

UNION COUNTY IMPROVEMENT AUTHORITY

MINUTES OF THE MEETING of

Wednesday, February 3, 2010

6:00 PM

Call to Order was made by Chairman Anthony Scutari at 6:15 p.m.

The Notice of Compliance with Open Public Meetings Act was read by Executive Director Charlotte DeFilippo.

Chairman Scutari asked for the Roll Call of Commissioners. Roll call showed Chairman Anthony Scutari, Vice Chairman Joseph Miskiewicz, Treasurer Cherron Rountree, Secretary John Salerno, Commissioner Sebastian D'Elia, Commissioner Walter Boright, and Commissioner Linda Hines were present. Commissioner Samuel McGhee and Commissioner Carolyn Vollero were absent.

Chairman Scutari lead the Pledge of Allegiance.

Chairman Scutari asked for a motion to approve the Regular Session Minutes of January 6th, 2010. On a motion made by Vice Chairman Miskiewicz and seconded by Commissioner Boright roll call showed Chairman Scutari, Vice Chairman Miskiewicz, Treasurer Rountree, Commissioner D'Elia, Commissioner Boright, Commissioner Salerno and Commissioner Hines in the affirmative. Commissioner McGhee and Commissioner Vollero were absent.

Chairman Scutari asked for a motion to approve the Executive Session Minutes of January 6th, 2010. On a motion made by Vice Chairman Miskiewicz and seconded by Commissioner Boright roll call showed Chairman Scutari, Vice Chairman Miskiewicz, Treasurer Rountree, Commissioner D'Elia, Commissioner Boright, and Commissioner Salerno in the affirmative. Commissioner Hines abstained. Commissioner McGhee and Commissioner Vollero were absent.

Executive Director Charlotte DeFilippo stated that the renewable energy project is really taking off and that the Authority has received responses from many of the municipalities expressing an interest in participating in the program.

RESO 06-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY PROVIDING FOR THE ELECTION OF OFFICERS

Gina Bilangi, Esq. from DeCotiis, FitzPatrick & Cole, LLP stated that the elections for the positions of Chairman, Vice Chairman, Secretary and Treasurer for the 2010 term were now open. Commissioner Rountree nominated Joseph Misciewicz for Chairman, Carolyn Vollero as Vice Chairman, John Salerno as Secretary and Anthony Scutari as Treasurer and Commissioner Boright seconded the nominations. Ms. Bilangi asked if there were any other nominations and there being none, closed the elections and asked for a motion to approve Reso 06-2010.

On a motion made by Commissioner Rountree and seconded by Commissioner Boright roll call showed Commissioners Scutari, Miskiewicz, Rountree, D'Elia, Boright, Salerno and Hines in the affirmative. Commissioner McGhee and Commissioner Vollero were absent.

RESO 07-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE RE-ADOPTION AND RE-CONFIRMATION OF THE BY- LAWS OF THE UNION COUNTY IMPROVEMENT AUTHORITY

Chairman Miskiewicz asked for a motion to approve the Reso 07-2010. On a motion made by Commissioner Boright and seconded by Commissioner Hines roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 08-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY DESIGNATING THE OFFICIAL NEWSPAPERS FOR THE AUTHORITY AS THE *STAR LEDGER* AND *COURIER NEWS*

Chairman Miskiewicz asked for a motion to approve the Reso 08-2010. On a motion made by Commissioner Boright and seconded by Secretary Salerno roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 09-2010

RESOLUTION FOR THE UNION COUNTY IMPROVEMENT AUTHORITY DESIGNATING CERTAIN FINANCIAL INSTITUTIONS AS OFFICIAL DEPOSITORIES FOR THE MONIES OF THE AUTHORITY IN ACCORDANCE WITH N.J.S.A. 40A:5-14 FOR THE YEAR 2010

Chairman Miskiewicz asked for a motion to approve the Reso 09-2010. On a motion made by Commissioner Boright and seconded by Commissioner D'Elia roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee and were absent.

