

# HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, Second Floor

Flemington, New Jersey 08822

April 24, 2007

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 3:05 p.m. in accordance with the provisions of the Open Public Meetings Act.

**PRESENT: MR. MULLER, MR. PETERSON, MR. HOLT, MR. MELICK, MR. SWOREN.**

## **Open Public Meetings Act**

Director Muller announced: "This meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been given by posting throughout the year a copy of the notice on Bulletin Boards on the First and Second Floor of the Main Street County Complex, Building #1, Flemington, New Jersey, a public place reserved for such announcements. A copy was mailed on or before January 02, 2007, to the Hunterdon County Democrat, Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review and The Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

## **Pledge Allegiance**

## **CONSENT AGENDA**

Director Muller announced: "All matters listed under the Consent Agenda are considered to be routine by the Board of Chosen Freeholders of the County of Hunterdon and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired that item will be removed from the Consent Agenda and will be considered separately."

Items #1, 8, 18, 21, 24, 25, 32, 34, 35 and 36 were held at this time.

Mr. Sworen moved and Mr. Holt seconded a motion to approve claims in accordance with the Claims Register dated April 24, 2007.

**See Page 04/24/07-1A**

## **CLAIMS REGISTER**

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. MELICK, MR. PETERSON,  
MR. MULLER.**

Mr. Sworen moved and Mr. Holt seconded a motion to approve the Social Services Funds Report dated March, 2007.

**See Page 04/24/07-1B**

## **SOCIAL SERVICES FUNDS REPORT**

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. MELICK, MR. PETERSON,  
MR. MULLER.**

Mr. Sworen moved and Mr. Holt seconded these:

**See Page 04/24/07-1C**

## **RESOLUTION**

**RESOLVED**, Brian Shevlin appointed unclassified, full time Assistant Prosecutor, Prosecutor's Office.

**See Page 04/24/07-1D**

## **RESOLUTION**

**RESOLVED**, Alan LeFebvre appointed permanent, full time Gardner, Parks and Recreation.

**See Page 04/24/07-1E**

## **RESOLUTION**

**RESOLVED**, Jason Strauss appointed permanent, full time Gardner, Parks and Recreation.

**See Page 04/24/07-1F**

## **RESOLUTION**

**RESOLVED**, Tadhgh Rainey appointed permanent, full time Superintendent Mosquito Extermination, Health Department.

**See Page 04/24/07-1G**

## **RESOLUTION**

**RESOLVED**, Mary Ferguson appointed permanent, full time Senior Library Assistant, Library.

**See Page 04/24/07-1H**

## **RESOLUTION**

**RESOLVED**, Lisa LaFevre appointed permanent, full time Senior Library Assistant, Library.

**See Page 04/24/07-1I**

## **RESOLUTION**

**RESOLVED**, Cheryl Grotrian appointed permanent, full time Senior Library Assistant, Library.

**See Page 04/24/07-2A**

**RESOLUTION**

**RESOLVED**, Carol Miller appointed permanent, full time Building Maintenance Worker, Buildings and Maintenance.

**See Page 04/24/07-2B**

**RESOLUTION**

**RESOLVED**, Jonathan Danberry appointed permanent, full time Sheriff's Officer, Sheriff's Office.

**See Page 04/24/07-2C**

**RESOLUTION**

**RESOLVED**, Virginia Travis appointed provisional, full time Senior Clerk Transcriber, Superintendent of Schools.

**See Page 04/24/07-2D**

**RESOLUTION**

**RESOLVED**, Jean Raper appointed provisional, part time Librarian, Library.

**See Page 04/24/07-2E**

**RESOLUTION**

**RESOLVED**, Katherine Aebisher appointed temporary, as needed Student Assistant, Library.

**See Page 04/24/07-2F**

**RESOLUTION**

**RESOLVED**, Clint Bush, Mechanic, Roads, Bridges and Engineering Department, granted a leave of absence without pay.

**See Page 04/24/07-2G**

**RESOLUTION**

**RESOLVED**, Setting salaries for unclassified and/or non-contract support staff in the Sheriff's Office.

**See Page 04/24/07-2H**

**RESOLUTION**

**RESOLVED**, Setting salaries for unclassified and/or non-contract support staff in the Surrogate's Office.

**See Page 04/24/07-2I**

**RESOLUTION**

**RESOLVED**, Approving the appointment of Dana Desidero as a member to the Planning Board.

**See Page 04/24/07-2J**

**RESOLUTION**

**RESOLVED**, Approving the appointment of Carol Hoffmann as an alternate member to the Planning Board.

**See Page 04/24/07-2K**

**RESOLUTION**

**RESOLVED**, Approving the 2007 State/Community Partnership and Family Court Appropriations Award Notice, from the Juvenile Justice Commission, in the amount of \$281,061 (\$132,383-Program funds, \$53,905-Program Management funds, \$94,773-Family Court Services Funds, \$5,888-Juvenile Accountability Block Grant federal allocation).

**See Page 04/24/07-2L**

**RESOLUTION**

**RESOLVED**, Approving application for payment #12, for Bid #2005-39, for alterations and addition to the Route 12 County Garage, with APS Contractor, Inc., in the amount of \$71,677.05.

**See Page 04/24/07-2M**

**RESOLUTION**

**RESOLVED**, Approving application for payment #1, for Bid #2006-31, for alternations to the restrooms at Deer Path Park, in the amount of \$12,600.

**See Page 04/24/07-2N**

**RESOLUTION**

**RESOLVED**, Approving an agreement with Harold Melvin's Blue Notes, for a concert performance at Deer Path Park, on August 09, 2007, in the amount of \$8,000.

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. MELICK, MR. PETERSON,  
MR. MULLER.**

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 04/24/07-2O**

**RESOLUTION**

**RESOLVED**, Deborah Vallone appointed permanent, full time Principal Clerk Typist, Health Department.

**ROLL CALL: (AYES) MR. HOLT, MR. SWOREN, MR. MELICK, MR. MULLER.  
(ABSTAIN) MR. PETERSON.**

Mr. Sworen moved and Mr. Peterson seconded this:

**See Page 04/24/07-3A**

**RESOLUTION**

**RESOLVED**, Joshua Burke, Tree Trimmer, Roads, Bridges and Engineering Department, salary adjustment.

Mr. Peterson questioned the change in pay. Cheryl Wieder, Human Resources Director explained the change was first because this individual received his CDL license and the other salary figures are in accordance with contract.

**ROLL CALL: (AYES) MR. SWOREN, MR. PETERSON, MR. HOLT, MR. MELICK, MR. MULLER.**

Mr. Holt moved and Mr. Peterson seconded these:

**See Page 04/24/07-3B**

**RESOLUTION**

**RESOLVED**, Approving the installation and operation of a Traffic Control Signal, at the intersection of Church Street (County Route 579) and Staats Road.

**See Page 04/24/07-3C**

**RESOLUTION**

**RESOLVED**, Approving a change order for Bid #2006-32, for the installation of a Traffic Signal at the Intersection of County Route 579 (Church Street) and Staats Road, in Bloomsbury Borough and Bethlehem Township.

