

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

February 27, 2007

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 1:09 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

Open Public Meetings Act

Director Palladino 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 February 16, 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

EXECUTIVE SESSION REQUESTS

Mr. Holt moved and Mr. Melick seconded this:

See Page 02/27/07-1A RESOLUTION

RESOLVED, Executive Session to discuss the release of executive session minutes for May 09, 2007 and May 23, 2007.

See Page 02/27/07-1B RESOLUTION

RESOLVED, Executive Session to discuss delay claims in connection with they Route 12 County Library Headquarters.

See Page 02/27/07-1C RESOLUTION

RESOLVED, Executive Session to discuss CWA negotiations.

See Page 02/27/07-1D RESOLUTION

RESOLVED, Executive Session to discuss negotiations for the Sergeants in the Sheriff's Office.

See Page 02/27/07-1E RESOLUTION

RESOLVED, Executive Session to discuss the acquisition of Block 43, Lot 14, in Raritan Township, adjacent to the Route 12 Library.

See Page 02/27/07-1F RESOLUTION

RESOLVED, Executive Session to discuss participation in development easements along the Plumb Brook corridor.

See Page 02/27/07-1G RESOLUTION

RESOLVED, Executive Session to discuss an approach for selecting a vendor to operate the golf course.

See Page 02/27/07-1H RESOLUTION

RESOLVED, Executive Session to discuss right of way acquisitions in connection with the Route 523/River Road intersection.

See Page 02/27/07-1I RESOLUTION

RESOLVED, Executive Session to discuss a professional services agreement with Bob Ent for surveying work.

See Page 02/27/07-1J RESOLUTION

RESOLVED, Executive Session to discuss compensatory time in the Sheriff's Office.

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

The Hunterdon County Board of Chosen Freeholders went into executive session at 1:14 p.m. and reconvened in open session at 3:03 p.m.

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

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 #15 to 24 held at this time.

Mr. Holt moved and Mr. Sworen seconded a motion to approve claims in accordance with the Claims Register dated February 27, 2007.

See Page 02/27/07-2A 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 January 2007.

See Page 02/27/07-2B 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 02/27/07-2C RESOLUTION

RESOLVED, Michelle Masciola-Verish appointed unclassified, Director of Administrative and Support Services, Prosecutor's Office.

See Page 02/27/07-2D RESOLUTION

RESOLVED, Lisa Sarahic appointed permanent, part time Clerk Typist, Division of Senior Services, Human Services Department.

See Page 02/27/07-2E RESOLUTION

RESOLVED, Kerri Messinger appointed permanent, full time Library Clerk Driver, Library.

See Page 02/27/07-2F RESOLUTION

RESOLVED, Ezra Duckworth appointed permanent, full time Maintenance Repairer, Buildings and Maintenance.

See Page 02/27/07-2G RESOLUTION

RESOLVED, Linda Reynolds appointed provisional, full time Librarian, Library.

See Page 02/27/07-2H RESOLUTION

RESOLVED, Kathleen Bronish appointed provisional, part time GIS Specialist 3, Health Department.

See Page 02/27/07-2I RESOLUTION

RESOLVED, Authorizing the installation and operation of a Traffic Control Signal at the intersection of Voorhees Corner Road (County Route 650) and Case Boulevard.

See Page 02/27/07-2J RESOLUTION

RESOLVED, Authorizing the installation and operation of a Traffic Control Signal at the intersection of Voorhees Corner Road (County Route 650) and Barley Sheaf Road.

See Page 02/27/07-2K RESOLUTION

RESOLVED, Approving plans and specifications for the replacement of County Bridge D-437, on Dunkard Church Road over the Neshanic River Tributary, in the Township of Delaware.

See Page 02/27/07-2L RESOLUTION

RESOLVED, Approving Change Order #1, for Bid #2006-23, for Safety Improvements to County Route 519, at Spring Garden Road and County Route 614, in Holland Twp., with Renda Roads, Inc., decrease of \$135,726.61.

See Page 02/27/07-3A

RESOLUTION

RESOLVED, Approving final payment for Bid #2006-23, for Safety Improvements to County Route 519, at Spring Garden Road and County Route 614, in Holland Twp., with Renda Roads, Inc., in the amount of \$9,451.48.

See Page 02/27/07-3B

RESOLUTION

RESOLVED, Approving Application for Payment #9, for Bid #2005-39, for Alterations and Addition to the Route 12 County Garage, with APS Contractor, Inc., in the amount of \$361,544.54.

See Page 02/27/07-3C

RESOLUTION

RESOLVED, Approving a contract with Lou Christie, for a performance on August 16, 2007, for the "Music Under the Stars" concert series at Deer Path Park, in the amount of \$8,500.

See Page 02/27/07-3D

RESOLUTION

RESOLVED, Approving a contract with Felix Cavaliere's Rascals, for a performance on August 09, 2007, for the "Music Under the Stars" concert series at Deer Path Park, in the amount of \$13,150.

