to order the business portion of the Reorganization meeting of the Board of Chosen Freeholders. Roll call showed Vice Chairman Daniel P. Sullivan, Freeholder Chester Holmes, Freeholder Bette Jane Kowalski, Freeholder Rick Proctor, Freeholder Daniel P. Sullivan, Freeholder Rayland Van Blake and Freeholder Nancy Ward present.

Also present were County Counsel Robert E. Barry, Esq., County Manager George W. Devanney and Clerk of the Board Nicole L. DiRado.

The Prayer and Salute to the Flag were led by the Clerk of the Board.

The statement of compliance with the Open Public meetings Act was read by the Clerk of the Board.

## ORDINANCES FOR FIRST READING

**Ordinance Number 677-2009.** (The title of the Ordinance was read by the Clerk of the Board.)

**(OAKWOOD PLAZA – ELIZABETH) IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$20,000,000 FOR THE ISSUANCE BY THE UNION COUNTY IMPROVEMENT AUTHORITY OF ITS MORTGAGE REVENUE BONDS, SERIES 2009 AFFORDABLE RESIDENTIAL DEVELOPMENT ORDINANCE PROVIDING THE CONSENT OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION TO THE KNOWN AS OAKWOOD PLAZA (“THE PROJECT”).**

**WHEREAS**, the Union County Improvement Authority (the “Authority”) has been duly created by an ordinance of the Board of Chosen Freeholders (the “Board of Chosen Freeholders”) of the County of Union, New Jersey (the “County”), 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, as amended and supplemented from time to time (the “Act”); and

**WHEREAS**, the Authority has been requested by the purchaser, Community Investment Services to provide financing for the acquisition and renovation of an affordable residential development located at



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380 Irvington Avenue, City of Elizabeth, Union County, New Jersey, Block 11, Lots 45 and 1199A, known as Oakwood Plaza (the "Project"); and

**WHEREAS**, the Project is expected to provide dwelling accommodations for occupancy by persons and families of low and moderate income; and

**WHEREAS**, the Authority is desirous of assisting in the financing of the Project, to the extent permitted by law, if such assistance will assure the continued availability of dwelling accommodations for occupancy by persons and families of low and moderate income; and

**WHEREAS**, the Authority expects to obtain funds to assist the financing of the Project through the issuance of its bonds in an amount not to exceed \$20,000,000 (the "Bonds") issued pursuant to a Bond Resolution to be adopted by the Authority entitled "**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF COUNTY GUARANTEED MORTGAGE REVENUE BONDS, SERIES 2009 (OAKWOOD PLAZA-ELIZABETH) (TAXABLE) OF THE UNION COUNTY IMPROVEMENT AUTHORITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000 IN CONNECTION WITH THE AUTHORITY'S FINANCING OF A LOW AND MODERATE INCOME HOUSING PROJECT IN THE CITY OF ELIZABETH, COUNTY OF UNION AND AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND RELATED INSTRUMENTS ANNEXED THERETO, A TRUST INDENTURE AND RELATED INSTRUMENTS ANNEXED THERETO, A PURCHASE AGREEMENT AND RELATED INSTRUMENTS ANNEXED THERETO, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**" (the "Bond Resolution") ; and

**WHEREAS**, in accordance with Section 13 ("Section 13") of the Act (N.J.S.A. 40:37A-56), prior to the issuance of the Bonds, the Authority shall make a detailed report with respect to such financing to the Board of Chosen Freeholders of the County, which report shall include copies or a description of, without limitation, the various financing documents; and

**WHEREAS**, in accordance with N.J.S.A 40A:5A-6 and N.J.S.A. 40:37A-80 the Authority shall make application, on behalf of the Authority, the County, and the City of Elizabeth (the "City") to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the "Local Finance Board") for the Local Finance Board's review of the financing, including, *inter alia*, the Bond Resolution, the County Guaranty Agreement, the County Guaranty, the City Deficiency Agreement, and Continuing Disclosure Agreements (the "Financing Documents"); and

**WHEREAS**, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the County Guaranty, the County shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the County without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds; and

**WHEREAS**, in order to induce the prospective purchasers of the Bonds to purchase same, the Bonds shall otherwise be secured by a guarantee ordinance adopted by the County unconditionally and



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irrevocably guaranteeing a portion of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds, all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80); and

**WHEREAS**, the Authority believes: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the County and the City; (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 the City and will not create an undue financial burden to be placed upon the Authority, the City or the County.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION, NEW JERSEY** as follows:

**Section 1.** In accordance with Section 13 and all other applicable law, the Board of Freeholders hereby consents to (i) the Project and the financing of same, (ii) the execution and delivery by the Authority of the Bond Resolution, the Bond Documents, the Oakwood Project County Guaranty Agreement, Continuing Disclosure Agreements, and such other documents as necessary and reasonable for the transaction (the "Financing Documents"), which documents shall be filed with the Clerk of the Board prior to the issuance of any Bonds, (iii) the adoption by the Authority of the Bond Resolution, and (iv) the issuance, sale and delivery of the Bonds to effect such purpose. The consent hereto given to the Financing Documents contemplates the insertion of the final financing terms.

**Section 2.** This ordinance shall take effect at the time and in the manner provided by law.

**Section 3.** Upon the adoption hereof, the Clerk of the Board of Chosen Freeholders shall forward certified copies of this ordinance to the County Manager, County Counsel, County Bond Counsel, the Executive Director of the Authority, and the Law Office of John G. Hudak, Esq., LLC, Bond Counsel to the Authority.

Chairman Mirabella moved Ordinance Number 677-2009 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. The public hearing and final reading is scheduled for Wednesday, January 28, 2009. Freeholder Estrada seconded the motion. Roll call showed nine members of the Board voted in the affirmative.

**ORDINANCE NUMBER 678-2009.** (The title of the Ordinance was read by the Clerk of the Board.)

**GUARANTY ORDINANCE OF THE COUNTY OF UNION, NEW JERSEY REGARDING THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON CERTAIN MORTGAGE REVENUE BONDS, SERIES 2009 (OAKWOOD PLAZA – ELIZABETH) OF THE UNION COUNTY IMPROVEMENT AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$20,000,000 FOR THE PURPOSE OF PROVIDING ADDITIONAL SECURITY IN CONNECTION WITH THE AUTHORITY'S PROJECT.**

**WHEREAS**, the Union County Improvement Authority (the "Authority") has been duly created by an ordinance of the Board of Chosen Freeholders (the "Board of Chosen Freeholders") of the County of



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Union, New Jersey (the “County”), 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, as amended and supplemented from time to time (the “Act”); and

**WHEREAS**, the Authority has been requested by the purchaser, Community Investment Services to provide financing for the acquisition and renovation of an affordable residential development located at 380 Irvington Avenue, City of Elizabeth, Union County, New Jersey, Block 11, Lots 45 and 1199A, known as Oakwood Plaza (the “Project”); and