**See Page 04/24/07-3D**

**RESOLUTION**

**RESOLVED**, Approving final payment for Bid #2006-04, for resurfacing of County Route 614, in Union Township, to Paving Materials and Construction Co., Inc., in the amount of \$27,473.22.

**See Page 04/24/07-3E**

**RESOLUTION**

**RESOLVED**, Approving final payment for Bid #2006-32, for the installation of a temporary traffic signal at the intersection of County Route 579 (Church Road) and Staats Road, to Lucas Electric Co., Inc., in the amount of \$8,272.93.

**ROLL CALL: (AYES) MR. HOLT, MR. PETERSON, MR. MELICK, MR. SWOREN, MR. MULLER.**

Mr. Peterson moved and Mr. Holt seconded this:

**See Page 04/24/07-3F**

**RESOLUTION**

**RESOLVED**, Approving an agreement with Richard Monacchio for juvenile sex offender treatment, in an amount not to exceed \$15,000.

Cynthia J. Yard, County Administrator, will contact Human Services to see who and how these types of contracts are evaluated for performance for Freeholder Peterson.

**ROLL CALL: (AYES) MR. PETERSON, MR. HOLT, MR. MELICK, MR. SWOREN, MR. MULLER.**

Mr. Peterson questioned if Item #32, Supporting the restoration of the original amount dedicated to Tourism advertising and promotion in the FY 2005 State Budget. He questioned if these funds were to be dedicated through a tax. Sue Dziamara, Planning Board Director was asked to look into this and report back to the Board.

Mr. Peterson moved and Mr. Holt seconded this:

**See Page 04/24/07-3G**

**RESOLUTION**

**RESOLVED**, Authorizing the award of a Federal Aid Agreement for the replacement of County Bridge C-88, on Reformatory Road, in Clinton Township, in an amount not to exceed \$231,531.69.

John Glynn, Director, Roads, Bridges and Engineering, informed the Board that this project has been scoped, and now the County is entering into an agreement with the North Jersey Transportation Planning Authority, then it goes through the New Jersey Department of Transportation, who goes to the Federal Government for reimbursement funds.

**ROLL CALL: (AYES) MR. PETERSON, MR. HOLT, MR. MELICK, MR. SWOREN, MR. MULLER.**

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 04/24/07-4A**

**RESOLUTION**

**RESOLVED**, Confirming the name of the County's Parks and Recreation Department as it is to appear on all grant applications, contracts, and titles.

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. MELICK, MR. PETERSON, MR. MULLER.**

Mr. Sworen moved and Mr. Melick seconded this:

**See Page 04/24/07-4B**

**RESOLUTION**

**RESOLVED**, Approving an agreement with Pino Consulting Group, Inc., to assist in the preparation of indirect cost allocation plans and indirect cost rates based upon financial and statistical information for 2005 and 2006, including assistance with completing the County Welfare Agency Monetary Allowance in Lieu of Rent Forms and Title IV-D Request for Allowance in Lieu of Rant Form, in that amount of \$36,500.

**ROLL CALL: (AYES) MR. SWOREN, MR. MELICK, MR. HOLT, MR. PETERSON, MR. MULLER.**

Mr. Sworen moved and Mr. Melick seconded this:

**See Page 04/24/07-4C**

**RESOLUTION**

**RESOLVED**, Steve Rawlyk recognized for having served on the Hunterdon County Planning Board.

Mr. Sworen stated Steve Rawlyk has served Hunterdon County for many years and is a resident of Kingwood Township.

**ROLL CALL: (AYES) MR. SWOREN, MR. MELICK, MR. HOLT, MR. PETERSON, MR. MULLER.**

Mr. Melick moved and Mr. Peterson seconded these:

**See Page 04/24/07-4D**

**PROCLAMATION**

**RESOLVED**, Recognizing Steve Rue for attaining the designation of Eagle Scout.

**See Page 04/24/07-4E**

**PROCLAMATION**

**RESOLVED**, Recognizing Patrick Fox for attaining the designation of Eagle Scout.

**See Page 04/24/07-4F**

**PROCLAMATION**

**RESOLVED**, Recognizing Michael Shick for attaining the designation of Eagle Scout.

**ROLL CALL: (AYES) MR. MELICK, MR. PETERSON, MR. HOLT, MR. SWOREN, MR. MULLER.**

Mr. Sworen announced that the Freeholders will be attending the Golden Awards for the Girl Scouts in June, which is the equivalent of the Eagle Awards. Denise Doolan, Clerk of the Board, explained the Girl Scouts are all recognized in a group at a dinner for their Golden Awards.

Mr. Peterson said the Boy Scouts/Eagle Scouts are about leadership through service to others and that is something that isn't always taught, to succeed by helping other succeed or achieve goals. The Eagle Scout Honor is how you can get people under the leader to assist in the Eagle Scout project and that is a valuable lesson they learn.

**COUNTY update**

Cynthia J. Yard, County Administrator, announced the 2007 County and Municipal Directories are completed, printed and ready for distribution. She publicly thanked Denise Doolan, Cheryl Wieder, Rhonda Kelly and all those who have worked on the manual. It is a laborious task to get the municipalities to provide their information; plus all the information on the various boards, councils and committees.

Mr. Sworen asked Mrs. Yard to check and make sure that all keys have been collected from prior Freeholders.

**COUNTY COUNSEL**

Gaetano M. DeSapio, County Counsel advised at the Freeholders' last meeting the Board approved allowing the County Clerk, Mary Melfi, to enter into a contract with John Carbone, Esquire, to provide her with legal advice in connection with election issues, with a not to exceed cost of \$3,000. Since the time that contract was authorized by the Board, a suit has been filed against the County Clerk and she will be requesting a modification to that contract's not to exceed figure.

Mr. DeSapio advised at the last meeting, Director Muller and Mr. Melick both recused themselves from participating because there was a suggestion made that since they were candidates and the County Clerk may have to evaluate their respective positions in establishing the ballot, that it would be prudent for them not to participate in the vote to select Mr. Carbone. Mr. Melick inquired yesterday whether or not since Freeholders' Peterson, Sworen and Holt are on the committee for vacancies for Mr. Muller and Frank Fuzo and are co-sponsoring a fund raising event for Mr. Muller and Mr. Fuzo, if that poised a similar conflict and if so, what would be the result of that. Mr. DeSapio explained assuming one or more of those issues effect all of the Freeholders, there is a provision in the state law that says when all voting members or a number of the Board is precluded because of a conflict which would effect the ability of the Board to act, that all of the members of the Board are permitted to act; it is called the Doctrine of Necessity. Mr. DeSapio stated his recommendation to the Board is that the entire Board is permitted to act and comment in connection with the County Clerk's presentation and free to chose whether to vote or not to vote and whether or not to participate.

