

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, Second Floor
Flemington, New Jersey 08822

August 28, 2007

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 3:08 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 OF ALLEGIANCE

MOMENT OF SILENCE

Director Muller asked everyone to pause for a Moment of Silence for the passing of Wesley Lance yesterday. Wesley Lance dedicated himself to the people of Hunterdon County for more than seventy-five years.

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."

Item #3 is held at this time.

Mr. Holt moved and Mr. Sworen seconded a motion to approve the payment of all claims as listed on the Claims Register dated August 28, 2007.

See Page 08/28/07-1A CLAIMS REGISTER

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

Mr. Holt moved and Mr. Sworen seconded a motion to approve the Social Services Funds Report for July 2007.

See Page 08/28/07-1B SOCIAL SERVICES FUNDS REPORT

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

Mr. Holt moved and Mr. Sworen seconded these:

See Page 08/28/07-1C RESOLUTION

RESOLVED, Approving reappointments/appointment to the Professional Advisory Committee on Alcoholism and Drug Abuse.

See Page 08/28/07-1D RESOLUTION

RESOLVED, Approving the Operating Assistance Agreement with New Jersey Transit for Section 5311/NJT Federal funding in the amount of \$251,624 for operating funds and a County Match of \$125,812.

See Page 08/28/07-1E RESOLUTION

RESOLVED, Approving a contract with Interfaith Hospitality Network of Hunterdon, Inc., to provide Housing Search/ Assistance to low income County residents, in the amount of \$36,500.

See Page 08/28/07-1F RESOLUTION

RESOLVED, Approving the 2008 Municipal Alliance Plan update and recommending its transmittal to the Governor's Council on Alcoholism and Drug Abuse.

See Page 08/28/07-2A

RESOLUTION

RESOLVED, Supporting the creation of a new school funding program to preserve the per pupil County vocational aid to support additional costs of hands-on technical education programs.

See Page 08/28/07-2B

RESOLUTION

RESOLVED, Authorizing the release of portions of executive session minutes of March 13, 2007, March 27, 2007 and April 10, 2007.

See Page 08/28/07-2C

RESOLUTION

RESOLVED, Approving Change Order #1, for Bid #2006-22, for the Reconstruction of County Bridge L-92-W, on Hampton Road, over the Musconetcong River, with Empco Contracting, Inc., decrease of \$41,679.10.

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

Mr. Peterson asked to discuss the In-Kind Services and Equipment Loaning policy. He feels once the parameters are set up, the Board should allow the department heads to collect the requests, insurance, and any documents. If the County makes this process too burdensome it won't be doing any sharing and shared services is important to help keep property taxes down. He would hate to do anything that would deter shared services. Mr. Peterson stated that Hunterdon's municipalities can be trusted to do the right things.

Mr. Peterson stated this policy is for the loaning of equipment and he feels the parameters could be put in, by which department heads would have some latitude with the agreements with the townships; and could make the decision, along with the scheduling of the equipment.

Mr. Peterson explained the Chamber of Commerce is setting up a system for Shared Services and there will be an agreement that allows repetitive borrowing to take place. Mrs. Yard advised the Hunterdon County Chamber of Commerce received a \$300,000.00 grant to set up Shared Services.

Mrs. Yard explained if the Freeholders give the department heads the responsibility to enter into shared services agreements, it puts them in a difficult position when a municipality calls and says a Freeholder said I should call you to see if you can do such and such. This policy was purposely designed to take the responsibility off the County's department heads and to make sure all things are done correctly.

Mr. Sworen agreed there should be the initial filing of paperwork by the municipality and if there are repeat requests, the information is already on file, so the department head can approve the request if possible.

Mr. Holt said the Board is making this too complicated, the policy works fine. If a municipality needs to utilize a wood chipper 20 times a year, then in the beginning of the year, the municipality has to submit a simple letter that says a wood chipper will be needed 20 times a year and when it's needed they will submit any necessary paperwork and insurance requirements.

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/28/07-2D

RESOLUTION

RESOLVED, Approving County Policy #2007-02, on County In-Kind Services and Equipment Loaning.

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

Change Order Summary/Discussion

Items # 16, 23, 25, 27 and 28 were held.

Director Muller informed those present that the County Architect, Frank Bell, provided a summary to the Board explaining these charge orders in connection with the historic restoration of the historic Court House and Jail.

Mr. Holt moved and Mr. Peterson seconded these:

See Page 08/28/07-2E

RESOLUTION

RESOLVED, Approving Change Order #16, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$5,847.43.

See Page 08/28/07-2E

RESOLUTION

RESOLVED, Approving Change Order #17, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$7,827.19.

See Page 08/28/07-3A

RESOLUTION

RESOLVED, Approving Change Order #18, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$15,258.70.

See Page 08/28/07-3B

RESOLUTION

RESOLVED, Approving Change Order #19, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$3,501.43.

See Page 08/28/07-3C

RESOLUTION

RESOLVED, Approving Change Order #20, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$9,492.03.

See Page 08/28/07-3D

RESOLUTION

RESOLVED, Approving Change Order #22, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$1,790.40.

See Page 08/28/07-3E

RESOLUTION

RESOLVED, Approving Change Order #23, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$2,647.20.

See Page 08/28/07-3F

RESOLUTION

RESOLVED, Approving Change Order #24, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$1,173.60.

See Page 08/28/07-3G

RESOLUTION

RESOLVED, Approving Change Order #25, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$2,393.38.

See Page 08/28/07-3H

RESOLUTION

RESOLVED, Approving Change Order #26, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$5,425.93.

See Page 08/28/07-3I

RESOLUTION

RESOLVED, Approving Change Order #27, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$2,012.50.

See Page 08/28/07-3J

RESOLUTION

RESOLVED, RESOLUTION -Approving Change Order #29, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$20,038.75.

See Page 08/28/07-3K

RESOLUTION

RESOLVED, RESOLUTION -Approving Change Order #31, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$941.25.

See Page 08/28/07-3L

RESOLUTION

RESOLVED, Approving Change Order #34, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$6,185.20.

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

Mr. Sworen confirmed with Mr. Bell that the architect omitted the gas line in Changer Order #21, for Bid #2003-13, from the drawings. Mr. Bell confirmed this is not the County's fault but the County must go through the change order process with the contractor. This has been discussed with the architect in the past, as well as the Freeholder Board. Mr. Bell will be going back to the architect to show them the items omitted from the drawings and the items that were errors on the drawings and the architect will take care of those items and pay for them. That discussion with the architect has not taken place yet.

Mr. Sworen noted for the records that he would expect that the cost of this would be paid by the architect, since the architect gets paid 15% of all the change orders. He feels the County should get that 15%. Mr. Bell will look into that. He does not recall that the Architect is getting paid for the change orders in this particular contract. He does not believe the architect submitted a bill to him, requesting payment for change orders but he will double check.

