#### **OPRA – Executive Session Minutes Redaction Explanations**

- 1. Minutes redacted under Attorney-Client privileged communication on potential litigation/ contract dispute pursuant to N.J.S.A. 47:1A-1.
- 2. Minutes redacted under Attorney-Client privileged communication in a matter involving on-going litigation pursuant to N.J.S.A. 47:1A-1.
- 3. Minutes redacted relative to a personnel matter exempt pursuant to N.J.S.A. 47:1A-10.
- 4. Minutes redacted under Attorney-Client privileged communication on a matter involving on-going contractual negotiations pursuant to N.J.S.A. 47:1A-1.
- 5. Minutes redacted under Attorney-Client privileged communication pursuant to N.J.S.A. 47:1A-1.
- 6. Minutes redacted as same involve on-going negotiations/ discussions relative to the potential acquisition of real property pursuant to N.J.S.A. 47:1A-1; disclosure at this time could adversely affect the public interest.
- 7. Minutes redacted pertains to inter-agency or intra agency advisory, consultative or deliberative material pursuant to N.J.S.A. 47:1A-1.



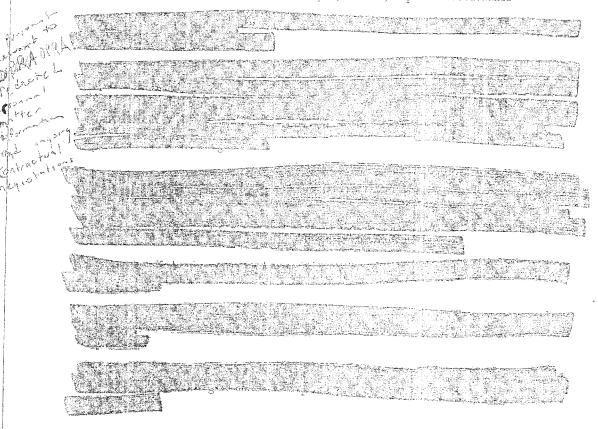
## EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, JANUARY 19, 2012

Chairman Alexander Mirabella, Vice Chairman Linda Carter, Freeholder Angel G. Estrada, Freeholder Christopher Hudak, Freeholder Mohamed S. Jalloh, Freeholder Bette Jane Kowalski, Deborah P. Scanlon, Freeholder Daniel P. Sullivan and Freeholder Vernell Wright were present.

Also present were Frank Guzzo, Director, Department of Human Services (in the absence of the County Manager), Clerk of the Board Nicole L. DiRado, County Counsel Robert B. Barry, Esq and James E. Pellettiere, Clerk in waiting The following items were discussed:

1. Personnel Matters and Anticipated Contract Negotiations with the County's Bargaining Units

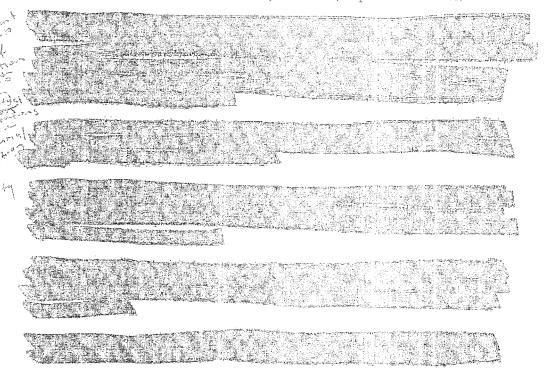
Guests: Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel and Bibi Taylor, Director, Department of Finance



Union County Board of Chosen Fracholders - Baccuive Session Minutes - January 19, 2912 - Agenth Alesting - Page 1 of 2

2. Potential real estate acquisition

Guests: Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel and Bibi Taylor, Director, Department of Finance



3. <u>Ongoing litigation in the matter entitled Kolbeck v. Union County</u>
Guests: Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel and Bibi Taylor, Director, Department of Finance

Mr. Kolbek filed a two-count complaint against the County and George Devanney: alleging a violation of civil rightsunder the New Jersey Civil Rights Act and harassment and intentional infliction of emotional distress.