Mr. DeSapio advised apparently there were some materials circulated and comments were made that the Attorney General might represent the County Clerk in connection with the election dispute without any charge to the County. The Attorney General's Office does provide legal advice to the Board of Elections and if the Election Board is involved in a dispute the Attorney General's Office provides representation without any charge to the County. Donna Kelly, of the Attorney General's Office confirmed this morning that that representation is just for the Board and there is no practice of representing County Clerks nor does Ms. Kelly know of any requirement that they represent County Clerks. That information has been related to Ms. Melfi.

Director Muller feels it is unethical for him to participate in any discussion since he is a candidate for office. Director Muller left the meeting.

Deputy Director Peterson recognized County Clerk Melfi.

Ms. Melfi stated since getting permission from the Board on April 10, 2007 to enter into an agreement with John Carbone, in an amount not to exceed \$3,000, in order to get some answers to questions with regard to elections. Since that time the answers have resulted in litigation; she was served Friday, April 20, 2007 with a lawsuit for attorneys representing Mr. Melick and Mr. Mennon and also attorneys on behalf of the Hunterdon County Republican Committee. This litigation will be over by Thursday, April 26, 2007 because a hearing is scheduled at 2:00 p.m. in Somerville, New Jersey, in front of the Assignment Judge. Ms. Melfi requested to continue the contract with John Carbone and to increase the amount to exceed to between \$10,000 to \$15,000.

After further discussion, Mr. Sworen questioned what would happen if the lawsuit were not answered. Mr. DeSapio stated the Clerk made a decision based upon her best judgment as to what her obligations are and he feels the Freeholders have an obligation to support her in promoting that decision in the public interest. Normally County Counsel would just do the work without coming to the Freeholders for authorization but in this particular case since Mr. Carbone provided the advice and has already started on the work; there is an obligation to provide support to the County Clerk so the public can get issued an answer. Although there are partisan implications, it is an issue of what the law says in how the ballot should be structured and a judge will make that determination.

Mr. Holt moved and Mr. Sworen seconded a motion to approve modifying the not to exceed amount of the Agreement with John Carbone, Esquire, for legal services for the County Clerk, in an amount not to exceed \$15,000.

**ROLL CALL: (AYES) MR. HOLT, MR. SWOREN, MR. PETERSON.  
(ABSTAIN) MR. MELICK.  
(ABSENT) MR. MULLER.**

Mr. Muller returned to the meeting at 3:49 p.m.

#### **FINANCE**

Mr. Melick moved and Mr. Peterson seconded this:

**See Page 04/24/07-5A CAPITAL ORDINANCE NO. 04-07**

**INTRODUCTION, ORDINANCE AUTHORIZING THE ACQUISITION OF OFFICE FURNITURE, FIXTURES AND BUSINESS EQUIPMENT BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$247,080.00 THEREFORE.**

**ROLL CALL: (AYES) MR. MELICK, MR. PETERSON, MR. HOLT, MR. SWOREN,  
MR. MULLER.**

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 04/24/07-5B CAPITAL ORDINANCE NO. 05-07**

**INTRODUCTION, ORDINANCE AUTHORIZING THE ACQUISITION OF VEHICLES BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$450,000.00 THEREFORE.**

**ROLL CALL: (AYES) MR. HOLT, MR. SWOREN, MR. MELICK, MR. PETERSON,  
MR. MULLER.**

Mr. Melick moved and Mr. Peterson seconded this:

**See Page 04/24/07-6A**

**CAPITAL ORDINANCE NO. 06-07**

**INTRODUCTION**, ORDINANCE AUTHORIZING THE ACQUISITION OF COMPUTER EQUIPMENT BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$195,000.00 THEREFORE.

**ROLL CALL: (AYES) MR. MELICK, MR. PETERSON, MR. HOLT, MR. SWOREN, MR. MULLER.**

Mr. Melick moved and Mr. Holt seconded this:

**See Page 04/24/07-6B**

**CAPITAL ORDINANCE NO. 07-07**

**INTRODUCTION**, ORDINANCE AUTHORIZING IMPROVEMENTS AND EXPANSION OF THE EVERITTSTOWN GARAGE STORAGE FACILITY, BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$550,000.00 THEREFORE.

**ROLL CALL: (AYES) MR. MELICK, MR. HOLT, MR. PETERSON, MR. SWOREN, MR. MULLER.**

Mr. Peterson moved and Mr. Melick seconded this:

**See Page 04/24/07-6C**

**CAPITAL ORDINANCE NO. 08-07**

**INTRODUCTION**, ORDINANCE AUTHORIZING THE ACQUISITION OF HEAVY PUBLIC WORKS MACHINERY, EQUIPMENT AND TRUCKS FOR THE COUNTY ROADS AND BRIDGES, HEALTH AND VEHICLE SERVICES DEPARTMENTS AND BUSES FOR THE HUMAN SERVICES DEPARTMENT, BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$1,132,800.00 THEREFORE.

**ROLL CALL: (AYES) MR. PETERSON, MR. MELICK, MR. HOLT, MR. SWOREN, MR. MULLER.**

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 04/24/07-6D**

**CAPITAL ORDINANCE NO. 09-07**

**INTRODUCTION**, ORDINANCE AUTHORIZING IMPROVEMENTS AND RENOVATIONS AT VARIOUS COUNTY FACILITIES, BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$1,080,000.00 THEREFORE.

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. MELICK, MR. PETERSON, MR. MULLER.**

Mr. Peterson moved and Mr. Melick seconded this:

**See Page 04/24/07-6E**

**BOND ORDINANCE NO. 10-07**

**INTRODUCTION**, BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF VARIOUS PUBLIC HIGHWAYS, ROADS AND STREETS IN, BY AND FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$9,105,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

**ROLL CALL: (AYES) MR. PETERSON, MR. MELICK, MR. HOLT, MR. SWOREN, MR. MULLER.**

Mr. Holt moved and Mr. Peterson seconded this:

**See Page 04/24/07-6F**

**BOND ORDINANCE NO. 11-07**

**INTRODUCTION**, BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF VARIOUS BRIDGES AND CULVERTS IN, BY AND FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$3,980,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

**ROLL CALL: (AYES) MR. HOLT, MR. PETERSON, MR. SWOREN, MR. MELICK, MR. MULLER.**

Mr. Sworen moved and Mr. Peterson seconded this:

**See Page 04/24/07-7A**

**CAPITAL ORDINANCE NO. 12-07**

**INTRODUCTION**, ORDINANCE AUTHORIZING THE ACQUISITION OF UHF BASE STATION EQUIPMENT FOR THE EMERGENCY SERVICES COMMUNICATIONS FACILITY, BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$300,000.00 THEREFORE.

**ROLL CALL: (AYES) MR. SWOREN, MR. PETERSON, MR. HOLT, MR. MELICK, MR. MULLER.**

Director Muller opened the public hearing for the CAP Bank. There being no comments or questions from the press or public, Mr. Holt moved and Mr. Sworen seconded a motion to close the public hearing.

**ROLL CALL: (AYES) MR. HOLT, MR. SWOREN, MR. MELICK, MR. PETERSON, MR. MULLER.**

Mr. Peterson moved and Mr. Melick seconded this:

**See Page 04/24/07-7B**

**RESOLUTION**

**ADOPTION**, Approving the final adoption of the CAP Bank.

**ROLL CALL: (AYES) MR. PETERSON, MR. MELICK, MR. HOLT, MR. SWOREN, MR. MULLER.**

Mr. Melick left the meeting at 4:00 p.m.