Mr. Sworen asked if it is in the contract. Mr. Bell confirmed it is in the contract but he does not recall every seeing and knows he never approved a bill allowing the architect to get paid for change order review. Mr. Sworen said no payments are to be made until this comes back before the Board.

Gaetano M. DeSapio, County Counsel noted there are two types architectural mistakes, legally. One is error, where the architect makes a mistake that requires correction in the field and costs the public entity more money. The law says for that kind of error, the architect is responsible. Second, is an omission, which is a little different, and he's not sure this gas line is an example of that. With an omission if the architect would have done it right to begin with, and the County would have had to pay extra because the contractor would see a gas line was needed to be installed, and he would have put that in his bid. The architect is not responsible for reimbursing the County for what it would have had to pay anyway, however, usually there is an increased cost, above and beyond, what it would have been originally quoted in the bid, because the contractor can add some markup because there is no competition. If you can segregate those two amounts, the architect is responsible for the increase costs, and the County as the public entity is responsible for the initial costs because if it had been designed correctly, it would have needed to be paid for.

Mr. Sworen said on behalf of the taxpayers, the County needs to do a better job with contracts. Over and over again, there are terrible, ignorant, omissions and errors by architects on projects he has seen this year. These people are being paid a lot of money to do the work correctly the first time, and the County should not be responsible for their mistakes.

Mr. DeSapio noted for the record that none of these change order bring the contract amount above 20%.

Mr. Holt moved and Mr. Peterson seconded this:

See Page 08/28/07-4A **RESOLUTION**

RESOLVED, Approving Change Order #21, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$6,250.00.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 08/28/07-4B **RESOLUTION**

RESOLVED, Approving Change Order #28, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$3,525.00.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 08/28/07-4C **RESOLUTION**

RESOLVED, Approving Change Order #30, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$695.95.

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

Mr. Melick left the meeting at 3:41 p.m.

Mr. Peterson moved and Mr. Holt seconded these:

See Page 08/28/07-4D **RESOLUTION**

RESOLVED, Approving Change Order #32, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$62,055.00.

See Page 08/28/07-4E **RESOLUTION**

RESOLVED, Approving Change Order #33, for Bid #2003-13, for the historic restoration of the Historic Court House and Jail, with Watertrol, Inc., increase of \$1,963.45.

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

ADDED ITEMS:

Mr. Holt moved and Mr. Peterson seconded these:

See Page 08/28/07-4F **RESOLUTION**

RESOLVED, Laura Palumbo appointed permanent, part time Library Assistant, Library.

See Page 08/28/07-5A

RESOLUTION

RESOLVED, Francia Reyes appointed permanent, full time Youth Worker, Youth Facility Division, Public Safety Dept.

See Page 08/28/07-5B

RESOLUTION

RESOLVED, Kristen Brancaccio appointed temporary, as needed Student Assistant, Library.

See Page 08/28/07-5C

RESOLUTION

RESOLVED, Brian Stull appointed temporary, as needed Intern, Information Technology Department.

See Page 08/28/07-5D

RESOLUTION

RESOLVED, David Douglass, Deputy Surrogate and Mary Beth Hurford, Deputy County Clerk, salary adjustment.

See Page 08/28/07-5E

RESOLUTION

RESOLVED, Charles Ouslander, First Assistant Prosecutor, Prosecutor's Office, salary adjustment.

See Page 08/28/07-5F

RESOLUTION

RESOLVED, Authorizing the release of portions of executive session minutes of January 22, 2007 and February 27, 2007.

See Page 08/28/07-5G

RESOLUTION

RESOLVED, Approving a design contract with Lichtenstein Consulting Engineers, for County Bridge RQ-164.

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

PROCLAMATIONS/RECOGNITION

Mr. Melick returned to the meeting at 3:45 p.m.

Mr. Holt moved and Mr. Sworen seconded these:

See Page 08/28/07-5H

RESOLUTION

RESOLVED, Recognizing Garret Allan Brennan for attaining the designation of Eagle Scout.

See Page 08/28/07-5I

RESOLUTION

RESOLVED, Recognizing Jason Richard Hartom for attaining the designation of Eagle Scout.

See Page 08/28/07-5J

RESOLUTION

RESOLVED, Recognizing Jarrett James Hill for attaining the designation of Eagle Scout.

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

GIS PRESENTATION

Mrs. Yard reported earlier this year, the Freeholder Board was asking for two particular charges to Ad Hoc groups, one was for extraordinary designations and rating different open space parcels; and the other was to evaluate the current information technology efforts, including data collection, storage and retrieval capability to develop a tool which clearly displays past, present and future preservation efforts.

Mrs. Yard reported she met with Patty Leidner, GIS Division Head, Information Technology, two weeks ago and it was decided to show the Freeholder Board what her office currently has with the different overlays and then the Board can advise if they are looking for something else, to be placed on the overlays. This will act as a tool for the Board when considering how to strategically purchase open space, farmland, and park property.

Mrs. Yard stated that Ms. Leidner has been assisted by Kevin Richardson, Open Space Trust Fund Coordinator, Carrie Moore and Mike Rasimowicz of Information Technology, and the Planning Board Director, Sue Dziamara was involved in the initial meeting.

Ms. Leidner provided the Board with overlays showing the following areas: the various bioregions determined by the Parks Departments. Within those bioregions there are preserved target areas that are a subsection of those bioregions; plus there are conservation zone. Mr. Richardson explained six distinct bioregions make up Hunterdon County: the Highlands, Sourland Mountains, Delaware River Tributaries, Uplands Preservation, Hunterdon Plateau and the Raritan/Neshanic Plain; each encompassing a district physiographic providence with distinct features within each bioregion.

Ms. Leidner advised her understanding was that the Freeholder Board was looking for a way to better evaluate open space acquisitions in the whole County, not just on a lot by lot basis. The information displayed are the data layers created by the Planning Board in conjunction with the Parks Department for the Parks' Master Plan. They are also utilized in the County Master Plan. Ms. Leidner went over the overlays for farms and open spaces which have been preserved, displaying the County, State and Municipal open space conservation/preserved lands. There is a distinction between the bioregion zones and conservation zones.

Mr. Richardson and Ms. Leidner quickly went through the overlays for the Board.

Mr. Peterson asked if there is a goal for the conservation zones. Mr. Richardson stated they are all expressed within the Parks and Recreation Master Plan.

Mrs. Yard stated the Freeholder Board has asked numerous times, if there could be a display of a County outline by municipality, showing all the preserved lands in each municipality. She confirmed with Ms. Leidner that it could be shown through overlays. Mrs. Yard said the Board would need to see the County as a whole, a municipality and see how much farmland, open space and park areas. Ms. Leidner explained it would depend on what format the Board wanted the information in.