See Page 02/27/07-3E

RESOLUTION

RESOLVED, Authorizing and noticing the sale of surplus County equipment and vehicles, March 31, 2007.

See Page 02/27/07-3F

RESOLUTION

RESOLVED, Approving a modification with Brideside Adult Day Care Centers, Inc., to extend their agreement through December 31, 2007, increase of \$35,000.

See Page 02/27/07-3G

RESOLUTION

RESOLVED, Approving a modification with Catholic Charities, Diocese of Metuchen, to extend their agreement through December 31, 2007, increase of \$99,400.

See Page 02/27/07-3H

RESOLUTION

RESOLVED, Approving a modification with Easter Seals of New Jersey, to extend their agreement through December 31, 2007, increase of \$47,277.

See Page 02/27/07-3I

RESOLUTION

RESOLVED, Approving a modification with Hunterdon Helpline, Inc., to extend their agreement through December 31, 2007, increase of \$79,560.

See Page 02/27/07-3J

RESOLUTION

RESOLVED, Approving a modification with Special Child Health Services, to extend their agreement through December 31, 2007, increase of \$35,563.

See Page 02/27/07-3L

RESOLUTION

RESOLVED, Approving a modification with New Hope Foundation, Inc., to extend their agreement through December 31, 2007, increase of \$10,000.

See Page 02/27/07-3M

RESOLUTION

RESOLVED, Approving a modification with United Cerebral Palsy of Northern, Central and Southern New Jersey, to extend their agreement through December 31, 2007, increase of \$12,500.

See Page 02/27/07-3N

RESOLUTION

RESOLVED, Approving a modification to the agreement with Steven Godin, Phd, MPH, Skylands Public and Behavioral Health Consulting Company, to provide additional services in connection with health education methods through the Cancer Control Grant, increase of \$13,875.

See Page 02/27/07-3O

RESOLUTION

RESOLVED, Approving a Personal Assistance Services Program Assessments agreement with F. Margaret Larkin, in the amount of \$2,000.

See Page 02/27/07-3P

RESOLUTION

RESOLVED, Approving the appointment of Ken Bogen and Sharon Maclean to the RC&D Project Advisory Committee for the Watershed Restoration and Protection Plan for the Musconetcong Watershed - Hampton to Bloomsbury.

See Page 02/27/07-4A

PROCLAMATION

RESOLVED, Declaring March as National Women's History Month.

See Page 02/27/07-4B

PROCLAMATION

RESOLVED, Declaring April 22 to 28, 2007 as Community Transportation Services Week.

See Page 02/27/07-4C

PROCLAMATION

RESOLVED, Recognizing April 2007 as Autism Awareness month in the County.

See Page 02/27/07-3D

RESOLUTION

RESOLVED, Authorizing the January 23, 2007 Resolution be revised to reimburse Clinton Township for services by Hatch Mott MacDonald, to complete the Clinton Township Wastewater Management Plan, in an amount up to \$50,000.

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

Mr. Sworen questioned the change orders for Bid#2005-47, for the Addition and Alteration to the Communications/Emergency Services Building. He has no problem with the contractor but would like to understand why there are so many change orders. He questioned if they are due to negligence by the architect or engineer.

Frank J. Bell, AIA, County Project Administrator explained the reasons for the change order and why they need to be paid and how, once the project is completed, that County will seek reimbursement from the appropriate parties for their mistakes.

Director Muller asked Mr. Bell to compile data on the project so that the Freeholders can see how much the County maybe able to recoup and how much were omissions.

Mr. Peterson stated he is concerning about the change orders because they are not a part of the competitive bidding process and it isn't known, if the contractor, when reviewing the plans caught a lot of the mistakes and already took them into account in the bidding and comes back to get additional funds through an adjustment which isn't competitively bid. The County will never really know but this is fraught with the potential of costing more than it should if these mistakes weren't here. He feels although this is laborious to go through each change order, it is a good process because he wants the architects and the contractors and whoever else is involved in these projects to know that the Freeholders are watching the change orders and people are going to be held accountable for doing their jobs and doing it right the first time. The County expects a better quality project from the people that are hired.

John Davenport, Purchasing Agent reported the County needs to take this to the next step, and at the end of a project you need to evaluate the vendor/architect, for future projects. It may not be prudent on the Freeholders' behalf to award a contract to the lowest architect if there are going to be multiple change orders. The architect for this project has six or seven different project managers this project.

Director Muller informed Mr. Bell that if he needs the Freeholders to be more involved in the project that they could meet with the architect and/or the contractor. The Freeholders would be glad to assist in getting some of the issues resolved on various projects and to have a better understanding with the professionals.

Mr. Holt moved and Peterson seconded these:

See Page 02/27/07-4E

RESOLUTION

RESOLVED, Approving Change Order #1, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Building, with DeSapio Construction, Inc., increase of \$17,839.

See Page 02/27/07-4F

RESOLUTION

RESOLVED, Approving Change Order #2, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Building, with DeSapio Construction, Inc., increase of \$11,074.