**WHEREAS**, the Project is expected to provide dwelling accommodations for occupancy by persons and families of low and moderate income; and

**WHEREAS**, the Authority is desirous of assisting in the financing of the Project, to the extent permitted by law, if such assistance will assure the continued availability of dwelling accommodations for occupancy by persons and families of low and moderate income; and

**WHEREAS**, the Authority expects to obtain funds to assist the financing of the Project through the issuance of its bonds in an amount not to exceed \$20,000,000 (the “Bonds”) issued pursuant to a Bond Resolution to be adopted by the Authority entitled **“RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF COUNTY GUARANTEED MORTGAGE REVENUE BONDS, SERIES 2009 (OAKWOOD PLAZA-ELIZABETH) (TAXABLE) OF THE UNION COUNTY IMPROVEMENT AUTHORITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000 IN CONNECTION WITH THE AUTHORITY’S FINANCING OF A LOW AND MODERATE INCOME HOUSING PROJECT IN THE CITY OF ELIZABETH, COUNTY OF UNION AND AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND RELATED INSTRUMENTS ANNEXED THERETO, A TRUST INDENTURE AND RELATED INSTRUMENTS ANNEXED THERETO, A PURCHASE AGREEMENT AND RELATED INSTRUMENTS ANNEXED THERETO, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH”** (the “Bond Resolution”) ; and

**WHEREAS**, in accordance with Section 13 (“Section 13”) of the Act (N.J.S.A. 40:37A-56), prior to the issuance of the Bonds, the Authority shall make a detailed report with respect to such financing to the Board of Chosen Freeholders of the County, which report shall include copies or a description of, without limitation, the various financing documents; and

**WHEREAS**, in accordance with N.J.S.A 40A:5A-6 and N.J.S.A. 40:37A-80 the Authority shall make application, on behalf of the Authority, the County, and the City of Elizabeth (the “City”) to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the “Local Finance Board”) for the Local Finance Board’s review of the financing, including, *inter alia*, the Bond Resolution, the County Guaranty Agreement, the County Guaranty, the City Deficiency Agreement, and Continuing Disclosure Agreements (the “Financing Documents”); and



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**WHEREAS**, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the County Guaranty, the County shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the County without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds; and

**WHEREAS**, in order to induce the prospective purchasers of the Bonds to purchase same, the Bonds shall otherwise be secured by this guaranty ordinance adopted by the County unconditionally and irrevocably guaranteeing a portion of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds, all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80); and

**WHEREAS**, the Authority believes: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the County and the City; (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 the City and will not create an undue financial burden to be placed upon the Authority, the City or the County.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION, NEW JERSEY** (not less than two-thirds of the full membership thereof affirmatively concurring) as follows:

Section 1. This guaranty ordinance shall be adopted by the governing body of the County in the manner provided for adoption of a bond ordinance as provided in the Local Bond Law, constituting Chapter 169 of the Pamphlet Laws of 1960 of the State, as amended (the "Local Bond Law"), codified as N.J.S.A. 40A:2-1, et seq.

Section 2. Pursuant to and in accordance with the terms of the Act, specifically Section 37 of the Act (N.J.S.A. 40:37A-80), the County is hereby authorized to and hereby shall unconditionally and irrevocably guarantee the punctual payment of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds in an aggregate principal amount not exceeding \$20,000,000, which Bonds are to be issued to finance the Project as described in the preamble hereof, on such terms and conditions as may be agreed to by and between the County and the Authority. Upon the endorsement of the Bonds referred to in Section 3 below, the County shall be unconditionally and irrevocably obligated to pay the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds, when due, in the same manner and to the same extent as in the case of bonds issued by the County and, accordingly, the County shall be unconditionally and irrevocably obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment thereof without limitation as to rate or amount when required under the provisions of applicable law.

Section 3. The Chairman of the Board of Chosen Freeholders, the County Manager, the Finance Director of the County, or the County Treasurer (each an "Authorized Officer") shall, by manual or facsimile signature, execute an endorsement on each of the Bond evidencing this guaranty by the County as to the punctual payment of the principal of (including mandatory sinking fund installments, if any) and interest thereon. The endorsement on each Bonds shall be



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in substantially the following form, and absent the fully executed endorsement in such following form on any such Bond, such Bond shall not be entitled to the benefits of this guaranty ordinance:

### **GUARANTY OF THE COUNTY OF UNION.**

The payment of the principal of (including mandatory sinking fund installments, if any) and interest on the within Bond is hereby fully, unconditionally and irrevocably guaranteed by the County of Union, New Jersey (the "County"), and the County shall be unconditionally and irrevocably obligated to pay the principal of (including mandatory sinking fund installments, if any) and interest on this Bond, when due, in the same manner and to the same extent as in the case of bonds issued by the County and, accordingly, the County shall be unconditionally and irrevocably obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment hereof without limitation as to rate or amount when required under the provisions of applicable law.

**IN WITNESS WHEREOF**, the County has caused this Guaranty to be executed by the manual or facsimile signature of an Authorized Officer.

Section 4. The Authorized Officers are each hereby authorized to enter into, execute and deliver in the name of the County and on its behalf, a guaranty agreement or similar instrument (the "Guaranty Agreement") setting forth such matters with respect to the guaranty authorized by this guaranty ordinance as the County or the Authorized Officer (after consultation with counsel to the County) deems appropriate, and the Clerk of the Board of Chosen Freeholders is hereby authorized, if necessary, to attest to the signature of the Authorized Officer and to affix the seal of the County to the Guaranty Agreement.

Section 5. It is hereby found, determined and declared that:

(a) This guaranty ordinance may be adopted notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to the Local Bond Law, but the aggregate principal amount of the Bonds which shall be entitled to the benefits of this guaranty ordinance, being an amount not to exceed \$20,000,000, shall, after their issuance, be included in the gross debt of the County for the purpose of determining the indebtedness of the County under or pursuant to the Local Bond Law.

(b) The principal amount of the Bonds entitled to the benefits of this guaranty ordinance and included in the gross debt of the County shall be deducted and is hereby declared to be and to constitute a deduction from such gross debt under and for all the purposes of the Local Bond Law (i) from and after the time of issuance of the Bonds until the end of the fiscal year beginning next after the completion of the Project, and (ii) in any annual debt statement filed pursuant to the Local Bond Law as of the end of said fiscal year or any subsequent fiscal year if the revenues or other receipts or moneys of the



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

Authority in such year are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account of the principal of (including mandatory sinking fund installments, if any) and interest on all such guaranteed Bonds, all bonds of the County issued as provided in Section 36 of the Act (N.J.S.A. 40:37A-79) and all bonds of the Authority issued under the Act.\

Section 6. The following matters are hereby determined, declared, recited and stated:

(a) The maximum principal amount of Bonds which are hereby and hereunder guaranteed as to the punctual payment of the principal thereof (including mandatory sinking fund installments, if any) and interest thereon is and the maximum estimated cost of the Project to be financed in accordance with the transaction contemplated hereby is \$20,000,000.