Director Muller said the Board desires to look at the County and get an overall picture of what a municipality holds. The Board when it looks at a property, it would be nice to have an overview of the municipality when looking at a specific property.

Mr. Holt would like to see something like the old transparencies, where the bottom would be the County, then a layer that shows the outlines of the municipalities, with a layer for farmland preservation, then one for open space, than parks and so on. That would lend the Board the ability to take this information with them when discussing acquisition projects.

Mr. Sworen said what is needed is a screen and a laptop that is going to be able to present this information. There would be a map of the County as the base, showing all the municipalities, then an overlay that shows all the preserved farmland, on top of that is the preserved parkland, and then the open space, no matter who owns it. Then the Board would be able to see what is where in each town. He sees another sheet that would show the Master Plan that the County has and areas the County would like to preserve. Within those layers, should be the ability to breakdown the farmland and which is preserved by easement, which is preserved by purchase, which is preserved by a municipality or the state, so there is a designation within that layer. The same should go for parkland, municipality/state/county parkland and so on with open space. This is a planning tool the Freeholders need to understand a lot more. He offered to work with Ms. Leidner in order to come up with some templates which would further outline the areas and contracting information which is useful to the Board. Mr. Holt feels this will be a visual tool that will help the Board immensely.

The Board thanked Ms. Leidner, Mr. Richardson, Ms. Moore and Mr. Rasimowicz for today's presentation.

ROADS and BRIDGES

Bridge Q-94

John P. Glynn, Director, Roads, Bridges and Engineering, came before the Board to report that County Bridge Q-94, on Old Clinton Road, just north of the Cherryville-Stanton Intersection was damaged last week. The bridge is in need of replacement. Mr. Glynn will be meeting with the Raritan Township Engineer and a couple other township officials to discuss the improvement of the bridge which is in need of rehabilitation/replacement. He feels the bridge was hit by a trailer but there is no report of it.

Mr. Glynn is seeking permission from the Board to proceed and work with Raritan Township on getting a reconstructed culvert to that location. This culvert is located north of the serpentine curve and you can't see around it. The turn is very tight. Mr. Glynn stated it is thought they found the trailer but they denied hitting the bridge. The Board directed Mr. Glynn to proceed. Mr. Glynn will meet with Raritan Township and report back to the Board on the decision.

Director Muller explained the bridge may need to be widened, since it is very narrow. Mr. Glynn stated he has support from at least five residents in the area saying yes, to widening the bridge.

Drainage Issue

Mr. Glynn reported there is a drainage issue, which will affect the Melick LLC property.

Mr. Melick left the meeting at 4:25 p.m.

Mr. Glynn reported there has been around 4 inches of rain on County Route 513, in the northern section of the County about three Friday's ago, and it flooded out an area in Lebanon Township near Maple Lane. It was evaluated based on the citizens' complaint. The area is just a little north of Califon Borough. He is proposing to place a 4 inch curb of asphalt to regrade the ditch because there is no berm to keep the water under control. Over the years the height of Route 513 has risen at least 8 or 9 inches and there is no berm to keep the water from going into the houses. Mr. Glynn advised there is a farm lane that the water comes down and it's supposed to turn and go into a cross drain. Permission is needed to regrade a little sweep so the water does not come down, hit the road, it will go into a ditch (sweep) and cross the road.

After a brief discussion, the Board agreed, and directed Mr. Glynn to move forward and obtain the necessary permission from the property owners. He confirmed there is no benefit for the property owner; it alleviates the water hitting 513 creating havoc on the opposite side.

Mr. Melick returned to the meeting at 4:29 p.m.

FINANCE

Charles Balogh, Jr., County Treasurer stated as reported at the last meeting, the County Audit for 2006 has been received and today there is a resolution which needs to be adopted stating the County has complied with the necessary statutes and that the members of the Governing Body will sign an affidavit that they have reviewed the minimum requirements. Mr. Balogh stated for the Board that he feels this was a good audit.

Mr. Sworen moved and Mr. Holt seconded this:

See Page 08/28/07-7A

RESOLUTION

RESOLVED, Authorizing compliance with the Local Finance Board in connection with the 2006 County Audit.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/28/07-7B

RESOLUTION

RESOLVED, Authorizing the cancellation of a grant receivable for the 2005 Sexual Assault Nurse Examiner/Response Team, in the amount of \$1,455.12.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 08/28/07-7C

RESOLUTION

RESOLVED, Authorizing the cancellation of a grant receivable and reserve for the 2005 Victim Assistance Project, (receivable - \$3,269, reserve - \$3,269.79).

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 08/28/07-7D

RESOLUTION

RESOLVED, Requesting Local Government Services insert an item of revenue in the 2007 County Budget for HIV Counseling and Testing, in the amount of \$23,650.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 08/28/07-7E

CAPITAL ORDINANCE NO. 15-07

INTRODUCTION, ORDINANCE AUTHORIZING THE CONSTRUCTION OF A CLUBHOUSE AT THE HERON GLEN GOLF COURSE BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$2,300,000.00 THEREFORE.

Mr. Melick informed the Board that he thinks this is the wrong time to introduce a capital improvement account. This is \$2.3 million. He asked how much money is in the capital account. Mr. Balogh advised there is over \$3 million. Mr. Melick explained the capital account is like the County's savings account to fix bridges or anything that is unexpected.

Mr. Melick thinks this ordinance is being done because there weren't four votes for a bond ordinance at the last meeting. He feels it is the wrong to do a capital ordinance, and feels the money will have to be replaced in next year's budget.

Mr. Melick feels that next year's budget will be a different scenario, because it is not likely that the ratable base will grow the way it has in the past due to the problem with the overall economy, plus housing seems to off and re-evaluations are not being done like they were because prices are reduced. There won't be the influx of the inflation ratables; plus construction is also showing shrinkage and at the same time there will be new demands put on the County and the Freeholders are going to have to come up with money for next year's budget.

Mr. Melick asked what the \$2.3 million figure is based on. Director Muller said the Board received a report last week from the golf committee, which indicates what the \$2.3 million would be used for. The amount does not have to be spent but in order to get this discussed an amount was needed.

Director Muller advised the golf committee consists of some of the County's professionals, in addition to professionals from Kemper Management, who manage Heron Glen and it was Kemper who provided some of the information in the packet the Board received. Kemper is the group the County used before when the golf course was being constructed.

Mr. Melick confirmed with Director Muller that a firm has not been chosen yet to construct the golf course clubhouse. Director Muller further explained the \$2.3 million figure is based upon the input from those represented on the golf committee of the various types of building they looked into to bring the figure down from \$3 million. The \$2.3 million also represents what a permanent facility could cost, as opposed to a temporary facility.