County Counsel recommends

Union County Board of Chosen Precholders - Executive Session Minutes - January 19, 2012 - Agenda Meeting - Page 2 of 2



## EXECUTIVE SESSION MINUTES REGULAR MEETING – THURSDAY, JANUARY 26, 2012

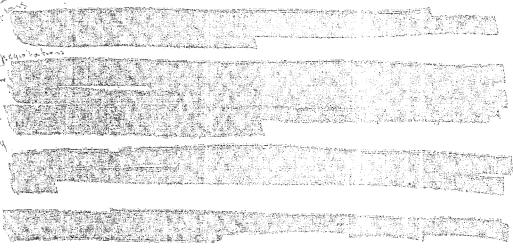
Chairman Alexander Mirabella, Vice Chairman Linda Carrer, Frecholder Angel G. Estrada, Freeholder Bette Jane Kowalski, Freeholder Deborah P. Scanlon, and Freeholder Vernell Wright were present. Freeholder Christopher Hudak, Freeholder Mohamed S. Jalloh and Freeholder Daniel P. Sullivan were absent.

Also present were County Manager Alfred Faella, Frank Guzzó, Director, Department of Human Services (in the absence of the County Manager). Clerk of the Board Nicole L. DiRado, County Counsel Robert E. Barry, Esq and James E. Pellettiere, Clerk in waiting.

The following items were discussed:

1. Potential real estate acquisition

Guests: Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel and Bibi Taylor, Director, Department of Finance; Frank Guzzo, Director, Department of Human Services



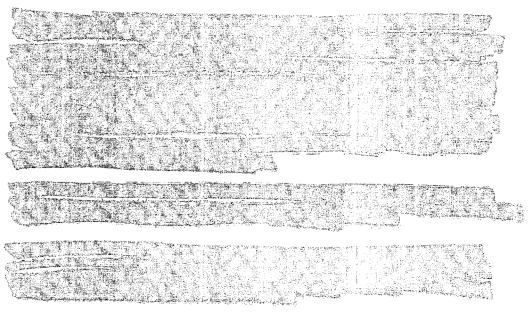
2. Attorney Client Privileged Communication and Potential Litigation

Guests: Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel and Bibi Taylor, Director, Department of Finance; Frank Guzzo, Director, Department of Human Services

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Union County Board of Chosen Frzeholders - Executive Session Minutes - January 26, 2012 - Apondo Menting - Page 1 of 2







## EXECUTIVE SESSION MINUTES AGENDA MEETING -- THURSDAY, FEBRUARY 2, 2012

Chairman Alexander Mirabella, Vice Chairman Linda Carter, Freeholder Angel G. Estrada, Freeholder Christopher Hudak, Freeholder Mohamed S. Jalloh, Freeholder Bette Jane Kowalski, Deborah P. Scanlon, Freeholder Daniel P. Sullivan and Freeholder Vernell Wright were present.

Also present were Alfred Faella, County Manager, Frank Guzzo, Director, Department of Human Services, Bibi Taylor, Director, Department of Finance, County Counsel Robert E. Barry, Esq. Deputy County Counsel Rose Comas, Esq. and Clerk of the Board James Pellettiere.

The following item was discussed:

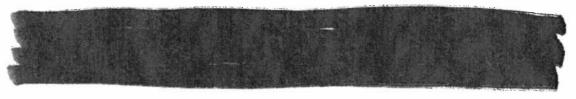
1. Potential Contract Negotiations with Union County Performing Arts Center relative to the Union County Fair/MusicFest.

The County was in receipt of a Sponsorship Proposal from the Union County Performing Arts Center (UCPAC) outlining the parameters in which the UCPAC would be responsible for all aspects of planning, production, administration, and sponsorship recruitment of the Union County Fair/MusicFest. (See attached handout which was provided to the Board).

Deputy County Counsel Comas stated

There was discussion that perhaps the Board should consider not holding the Union County Fair/MusicFest this year given the budget deficit/gap and the County's efforts towards preparing a Layoff Plan. There was discussion as to the cost of and the concept of eliminating Rhythm & Blues and other popular events such as the Wednesday Concert Series.

There was a discussion to the importance of providing cultural events (particular free events) during a bad economy and further discussion was had relative to reducing the event from three (3) days as the UCPAC proposes to two (2) days; comparing MusicFest to the Rhythm & Blues' one (1) day event. There was a discussion relative to the benefit MusicFest would provide in the economic stability and success of the UCPAC.