(b) The purpose described in this guaranty ordinance is not a current expense of the County and no part of the cost thereof has been or shall be assessed on property specially benefitted thereby.

(c) A supplemental debt statement of the County has been duly made and filed in the office of the Board of Chosen Freeholders and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State, and such debt statement shows that while the gross debt of the County, as defined in the Local Bond Law, is increased by this guaranty ordinance by \$20,000,000 in accordance with the provisions of the Act, the net debt of the County is not increased, and the obligation of the County authorized by or incurred pursuant to the terms of this guaranty ordinance will, be within all debt limitations prescribed by the Local Bond Law.

(d) All other items to be contained in a bond ordinance adopted pursuant to the Local Bond Law are hereby determined to be inapplicable to the County's guaranty of the Bonds hereby.

Section 7. The Authorized Officers are hereby further authorized to execute such other certificates or agreements relating to this guaranty ordinance that may be required by the Authority to comply with the terms of the financing documents relating to the Bonds, including, without limitation, (i) any agreements or certificates detailing the time and method that payment under this guaranty ordinance shall be made by the County, (ii) any letters of representations or similar undertakings to be executed in connection with the sale of the Bonds, setting forth certain representations, warranties and covenants of the County as an inducement to the purchaser of the Bonds, (iii) any certificates deeming "final" (for the purposes of Rule 15c2-12 of the United States Securities and Exchange Commission) any preliminary or final Official Statements of the Authority relating to the Bonds, (iv) any continuing disclosure agreement or other instrument undertaking the secondary market disclosure obligations of the County



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

required by said Rule 15c2-12. Such further agreements, instruments or certificates shall not abrogate the County's responsibilities hereunder.

Section 8. The Authorized Officers are hereby further authorized to (i) manually execute and deliver and the Clerk of the Board of Chosen Freeholders is hereby further authorized to attest by manual signature to such execution and to affix, imprint, engrave or reproduce the corporate seal of the County to any agreement (including any agreement providing for the replenishment by the County of the bond reserve fund relating to the Bonds or any deficiency agreement, support agreement or other agreement providing for the payment by the County of any shortfall of revenues necessary to pay debt service on the Bonds), document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers, in their respective sole discretion, after consultation with counsel to the County, to be executed in connection with the execution and delivery of this guaranty ordinance and the consummation of the transactions contemplated hereby, which determination shall be conclusively evidenced by the execution of each such agreement, document, instrument or closing certificate by the party authorized under this guaranty ordinance to execute such agreement, document, instrument or closing certificate and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 9. The provisions of this guaranty ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this guaranty ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 10. All capitalized words and terms used but not defined in this guaranty ordinance shall have the meanings ascribed to such words and terms, respectively, in the preambles hereto.

Section 11. This guaranty ordinance shall take effect at the time and in the manner provided by law.

Section 12. Upon the adoption hereof, the Clerk of the Board of Chosen Freeholders shall forward certified copies of this ordinance to the County Manager, County Counsel, County Bond Counsel, the Executive Director of the Authority, and the Law Office of John G. Hudak, Esq., LLC, Bond Counsel to the Authority.

Chairman Mirabella moved Ordinance Number 678-2009 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. The public hearing and final reading is scheduled for Wednesday, January 28, 2009. Vice Chairman Sullivan seconded the motion. Roll call showed nine members of the Board voted in the affirmative.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

**ORDINANCE NUMBER 679-2009. (The title of the Ordinance was read by the Clerk of the Board.)**

**ORDINANCE AUTHORIZING THE EXECUTION AND ACKNOWLEDGMENT AND DELIVERY BY THE COUNTY OF UNION OF CERTAIN AGREEMENTS IN RELATION TO CERTAIN MORTGAGE REVENUE BONDS, SERIES 2009 (OAKWOOD PLAZA – ELIZABETH) OF THE UNION COUNTY IMPROVEMENT AUTHORITY.**

**WHEREAS**, the Union County Improvement Authority (the “Authority”) has been duly created by an ordinance of the Board of Chosen Freeholders (the “Board of Chosen Freeholders”) of the County of Union, New Jersey (the “County”), 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, as amended and supplemented from time to time (the “Act”); and

**WHEREAS**, the Authority has been requested by the purchaser, Community Investment Services to provide financing for the acquisition and renovation of an affordable residential development located at 380 Irvington Avenue, City of Elizabeth, Union County, New Jersey, Block 11, Lots 45 and 1199A, known as Oakwood Plaza (the “Project”); and

**WHEREAS**, the Project is expected to provide dwelling accommodations for occupancy by persons and families of low and moderate income; and

**WHEREAS**, the Authority is desirous of assisting in the financing of the Project, to the extent permitted by law, if such assistance will assure the continued availability of dwelling accommodations for occupancy by persons and families of low and moderate income; and

**WHEREAS**, the Authority expects to obtain funds to assist the financing of the Project through the issuance of its bonds in an amount not to exceed \$20,000,000 (the “Bonds”) issued pursuant to a Bond Resolution to be adopted by the Authority entitled “**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF COUNTY GUARANTEED MORTGAGE REVENUE BONDS, SERIES 2009 (OAKWOOD PLAZA-ELIZABETH) (TAXABLE) OF THE UNION COUNTY IMPROVEMENT AUTHORITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000 IN CONNECTION WITH THE AUTHORITY’S FINANCING OF A LOW AND MODERATE INCOME HOUSING PROJECT IN THE CITY OF ELIZABETH, COUNTY OF UNION AND AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND RELATED INSTRUMENTS ANNEXED THERETO, A TRUST INDENTURE AND RELATED INSTRUMENTS ANNEXED THERETO, A PURCHASE AGREEMENT AND RELATED INSTRUMENTS ANNEXED THERETO, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**” (the “Bond Resolution”) ; and

**WHEREAS**, in accordance with Section 13 (“Section 13”) of the Act (N.J.S.A. 40:37A-56), prior to the issuance of the Bonds, the Authority shall make a detailed report with respect to such financing to the



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

Board of Chosen Freeholders of the County, which report shall include copies or a description of, without limitation, the various financing documents; and

**WHEREAS**, in accordance with N.J.S.A. 40A:5A-6 and N.J.S.A. 40:37A-80 the Authority shall make application, on behalf of the Authority, the County, and the City of Elizabeth (the "City") to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the "Local Finance Board") for the Local Finance Board's review of the financing, including, *inter alia*, the Bond Resolution, the County Guaranty Agreement, the County Guaranty, the City Deficiency Agreement, and Continuing Disclosure Agreements (the "Financing Documents"); and

**WHEREAS**, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the County Guaranty, the County shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the County without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds; and

**WHEREAS**, in order to induce the prospective purchasers of the Bonds to purchase same, the Bonds shall otherwise be secured by the guarantee ordinance adopted by the County unconditionally and irrevocably guaranteeing a portion of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds, all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80); and

**WHEREAS**, the Authority believes: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the County and the City; (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 the City and will not create an undue financial burden to be placed upon the Authority, the City or the County.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION, NEW JERSEY , as follows:**

Section 1. The County Manager and the Chief Financial Officer of the County (collectively, the "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.