**FARMLAND PRESERVATION**

Leilani Hershey, Administrator of the County's Farmland Preservation Program informed the Board that a press event will be held on Friday, at 2:00 p.m., at the Kanach Farm in East Amwell Township, with a rain location at the historic Court House, to celebrate the number of acres on farms preserved in Hunterdon County, which is 20,000 and growing.

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 04/24/07-7C**

**RESOLUTION**

**RESOLVED**, Approving the Deed of Easement and Grant Agreement for the Development Easement from Ethel L. Rounsaville, on Block 19, Lot 16, in Alexandria Township, 68.469 acres, (SADC-284,146.35, County-\$80,451.08, Township -\$80,451.07), total amount of \$445,048.50.

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. PETERSON, MR. MULLER.  
(ABSENT) MR. MELICK.**

Mr. Sworen moved and Mr. Peterson seconded this:

**See Page 04/24/07-7D**

**RESOLUTION**

**RESOLVED**, Approving the Deed of Easement and Grant Agreement for the Development Easement from Lebanon Township (Nagie), on Block 40, Lot 13, 67.860 acres, (SADC-\$406,997.14, County - \$115,321.28, Township -\$156,010.14), total amount of \$678,328.56.

**ROLL CALL: (AYES) MR. SWOREN, MR. PETERSON, MR. HOLT, MR. MULLER.  
(ABSENT) MR. MELICK.**

Mr. Peterson moved and Mr. Sworen seconded these:

**See Page 04/24/07-7E**

**RESOLUTION**

**RESOLVED**, Approving a Contract for Sale of Development Easement from Alexandria Township (Landmarks/Baretti), on Block 11, Lot 13, 35.165 acres, (SADC-\$187,781.10, County-\$53,235.94, Township-\$71,951.46), total amount of \$312,968.50.

**See Page 04/24/07-7F**

**RESOLUTION**

**RESOLVED**, Approving a Contract for Sale of Development Easement from Timsoland, L.L.C., (formerly Timko) on Block 14, Lot 25, in Delaware Township, 47.18 acres, (SADC - \$257,602.80, County - \$85,867.60, Township - \$85,867.60), total amount of \$429,338.00.

**ROLL CALL: (AYES) MR. PETERSON, MR. SWOREN, MR. HOLT, MR. MULLER.  
(ABSENT) MR. MELICK.**

Mr. Melick returned to the meeting at 4:05 p.m.

Mr. Holt moved and Mr. Melick seconded this:

**See Page 04/24/07-8A**

## **RESOLUTION**

**RESOLVED**, Recognizing those who have participated in the Farmland Preservation program.

**ROLL CALL: (AYES) MR. HOLT, MR. MELICK, MR. PETERSON, MR. SWOREN, MR. MULLER.**

Mr. Sworen thanked the County staff for their hard work and in keeping the process moving to preserve Hunterdon's farms. It is amazing the amount of work that goes into preserving a farm.

Mr. Melick recalls back in the early 1980's, prior to 1983, when he and former Freeholder, Ben Kirkland, who served on the County Planning Board, were the main proponents for farmland preservation in the County. Richard Zimmer of Delaware Township was in the legislature at the time, and he was a sponsor and pushed some of the enacting legislation through for preservation of farmland. Back then, whole farms were purchased and nowadays people take out pieces to keep. No ever expected back then that Hunterdon County would preserve 20,000 acres. Director Muller noted for the record that he was also a Freeholder during that time but was not on the Planning Board.

Sue Dziamara, Planning Board Director, informed the Board that she has researched the preservation program and in 1983 the Freeholder Board approved a \$2.2 million bond to start the farmland preservation program.

### **PLANNING BOARD Update**

Ms. Dziamara provided the Board with an updated on the activities of the Planning Board and the Farmland Preservation program.

- The County has closed on 21 farms as of the end of April 2007 and two are scheduled to close in May.
- At the end of 2005 there were 38 application that had been pending and today they are 5 application pending, the rest have either closed or are at the state.
- The 20,000 acre event will take place this Friday.
- The Planning Board is in the process of setting up a Region 5 meeting for Cross Acceptance, which is a PA2 Corridor, the I-78 Corridor. The meeting is tentatively set for May 14, 2007 at 5:00 p.m. at the Planning Board offices; with a full municipal meeting date for June 5, 2007.
- Initial comments on the Highlands Act have been distributed to the Planning Board Committees and the Freeholder Liaisons for their comments. Those comments will be revised and forwarded to the full Freeholder Board, then they will be submitted to the Highlands' Council prior to May 22, 2007 deadline.
- A Freeholder Liaison is needed to participate in the Steering Committee meetings, and the meetings will begin this month. Director Muller asked the Board to think about this and decide by the next meeting. Ms. Dziamara will provide an outline to the Board of the requirements for the Board's review.

Mr. Holt advised at the last Municipal Round Table meeting held by the Planning Board was very well attended and the information was well received. Ms. Dziamara stated 40 people attended that meeting; municipal official were invited to come and meet the Planning Board staff and share any issues or concerns in their municipality. These meeting will be scheduled quarterly in order to get feedback from the municipal representatives.

### **PLAQUE PRESENTATION TO STEVE RAWLYK**

Director Muller advised Steve Rawlyk has done a great service to the County of Hunterdon and the resolution which has been spread upon the minutes of the Board of Chosen Freeholders earlier today, is given to recognize people for their service. This man's dedication to the Planning Board of Hunterdon County is unparalleled and Steve Rawlyk has served on the Planning Board for more than 30 years.

Director Muller had the Planning Board Director read the Volunteer Appreciation Resolution adopted by the Board earlier to Mr. Rawlyk.

Mr. Rawlyk said over the years he has learned much about Hunterdon County and there is still so much information to be learned. He applauded the Board of Chosen Freeholders for brining the County to this level of achievement. He thanked the Board.

### **WARREN COUNTY/RECONCILIATION**

Director Muller reported Hunterdon County agreed to a 50% cost share to work with Warren County in connection with the Highlands Act. It is known based upon Hunterdon's budget which was adopted that no funds were allotted for litigation in connection with the Highlands' Act. Director Muller has keep in touch with Warren County with regard to their position on whether to proceed with litigation or if they are going to file a summary judgment.

Director Muller stated Hunterdon needs to reconcile the money owed to Warren County. He met with the County Treasurer, Charles Balogh, to go over the figures and Hunterdon owes Warren County \$16,067. Warren County has paid in services \$273,193.63 and Hunterdon has paid \$241,059.64 and the difference between the two counties is \$32,133.

Mr. Sworen confirmed the former Board of Chosen Freeholders chose to join Warren County to create a lawsuit against the State Highlands' Council. Director Muller explained it was not specifically for a lawsuit, it was to put together an amendment to the Highlands' legislation.