Director Guzzo said he would provide the Bloustein Report to all Freeholders tomorrow (attached).

County Counsel Barry advised the Board that if the Board moves forward, he suggested treating this proposal like a construction project; perform 20% of the work/get 20% of the contract due to the difficulties in quantifying the overall scope of work.

Conditioned upon a final determination to proceed, the Board preferred an all-inclusive hard cap of \$650,000 and to plan on placing a resolution on the February 9, 2012 Regular Meeting Agenda; noting they could pull the resolution if they so desired.



#### Executive Session Minutes Agenda Meeting – Thursday, February 9, 2012

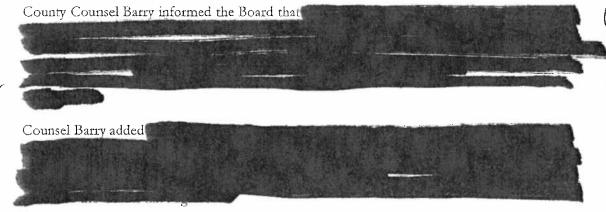
Chairman Alexander Mirabella, Vice Chairman Linda Carter, Freeholder Angel G. Estrada, Freeholder Christopher Hudak, Freeholder Mohamed S. Jalloh, Freeholder Bette Jane Kowalski, Deborah P. Scanlon, Freeholder Daniel P. Sullivan and Freeholder Vernell Wright were present.

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

The following item was discussed:

1. Attorney Client communication on anticipated litigation relative to Red Light Camera project.

Guests: Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel, Bibi Taylor, Director, Department of Finance and Seb D'Elia, Communications Director



The Board gave County Counsel permission to continue with litigation relative to the Red Light Camera project as discussed.

2. Attorney Client communication relative to contract and contract negotiations with the Sheriff Superior Officers FOP 103.

Guests: Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel, Bibi Taylor, Director, Department of Finance and Kathy Hatfield, Esq. (Bauch, Zucker and Hatfield).

Kathy Hatfield, Esq. provided a brief history of the grievance relative to the payments

Union County Board of Chosen Freeholders - Executive Session Minutes - February9, 2012 - Regular Meeting - Page 1 of 2

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schedule that has been ongoing for several years. She reminded the Board that



## EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, FEBRUARY 16, 2012

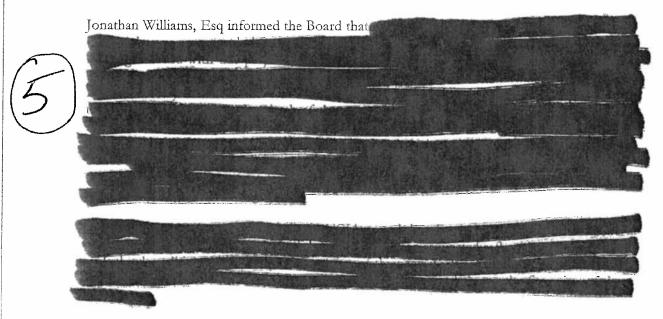
Chairman Alexander Mirabella, Vice Chairman Linda Carter, Freeholder Angel G. Estrada, Freeholder Mohamed S. Jalloh, Freeholder Bette Jane Kowalski, Freeholder Daniel P. Sullivan and Freeholder Vernell Wright were present.

Also present were Alfred Faella, County Manager, Frank Guzzo, Director, Department of Human Services, Deputy County Counsel Rose Comas, Esq., Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel, Bibi Taylor, Director, Department of Finance and Clerk of the Board James Pellettiere.

The following item was discussed:

1. Attorney Client Privilege relative to potential acquisition and/or disposition of real property relative to the Family Courthouse project.

Guests: Jonathan Williams, Esq., DeCotiis, Fitzpatrick, & Cole, LLP, and John Hudak, Esq., John Hudak, Esq. LLC



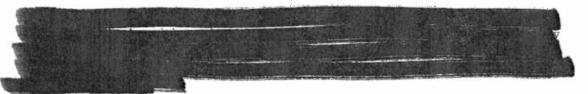
The Board agreed to move forward provided such breakdown was provided in a timely fashion.