Mr. Melick asked the status of the current clubhouse. Director Muller feels the current clubhouse is unsafe and the roof is in horrible condition. If it were to snow on that roof, he feels it could come in and he will not be responsible for loss of human life, or injury of human life. The house facility was supposed to be temporary and the temporary time has past. Mr. Melick feels repairs could be looked into but \$2.3 million from the County's saving account, in this day and age to build a building that will compete with private business is wrong. He feels the budget is going to have to be dealt with next year, and he has been through several budgets in the past and the economy goes up and down. We are currently in an off economy.

Director Muller feels it is his responsibility as Director to bring this forward since it was in the County's Capital Budget to be adopted at the beginning of 2007. It is his responsibility in the matter of public safety for those in that building. This will be income producing for the County. The report given the Board by the golf committee; states that almost 40 organizations in the County have gone elsewhere, even out of the County, to do fundraiser golf tournaments. These nonprofit organizations want to utilize the facility but they will not come back until there is a facility better than the current temporary facility at Heron Glen. The nonprofits raise money for the good of the people in Hunterdon County, such as the YMCA for batter women, and more. In order to raise money these organizations are going to other places, in other counties to raise that money. Hunterdon's temporary facility needs to be replaced. Director Muller added that the facility could come in less that \$2.3 million. He noted that Freeholder Peterson has talked with him, and shared that he has some ideas to save money on a facility that would be acceptable. This Board needs to take action and move forward so that no one is injured at the temporary facility if it is declared unsafe. He suggested someone be brought in to look at the facility. Mr. Melick thinks the worst possible picture is being represented.

Mr. Melick stated the Board adopted numerous capital ordinances after the budget was adopted earlier this year, and the clubhouse project was left out and he was glad at the time, and let it be known and also stated at the time, that he felt this would come up after the election, and it has.

Mr. Melick noted there is a tent currently at the golf course. He confirmed the tent was rented from Freeholder Holt's company. Mr. Holt was sure Mr. Melick would raise this issue and asked County Counsel DeSapio to comment. Mr. Melick asked that the State's Ethic's Commission review this whole matter as County Counsel DeSapio should not be put in the position of having to rule on this, it should be sent to a higher level. He further explained that the tent is rented to Kemper Sports Management who runs Heron Glenn Golf Course for the County, and Kemper was a part of the study saying the County needs a new facility. Mr. Melick feels he's at a disadvantage because he was not a part of the meeting regarding the golf facility, so he does not know what was said or not said.

Mr. Melick noted that he has not been a part of the facilities meetings on the golf course with the consultants. Mr. Holt said there were no golf meetings except that Director Muller has taken the time, with staff, to prepare 82 pages of one of the most complete documents he's ever read with respect to capital funding.

Mr. Holt asked that after his opinion, that Mr. DeSapio addresses the ethic's issue since they had a long dialog on this and Mr. DeSapio rendered an opinion.

Mr. Holt noted his comments are with respect to the system set up in government. In any given budget year, the Board sets out with a series of requests that are based upon need as the County's Capital projects. This year there were \$43 million or \$44 million worth of requests and they were reduced to around \$34 million. Within that figure, are the items identified that need attention from this Board, for various reasons in the given budget year. The Freeholders established in the budget that there was a need within the Heron Glen Golf Course for a permanent structure to exist. The County's process is that a certain amount of energy can be expended, most of it in-house, to get to the point where that budget is more realistic and in this case, the figure went from \$3 million down to \$2.3 million after some research. The process is that you can't take any steps further unless a mechanism is introduced to pay for this. Beyond that is the third step, which is that once the mechanism is introduced to pay for a project, and we state the maximum to be spent, it is taken to the public and after it passes that criterion, then a hard look is given to what is wanted. In front of the Board today is a budgetary item that was put forth and a secondary study that was done to say, it can be done for \$2.3 million, of which \$1.1 million is the actual building costs. In order to move this forward and address the problem that exists, the Board needs to take action. This is not a commitment to build this particular building, it is not commitment to do anything but to advance this project to the next step and solve the problem that exists. Voting no on this means that you don't agree a problem exists.

Mr. Holt further stated he is not willing to say this project does not need to be done. This maybe a \$1 million project, it maybe something Mr. Peterson brings to the table, it maybe a redesign of what is currently recommended or it could be any number of things; but in order to move the project forward and not find ourselves a year or two from now still looking a two doublewides, we

need to move forward and he supports moving forward and he supports getting a public dialog and he supports putting up a facility that from the very beginning existed in the proposal. To build a golf course and not have a permanent doesn't make sense.

Mr. Melick feels the capital ordinance is an unconventional way to finance this project. It is taking the money out of the capital improvement fund. He asked why not appropriate, in order to study this project, a lesser amount of \$500,000, which would be enough to do a lot of the preliminary work and then do the final financing. \$2.3 million is needed to study a project, a project could be studied for \$200,000 and get good plans and everyone could have input.

Mr. Holt said after six years, it is time to finish the golf course project.

Mr. Sworen would like County Counsel comment now on the statement made earlier in the meeting, for the public's interest.

Mr. DeSapio explained approximately two weeks ago, both Freeholder Director Muller and Freeholder Holt asked him to review whether or not he felt that Freeholder Holt had a conflict of interest in voting and discussing issues that were related to a clubhouse for the golf course. It was related to him that a company that Mr. Holt works for rents a tent to the company, Kemper Sports Management that runs the golf course facility. Mr. DeSapio does not feel that Mr. Holt has a conflict in regard to voting on the issue of whether or not a capital improvement will be built to the golf course that doesn't relate to Kemper; or is at the request of Kemper; or designed to facilitate the continued business that Mr. Holt's company has with Kemper. There is the possibility and suggestion that if the clubhouse was built that there would be no need for the tent that is being rented, so if there was a concern about a conflict, there could be a concern on someone's part about whether Mr. Holt would be opposed to this project because the company he works for would be losing business.

Mr. DeSapio does not feel there is a problem; he thinks it is remote. Mr. DeSapio advised he has told this to Mr. Holt and Director Muller.

Mr. Holt explained the contract with respect to Kemper Sports Management has been in existence for five years or longer and it was in effect prior to his becoming involved with the County. Also, Mr. Holt stated he no longer owns the company. If anyone goes back into the records, the contract is with Kemper Sports Management and it was renewed this year and he abstained/recused himself from voting because he did feel there was a conflict.

Mr. Holt provided an analogy of Mr. Melick using Route 523 to get to his paying job in the County; he would hope he would recuse himself. This is a capital project on a piece of property that the County owns; this is not a conflict.

Mr. Melick explained the reason he is raising this issue, is because he has seen sophisticated buildings like this and there was still a need for tents. He feels there is still a gray area even though Mr. Holt recused himself from voting on Kemper's contract with the County but he understands. He feels this is a four to one Board, and he's the one.

Director Muller said in his discussions with Kemper, based upon the square footage in this report, it indicates there will be no need for tents at the facility. He noted that Kemper will be present at the public hearing for the ordinance and they can address that question.