Mr. Sworen confirmed the additional costs were for Hunterdon County to join Warren County in having documents prepared to go to file a summary judgment and Warren County has filed that lawsuit and Hunterdon has assisted in paying the bills to bring it to that level. Warren County chose not to name Hunterdon as part of the lawsuit even though Hunterdon paid for half the lawsuit. Director Muller explained Hunterdon agreement to support Warren County in preparing to file for a summary judgment; Hunterdon did not agree to file a summary judgment. Hunterdon County agreed to bring the lawsuit to a level where other counties could join in amicus and/or individuals could join in amicus. He stressed that Hunterdon County agreed to pay the costs with Warren County to bring this to that level.

Mr. Sworen confirmed the previous Freeholder Board agreed to assist Warren County in bringing this issue to that point. Director Muller said if this case were to be litigated or to go to summary judgment, Hunterdon would need to decide if it was willing to pay additional funds. Warren County has decided to move forward on its own and file a summary judgment because the current Freeholder Board in Hunterdon did not place funds in the approved budget for this litigation.

Mr. Peterson said his personal opinion is that this is not going to survive summary judgment.

Mr. DeSapio explained the history of the legal fees spent evolved over a period of time. Initially the costs were for analysis as to what the problems were with the Highlands' Act; then the costs were for the presentation of those problems to the Highlands' Council; there were a number of meetings the attorneys, Dick Zimmer and Steve Shaw, representing the counties attended where they made presentations to the Highlands' Council; initially Mr. Zimmer's firm having more expertise in constitutional law was engaged with the thought of providing some legal fire power in regards to the constitutional issues and when it became obvious that he would have to talk to various members of the New Jersey Legislature, it became necessary for Mr. Zimmer to classify himself as a lobbyist on behalf of Hunterdon and then the dynamic began to change because the Highlands' Council members in public were saying that since Hunterdon and Warren were saying they support the objectives of the Act, which are water protection, they asked for the opportunity to deal with some of the concerns rather than looking for litigation to deal with the concerns. Then Mr. Zimmer and Mr. Shaw tried to get the legislature to think about making changes and to get the Highlands' Council to think about making changes to the extent they were empowered to do so; in connection with that, Mr. Shaw attended almost every Highlands' Council meeting.

Mr. DeSapio advised at the time, when the two counties were making contingency plans for this lawsuit, at the end of last year Warren County felt and there was sentiment that although the Highlands' Council might be accommodating in some regards there were some key provisions they could not deal with that only the legislature could deal with dealing with the issues of compensating people whose properties were placed in the preservation area of the Highlands Act. While some members of the Highlands' Council expressed sympathy towards that, and said a funding mechanism has to be with the state. Warren County felt at the end of last year, that the only way that would change would be to bring litigation.

Mr. DeSapio feels Freeholder Sworen is asking if Hunterdon should have been placed on the complaint filed by Warren County, as a plaintiff. He feels Warren County's perspective was that there is going to be more expense involved between the filing of the complaint and the final determination on the summary judgment. Warren County feels that even though Hunterdon helped fund the preparation of the complaint to this point, from their perspective if Hunterdon wanted to be a plaintiff, Hunterdon would have to agree to fund it from this point forward. Whether Warren County is right or wrong on that issue, the simpler solution if Hunterdon were inclined to be put on, it would be simpler and inexpensive for Mr. DeSapio to file a document saying Hunterdon is joining as amicus. Hunterdon could also rely on Mr. Shaw's argument on the summary judgment or he could go to court but there would be less expense involved in handling it that way than to having a discussion with Warren on whether Hunterdon should have be placed on the lawsuit.

Mr. Sworen said the County paid so much to get to this point, and since the County paid for something, should it not be a party to it or not. Obviously Hunterdon pays its bills.

Mr. Holt confirmed Hunterdon currently owes a \$16,000 differential. Mr. Sworen moved and Mr. Holt seconded a motion approving payment to Warren County in the amount of \$16,067 as owed in connection with the Highlands' Act issue.

Mr. Peterson asked County Counsel if he was allowed to vote on this issue. Mr. DeSapio explained this is a funding issue, and it isn't for funding the future, so he feels it would be appropriate, as long as Mr. Peterson wanted to. Mr. DeSapio stated he doesn't see this issue as a conflict of interest because it is for the payment of an existing bill incurred pursuant to an agreement of a prior Freeholder Board. If it were concerning funding, a defense to the litigation in the future or for participation in the litigation in the future, then there could be a problem/conflict.

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. MELICK, MR. MULLER.  
(NAY) MR. PETERSON.**

#### **Highlands Preservation Area properties**

Director Muller advised a question was raised by a resident in Bethlehem Township on what the County's position is now concerning lands in the Highlands preservation area in Hunterdon County. 15% of the land in Hunterdon County occupies the Highlands' preservation area. He asked what the Board's position is.

Director Muller recalls when the Highlands Act was enacted Hunterdon County had a contract with an owner of a farm in Lebanon Township, who signed a contract to have the County purchase their property under the County's Farmland Preservation Program. Due to the fact that this bill was adopted, the Freeholder Board decided by a majority not to honor the contract and purchase this land. Mr. DeSapio advised every acquisition where there was an actual contract was awarded. The properties that were not pursued was where there were applications pending and when the contract came up for approval, even though the application had been pending for awhile, the then Freeholder Board would not approve entering into the contract. The breakpoint was if there was an existing contract the Board honored it and if there wasn't a contract they were voted on them on a case by case basis.

Mr. DeSapio advised the Freeholders were involved in a lawsuit with Lebanon Township over this issue because Lebanon Township withheld its open space taxes if the acquisitions in their township weren't going to be consummated.

Mr. Peterson doesn't recall the Freeholders adopting a resolution to that effect; the issue was that it was going to be a policy of the Board.

Mr. Sworn asked County Counsel, if once this payment is made to Warren County, that the litigation issues end. Mr. Holt feels there are two different issues here, one being a request for a decision with regard to farmland preservation within the Highlands region; the second is whether or not today you wish to have opinions from various Board members on whether to proceed with the perspective litigation.

Mr. Sworn feels by not putting any funding in the budget for this litigation, and by the Board agreeing to pay the final bill from Warren County, does that mean that Freeholders Peterson is allowed to rejoin the Freeholder Board on these issues, as he has not been able to attend the Executive Sessions on this issue as he is a member of the Highlands Council. Is Freeholder Peterson allowed to participate in these discussions in both open and closed session. Mr. DeSapio stated it is his opinion that Freeholder Peterson should recuse himself when the Board is involved in discussions concerning the litigation which Warren County filed and the possibility of joining that litigation.

Mr. DeSapio stated general policy discussions about the Highlands or general discussions about the Highlands, Freeholder Peterson can participate in them and he always could have participated in them except, in his opinion, in connection with someone who would come before the Freeholder Board with a problem that they would want to address legally with the Highlands' Council and where they might be appearing before the Highlands' Council eventually. On a case by case basis, Freeholder Peterson would need to evaluate whether he could serve in that joint role of listening and participating in the discussion with the Freeholder Board and if it comes up at the Highlands' Council, to also participate in that discussion. Under the law there are various things that Hunterdon County Freeholders might have to address with the Highlands' Council at some point, including applications in connection with road improvements and things of that nature. He thinks Freeholder Peterson would not be able to participate in those discussions at the Freeholder level because if the Freeholder Board decides to petition the Highlands Council, the Highlands Council would probably advise Mr. Peterson to recuse himself also. Mr. Peterson would have a problem with things in regard to the litigation, if there are going to be any.