RESO 10-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY ESTABLISHING A MEETING SCHEDULE FOR THE PERIOD MARCH 2010 THROUGH THE AUTHORITY'S REORGANIZATION MEETING IN FEBRUARY 2011

Chairman Miskiewicz asked for a motion to approve the Reso 10-2010. On a motion made by Treasurer Scutari and seconded by Secretary Salerno. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 11-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY REAPPOINTING THE EXECUTIVE DIRECTOR AS THE AFFIRMATIVE ACTION AND PUBLIC AGENCY COMPLIANCE OFFICER FOR THE AUTHORITY

Chairman Miskiewicz asked for a motion to approve the Reso 11-2010. On a motion made by Commissioner Boright and seconded by Treasurer Scutari. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 12-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY ADOPTING A LIST OF FIRMS QUALIFIED TO PERFORM VARIOUS SERVICES TO THE AUTHORITY PURSUANT TO A REQUEST FOR QUALIFICATIONS PROCESS

Chairman Miskiewicz asked for a motion to approve the Reso 12-2010. On a motion made by Commissioner Boright and seconded by Secretary Salerno. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 13-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY APPOINTING CERTAIN PROFESSIONALS TO THE AUTHORITY

Chairman Miskiewicz asked for a motion to approve the Reso 13-2010. On a motion made by Treasurer Scutari and seconded by Commissioner Boright. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 14-2010

RESOLUTION FOR THE UNION COUNTY IMPROVEMENT AUTHORITY REQUESTING LATE APPROVAL OF THE UNION COUNTY IMPROVEMENT AUTHORITY'S 2010 BUDGET

Chairman Miskiewicz asked for a motion to approve the Reso 14-2010. On a motion made by Treasurer Scutari and seconded by Secretary Salerno. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 15-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY APPROVING THE UNION COUNTY IMPROVEMENT AUTHORITY'S FISCAL YEAR 2010 BUDGET (FROM 1/1/2010 TO 12/31/2010)

Chairman Miskiewicz asked for a motion to approve the Reso 15-2010. On a motion made by Treasurer Scutari and seconded by Secretary Salerno. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 16-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY AMENDING RESOLUTION No. 01-2010 ENTITLED "RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY APPOINTING A PROJECT TEAM IN CONNECTION WITH THE FRIENDS OF JERSEY ARTS CHARTER SCHOOL PROPOSED PROJECT IN THE CITY OF PLAINFIELD"

Gina Bilangi, Esq. from DeCotiis, FitzPatrick & Cole, LLP stated that the purpose of this resolution, as well as 17-2010 and 18-2010, is to amend the three resolutions for this project adopted at the January meeting in order to reflect an updated financing amount and project description.

Chairman Miskiewicz asked for a motion to approve the Reso 16-2010. On a motion made by Treasurer Scutari and seconded by Commissioner Hines. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 17-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY AMENDING RESOLUTION No. 02-2010 ENTITLED "RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE MAKING OF AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6 IN CONNECTION WITH THE AUTHORITY'S FINANCING OF THE FRIENDS OF JERSEY ARTS CHARTER SCHOOL PROPOSED PROJECT IN THE CITY OF PLAINFIELD."

Chairman Miskiewicz asked for a motion to approve the Reso 17-2010. On a motion made by Treasurer Scutari and seconded by Commissioner Hines. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 18-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY AMENDING RESOLUTION No. 03-2010 ENTITLED "RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY REQUESTING THE CONSENT OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION TO THE AUTHORITY'S PROPOSED FINANCING OF THE FRIENDS OF JERSEY ARTS CHARTER SCHOOL PROPOSED PROJECT IN THE CITY OF PLAINFIELD, IN THE COUNTY OF UNION"

Chairman Miskiewicz asked for a motion to approve the Reso 18-2010. On a motion made by Treasurer Scutari and seconded by Commissioner Hines. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 19-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY APPROVING CHANGE ORDER NO. 22 TO THE CONTRACT WITH FUSCON ENTERPRISES, INC. FOR THE CONSTRUCTION OF A NEW CITY OF LINDEN PUBLIC LIBRARY LOCATED AT 31 E. HENRY STREET, LINDEN, NEW JERSEY

Gina Bilangi, Esq. from DeCotiis, FitzPatrick & Cole, LLP stated that resolutions 19-2010 through 23-2010 are all change orders for this project and total \$11,009.00.