Section 2. The Clerk of the Board of Chosen Freeholders is hereby authorized and directed, upon the execution or acknowledgment of the Financing Documents in accordance with the terms of Section 1 hereof, to attest to the Authorized Officer's execution or acknowledgment of such documents and is hereby further authorized and directed to thereupon affix the seal of the County to such documents.

Section 3. Upon the execution or acknowledgment and attestation of and if required, the placing of the seal on the Financing Documents as contemplated by Sections 1 and 2 hereof, the Authorized Officer is hereby authorized and directed to (i) deliver the fully executed or



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

acknowledged, attested and sealed documents to the other parties thereto and (ii) perform such other actions as the Authorized Officer deems necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 4. The Board of Chosen Freeholders of the County of Union hereby authorize the performance of any act, the execution or acknowledgment and delivery of any other document, instrument or closing certificates, which the Authorized Officer, deems necessary, desirable or convenient in connection with this contemplated transaction, and the Board hereby directs the Authorized Officer to execute or acknowledge, and cause the Clerk of the Board 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 persons. 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 the (i) any preliminary official statement or supplement with relation to the Bonds is "deemed final" for the purposes and within the meaning of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934, as amended ("Rule 15c2-12") and (ii) any official statement or supplement with relation to the Bonds constitutes a final Official Statement for the purposes and within the meaning of Rule 15c2-12, (b) a determination that the County Continuing Disclosure Agreement complies with Rule 15c2-12, (c) a determination that any information provided by or on behalf of the County or relating to the County, the Project, the Financing Documents or the transactions contemplated thereby in connection with the preparation and distribution of any such Preliminary Official Statement or the Official Statement 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 Bonds or the issuer of a rating on all or a portion thereof.

Section 5. A public hearing shall be held on this ordinance on Wednesday, January 28<sup>th</sup> 2009 at the meeting room of the Board of Chosen Freeholders, Administration Building, Elizabeth, New Jersey.

Section 6. The Clerk of the Board is hereby directed to publish and post notice of this ordinance as required by law.

Section 7. Upon the adoption hereof, the Clerk of the Board shall forward certified copies of this ordinance to the County Manager, Chief Financial Officer, County Counsel, Bond Counsel to the County, the Authority, and Bond Counsel to the Authority.

Section 8. This ordinance shall take effect at the time and in the manner prescribed by law.

Chairman Mirabella moved Ordinance Number 679-2009 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. The public hearing and final reading is



# UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

scheduled for Wednesday, January 28, 2009. The motion was seconded by Freeholder Estrada. Roll call showed nine members of the Board voted in the affirmative.

**ORDINANCE NUMBER 680-2009. (The title of the Ordinance was read by the Clerk of the Board.)**

**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 the “Laws of Union County” are hereby amended as outlined in the attached Schedule A:

## SCHEDULE A

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# UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

## **PART I - ADMINISTRATIVE CODE**

### **Chapter 1, UNION COUNTY GOVERNMENT STRUCTURE**

[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union 4-28-1976 by Ord. No. 1; amended in its entirety by Ord. No. 9-1984. Subsequent amendments noted where applicable.]

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#### **ARTICLE III, Board of Chosen Freeholders**

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##### **§ 1-13. Powers of Board.**

C. Shall appoint a County Counsel to serve for a term of three years ~~at the pleasure of the Board~~, who shall head the Office of County Counsel, and such Deputy and Assistant County Counsel as the County Counsel shall recommend and the Board approves. [Amended 8-21-1997 by Ord. No. 454; 6-10-1999 by Ord. No. 499]

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#### **ARTICLE XIX, Department of Engineering, Public Works and Facilities**

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[Added 7-18-1991 by Ord. No. 337; amended 4-14-1994 by Ord. No. 390; 6-26-1997 by Ord. No. 452; 12-11-1997 by Ord. No. 458; 6-25-1998 by Ord. No. 478; 7-22-1999 by Ord. No. 503; 6-20-2002 by Ord. No. 553; 12-20-2007 by Ord. No. 664; 3-27-2008 by Ord. No. 667-2008]

##### **§ 1-114. General purpose; departmental organization.**

- A. There shall be a Department of Engineering, Public Works and Facilities for the purpose of planning, constructing, repairing and maintaining all property and infrastructure owned and operated by Union County.
- B. Department head. The Director of the Department of Engineering, Public Works and Facilities shall be the head of the Department and shall be responsible to the County Manager for the Department's operation. The Director of the Department of Engineering, Public Works and Facilities may also be the director of a division within the Department Engineering, Public Works and Facilities.
- C. There may be a Deputy Director who shall be responsible to the Director of the Department of Engineering, Public Works and Facilities.



# UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

~~C.D.~~ The Department of Engineering, Public Works and Facilities shall include the following divisions:

- (1) The Division of Public Works.
- (2) The Division of Engineering.
- (3) The Division of Facilities Management

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## ARTICLE XXIII, Office of the County Counsel

[Amended 11-30-1985 by Ord. No. 232; 9-10-1987 by Ord. No. 275; 6-14-1988 by Ord. No. 297; 7-18-1991 by Ord. No. 337; 6-20-2002 by Ord. No 553]

### § 1-139. Functions and responsibilities of the County Counsel.

~~A.~~ The County Counsel shall be the head of the Office of County Counsel and shall be responsible to the Board for its operation. He shall be appointed by the Board and shall serve at the pleasure of the Board or for such term as may be fixed but not to exceed four years. for a term of three years. The County Counsel shall have at least five (5) years' experience as a practicing attorney licensed to practice in the State of New Jersey.

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## Chapter 71, INSURANCE CONTRACTS

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

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## ARTICLE III, Approval of Insurance Contracts

[Adopted 3-24-1988 by Res. No. 344-88; amended 4-10-2003 by Ord. No. 569]

### § 71-5. Procedures.

~~The Board of Chosen Freeholders of the County of Union does hereby establish as policy for the placement of all insurance policies for the County of Union that all resolutions adopted by the Board of Chosen Freeholders awarding insurance contracts be approved by the Board of Chosen Freeholders prior to the effective date of said insurance policy after appropriate review and recommendation to the Board of Chosen Freeholders for the award of said policies by the Citizens Insurance Review Committee.~~

### § 71-6. Citizen's Insurance Review Committee.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

~~There shall be created a Citizens Insurance Review Committee (CIRC) composed of five members appointed annually by the Board whose duties shall include:~~

- ~~(1) To meet with and advise the Department of Administrative Services on the overall insurance program for the County.~~
- ~~(2) To review all insurance proposals submitted by the broker of record and make recommendations thereon to the Department of Administrative Services and the Board of Freeholders.~~
- ~~(3) To make recommendations on new or different methods to provide adequate protection from risk.~~
- ~~(4) To provide such other assistance that may be sought by the Department of Administrative Services and to, after review, make specific recommendations to the Board as to the award of such insurance contracts. The members of such committees shall be paid a stipend for such services as may be provided in the County budget each year for that purpose.~~

### Chapter 100, PERSONNEL

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

#### GENERAL REFERENCES

- Administrative Code -- See Part I.
- Alcohol and controlled substances -- See Ch. 15.
- Benefits -- See Ch. 26.
- Qualifications for Department Heads -- See Ch. 44.