Mr. Sworn feels Mr. Peterson has a unique perspective being a member of the Highlands Council and could bring information to the Freeholder Board. He would like to see dialog take place with Mr. Peterson as to direction.

Mr. DeSapio advised he sees no problem with Mr. Peterson participating in today's discussion on whether the Freeholders will cost share towards farmland acquisitions in the Highlands Preservation area but he should not participate in the discussion concerning whether Hunterdon wants to participate in the lawsuit filed by Warren County.

Mr. Sworn asked Freeholder Director Muller to table this discussion until later in the meeting, since the Board has public coming at 5:30 p.m.

### **PROJECT UPDATE**

Frank J. Bell, AIA, County Project Administrator updated the Board on various County facilities and buildings.

- The temporary certificate of occupancy (TCO) has been received for the Library Headquarters. Most of the TCO approval is from Raritan Township. There is one contractor, Don Pizzalato, Inc., who has indicated he would like payment for installing the seismic bracing in the mechanical room. County Counsel's office is working with Mr. Bell and Mr. Pizzalato's attorney to get this resolved. The Raritan Township Building Inspector has issued a TCO for all other items.
- The request from the Emergency Services staff for a change order to the project has been reviewed, there are some credits, he is negotiating this with the contractor to get the numbers down.
- Mr. Bell presented the Board with a plan for the first and second floors of the Hall of Records which is being renovated. The County Clerk has requested additional space. The initial review of the Hall of Records had the Tax Board going into half of the second floor space. The Clerk is requesting to take all but one office on the second floor. That would cause the Tax Board to be placed in another location. The Facility Committee will be meeting to discuss this with the County Clerk. Director Muller advised a study was done for the Freeholder Board which recommended the Clerk be given approximately 5,000 square feet which would include the search areas and storage areas. The front part of the Hall of Records is around 1,500 square feet per floor, giving them 3,000 to

3,500 feet of net useable space on the first floor and second floor. Director Muller confirmed the Clerk's request is less than what the study has stated. Mr. Bell explained that can't be determined because the study isn't as detailed as he would like it to be. Mr. Peterson questioned if the Clerk could take over the downstairs space. Mr. Bell stated the space on the lower level is expansion space for storage or staff. Director Muller recommended the Freeholders meet with Mr. Bell to go over the plans and get answers to any questions, so action can be taken at the next meeting.

**PURCHASING**

Mr. Peterson moved and Mr. Sworen seconded this:

**See Page 04/24/07-11A**

**RESOLUTION**

**RESOLVED**, Approving Requisition #23440, using State Contract No. A-53804, with Motorola, for radios for the Public Safety Department, in the amount of \$16,252.50, to be purchased using 2006 Homeland Security grant funds.

**ROLL CALL: (AYES) MR. PETERSON, MR. SWOREN, MR. HOLT, MR. MELICK,  
MR. MULLER.**

Mr. Melick moved and Mr. Peterson seconded this:

**See Page 04/24/07-11B**

**RESOLUTION**

**RESOLVED**, Approving Requisition #23441, using County Quote #0039-2007, with M&W Communications, for encryption boards for the radios being purchased under Requisition #23440 above, for the Public Safety Department, in the amount of \$5,824.00, using 2006 Homeland Security grant funds.

**ROLL CALL: (AYES) MR. MELICK, MR. PETERSON, MR. HOLT, MR. SWOREN,  
MR. MULLER.**

Mr. Peterson moved and Mr. Holt seconded this:

**See Page 04/24/07-11C**

**RESOLUTION**

**RESOLVED**, Approving Requisition #Parks.03187, using County Quote #0035-2007, with Associated Mailing & Printing, for the June Harbinger, a program newspaper for Parks and Recreation, in the amount of \$7,123.

**ROLL CALL: (AYES) MR. PETERSON, MR. HOLT, MR. SWOREN, MR. MELICK,  
MR. MULLER.**

Mr. Peterson moved and Mr. Sworen seconded this:

**See Page 04/24/07-11D**

**RESOLUTION**

**RESOLVED**, Authorizing the rejection of bids for Bid #2007-13, to furnish and deliver structural steels for the Roads, Bridges and Engineering Department since both bidders took exception to the bid and directing the Purchasing Agent to re-bid the project.

**ROLL CALL: (AYES) MR. PETERSON, MR. SWOREN, MR. HOLT, MR. MELICK,  
MR. MULLER.**

Mr. Melick moved and Mr. Peterson seconded this:

**See Page 04/24/07-11E**

**RESOLUTION**

**RESOLVED**, Authorizing the award of Bid #2007-01, to furnish and deliver one (1) Trailer Mounted Diesel Fired Dual Axle Oil Jacketed Crack Sealing Melter/Applicator, for Roads, Bridges and Engineering, to Cimline Inc., in an amount not to exceed \$33,985.

**ROLL CALL: (AYES) MR. MELICK, MR. PETERSON, MR. HOLT, MR. SWOREN,  
MR. MULLER.**

Mr. Peterson moved and Mr. Sworen seconded this:

**See Page 04/24/07-11F**

**RESOLUTION**

**RESOLVED**, Authorizing the award of Bid #2007-07, to provide needs assessment/strategic planning for various municipalities, to SMART Business Advisory and Consulting, LLC, in an amount not to exceed \$185,050, to be purchased under the Paris Grant.

**ROLL CALL: (AYES) MR. PETERSON, MR. SWOREN, MR. HOLT, MR. MELICK,  
MR. MULLER.**

Mr. Melick moved and Mr. Sworen seconded this:

**See Page 04/24/07-12A**

**RESOLUTION**

**RESOLVED**, Authorizing the award of Bid #2007-09, to furnish and deliver two (2) Variable Display Message Boards, for the Route 31 Complex and the Route 12 Complex, to S&S Electrical Services, Inc., in an amount not to exceed \$31,192.56.

**ROLL CALL: (AYES) MR. MELICK, MR. SWOREN, MR. HOLT, MR. PETERSON, MR. MULLER.**

**INFORMATION TECHNOLOGY**

Michael Rasimowicz of the Information Technology (IT) Department explained as part of the PARIS grant, the County has been working on getting information for fiber optics. Hunterdon has a purchasing co-op with Somerset County and Somerset County has a vendor under contract which does a lot of their wiring, data and communications needs. That vendor did a preliminary study for Hunterdon to do wireless as an alternative for fiber. The vendor feels they could put together a package for Hunterdon for about half the cost of fiber. The vendor provided a proposal in an amount of not more than \$6,700 they could do a path analysis and an engineering study to come up with some comparable solutions to fiber as an alternative.