Chairman Miskiewicz asked for a motion to approve the Reso 19-2010. On a motion made by Treasurer Scutari and seconded by Commissioner D'Elia. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 20-2010

**RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY
APPROVING CHANGE ORDER NO. 23 TO THE CONTRACT WITH FUSCON
ENTERPRISES, INC. FOR THE CONSTRUCTION OF A NEW CITY OF
LINDEN PUBLIC LIBRARY LOCATED AT 31 E. HENRY STREET, LINDEN,
NEW JERSEY**

Chairman Miskiewicz asked for a motion to approve the Reso 20-2010. On a motion made by Treasurer Scutari and seconded by Commissioner D'Elia. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 21-2010

**RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY
APPROVING CHANGE ORDER NO. 24 TO THE CONTRACT WITH FUSCON
ENTERPRISES, INC. FOR THE CONSTRUCTION OF A NEW CITY OF
LINDEN PUBLIC LIBRARY LOCATED AT 31 E. HENRY STREET, LINDEN,
NEW JERSEY**

Chairman Miskiewicz asked for a motion to approve the Reso 21-2010. On a motion made by Treasurer Scutari and seconded by Commissioner D'Elia. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 22-2010

**RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY
APPROVING CHANGE ORDER NO. 25 TO THE CONTRACT WITH FUSCON
ENTERPRISES, INC. FOR THE CONSTRUCTION OF A NEW CITY OF
LINDEN PUBLIC LIBRARY LOCATED AT 31 E. HENRY STREET, LINDEN,
NEW JERSEY**

Chairman Miskiewicz asked for a motion to approve the Reso 22-2010. On a motion made by Treasurer Scutari and seconded by Commissioner D'Elia. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 23-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY APPROVING CHANGE ORDER NO. 26 TO THE CONTRACT WITH FUSCON ENTERPRISES, INC. FOR THE CONSTRUCTION OF A NEW CITY OF LINDEN PUBLIC LIBRARY LOCATED AT 31 E. HENRY STREET, LINDEN, NEW JERSEY

Chairman Miskiewicz asked for a motion to approve the Reso 23-2010. On a motion made by Treasurer Scutari and seconded by Commissioner D'Elia. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 24-2010

SUPPLEMENTAL BOND RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE RECEIPT OF UP TO \$150,000 FROM THE LINDEN PUBLIC LIBRARY IN CONNECTION WITH THE LINDEN LIBRARY PROJECT

Gina Bilangi, Esq. from DeCotiis, FitzPatrick & Cole, LLP stated that the purpose of this resolution is to explain to the bond trustee why the Authority is receiving these funds from the Linden Library and direct the trustee as to how these funds are to be allocated. Ms. Bilangi explained that the Linden Library is providing this money to the project to fund costs at the site which had not been anticipated and thus are not part of the original project budget.

Chairman Miskiewicz asked for a motion to approve the Reso 24-2010. On a motion made by Treasurer Scutari and seconded by Secretary Salerno. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 25-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY AWARDING A CONTRACT TO ATLANTIC ENGINEERING LABORATORIES, INC. FOR MATERIALS TESTING SERVICES DURING THE CONSTRUCTION OF NEW CITY OF LINDEN FIRE STATION NO. 3 LOCATED AT 1201 E. ELIZABETH AVENUE, LINDEN, NEW JERSEY

Chairman Miskiewicz asked for a motion to approve the Reso 24-2010. On a motion made by Treasurer Scutari and seconded by Secretary Salerno. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

RESO 26-2010

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY APPROVING AND AUTHORIZING THE IMPLEMENTATION OF THE TERMS OF A MEMORANDUM OF UNDERSTANDING AMONGST THE AUTHORITY, THE CITY OF LINDEN, THE MORRIS COMPANIES AND E.I. DuPONT

Chairman Miskiewicz asked for a motion to approve the Reso 24-2010. On a motion made by Treasurer Scutari and seconded by Secretary Salerno. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

Finance and Budget

Treasurer Scutari made a motion to pay the bills when fund were available seconded by Secretary Salerno Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

Executive Session

At 6:45 p.m. Executive Director DeFilippo indicated that it was necessary to go into Executive Session to discuss contracts and potential and pending litigation. On a motion made by Treasurer Scutari and seconded by Commissioner Rountree Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

Regular Session resumed at 7:05 p.m.

Adjournment

At 7:07 p.m. Commissioner Boright made a motion to adjourn which was seconded by Secretary Salerno. Roll call showed Chairman Miskiewicz, Secretary Salerno, Treasurer Scutari, Commissioner D'Elia, Commissioner Boright, Commissioner Rountree and Commissioner Hines in the affirmative. Vice Chairman Vollero and Commissioner McGhee were absent.

*** Matter to be considered and discussed in executive session as permitted by the exceptions to the Open Public Meetings Act as follows: Contract (C), Litigation (L), Personnel (P).**