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### ARTICLE XVI, Employee Handbook

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The County of Union Employee Handbook, Resolution No. ~~72-99, adopted 1-21-1999~~ 2009-31 adopted 1-4-2009, is on file in the office of the Clerk of the Board. A copy of this Handbook can be obtained by contacting the Division of Personnel Management and Labor Relations.

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### ARTICLE XVII,

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# UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

The County of Union Drug and Alcohol Abuse Policy, Resolution No. 2009-32, adopted 1-4-2009, is no file in the office of the Clerk of the Board. A copy of this Policy can be obtained by contacting the Division of Personnel Management and Labor Relations.

## Chapter 107, RECREATION AND PARKS

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

### ARTICLE V, County of Union Lead Free Ammunition Policy

~~[Adopted 12-10-2004 by Ord. No. 607]~~

#### ~~§ 107-10. Findings & Establishment of Ordinance.~~

~~[Amended 3-10-2005 by Ord. No. 611]~~

- ~~A. Establishment. There is hereby established the County of Union Lead Free Ammunition Ordinance, which prohibits the use of ammunition containing lead at the Lenape Park Trap and Skeet Range.~~
- ~~B. Findings. The County of Union is the Owner and, through the Union County Department of Parks, Recreation, and Facilities, the operator of the Lenape Park Trap and Skeet Range. The Trap and Skeet Range has been operating at this location since 1927 and provides a unique recreational activity to the citizens of Union County and the surrounding communities. The Board is committed to sustaining the health of its citizens and maintaining the health and functions of the wetlands within the Lenape Park Trap and Skeet Range and therefore declares the continued discharge of lead ammunition into the wetlands located at Lenape Park must cease.~~

#### ~~§ 107-11. Definitions.~~

~~For purposes of this ordinance, the following terms and phrases shall have the following meaning:~~

- ~~A. "Person" shall mean the masculine or feminine or plural and may include a partnership, firm, corporation, or other legal entity as circumstances dictate.~~
- ~~B. "Lead ammunition" shall mean any projectial fired from a firearm which contains lead.~~
- ~~C. "Non lead ammunition" shall mean any projectial fired from a firearm which does not contain lead.~~
- ~~D. "Firearm" shall mean any pistol, shotgun or other device used to fire a projectial.~~



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

E. ~~“Discharge” shall mean the firing of a firearm.~~

F. ~~“Shooting activity” shall mean any activity which uses a firearm.~~

### **§ 107-12. Violations.**

~~The following acts shall be considered a violation of this ordinance and subject to the penalties provided herein:~~

A. ~~Possession of lead ammunition at the Lenape Park Trap and Skeet Range.~~

B. ~~Use of any lead ammunition at the at the Lenape Park Trap and Skeet Range in any shooting activity.~~

C. ~~Causing or permitting any person to use lead ammunition in any shooting activity at the at the Lenape Park Trap and Skeet Range.~~

~~It is a separate violation of this section for an action proscribed above as to each discharge of any lead ammunition.~~

### **§ 107-13. Penalties.**

~~A person who violates any provision of this ordinance, for a first offense, shall be fined a sum of five hundred dollars (\$500.00) for each violation; for a second and subsequent offense shall be fined a sum five hundred dollars (\$500.00), revocation of the privilege to use the at the Lenape Park Trap and Skeet Range and/or imprisonment in the county jail for a term not exceeding ninety (90) days for each violation. In lieu of imprisonment, the Court may consider requiring community service.~~

### **§ 107-14. Enforcement.**

~~[Amended 3-10-2005 by Ord. No. 611]~~

~~The County of Union’s Director of the Department of Parks, Recreation, and Facilities is hereby charged with the responsibility for the enforcement of this ordinance and may serve notice to any person in violation thereof; however, such notice shall not be a prerequisite for the issuance of a summons. The Director will notify the Union County Police Department (“County Police”) of any violation(s), who shall investigate said violation(s). The County Police is independently authorized to issue any summons for violations of this ordinance, as appropriate. The County Counsel and/or municipal prosecutors are hereby authorized to prosecute violators in any legal proceedings as may be required.~~

### **§ 107-15. Severability.**



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

~~Should any part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance as a whole or any remaining part thereof.~~

### ~~§ 107-16. Effective Date.~~

~~This ordinance shall take effect at the time and in the manner provided by law.~~

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### ARTICLE V, County of Union Policy of Protective Head Gear at County Skateboard Facilities

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#### § 107-10. Findings & Establishment of Ordinance.

C. Establishment. There is hereby established the County of Union Protective Head Gear Ordinance, which requires the use of protective Head Gear whenever utilizing a Skateboard Facility owned or operated by the County of Union, or maintained on County Park Property.

D. Findings. The County of Union, through the Department of Parks and Community Renewal is the Owner, or Operator of skateboard facilities at County Parks. The Board is committed to sustaining the health and safety of its citizens and users and therefore declares the use of protective head gear whenever utilizing a Skateboard Facility owned or operated by the County of Union.

#### § 107-11. Definitions.

For purposes of this ordinance, the following terms and phrases shall have the following meaning:

G. "Person" shall mean the masculine or feminine or plural regardless of age.

B. "Utilization" of a Skateboard Facility shall include any person inside the gated area of the Skateboard Facility.

#### § 107-12. Violation.

No person shall utilize a Skateboard Facility owned or operated by the County of Union, or maintained on County Park Property without wearing a properly fitted and fastened helmet which meets the standards of the American National Standards Institute (ANSI Z90.4 bicycle helmet standard), the Snell Memorial Foundation's 1990 Standard for Protective Headgear for Use in Bicycling, the American Society for Testing and Materials (ASTM) standard or other such standard, as appropriate.

#### § 107-13 Penalties.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

A person who violates any provision of this ordinance, for a first offense, shall be fined a sum of One hundred dollars (\$100.00) for each violation; for a second and subsequent offense shall be fined a sum of Two hundred dollars (\$200.00), for each violation, and revocation of the privilege to use any Skateboard Facility within the County.