2. Attorney Client Privilege relative to contract negotiations with various collective bargaining units.

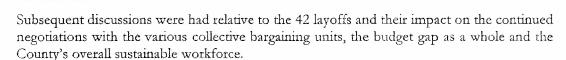
(Freeholder Hudak joined the Executive Session)







Director Guzzo informed the Board that the County met with the collective bargaining units but will try a new strategy and meet with all the units on one day (Wednesday).





A discussion was had relative to Budget Hearings and the Budget Introduction. It was decided instead of holding multiple budget hearings as in past years, to have one budget hearing, as required, and have either the County Manager Fealla, Finance Director Taylor or Director Guzzo provide an outline of where the County started (relative to the budget gap) and what steps were taken to balance the budget.





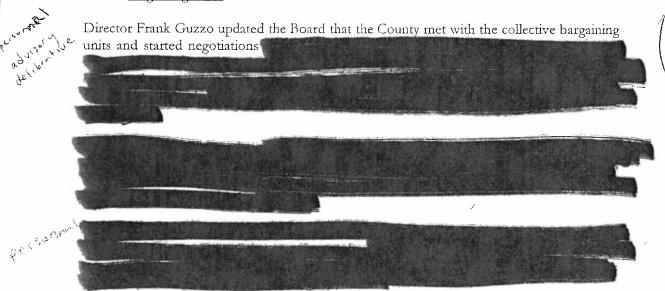
## EXECUTIVE SESSION MINUTES AGENDA MEETING – THURSDAY, MARCH 1, 2012

Chairman Alexander Mirabella, Vice Chairman Linda Carter, Freeholder Angel G. Estrada, Freeholder Christopher Hudak, Freeholder Mohamed S. Jalloh, Freeholder Bette Jane Kowalski, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan and Freeholder Vernell Wright were present.

Also present were Alfred J. Faella, County Manager, Frank Guzzo, Director, Department of Human Services, County Counsel Robert E. Barry, Esq, Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel, Bibi Taylor, Director, Department of Finance and Clerk of the Board James Pellettiere.

The following item was discussed:

1. Attorney Client Privilege relative to contract negotiations with various collective bargaining units.



County Manager Faella informed the Board that he is hoping to introduce his Executive Budget in late March/early April and assured the Board that all cost saving measures will be made with short term and long term goals.

James Pellettiere, Clerk of the Board of Chosen Freeholders

Union County Board of Chosen Freeholders - Executive Session Minutes - March 1, 2012 - Regular Meeting - Page 1 of 1



## Executive Session Minutes Agenda Meeting – Thursday, march 8, 2012

Chairman Alexander Mirabella, Vice Chairman Linda Carter, Freeholder Angel G. Estrada, Freeholder Christopher Hudak, Freeholder Mohamed S. Jalloh, Freeholder Bette Jane Kowalski, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan and Freeholder Vernell Wright were present.

Also present were Alfred J. Faella, County Manager, Frank Guzzo, Director, Department of Human Services, County Counsel Robert E. Barry, Esq, Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel, Bibi Taylor, Director, Department of Finance and Clerk of the Board James Pellettiere.

The following item was discussed:

1. Attorney Client Privilege relative to contract negotiations with various collective bargaining units.

Director Frank Guzzo spoke of the first round of layoffs (44 layoffs and the elimination of 30 vacancies). Director Guzzo informed the Board that one collective bargaining unit (and likely two (2) additional units) agreed to the concession of a three-day voluntary salary reduction and assured the Board that he would continue speaking with the various collective bargaining units to get them all on board; noting that

He said it is clear the County is looking at another round of layoffs without greater concessions from all collective bargaining units. He noted that they are working on such a plan given the lack of participation of Union concessions.

Director Frank Guzzo updated the Board on meetings with various collective bargaining units. He indicated that many of the Unions are asking what the Board's intentions are relative to the Union County Fair and MusicFest and other County events.

There was a broad discussion relative to the impact of collective bargaining units' lack of concessions and the budget gap.