Mr. Holt added that the purpose of this ordinance is to eliminate the temporary structure and to put something permanent in place. This is long overdue.

Mr. Sworen noted this is the 15th ordinance this year. The Board has appropriated millions and millions of dollars this year in other ordinances. The Board has put into place ordinances to replace trucks, fix buildings, roads, bridges and a number of things that benefit the County. This is a common practice. The County Planning Board has spent a lot of time and energy educating the municipal planning board members and planning boards to plan better so that Hunterdon won't become Mercer County or Hudson County. Hunterdon has worked hard over the years, with the boards and to date over 20,000 acres in farmland has been preserved; as well as preserving over 7,000 acres of parkland and open space. Hunterdon is doing the right thing so we don't see cement trucks on our roads, on a regular basis which is the sign of development. There are planning boards working very hard so that Hunterdon and its municipalities don't have developers coming in and putting in 600 homes. There will be some development but we are working to keep Hunterdon from being developing. This Board is working hard to preserve a lot of Hunterdon County.

Mr. Sworen noted to replace what is currently at the golf course, it would cost around \$500,000. The money would be better spent on making a down payment on a permanent facility than coming back seven years from now and spending money to do another temporary facility. There is over 7,000 acres of County parkland and all the parkland costs money and by purchasing it the County's income is reduced by what would have been received in taxes. Plus the County is paying for park rangers and park employees to maintain these properties. The County pays for structures on parkland for park use; the County just added to the Echo Hill facility. Echo Hill is renting out to people to have events. Echo Hill is one of the few park properties which return money to the County; and money comes back to the County from renting the pavilion at Deer Path Park. The golf course is a facility that will return money and pay for itself; people pay to play golf and people will pay to rent the clubhouse.

Mr. Melick said he has been a Freeholder for a number of years, and suspects he voted for 99% of all this preservation, and he has voted for more of it than anyone else due to his length of service to the County. He stated he is deeply committed to preservation and he does not like to see cement trucks/development. The County has been living off of the ratable increase that those cement trucks are providing due to the building that is taking place, which no one wants; but that has raised the County's ratable base and because of that the County has not had to raise the tax rate. Now, the County is coming into a different scenario because there won't be that growth in the ratables. No one likes to see the cement trucks. Mr. Melick said his record shows that he wants to preserve Hunterdon County the way it is. He's spent thirty years trying to preserve the County. Today the economy is questionable and there are people in Hunterdon that can no longer afford to pay the taxes, and they are moving out.

Mr. Melick feels the County will be competing with businesses if this new facility is built.

Mr. Peterson would like to place a few things on the record so it is not reported that the County has a building that is falling down or is a complete hazard. He asked Frank Bell, AIA, County Project Administrator to provide a status of the building's condition and if it should be closed.

Mr. Bell feels if the Board is looking into specific code violations, a more thorough evaluation should be done. The roof is in bad condition, it is a thin roll on type of product and it will slowly disintegrate, so it will need to be replaced. There are several doors that are warped because the building frame has turned slightly. Underneath, the crawl space areas, the metal is starting to show rust and would need to be replaced at some point. This is a minimal type building. He explained to the Board that he cannot inform the Board today whether the tie-downs are in place or not. It needs to be looked at closely.

Mr. Bell said in terms of reporting of what it being said to the public, he feels the County wants to take a closer look at the building just to assure the public that the building is still safe for occupancy or not.

Mr. Peterson asked if the building is a hazard. Mr. Bell stated he would like take a close look at the building before commenting.

Mr. Peterson has a lot of concerns about the clubhouse issue. He met with the County Treasurer, Charles Balogh, a year and a half ago, and went through the financials of the County as he was concerned, at that time, because he could see that the real estate market was going to cool and that housing prices were going to drop and that the amount of new housing/ratables was going to greatly diminish. The County has been living off the new ratables and the increase in ratables to pay for the County and he was concerned what would happen. Housing prices have dropped about 20% and even more in some places in the County. There is no longer the rapid development that once was. Toll Brothers has gone from building houses then selling them, to building houses when they sell the house. Mr. Peterson said Mr. Melick is exactly right, since the County's revenue rates are based on property taxes, the value of properties and the value of new properties coming online, taking raw land and turning it into new buildings, the County will see a dramatic change. He has always been concerned about debt and he doesn't like debt. He has also been concerned about reserves because if the County gets into a situation, he would want to make sure the County would be able to manage through that without having to go back to the taxpayers and ask for more money. In his opinion, between all the taxes residents are paying on their properties, the County has asked them for enough. Mr. Peterson stated the County has to be very cautious, especially in this time period of how we proceed in spending taxpayer money.

Mr. Peterson understands the structure at the golf course is temporary and at some point, it will need to be replaced and there is a cost to replace a temporary structure with another temporary structure and that those costs would be borne and it doesn't make the best financial sense to keep putting up temporary structures for a long term situation.

Mr. Peterson stated the Freeholders need to come up with some type of structure for the needs of the County golf course. He feels his philosophy is different, as he is a small government person and doesn't like to see government expand. He believes he would have been against, and very reluctant to vote for building the golf course. Since we now have a golf course, we have to deal with what we have. Since the County has a golf course, we should supply what is needed to run a golf course, he does not feel the County should be in the banquet business. Although the businessman in him likes the idea of profits, he doesn't feel that is what government should do. With profits comes risk and it isn't prudent for government to take risks with people's money merely for profit. Mr. Peterson thinks a reduced size clubhouse that meets the needs of the general public who come to play golf, whether it is with their family, children or friends but he does not see where the benefit of a banquet room comes to the general public coming to play golf.

Mr. Peterson appreciates the position regarding non-profits within the County would use the facility, but he doesn't think it is worth the money or the risk, nor does he think that there is any guarantee just because it is the County golf course that County non-profits would want to use the course. He also doesn't think that is enough of a reason to spend money.

Mr. Peterson stated the plan is very well put together but it doesn't contain any options. Throughout this process, he has asked that other options be looked into of different types of building techniques and none of them are reflected. He has done some research about other building technique options which would be more cost effective for what the County needs. He doesn't feel the County has looked at all the options yet. The options haven't been put into a nice report like this one. The options need to be put out there so that the public can see what the options are, and so the Freeholders can see what the options are and have discussions on each

option and come to a conclusion based on all the options, all the facts and everything that we should know before we make this decision. This is like getting a mortgage to build a house before you look at what kind of house you want, what you can afford, or what options are available to you prior to talking to builders, architect or doing research. The first step is to find out what you absolutely need, what you are willing to get rid of because of costs and what can't be done without because of necessity.

Mr. Peterson feels if the County has this money allocated and it is available, it will be spent. He would prefer getting all the options on the table, and figure out the costs and what the budget should be, and what will be done, until then the money should not be allocated for. He feels a permanent structure could be built that meets the purposes of government, for less than \$2.3 million including everything the \$2.3 million includes except for a banquet room and reducing the size of some of the other rooms. He would like to have all the options on the table to discuss them. He would like everyone to be open minded to this without having any kind of position on this project.