### § 107-14. Enforcement.

The County of Union's Director of the Department of Parks and Community Renewal or his designees is hereby charged with the responsibility for the enforcement of this ordinance and may serve notice to any person in violation thereof; however, such notice shall not be a prerequisite for the issuance of a summons. The Director shall notify the Union County Police Department ("County Police") of any violation(s), who shall investigate said violation(s). The County Police is independently authorized to issue any summons for violations of this ordinance, as appropriate. The County Counsel and/or municipal prosecutors are hereby authorized to prosecute violators in any legal proceedings as may be required.

### § 107-15. Severability.

Should any part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance as a whole or any remaining part thereof.

### § 107-16. Effective Date.

This ordinance shall take effect at the time and in the manner provided by law.

Chairman Mirabella moved Ordinance Number 680-2009 for First Reading and authorized the Clerk of the Board to advertise the same in accordance with the law. The public hearing and final reading is scheduled for Wednesday, January 28, 2009. The motion was seconded by Freeholder Scanlon. Roll call showed nine members of the Board voted in the affirmative.

### PUBLIC COMMENT PORTION

The meeting is open to the public for the purpose of commenting on the Resolutions being offered for adoption only.

There were no comments.



# UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

## RESOLUTIONS

Chairman Mirabella called for a motion to adopt Resolutions 2009-1 through 2009-59.

THE FOLLOWING RESOLUTIONS ARE BEING OFFERED FOR ADOPTION:

- 2009-1     **CHAIRMAN MIRABELLA**, adopting the By-laws and Rules of Procedure for the year 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-2     **CHAIRMAN MIRABELLA**, adopting the Temporary Budget for the year 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-3     **CHAIRMAN MIRABELLA**, approving the Temporary Debt services for the year 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-4     **CHAIRMAN MIRABELLA**, establishing certain change funds for the year 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-5     **CHAIRMAN MIRABELLA**, designating depositories wherein all public monies and funds of the County of Union shall be kept for the year 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-6     **CHAIRMAN MIRABELLA**, authorizing certain signatures for checks, wire transfers and other disbursements of the County of Union for the year 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-7     **CHAIRMAN MIRABELLA**, establishing certain petty cash funds for the year 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

- 2009-8     **CHAIRMAN MIRABELLA**, adopting the Freeholder Standing Committee Assignments for the year 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-9     **CHAIRMAN MIRABELLA**, appointing members of the Freeholder Board as liaisons to various advisory and other boards.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-10    **CHAIRMAN MIRABELLA**, adopting the meeting schedule for the Board of Chosen Freeholders for the year 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-11    **CHAIRMAN MIRABELLA**, designating the **Star Ledger, La Voz, Courier News, The Home News Tribune, Luso Americano, Vistaso Hispano, El Especialito and the Westfield Leader** as the newspapers to receive legal notices for the year 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-12    **CHAIRMAN MIRABELLA**, awarding a contract to **Suplee, Clooney & Company, Westfield, New Jersey**, to provide statutory audits of accounts of the County of Union and its agencies from January 1, 2009 through December 31, 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-13    **CHAIRMAN MIRABELLA**, awarding a contract to **Rogut McCarthy, LLC, Cranford, New Jersey** to provide specialized counsel services in connection with the issuance of bonds or notes by the County of Union from January 1, 2009 through December 31, 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-14    **CHAIRMAN MIRABELLA**, authorizing the County Manager to award a contract to the Law Firm of **Krevsky, Silber and Bergen, Cranford, New Jersey** for the purpose of providing credit and collections services for Runnells Specialized Hospital for the contract period January 1, 2009 through December 31, 2009.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-15     **CHAIRMAN MIRABELLA**, appointing **James Jude Plaia, Esq., Verona, New Jersey**, as the County's Workers' Compensation legal counsel from January 1, 2009 through December 31, 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-16     **CHAIRMAN MIRABELLA**, awarding a contract to **Hale Insurance, Cranford, New Jersey**, to provide insurance broker services from January 1, 2009 through December 31, 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-17     **CHAIRMAN MIRABELLA**, appointing **Manuel R. Grova, Jr., Esq.** as Special Counsel for the County of Union Planning Board for a term commencing January 1, 2009 and terminating on December 31, 2009, at an annual salary of **\$27,500**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-18     **CHAIRMAN MIRABELLA**, authorizing the County Manager to enter into a contract with **Funeral Services of New Jersey, Inc., Hillside, New Jersey**, to provide funeral home livery services for the Union County Medical Examiner's Office for the contract period of January 1, 2009 through December 31, 2009 in an amount not to exceed **\$70,000**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-19     **CHAIRMAN MIRABELLA**, approving a pre-qualified list of Defense Litigation Counsel.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-20     **CHAIRMAN MIRABELLA**, approving a pre-qualified list of short hand reporters.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

2009-21 **CHAIRMAN MIRABELLA**, approving a list of pre-qualified firms to serve as mental health patient counsel.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

2009-22 **CHAIRMAN MIRABELLA**, approving a list of pre-qualified firms to provide Comprehensive Grant Writing and Procurement Consulting Services.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

2009-23 **CHAIRMAN MIRABELLA**, authorizing the County Manager to award a contract to **Winning Strategies Washington / Hoboken Strategy Group** for the purpose of providing Comprehensive Federal Government Relations/Lobbying Services for the contract period January 1, 2009 through December 31, 2009 in the amount of **\$150,000**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

2009-24 **CHAIRMAN MIRABELLA**, awarding a contract to **Schwartz, Simon, Edlestein, Celso & Kessler, Florham Park, New Jersey** to provide Counsel Services to the Open Space, Recreation and Historic Preservation Trust Fund from January 1, 2009 through December 31, 2009, in an amount not to exceed **\$60,000**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

2009-25 **CHAIRMAN MIRABELLA**, awarding a contract to **Bauch, Zucker, Hatfield, Springfield, New Jersey** to serve as labor and personnel counsel from January 1, 2009 through December 31, 2009, in an amount not to exceed **\$75,000**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

2009-26 **CHAIRMAN MIRABELLA**, awarding a contract to **DeCotiis, FitzPatrick, Cole and Wisler, Teaneck, New Jersey** to serve as personnel counsel from January 1, 2009 through December 31, 2009, in an amount not to exceed **\$75,000**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

2009-27 **CHAIRMAN MIRABELLA**, awarding a contract to **Ruderman and Glickman, Springfield, New Jersey** to serve as personnel counsel from January 1, 2009 through December 31, 2009, in an amount not to exceed **\$50,000**.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-28     **CHAIRMAN MIRABELLA**, awarding a contract to **Roth Horowitz, Springfield, New Jersey** to serve as personnel counsel from January 1, 2009 through December 31, 2009 in an amount not to exceed **\$75,000**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-29     **CHAIRMAN MIRABELLA**, awarding a contract to the Law Firm of **Donald Smith, Esq, Elizabeth, New Jersey** to provide Mental Health Patient Counsel Services for the contract period January 1, 2009 through December 31, 2009 in the amount of **\$44,000**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-30     **CHAIRMAN MIRABELLA**, authorizing the County Manager to award a contract to the **Union County Alliance, Clark, New Jersey** for the purpose of providing comprehensive research, information, communication and business services for the contract period January 1, 2009 through December 31, 2009 in the amount of **\$322,125**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-31     **CHAIRMAN MIRABELLA**, approving amendments to the Union County Employee Handbook.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-32     **CHAIRMAN MIRABELLA**, approving amendments to the Union County Drug & Alcohol Abuse Policy