Acting Administrative Services Director Matthew DiRado informed the next layoff plan will be submitted on March 15<sup>th</sup>. He informed the Board

The Board discussed the importance that any decision is made with future budgets in mind; noting the importance of a 3-5 year approach. Chairman Mirabella stressed to the Board that the County of Union has done everything to prevent major layoffs in previous years, regardless of how tight those budgets were, but this year is just that much more restrictive.

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#### Executive Session Minutes Agenda Meeting – Thursday, April 19, 2012

Chairman Alexander Mirabella, Vice Chairman Linda Carter, Freeholder Angel G. Estrada, Freeholder Christopher Hudak, Freeholder Mohamed S. Jalloh, Freeholder Bette Jane Kowalski, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan and Freeholder Vernell Wright were present.

Also present were Alfred J. Faella, County Manager, Frank Guzzo, Director, Department of Human Services, County Counsel Robert E. Barry, Esq, Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel, Bibi Taylor, Director, Department of Finance, and Clerk of the Board James Pellettiere.

The following item was discussed:

1. Attorney Client Privilege communication and contract negotiations relative to the County's Health Insurance..

Guests: Tony Taveras, Brown and Brown, Metro

Mr. Taveras informed the Board, that in light of an anticipated increase in the County's health benefit costs, Brown and Brown aggressively sought out new Insurance Plans that could realize additional savings to the County; while providing equal to or better than health benefits coverage. Mr Taveras said they reviewed eight (8) plans, including the State Health Plan (as they do every year) and eleven (11) pharmacy vendors.

Mr. Taveras provided the Board with a handout outlining the eight (8) plans. As noted, Horizon Blue Cross Blue Shield offered a two-month premium holiday on the \$8 Million in County Term Liability costs. Horizon Blue Cross Blue Shield's proposal offered a 2.49% rate over the first 12-month cycle with a premium ceiling cap of 18% the following cycle; representing a cost savings to the County of \$2 Million for the first 12-month cycle. Further conversations were had with Cigna, however they were unwilling to guarantee a ceiling cap of 18% for next year. Mr. Taveas noted that one drawback from Horizon's proposal was the non-inclusion of Summit Medical Group.

Mr. Taveras informed the Board that the State Health Plan was significantly higher. Mr. Taveras informed the Board that Brown and Brown would reach out to Summit Medical to negotiate "out of network" costs; specifically if they would accept Horizon levels (which would be more than what Cigna is currently providing). Another option would be to contract with a second party.

The Board had concerns with employees' anticipated difficulties/obstacles in switching back to Horizon; noting that a continual changing of Insurance Providers is not a conducive way to provide health insurance coverage.



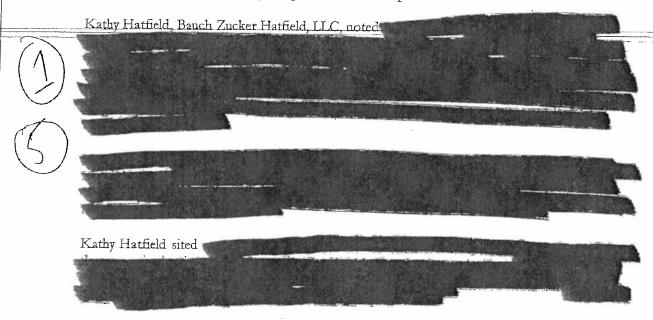
Director DiRado provided the Board with an overview of the initial switch from Horizon to Cigna (in 2009) and addressed what steps the County has taken to ensure a healthier workforce; which ultimately is the best way to drive down insurance costs. He also explained how switching to Horizon would impact the retirees.

The Board agreed to the Horizon Plan.

2. Attorney Client Privilege relative to contract negotiations with various collective bargaining units.

Guests: Kathy Hatfield, of Bauch Zucker Hatfield, LLC

Director Frank Guzzo informed the Board of Administration's continued attempts to meet with the various collective bargaining units. He reminded the Board that the County's decision to cancel MusicFest and Rhythm and Blues was made public on March 9<sup>th</sup>. While it is clear the collective bargaining units were receptive to Board's decision, it is unclear whether or not they will accept a three-day voluntary salary reduction. He noted, in large part, the various collective bargaining units are not receptive to such a deal.