Mr. Sworen questioned if anyone else is using this technology. Mr. Rasimowicz advised Somerset County has been using this technology for about five years. Somerset's Office of Emergency Management, the Prosecutor's Office, and different departments are connected via wireless and they are using encryption without instance.

Mr. Sworen questioned if there is any interference at Somerset County when storms come through the area. Mr. Rasimowicz directly asked Somerset County about that and was told the technology now has built in sensors, and if there is a storm, the signal strength is reduced which opens the radio waves, so connectivity isn't lost, and the system auto-senses when the weather is clear again and it compresses the signal to get a higher signal.

Mr. Rasimowicz advised as part of this vendor's engineering study they would come out and check the area for interference and determine what other type of technology is in the area, and then they would make recommendations to Hunterdon County.

Mr. Rasimowicz informed the Board that this study was not in the original scope of the PARIS grant so the costs would have to come out of Information Technology's budget or a change or scope of work for the PARIS grant would have to be done to see if it could be paid under the grant.

Mr. Holt questioned if there are any cost savings to the Hunterdon to go wireless instead of using fiber optics. Mr. Rasimowicz advised IT received some budgetary estimates of over \$1 million for fiber optics with an annual fee for maintenance of around \$50,000.

After further discussion, Mr. Sworen moved and Mr. Holt seconded a motion authorizing the Information Technology Department and Purchasing to obtain an agreement with the vendor under Somerset's Co-Op to perform a wireless study for Hunterdon County, in an amount not to exceed \$6,700.

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. MELICK, MR. PETERSON, MR. MULLER.**

**GRANTS**

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 04/24/07-12B**

**RESOLUTION**

**RESOLVED**, Approving a Comprehensive Farmland Preservation Plan Grant Agreement from the SADC, to aid in the creation or amendment of a Comprehensive Farmland Preservation Plan, amount not to exceed \$30,000.

**ROLL CALL: (AYES) MR. HOLT, MR. SWOREN, MR. MELICK, MR. PETERSON, MR. MULLER.**

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 04/24/07-12C**

**RESOLUTION**

**RESOLVED**, Approving the renewal of a General Operating Support application with the New Jersey Historical Commission, for re-granting, re-grant program administration and history related general operations, through Cultural & Heritage, in the amount of \$75,039 with a County Match of \$60,177.

**ROLL CALL: (AYES) MR. HOLT, MR. SWOREN, MR. MELICK, MR. PETERSON, MR. MULLER.**

Mr. Peterson moved and Mr. Holt seconded this:

**See Page 04/24/07-13A**

**RESOLUTION**

**RESOLVED**, Accepting the Small Cities Grant for housing rehabilitation, in the amount of \$300,000.

**ROLL CALL: (AYES) MR. PETERSON, MR. HOLT, MR. MELICK, MR. SWOREN, MR. MULLER.**

**CORRESPONDENCE**

A request was received from Ride Against Aids, for permission to use County roads during their 6<sup>th</sup> Annual bicycle ride "New Jersey Ride Against AIDS" during the weekend of September 28 through 30, 2007. Mr. Melick moved and Mr. Sworen seconded a motion granting permission provided this event is coordinated through the County Department of Roads, Bridges and Engineering.

**ROLL CALL: (AYES) MR. MELICK, MR. SWOREN, MR. HOLT, MR. PETERSON, MR. MULLER.**

Correspondence was received from the Califon Board of Recreation Memorial Day Committee requesting permission to use and close a portion of County Route 512, from School Street to Academy Street, for one hour on Monday, May 28, 2007, commencing at 10:45 a.m. during their Memorial Day celebration. Mr. Sworen moved and Mr. Holt seconded a motion granting permission provided this event is coordinated through the County Department of Roads, Bridges and Engineering.

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. MELICK, MR. PETERSON, MR. MULLER.**

A letter and information was received from NORWESCAP, requesting assistance to fill a vacancy for a County representative on the NORWESCAP Board. The information will be forwarded to the Human Services Administrator by the Clerk of the Board at the Freeholders direction.

**OPEN TO THE PUBLIC**

Director Muller recognized Rose Leverton, resident of Flemington Borough

Ms. Leverton came before the Board requesting assistance in correcting what she feels to be an unjust situation, made by a decision from the County's Human Services Department and Division of Social Services. She explained her benefits have been cut by 60%. She has been serviced by All Quality Care and Anita's Angels.

Ms. Leverton has two issues, the first is she would like to have services again provided by Anita's Angels but they did not bid to provide services to clients for Hunterdon County this year. She questioned if a bid package was sent to Anita's Angels. John Davenport, County Purchasing Agent informed the Board that a bid package was sent to Anita's Angels and they chose not to bid. Ms. Leverton's second issue that the hours these service agencies provide to her has been reduced from 10 hours a week to 4. She would like to receive 8 to 10 hours of service a week.

Mr. Holt confirmed with Mr. Davenport that the bid was awarded to another agency. He confirmed with Ms. Leverton that there is someone who comes into her home to provide these services. Ms. Leverton is upset because her hours were cut to 4 hours per week. He told her that because of bidding laws, she probably will not get Anita's Angels to perform those services.

County Counsel DeSapio asked Ms. Leverton if she has discussed her appeal rights with the Department of Human Services. Ms. Leverton stated Human Services will not give her an appeal.

After further discussion, Freeholder Peterson informed Ms. Leverton he will delve into this matter on her behalf and find out why her hours were cut back.

**EXECUTIVE SESSION REQUESTS**

Mr. Sworen moved and Mr. Peterson seconded these:

**See Page 04/24/07-13**

**RESOLUTION**

**RESOLVED**, Executive Session for the purpose of discussing an issue with SAFE in Hunterdon.

**ROLL CALL: (AYES) MR. SWOREN, MR. PETERSON, MR. MELICK, MR. HOLT, MR. MULLER.**

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 5:22 p.m. and reconvened in Open Session at the 2<sup>nd</sup> Floor of the Historic Court House, at 5:44 p.m.

**COUNTY SURROGATE/COUNTY CLERK**

PRESENT: Susan Hoffman, County Surrogate and Mary Melfi, County Clerk.

Director Muller explained since members of the public were to be present today, he felt that they should enjoy the renovations to the historic Court House and hopes that this will allow the younger generation to obtain an appreciation for the history of their County.

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 04/24/07-14A**

**PROCLAMATION**

**RESOLVED**, Recognizing April 22 – 28, 2007 as National County Government Week in Hunterdon.

**ROLL CALL: (AYES) MR. HOLT, MR. SWOREN, MR. MELICK, MR. PETERSON, MR. MULLER.**

Ms. Hoffman explained members of the Constitutional Officers Association of New Jersey sponsored a poster contest which was open to all public schools. She and Ms. Melfi held the program for Hunterdon County which was opened to all public schools in the County. The theme of the poster contest was "What Makes Hunterdon County Unique." The judges were Senator Leonard Lance, Assemblywoman Marcia Karrow, Freeholder Director George Muller, and Frank Dragatta the County Superintendent of School. The judges came up with three winners.