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-33     **CHAIRMAN MIRABELLA**, designating **Freeholder Chester Holmes** as the Union County Delegate to the **New Jersey Association of Counties** and **Vice Chairman Daniel P. Sullivan** as the Alternate, and **County Manager George W. Devanney** as Second Alternate from January 1, 2009 through December 31, 2009.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-34     **CHAIRMAN MIRABELLA**, designating **Vice Chairman Daniel P. Sullivan** as the Union County Delegate to the **North Jersey Transportation Planning Authority** and **Freeholder Chester Holmes** as the Alternate from January 1, 2009 through December 31, 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-35     **CHAIRMAN MIRABELLA**, designating **Freeholder Angel G. Estrada** as the Union County Delegate to **Meadowlink** from January 1, 2009 through December 31, 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-36     **CHAIRMAN MIRABELLA**, appointing the following to the **Advisory Council on Aging** for a term commencing January 1, 2009 and expiring December 31, 2011: **Joseph Fox, Gloria Mejias, Toby Marx, John Surmay, and Michael Guiglielmion and Charles Watts** to an unexpired term commencing January 1, 2008 through December 31, 2010.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-37     **CHAIRMAN MIRABELLA**, appointing the following to the **Advisory Board on the Disabled** for a term commencing January 1, 2009 and expiring December 31, 2011: **Ina White and Edward Heaton**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-38     **CHAIRMAN MIRABELLA**, appointing the following to the **Construction Board of Appeals** for a term commencing January 1, 2009 and expiring December 31, 2012: **Don Moser, Delegate, Engineer; Richard Watkins, Alternate, Building Inspector; David Kulpan, Fire Inspector**.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-39     **CHAIRMAN MIRABELLA**, appointing the following to the **Human Services Advisory Council** for a term commencing January 1, 2009 and expiring December 31, 2011: **Kathy Dunn, Pat Mennuti, and Janice Williams**.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-40     **CHAIRMAN MIRABELLA**, appointing the following to the **Cultural and Heritage Advisory Board** for a term commencing January 1, 2009 and expiring December 31, 2011: **Conrad Person, Clara Fernandez, Nora Mislan.**

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-41     **CHAIRMAN MIRABELLA**, appointing the following to the **Union County Public Health/Weapons of Mass Destruction Advisory Board** for a term commencing January 1, 2009 and expiring December 31, 2011: **Boniface Udent, Terrance McCarthy, Elizabeth Geminder and Dr. Raymond Lanza.**

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-42     **CHAIRMAN MIRABELLA**, appointing the following to the **Advisory Board of the Status of Minorities** for a term commencing January 1, 2009 and expiring December 31, 2011: **Connie Hamlin, Jacques Howard, James Baker, Hazel Walker, and LaRhonda Hall.**

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-43     **CHAIRMAN MIRABELLA**, appointing the following to the **Union County Mental Health Advisory Board** for a term commencing January 1, 2009 and expiring December 31, 2011: **Kenneth Quigley, Jr. and Warren Hehl.**

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-44     **CHAIRWOMAN KOWALSKI**, appointing the following to the **Union County Planning Board** for a term commencing January 1, 2009 and expiring December 31, 2011: **Yves Aubourg, Lawrence Dinardo, Elizabeth Geminder, Rob Garrison, Michael D'Agostino, William Malone and Lawanda Gilbert.**

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-45     **CHAIRMAN MIRABELLA**, appointing the following to the **Union County Utilities Authority** for a term commencing February 1, 2009 through January 31, 2014: **James Huff and Clifton People.**



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-46     **CHAIRMAN MIRABELLA**, appointing the following to the **Commission on the Status of Women in Union County** for a term commencing January 1, 2009 and expiring December 31, 2011: **Karen Sheehy; Carol Ann Lombardo, Megan Cryan, Judi Jenkins-Guadino and Carolyn Vollero.**

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-47     **CHAIRMAN MIRABELLA**, appointing the following to the **Emergency Management Council: George W. Devanney, Ben Laganga, Chris Scaturro, Richard Childs, Daniel Vaniska, Lathey Wirkus, Gareth Williams, Joseph Graziano, Jr., Lester Jones, Sebastian D'Elia, Theodore Romankow, Ronald Kanterman, Ralph Froehlich, and Carmen Centuolo, Russell Hendrickson,** effective January 1, 2009 through December 31, 2009.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-48     **CHAIRMAN MIRABELLA**, appointing the following members to the **Union County Fire Services Advisory Board** to fill an unexpired term commencing January 1, 2009 through December 31, 2009: **Ben Laganga, OEM Director; John J. Lestarchiek, UC Fire Chief's Association, President; Lathey Wirkus, UC Fire Coordinator; David Kelley, UC Fire Training Committee Chairman; Christopher Scaturro, UC Hazmat Chief; Ed Sisk, Chief of City of Elizabeth Fire Department; Anthony Padavano, UC Volunteer Fire Chief; Joseph Houck, UC Career Fire Chief; Kristen Von St. Paul, OEM Secretary for the UC Fire Academy; Gary Steitz, Representative of UC Arson Unit; Dave Maas, Representative from Fire Prevention.**

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-49     **CHAIRMAN MIRABELLA**, appointing the following as members of the **Shade Tree Advisory Board: Nick Polanin, Richard Hagopian and Sean Ryan (staff)** effective January 1, 2009 through December 31, 2011.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-50     **CHAIRMAN MIRABELLA**, appointing the following as members to the **Open Space, Recreation and Historic Preservation Trust Fund Public Advisory Committee** for a



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

term commencing January 1, 2009 through December 31, 2011: **Environmental:** James Lynch; **Environmental:** Joseph Spatola; **Historic:** Michael Yesenko; **Labor:** John Malcolm; **Business:** Ralph Salerno; **Education:** Dr. Frank Deo;

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-51 **CHAIRMAN MIRABELLA**, appointing the following to the **Senior Citizen & Disabled Transportation Advisory Board** for a term commencing January 1, 2009 and expiring December 31, 2011: **Kevin Illing, Cranford, New Jersey.**

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-52 **CHAIRMAN MIRABELLA**, appointing the following to the **Runnells Specialized Hospital Advisory Board** for a term commencing January 1, 2009 and expiring December 31, 2011: **Dr. Martin Sheehy, Dr. Jerome Cohen, and Mary DeFilippis.**