#### Executive Session Minutes Agenda Meeting – Thursday, April 26, 2012

Vice Chairman Linda Carter, Freeholder Christopher Hudak, Freeholder Mohamed S. Jalloh, Freeholder Bette Jane Kowalski, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan and Freeholder Vernell Wright were present.

Also present were Alfred J. Faella, County Manager, Frank Guzzo, Director, Department of Human Services, County Counsel Robert E. Barry, Esq. Matthew N. DiRado, Esq., Acting Director, Department of Administrative Services / Director, Division of Personnel, Bibi Taylor, Director, Department of Finance, and Clerk of the Board James Pellettiere.

The following item was discussed:

1. Attorney Client discussion on anticipated contract negotiations relative to placement and installation of a temporary cell tower.

Guests: Victoria Drake, Union County Open Space, Recreation and Historic Preservation Trust Fund Administrator

County Counsel Robert Barry and Vikki Drake informed the Board of Verizon Wireless' interest in placing a cell tower in Ashbrook Park; on open space/green acres property. There was a discussion relative to potential Green Acres regulatory issues.

They noted PSE&G's project to upgrade and/or replace towers. A discussion was had relative to Verizon using the same poles as their competitors; AT&T and T-Mobile have placed temporary monopole in close proximity to their requested location.

A brief discussion was had relative to any possible agreement Verizon has with PSE&G and whether or not this potentially is a biddable commodity. They discussed the public safety aspect of such projects.

The Board decided it was not in favor of Verizon Wireless's interest in the installation of a temporary cell tower on this site.

2. Attorney Client discussion on pending litigation relative to Aspen Landscaping v. County of Union.



County Counsel Robert Barry updated the Board regarding the summary judgment motions involving the Aspen Landscaping case. The County was successful as to Aspen Landscaping and their complaint has been dismissed. The motion by the County for summary judgment against T&M and their cross-motion were both denied.





3. Attorney Client Privilege relative to contract negotiations with various collective bargaining units.

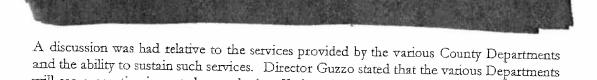
Guests: Kathy Hatfield, of Bauch Zucker Hatfield, LLC

Chairman opened up the discussion reminding the Board of the County's application pending before the Local Finance Board. He noted the state deferred the request until May 9, 2012.

There was discussion as to what exactly they would do with any funds realized through the application to the Local Finance Board; whether or not such a decision would be considered binding if the Local Finance Board approves. The Board was notified that if the money was to go to towards next year's surplus, there would likely be no issue with the Local Finance Board and therefore approved. There would be some concerns of such approval if the Board were to utilize half of the money towards this year's budget, relative to preserving certain positions and functions, and half toward next year's surplus, but certainly not as much as if the County were to use all funds realized in this year's budget.







There was a discussion relative to the possibility of outsourcing the Correctional Services and other possibilities at Runnells Specialized Hospital.

will see a negative impact due to the layoffs, but they will be able to continue to provide



critical services.





County Manager Faella said the County would look at critical services and see what programs could be saved with the reduction of some of the proposed laid off workers. Director Guzzo added that it would be specific to the second round of layoffs.

The Board directed the administration to advise the Local Finance Board their intentions to utilize half the monies realized in the application towards reducing the proposed layoffs; specific to critical programs and to utilize the other half of the monies realized towards next year's surplus



### Executive Session Minutes Agenda Meeting – Thursday, May 17, 2012

Chairman Alexander Mirabella, Vice Chairman Linda Carter, Freeholder Angel G. Estrada, Freeholder Christopher Hudak, Freeholder Mohamed S. Jalloh, Freeholder Deborah P. Scanlon, Freeholder Daniel P. Sullivan and Freeholder Vernell-Wright were present.

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

The following item was discussed:

 Attorney Client privilege communication in pending litigation – Runnells Specialized Hospital v. Ann Grabowski.