The winners of the poster contest were asked to say a few words about their poster and pose for pictures with Mr. Hoffman, Ms. Melick and the Board of Chosen Freeholders. First place winner is Elana Solomon of the Delaware Township School; second place winner is Sean Smith of the Franklin Township School; and the third place winner is Abby Flagler of the Califon Public School.

Ms. Hoffman recognized the teachers present today supporting their students.

**HUNTERDON COUNTY MEDICAL ACCESS PARTNERSHIP**

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 04/24/07-14B**

**PROCLAMATION**

**RESOLVED**, Recognizing the volunteers of the Hunterdon County Medical Access Partnership which will receive the Edward J. III Excellence in Medicine Award for Community Service Leader.

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. MELICK, MR. PETERSON, MR. MULLER.**

The Board presented the certificates individually to those volunteers present today. The other volunteers will have their certificates mailed to them.

**OPEN TO THE PUBLIC**

Director Muller opened the meeting to the public.

Lois Stewart, Flemington Borough resident urged the Board to support the purchase of the Urbach property in Raritan Township. Raritan Township voted on this issue last night and it was their feeling not to purchase the property. Ms. Stewart feels the property could be used for active recreation. Raritan Township has \$400,000 in Green Acres funds that could be used to purchase the property.

Mr. Melick feels if Raritan Township is willing to match the Green Acres funds, then the County might consider this purchase and he noted that the County would have to come up with over \$1 million. He confirmed it was his understanding also that the Township doesn't want to enter into a contract to purchase the Urbach property.

Beryl Doyle of Citizens for Parkland urged the Board to consider purchasing the Urbach property for recreational purposes.

The Hunterdon County Board of Chosen Freeholders recessed at 6:35 p.m. and reconvened in Open Session at 6:30 p.m. in the Freeholders' Meeting Room at the Main Street County Complex.

Director Muller advised Nikki Fentzlaff is present today concerning her Lebanon Township property located in the Highlands Preservation Area.

Director Muller feels due to the amount of items needed to be discussion with regard to the Highlands, the policy and the Board's position that this Board hold a separate meeting to deal with these issues because of the complexity and the decision the Board has to make.

The Board agreed to meet early on the day of their regular meeting, May 08, 2007, at 1:00 p.m. and the first item of discussion will be the issues on the Highlands.

**FREEHOLDER REPORTS**

Mr. Peterson reported a memo was received from Sheriff Doyle. The Sheriff recommended that a member of law enforcement be appointed to the Fleet Management Committee. Mr. Peterson feels that is a good recommendation.

Mr. Peterson reported Sheriff Doyle's second issue is that he would like to keep the silver Taurus currently assigned to his department. He confirmed with the Clerk of the Board that the Sheriff was given the 4 Wheel Drive vehicles he asked for last year. He also confirmed that pool vehicles are available for the Sheriff to use.

Mr. Peterson advised on Wednesday, May 2, 2007 the County's Office on Veterans' Affairs will be opening. The office is located at the Senior Services Building.

Mr. Peterson stated there maybe a veteran at the ceremony who just returned last week from Iraq, Jason King. Jason is the son of John King, who is on Raritan Township's Committee.

Mr. Melick congratulated Freeholder Sworen on being named as Mayor of the Year in the State of New Jersey.

Mr. Sworen thanked Mr. Melick and advised the honor was bestowed upon him by the Executive Board of the New Jersey Conference of Mayors. This is the first time a small town mayor has ever been considered for this honor. This is also the first time a mayor from Hunterdon County has received this honor, and that makes this more meaningful.

Mr. Peterson asked Mr. Sworen if the County can place audio on its website so people can download and listen to the Freeholder meetings. People can download the meetings of the Highlands' Council to listen to them. This would also help those who have trouble seeing. Mr. Sworen stated the County can do the TTD, there is a cost to it. Voice overs can also be done. This is just something the Information Technology Department has never been directed to do. The County at this time does not have the capability to do it, but if the County were to upgrade the meeting room with small workstations, there is an appliance that can take the recorded voice and put it into text. Those are things to be looked at in the future. First we need to have the ability to gather and record. A good example is Raritan Township's digital recording system and they have a computer that records directly into a digital form on a compact disc.

Mr. Peterson asked if it would be expensive. Mr. Sworen feels the first pieces aren't that expensive and maybe around the \$10,000 range. He doesn't know if the County has all the pieces its needs including software to do that. The expense would be purchasing the recording equipment for the meeting room.

Mr. Peterson said he's interested in bringing government to the people at a time that is convenient to them. When he was on vacation, he was able to catch local meetings and school board meetings on the television. He thought if Hunterdon were able to have audio on the web people would be able to listen in on an issue that they saw on the agenda and were interested in. Mr. Sworen will talk with IT and Purchasing about audio and get some rough costs.

Mr. Holt also congratulated Mr. Sworen on being named Mayor of the Year.

#### **EXECUTIVE SESSION REQUESTS**

Mr. Holt moved and Mr. Melick seconded these:

**See Page 04/24/07-15A** **RESOLUTION**

**RESOLVED**, Executive Session for the purpose of reviewing the Executive Session minutes as to what can be released for April 2006, January 2007 and February 2007 and reviewing the minutes of February 27, 2007 to issue them for approval.

**See Page 04/24/07-15B** **RESOLUTION**

**RESOLVED**, Executive Session to discuss a personnel issue in the Department of Roads, Bridges and Engineering.

**See Page 04/24/07-15C** **RESOLUTION**

**RESOLVED**, Executive Session to discuss a personnel issue in the Health Department.

**See Page 04/24/07-15D** **RESOLUTION**

**RESOLVED**, Executive Session to discuss the establishment of the rate for road projects for Sheriff's Officers.

**See Page 04/24/07-15E** **RESOLUTION**

**RESOLVED**, Executive Session to discuss a personnel issue involving an appointment to fill a vacancy on the Polytech Board.

**See Page 04/24/07-15F** **RESOLUTION**

**RESOLVED**, Executive Session to discuss perspective appointments to the Health and Human Services Advisory Council.

**See Page 04/24/07-15G** **RESOLUTION**

**RESOLVED**, Executive Session to discuss the acquisition of the Urbach property.

**See Page 04/24/07-15H** **RESOLUTION**

**RESOLVED**, Executive Session to discuss the acquisition of the Kuhl-Kadezabek property.

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the acquisition of the Sneiderman property.

**ROLL CALL: (AYES) MR. HOLT, MR. MELICK, MR. PETERSON, MR. SWOREN,  
MR. MULLER.**

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 6:35 p.m. and reconvened in Open Session at 8:22 p.m.

The Board reported it will be moving forward on making improvements to County property.

The Board directed the Clerk of the Board to inform Raritan Township's elected officials that the County needs a resolution from them they will provide their Green Acres funds in the amount of \$440,000 towards the purchase of the Urbach property, as well as match that amount or 50% of that purchase and the County will consider participating in that acquisition.

There being no further business to come before the Board, Director Muller adjourned the meeting at 8:25 p.m.

Respectfully submitted,

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Denise B. Doolan  
Clerk of the Board