Mr. Peterson announced will be voting against this ordinance. He would like the public comment to come before the ordinance and against at the public hearing for the ordinance. This is something of significance to the County. This will set the tone for whatever occurs in the County and what the County will get involved in, in the future. He is not for the County being involved in much more than what County Government is obligated to be involved in.

Director Muller stated he will reserve many of his comments for the public hearing, which will be held at a special meeting on September 17, 2007 at 5:30 p.m.

Director Muller said when the public voted for a golf course, it included a permanent facility. The public question on the ballot was a non-binding public question. The taxpayers of this County invested in this and he thinks it is good when government can get a return on its investment. A return is a cost savings to the taxpayer and that is good business.

Director Muller noted that the report being discussed is on the County's webpage for anyone who is interested in reading the report.

Ms. Sworen said he takes offense to one of Mr. Peterson's comments, and he does know it was not meant by him as an offense to him about wastefully spending money. He said for reassurance, any plans and he does not see a final plan for a clubhouse in the report, will be done right the first time. It will be done as inexpensively as can be done and it will be done correctly. He will not vote for anything that is not necessary or overpriced. This will be done correctly and it will be done correctly the first time. Time and effort will be given to do this correctly and the money that will be spent; will be spent wisely, whether it is \$2.3 million or \$1.2 million. Whatever the price is, it will be what is necessary to spend.

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

Mr. Melick asked why the public hearing will not be held at a regular Freeholder Meeting. Director Muller explained the number of people that may come to the public hearing to express themselves either for or against the ordinance, means it is a time consuming issue. The Board's regular meetings now take longer than they used to, so it makes sense to give it a time all its own so everyone who comes to the meeting will have time to speak.

Polytech

Mr. Balogh reported to the Board, that the woman who came into the meeting and handed him an envelope was Kim Metz, the Superintendent of Polytech. Ms. Metz handed him a check from Polytech repaying the loan the Freeholders granted them a few months back so they could complete the construction project. The loan is paid in full, in the amount of \$457,360.32.

PURCHASING

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/28/07-11A

RESOLUTION

RESOLVED, Approving Requisition #PROS.06250, for undercover vehicles, for the Prosecutor's Office, in the amount of \$36,653. This is exempt from the bid laws through a waiver by the New Jersey Attorney General.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/28/07-11B

RESOLUTION

RESOLVED, Authorizing the award of Bid #2007-15, for Scanning, Indexing and Redaction Services, for the County Clerk's Office, to Foveonics Imaging Technologies, LLC, in the amount of \$130,954.36. This is being paid from the 2006 PARIS grant funds.

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

Mr. Melick moved and Mr. Peterson seconded this:

See Page 08/28/07-12A

RESOLUTION

RESOLVED, Authorizing the award of Bid #2007-24, to provide Two (2) 16 passenger and two (2) wheelchair seating positions mini buses and associated equipment, to Arcola Sales and Service Corporation, in an amount not to exceed \$124,294, using Casino Revenue funding.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 08/28/07-12B

RESOLUTION

RESOLVED, Authorizing the award of Bid #2007-27, for Safety Improvements to County Route 513 with County Route 610, in Frenchtown Borough, to Orchard Holdings, LLC, in an amount not to exceed \$147,684.70.

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

Mr. Melick moved and Mr. Peterson seconded this:

See Page 08/28/07-12C

RESOLUTION

RESOLVED, Authorizing the award of Bid #2007-41, for the annual Hunting License Agreement for Block 6, Lots 43, 44 and part of 49, (Hoffman property), in Holland Township, to the Farmers Sportsman's Club, amount to be received from the hunting group is \$7,686.87.

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

PROJECT UPDATE

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

- Furniture will be installed in the dispatch area of the Emergency Services building (addition/renovations project). Once the furniture is in place, additional wiring will be pulled. The staff is being prepared for the move of personnel into the dispatch area.
- There are several windows installed at the Hall of Records that do not fit properly, the arch does not meet the building arch. The installer who did the original measurements did some incorrect measurements. Nine windows will be replaced.

Mr. Sworen asked about the vault door which was removed from the Hall of Records. He directed Mr. Bell when he finds out how much the vault door has been sold for, to advise the Board.

Mr. Sworen noticed a few weeks ago, that the contractor took out windows from the Hall of Records that may have been of historic value and they were tossed in a dumpster. He asked if there is a historic policy within the County to look at items before they are discarded. He feels the windows were old that might have had some historic value. Mr. Bell advised the County doesn't have a policy per se.

Mr. Sworen asked who gets involved when projects are done on historical County buildings. Mr. Bell explained the New Jersey Historic Trust, which is the funding mechanism which helps the County historic projects, come and walk through the buildings. The Historic Trust looked at the windows and it was their opinion that those windows were not historic enough to save. It was felt they should be removed and replaced.

Mr. Peterson advised there are companies that take old building materials and resells it. He feels the County might be able to get people to bid on materials being removed from the Hall of Records. Mr. Bell explained part of the sustainability policy that the County will be writing can actually look at these items and it can be put into a policy.

- The contractor is having issues in getting the warranty for the flat roof at the Route 12 Garage Headquarters. The inspector that was hired by the roofing manufacturer came out and looked at the roof; and they feel the entire flat room should have been removed. The County has asked for documentation from the contractor to get a copy of that report so it can be evaluated and to find out what the inspector is concerned about. After that has been done, Mr. Bell will talk with the Board on what should be done.

Mr. Peterson said with the Emergency Services Building is completed, will someone be retained to walk through it to look for any issues after it is completed and before it has been accepted. He feels it maybe a wise thing to do. Mr. Bell explained the County has the architect walk through and prepare a punch list for the County. Also, on this project, is a company that is doing the commissioning on the building and their responsibility is to make sure the equipment which is going into the building can be worked on, and is functioning and operational. It is the role of the engineer and architect to do that for the County.

Mr. DeSapio confirmed that Mr. Bell and the department heads also do walk throughs on the buildings.

- Mr. Bell reported there was a situation on Route 12 today, a gas line was ruptured by a backhoe operated by APS Contracting and one of the County's employees, Greg Schultz, is qualified to handle these types of situations. Mr. Schultz put on his special gear and turned the valve off. Elizabethtown Gas came to the scene and their work should be done by now. The County's Public Safety Department came to the site and blocked traffic from coming into the site. A mass email was sent to those at the Route 12 Complex buildings and they were told to stay in their buildings.
- A preconstruction meeting will be held for the jail roof on September 09, 2007.

Mr. Melick left the meeting at 5:43 p.m.