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-53 **CHAIRMAN MIRABELLA**, appointing the following to the **Union County Labor Advisory Board:** **Neil Boyle, Westfield, New Jersey and Michael D'Agostino, Cranford, New Jersey** for a term commencing January 1, 2009 and expiring December 31, 2011.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-54 **CHAIRMAN MIRABELLA**, setting terms and appointing the following to the **Motion Picture and Television Advisory Board:** **Sebastian D'Elia** or designee, **Francesca Rizzo, Paul Santons and Salonia Saxton** for a term commencing January 1, 2009 and expiring December 31, 2009; **Hasmulel Patel and Richard Semiec** for a term commencing January 1, 2009 and expiring December 31, 2010; **Sal Terezza, Robert Bresenhan, Jerome Jewell and George Castro** for a term commencing January 1, 2009 and expiring December 31, 2011.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

- 2009-55 **CHAIRMAN MIRABELLA**, appointing the following to **Union County Parks & Recreation Advisory Board** for a term commencing January 1, 2009 through December 31, 2011: **Carlos Alma, Margaret Hickey, Jeff Tandul, Patricia Goeb, and Chuck Florio.**



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

The following Resolutions are Laudatory in content:

2009-56 **CHAIRMAN MIRABELLA and FREEHOLDER HOLMES**, expressing the Board's deepest condolences to the family of Clyde Simms.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

2009-57 **CHAIRMAN MIRABELLA and THE ENTIRE BOARD**, honoring **John Ciborowski**, for heroically rescuing a gentleman from a burning vehicle in the Watchung Reservation.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

2009-58 **CHAIRMAN MIRABELLA and THE ENTIRE BOARD**, expressing the Board's deepest condolences to the family of Gary Stephens, an Elizabeth Firefighter.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

2009-59 **CHAIRMAN MIRABELLA AND THE ENTIRE BOARD**, acknowledging Monday, January 19, 2009 as Martin Luther King, Jr. Day in Union County in memory and recognition of his outstanding contributions to the welfare of mankind.

On a motion made by Freeholder Holmes and seconded by Freeholder Kowalski, roll call showed nine members of the Board voted in the affirmative.

### PUBLIC COMMENT PORTION

The meeting is open to the public for the purpose of commenting on any matter.

There were no comments.

### FREEHOLDER REPORTS AND COMMENTS

Freeholder Van Blake wished everyone a Happy New Year and congratulated the newly re-elected Freeholders. He also stated that there is a lot of work ahead and looks forward to the inauguration of President-Elect Barack Obama.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

Freeholder Holmes congratulated the newly re-elected Freeholders and said that he hopes that this will be a great progressive year. He wished everyone a Happy New Year.

Freeholder Kowalski congratulated Chairman Mirabella and Vice Chairman Sullivan on their nominations. She also congratulated Freeholder Estrada, Freeholder Proctor and Freeholder Ward. She thanked everyone for a great year, the Clerk of the Board, the Department Heads and staff for their hard work.

Freeholder Scanlon congratulated Chairman Mirabella and Vice Chairman Sullivan, the newly re-elected Freeholders and Freeholder Estrada for a great year as Chairman of the Freeholder Board and she said she is looking forward to a busy 2009.

Freeholder Ward congratulated Chairman Mirabella on his nomination and past Chairman Estrada on a successful year. She also congratulated Vice Chairman Sullivan and her colleagues and recognizes that 2009 will be a challenging year. She stated that she is thankful for her daughter Josielee. She congratulated her colleagues, Freeholder Estrada and Freeholder Proctor and stated that she is looking forward to 2009.

Freeholder Estrada congratulated Chairman Mirabella and Vice Chairman Sullivan on their nominations and stated that they all have the best interests in achieving a common goal and said that the decisions of the Board are always carried with us. He thanked the County Manager Devanney, Deputy County Manager Genievich, Clerk of the Board Nicole DiRado and the 6<sup>th</sup> floor staff. He wished everyone a Happy New Year.

Vice Chairman Sullivan congratulated his running mates, Freeholder Proctor and Freeholder Ward and congratulated past Chairman Estrada on a successful 2008. He congratulated Chairman Mirabella on his nomination and thanked his colleagues for his nomination as Vice Chairman of the Board. He stated that it has been an interesting and challenging year but the Board is being proactive from the beginning with the introduction of the Oakwood Plaza Ordinances.

County Manager Devanney added his congratulations to the newly re-elected Freeholders and a double congratulation to Freeholder Proctor on his recent engagement. He congratulated Chairman Mirabella on his third term as Chairman of the Board and he welcomed Vice Chairman Sullivan back to leadership.

County Counsel Barry congratulated Freeholder Estrada on this past year as Chairman of the Board and congratulated Vice Chairman Sullivan, and Freeholder Proctor and Freeholder Ward on their reelections. County Counsel Barry wished everyone a Happy New Year.

Chairman Mirabella thanked Communications Director Sebastian D'Elia, for trying to keep his speech short and thanked the Directors. He stated that 2009 will be an interesting and challenging year. He thanked the staff, professionals and the Freeholders and stated that together they could meet the challenges productively and stated that there will be tough decisions to be made.



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

### ADJOURNMENT

Chairman Mirabella called for a motion to adjourn the meeting. On a motion made by Vice Chairman Sullivan and seconded by Freeholder Holmes, roll call showed nine members of the Board voted in the affirmative.



# UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS' 2009 MEETING SCHEDULE

Please note that meetings are regularly held on Thursday evenings. Agenda Setting Sessions and Regular Meetings are held at 7:00pm in the Freeholders' Meeting Room, Administration Building, 10 Elizabethtown Plaza, 6<sup>th</sup> Floor, Elizabeth, New Jersey, unless otherwise specified. In the event an Agenda Setting Session and Regular Meeting are held on the same night, the Agenda Setting Session will commence at 7:00pm and the Regular Meeting will commence as soon as possible after the Agenda Setting Session. Persons requiring a sign language interpreter should contact the Office of the Clerk of the Board at 908-527-4140.

### AGENDA SETTING SESSIONS

### REGULAR MEETINGS

#### JANUARY 4 at 1:00pm – REORGANIZATION

The Honorable Walter Barisonek's Chambers, 2 Broad Street, Elizabeth

January 22		Wednesday, January 28
February 5		Wednesday, February 11
February 19		February 26
March 5		March 12
March 19		March 26
April 2		April 16
April 23		April 30
May 7		May 14
May 28	Double Meeting	May 28
June 11	Summer Session	June 25
July 9	Summer Session	July 16
August 6	Summer Session	August 20
September 3		September 10
September 17		September 24
October 1		October 8
October 15	Double Meeting	October 15



# UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

November 5

November 12

December 3  
December 17

Double Meeting  
Double Meeting

December 3  
December 17

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Nicole L. DiRado, RMC, MPA  
Clerk of the Board

NLD:mb