Guest: Bruce Bergen, Esq., Krevsky, Silber & Bergen

Bruce Bergen, Esq., provided the Board with a history of the case, explaining



\* Reducted Attorney Client privilege communication on on going litigation. NJSA 47:1A-1

CONTRACTOR STATE

2. Potential contract negotiations relative to the Staten Island Railroad Line/Rahway Valley Railroad Line



Guests: Director Ron Zuber, Parks and Community Renewal, and Cherton Rountree, Deputy Director, Parks and Community Renewal



County Counsel Barry provided the Board with a brief history of the lease agreement with the State of New Jersey and the Staten Island Railroad Line/Rahway Valley Railroad Line. He indicated that there



County Counsel Barry ambigad





## UNION COUNTY BOARD of Chosen Freeholders



County Counsel Barry advised

\* Reducted Attorney client privilege commocation involving ongoing contract negotiations - NJSA 47:14-1

#### **COUNTY OF UNION**

Part C - GOVERNMENT RECORDS REQUEST RESPONSE onna-UCWA Requestor: Lpages, at a total cost of: NO Fel. Document(s) provided: Special Service Charge imposed - Reason: Document(s) have been inspected by the requestor on the date shown below: documents, total pages ☐ Document(s) not provided (see below) The document(s) you have requested that are checked below are NOT being provided because the document(s) are considered privileged or are otherwise exempt from public access, as provided by applicable law: Privileged or Protected Category Authority for Denial or Redaction Advisory, Consultative or Deliberative material N.J.S.A. 47:1A-1-1; et seu. 3 Autopsy Photos / Video N.J.S.A. 47:1A-1.1, et seq. 0 Attorney-Client Privilege Information N.J.S.A. 47:1A-1.1, et seq. Computer Security Information N.J.S.A. 47:1A-1.1, et seq. Criminal Investigatory Records N.J.S.A. 47:1A-1.1, et seq. Credit Card Numbers N.J.S.A. 47:1A-1.1, et seq. Domestic Security (Sabotage or Terrorism) Executive Order 21 (McGreevey) Grievance Information with public employer N.J.S.A. 47:1A-1.1, et seq. Drivers' License Numbers N.J.S.A. 47:1A-1.1, et seq. Electronic Surveillance Materials N.J.S.A. 2A:156A-19 **Emergency or Security Information or Procedures** N.J.S.A. 47:1A-1.1, et seq. 0 Employee Sexual Harassment Complaints N.J.S.A. 47:1A-1.1, et seq. Fingerprint Cards Executive Order 9 (Hughes) 0 Executive Order 26 (McGreevey) Individual's Medical, Financial, or Tax records 0 N.J.S.A. 47:1A-1.1, et seq. Insurance Communications Investigation in Progress N.J.S.A. 47:1A-3.a Labor Negotiation Information (strategy or positions) N.J.S.A. 47:1A-1.1, et seq. u Personnel or Pension Records N.J.S.A. 47:1A-10 O Photographs of Crime Scene Executive Order 9 (Hughes) Proprietary Information N.J.S.A. 47:1A-1.1, et seq. Reasonable Expectation of Privacy N.J.S.A. 47:1A-1.1, et seq. Ü Resumes of unsuccessful applicants Executive Order 26 (McGreevey) 0 Safety of persons or the public Executive Order 69 (Whitman) O Security Measures and Surveillance Techniques N.J.S.A. 47:1A-1.1, et seq. 0 Social Security Numbers N.J.S.A. 47:1A-1.1, et seq 0 Test Questions, Scoring Keys, or other Exam Data Executive Order 26 (McGreevey) Ü Victim records N.J.S.A. 47:1A-1.1; N.J.S.A. 2A:82-46b 0 Record has been destroyed/not retained pursuant to: Records Retention and Disposition Schedule 0 Other You have a right to appeal this decision that the documents requested are not accessible. You may take your appeal to the Government Records Council (GRC) or to the New Jersey Superior Court as provided by N.J.S.A. 47:1A-6 and 7. Please see the attached "Part D r Procedures to Challenge Denial of Access to Government Records" and GRC information. **ACKNOWLEDGMENT** I hereby acknowledge that I have received copies of, or have been permitted to view/inspect, the documents requested except for any documents specifically listed above on which a determination has been made that the documents could not be provided in accordance with applicable law. If any documents have not been provided, I have received information as to the procedures for an appeal of the determination. Date: \_\_ Requestor's Signature

Version 6/09 (prior editions obsolete)