FARMLAND PRESERVATION

Mr. Peterson moved and Mr. Holt seconded this:

See Page 08/28/07-13A

RESOLUTION

RESOLVED, Approving a Contract for Sale of Development Easement with Stuart C. and Kathleen M. Newcomb, on Block 26, Lot 25, in Kingwood Township, estimated 45 acres, (SADC - \$218,250, County - \$61,515, Township - \$75,735), total amount of \$355,500.

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

Mr. Melick returned to the meeting at 5:44 p.m.

PLANNING BOARD

Sue Dziamara, Planning Board Director provided the Board with a Planning Board/Farmland Update.

- Documents are moving back and forth between the state, County Counsel's Office and the Planning Board to continue to move the farmland preservation program farms to closure.
- A municipal farmland status meeting was held August 15 and 16, 2007. Planning Board staff discussed the municipal comprehensive farmland preservation plans and the status of the County's comprehensive farmland preservation plan. All municipalities were asked to assist in identifying project and target areas to include within the County plan and a decision was made to include all the municipal PIG (Planning Incentive Grant) farms in the County plan. The next farmland meeting will be September 19, 2007 and the Comprehensive Farmland Preservation Plan is moving along on schedule. A draft is due to the state by mid-December 2007.
- Comments were submitted on the Water Quality Management Plan Amendment Rule Proposal on August 20, 2007.
- The Cross Acceptance Public Hearing took place last night.
- A municipal breakfast will be held on Wednesday, October 10, 2007 and it will be followed by the Planning Board meeting.
- The County Planning Awards program will be scheduled for October 29, 2007.
- The Planning Board continues to work on the Transportation Plan, the Growth Management Plan, the Farmland Plan and keep track of the Highlands and COAH and other legislative issues that may come up.

Mr. Sworen asked how much is left in the pool of money for farmland preservation. Mrs. Dziamara will check with the Finance Department to get that figure and report back to the Board.

Mr. Sworen moved and Mr. Holt seconded this:

See Page 08/28/07-13B

RESOLUTION

RESOLVED, Supporting the updated project scope for the Smart Future Grant, for the County's Transportation Plan.

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

Mr. Holt isn't sure everyone understands or grasps the accomplishments of the last three years regarding Cross Acceptance. If you look at the state map three years ago, and saw the red that ran down Route 78 and Route 22, that represented 19 million square feet of potential building space that was in the state plan and today the PA2 Zone stops at the Somerset/Hunterdon County border. This is quite an accomplishment. It has been a three year project on behalf of Hunterdon County and he was involved with it, when he was mayor in Clinton and as a Freeholder continued his involvement. The reality is that Hunterdon County was able to convince the New Jersey State Office of Smart Growth that what worked in other counties did not necessarily work in Hunterdon. The end result will not only be that the value of Hunterdon County increases but it positive for commercial, transportation and residential. This is a huge accomplishment. There is not a PA2 Zone left in Hunterdon County.

GRANTS

CART Grant

George Wagner, Director, Public Safety explained an item in front of the Board for consideration is the acceptance of a grant for the County Animal Response/Rescue Team, (CART). The County has an emergency operation plan divided into sections called annexes and one of those annexes requires a response for animals in times of crisis, disaster or emergency. Similar the municipalities also have their own individual emergency operation plan and annexes. Franklin

Township had such a phenomenal response with their animal annex that he encouraged them to take the lead on the County Annex and they have done a fantastic job. Franklin had a booth at the County's 4-H fair.

Mr. Wagner said he is asking for Freeholder consideration for a fully funded trailer to meet Franklin Township's "CART" needs and it is being funded by the New Jersey Department of Agriculture and it has everything an animal rescue team would need to assist animals in times of an emergency.

Mr. Wagner explained when you think about natural disasters or regularly occurring emergencies, sometimes people are very reluctant to go to shelters or some refuse to go to shelters without their animals. Presently shelters do not accept animals because their view is people and animals don't mix. Some people are allergic and some animals are less friendly than others. Presently the Red Cross or whoever is operating the shelter, does not allow animals into the shelter. This will allow a shelter for animals to take place, sometimes in the same location or an alternative location and it will encourage people to go into a shelter because they know their animals are being taken care off appropriately.

Mr. Wagner reported last year a large fire took place on Boss Road in East Amwell Township at a horse farm, so this team would be able to respond to those regularly occurring emergencies. The cost to the County is zero. The County will retain ownership of the trailer and pass through the grant to the County Animal Rescue Team, and it will be located in Franklin Township.

Mr. Sworen moved and Mr. Melick seconded this:

See Page 08/28/07-14A **RESOLUTION**

RESOLVED, Approving a grant application with the New Jersey Department of Agriculture/Animal Emergency Working Group and the New Jersey Office of Emergency Management, to receive a County Animal Rescue Team animal disaster response trailer and equipment/supplies, amounting to \$12,122.86.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/28/07-14B **RESOLUTION**

RESOLVED, Approving a Hunterdon County Local Arts Program Block Grant application to assist in facilitating educational, cultural and musical programs for the Route 12 County Library Headquarters and the Clinton Libraries, in the amount of \$3,500 for 2007 and the total amount the Library will receive is \$10,000.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 08/28/07-14C **RESOLUTION**

RESOLVED, Approving a Health Services Grant renewal application with the State Department of Human Services, to provide indigent clients substance abuse treatment, in the amount of \$229,877 (state funds) and a County match of \$29,227.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/28/07-14D **RESOLUTION**

RESOLVED, Approving a modification to the HIV Counseling and Testing Grant, through September 30, 2007, in the amount of \$23,650.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/28/07-14E **RESOLUTION**

RESOLVED, Approving the renewal of the HIV Counseling and Testing Grant, through June 30, 2008, in the amount of \$44,850.

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

CORRESPONDENCE

The County Health Department received a request from the Delaware Township Health Board to have printed 3,000 copies of the County's *Homeowner Guide to Septic and Well Care*. The Township has agreed to reimburse the County the cost of \$420. Mr. Holt moved and Mr. Melick seconded a motion granting permission for the County's Department of Central Printing and Mail to print copies of the above referenced for the Delaware Township Health Department, with the provision that the County be reimbursed for the cost.

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

A request was received from the Three Bridges Volunteer Fire Company, for permission to hold a coin toss on Saturday, September 8, 2007, with a rain date of September 09, 2007. 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.

Correspondence was received from the Skylands Triathlon, requesting permission to hold its 21st annual Triathlon, on Sunday, September 16, 2007 and the use of 250 cones to help mark the course. Mr. Sworen moved and Mr. Peterson 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. PETERSON, MR. HOLT, MR. MELICK, MR. MULLER.

FREEHOLDER REPORTS

Golf Course – DEP Violation

Mr. Melick reported a Notice of Violation came to the County from the New Jersey State Department of Environmental Protection regarding a water violation at the County's golf course. This violation is for 2005 and it carries a hefty penalty. He is concerned about 2006 and 2007. Mrs. Yard recalls much discussion regarding the South Branch and the water gage. Mr. DeSapio noted the violation talks about diverting water, so he assume this has to do with the watering of the golf course. John P. Glynn, Director, Roads, Bridges and Engineering advised the allocation at the golf course was exceeded. Mrs. Yard asked who tracks this. Mr. Glynn said it's a combination of people; it's the user, the meter reader, and parks. Mrs. Yard was directed to talk with Kemper Sports Management about this violation and report back to the Board.

Route 31/78

Mr. Melick reported he sent a letter to the Commissioner of the New Jersey Department of Transportation (DOT) concerning the condition of Route 78 from Route 31 into Jugtown. He was assisted with the letter by Mr. Glynn. The road is in extremely bad condition. Also, he found that in the engineering magazines New Jersey roads are described as having over crowded conditions and bandaged conditions. The amount of revenue that the State of New Jersey is collecting from the toll roads, vehicle fees, gasoline tax, diesel fuel tax, excise taxes, drivers taxes and more. The money isn't coming back to the counties and they can't maintain their own roads.

Mr. Holt said he and Mr. Melick agree on this. This has been brought to DOT's attention. There was a meeting with Union Township, DOT and the NJTPA. His suggestion was that a letter comes, not just from Mr. Melick but from the entire Board and that there be an open invitation to come to Hunterdon County to look at the sections the state needs to repair. Mr. Melick feels there is a lot of superstructure failing. Mr. Holt would like to follow up Mr. Melick's letter with an open invitation to the DOT to visit Hunterdon to look at sections of state highway that need repair. Mrs. Yard was asked to draft a letter to the DOT, for the entire Board to sign, inviting them to Hunterdon County.

Mr. Glynn advised his office has been corresponding with various groups of DOT. Previous Freeholder Boards have written letters and the state has delayed the project because of funding. Mrs. Dziamara stated the County has gone on record, with the NJTPA at every meeting where it is on record at the NJTPA, opposing the delay of the road construction.

Mr. Sworen asked if the road could be improved with maintenance. Mr. Glynn said maintenance could improve the potholes but there will still be the wheel ruts the entire length of 78. There will still be hydroplaning.

Mr. Sworen offered to hand deliver the letter to the state next week to the DOT Commissioner.

Deer Removal

Director Muller noted from January through the end of July, 2007, the County has picked up 422 deer from the County's roads, at a cost of \$17,724.

PUBLIC SESSION

Discussion – Reaville Church property

Barry Bacorn, East Amwell Township, advised he heard rumors and is here to clarify those rumors. The Reaville Church is up for sale and there is a buyer. The issue is the lot which adjoins the property. It is his understanding that the property, 1.9 acres, has been deeded to the County. It was deeded to be a church parking lot or part of the County Park System. There are also rumors that a decision would be made today that the perspective buyer was going to put in a community theater and that he is going to request the County grant him permission to use the 1.9 acres as a parking lot.

Director Muller reported the rumor mill is bad. This has been a matter the Freeholders have been dealing with for around six weeks to two months. This issue has been a part of the County's public record and the minutes are public, so they are available to the public. There was a group before the Board at the last two meetings on this issue. Irvin Hockenbury, the individual who sold the church the property spoke at the last meeting. A representative from the Presbytery came before the Board and spoke. The Board of Freeholders said they would discuss the matter further amongst themselves in executive session to determine what the legal ramifications are of Mr. Hockenbury's document which he provided. The County was unaware it owned this property until it was brought to the Board's attention by an attorney for the Presbytery. The deed restricts the property for recreational use by the Parks Department if the church closed.

Director Muller stated the Board has been discussing this issue and discussed it yesterday during an executive session and people interested in the matter were told the Board would make a decision concerning this property. The Freeholders did not entertain a gentleman's offer turning the church into a theatre because it has nothing to do with the County. The Freeholders are prepared today to make a decision in public and he will ask County Counsel to address.

Mr. DeSapio confirmed the Freeholders, in executive session talked about what would be the impact of any decision they would make and what legal authority they had or did not have. He believes at the next meeting of the County's Department of Parks and Recreation is going to report they have no present or projected use for that property for parkland purposes; so the Freeholders intend to introduce, subject to public discussion a resolution that thanks Mr. Hockenbury very much for his proposed donation but they cannot accept it because they currently cannot abide by the terms. The Board would surrender their interest in the property.

Mr. DeSapio said for those wondering what happens if the County surrenders its interest, it is up to Mr. Hockenbury and the church to resolve.

Barbara Pizzalato asked why the County does not want to use the property as a park. Director Muller explained we are taking about 1.9 acres and that is too small of a parcel for the County to do anything with, for a recreational purpose.

Mr. Sworen added that the property is not contiguous to anything else the County owns. He explained the County does not have active recreation, it does not have ball fields, tennis courts or playgrounds; municipalities provide those types of things.

Route 12 County Library Project

Mr. Pizzalato asked if County Counsel DeSapio has heard from the electrician on the Library project. Mr. DeSapio advised the electrician sent a CPM schedule which he says justifies his claim but Mr. DeSapio has not had a chance to review it or share it with the County Project Administrator. Mr. DeSapio will be looking at this within the next few days.

Mr. DeSapio reported because the electrician sent the CPM schedule, he did not send a formal report to the Freeholders as to where this issue was at and who had what claims. Since the electrician did respond to Mr. DeSapio's letter, he would like the opportunity to review this and then talk to the Board.

Mr. Pizzalato asked if he could have a copy of the letter. Mr. DeSapio will look at the letter to make that determination.

Questions answered for the press.

EXECUTIVE SESSION REQUESTS

Mr. Holt moved and Mr. Sworen seconded these:

See Page 08/28/07-16A

RESOLUTION

RESOLVED, Executive Session to discuss litigation entitled: Rotella vs. the County of Hunterdon.

See Page 08/28/07-16B

RESOLUTION

RESOLVED, Executive Session to discuss outstanding personnel issues in the Health Department.

See Page 08/28/07-16C

RESOLUTION

RESOLVED, Executive Session to discuss the legal rights and responsibilities in regard to the utilization of space in the Justice Center.

See Page 08/28/07-16D

RESOLUTION

RESOLVED, Executive Session to discuss issues involving a grant which the Hunterdon County Housing Corporation administers and comments from the State Agency that monitors the grant.

See Page 08/28/07-16E

RESOLUTION

RESOLVED, Executive Session to review executive session minutes from April 24, 2007 and February 2006.

See Page 08/28/07-17A

RESOLUTION

RESOLVED, Executive Session to discuss negotiations with Dvoor and their attorney for land acquisition in connection with intersection improvements for County Route 523 and River Road.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 6:42 p.m. and reconvened in Open Session at 8:45 p.m.

There being no further business to come before the Board, Director Muller adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board