See Page 02/27/07-4G

RESOLUTION

RESOLVED, Approving Change Order #3, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Building, with DeSapio Construction, Inc., increase of \$1,563.

See Page 02/27/07-4H

RESOLUTION

RESOLVED, Approving Change Order #4, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Building, with DeSapio Construction, Inc., increase of \$1,267.

See Page 02/27/07-5A

RESOLUTION

RESOLVED, Approving Change Order #6, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Building, with DeSapio Construction, Inc., increase of \$2,067.

See Page 02/27/07-5B

RESOLUTION

RESOLVED, Approving Change Order #7, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Building, with DeSapio Construction, Inc., increase of \$5,674.

See Page 02/27/07-5C

RESOLUTION

RESOLVED, Approving Change Order #8, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Building, with DeSapio Construction, Inc., increase of \$697.

See Page 02/27/07-5D

RESOLUTION

RESOLVED, Approving Change Order #9, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Building, with DeSapio Construction, Inc., increase of \$1,799.

See Page 02/27/07-5E

RESOLUTION

RESOLVED, Approving Change Order #10, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Building, with DeSapio Construction, Inc., increase of \$2,070.

See Page 02/27/07-5G

RESOLUTION

RESOLVED, Approving Change Order #11, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Building, with DeSapio Construction, Inc., increase of \$474.

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

COUNTY ADMINISTRATOR UPDATE

Cynthia J. Yard, County Administrator, informed the Board that the State has awarded the County the 2007 Small Cities Grant for housing rehabilitation in the amount of \$300,000. Mrs. Yard reported she is working with Freeholder Peterson and Ron Mathews, Grant and Budget Director, on what will be happening with this grant. Mr. Mathews has met with the Hunterdon County Housing Corporation who administers this grant on behalf of the County because there are some concerns. She noted there are timelines and milestone attached to the grant. Mr. Peterson moved and Mr. Sworen seconded a motion to accept the Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs, in the amount of \$300,000.

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

Mr. Melick left the meeting at 4:37 p.m.

FARMLAND PRESERVATION

Mr. Sworn moved and Mr. Peterson seconded this:

See Page 02/27/07-5H

RESOLUTION

RESOLVED, Approving a contract for sale of Development Easement from Phoebe Wiley, on Block 25, Lot 16.02, in Delaware Township, estimated 27 acres, (SADC - \$132,300, County - \$41,850, Township - \$41,850), total amount of \$216,000.

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

Mr. Sworn moved and Mr. Peterson seconded this:

See Page 02/27/07-5I

RESOLUTION

RESOLVED, Approving a Deed of Easement and Grant Agreement from Readington Township (Cuchiaro), on Block 39, Lot 4, estimated 25.4710 acres, (SADC - \$265,183.68, County - \$88,394.55, Township - \$88,394.56), total amount of \$441,972.79.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/27/07-6A

RESOLUTION

RESOLVED, Approving a Deed of Easement and Grant Agreement from Walter Jenness, III, on Block 21, Lot 18, in Holland Township, 16.9660 acres, (SADC - \$83,133.40, County - \$26,927.30, Township - \$26,927.30), total amount of \$135,728.

PLANNING BOARD

Sue Dziarama, Planning Board Director updated the Board on the Farmland Preservation Program.

- 2 farms closed in January, 2 closed in February and there are currently 4 scheduled to close the first week in March, 2007.
- There are 28 Farmland Preservation applications at the State Agriculture Development Board (SADC).
- There are 4 closing packages that will be sent to the SADC in the coming week.
- There are 11 pending applications that are in the Planning Board Office being worked on.
- Hunterdon County's meeting with the State to discuss the Cross Acceptance issues is nearing. The interagency team of the Office of Smart Growth has tentatively schedule Hunterdon County discussions for March 8, 2007. They estimate comments will be sent back to the County by March 15, 2007. It is hoped to have municipal meetings with those changes the week of March 26, 2007 and start staff discussion with the State the week of April 2, 2007.
- A breakfast talk was held on the Highlands on February 21, 2007. Tom Gordon from the Highlands' Council was in attendance. There were approximately 30 people present for the lively discussion. Her staff will be preparing comments to assist Hunterdon's municipalities in how to look at the Highlands map and providing comments. The deadline for comments for the Highlands' Master Plan has been extended to April 2, 2007.
- A County Planning meeting with the Highlands group is scheduled for March 2, 2007 to talk about the GIS data layers which have been released by the state.
- The Planning Board and the Transportation Office at Human Services are working together to coordinate the Hard Commuter Information Services and the New Jersey Department of Transportation (DOT) and the New Jersey Transit to review and look at how coordinator could be improved for the disadvantaged members of the County, through a federal initiative started by President Bush in 2004 through an Executive Order on Human Services Transportation called "United We Ride". A stakeholders meeting will be held on March 2, 2007 at the Route 12 County Complex at 1:00 p.m.

Mr. Melick returned to the meeting.

- The scope of work on the County's Transportation Plan has been sent to the Office of Smart Growth and they will review that and submit comments.
- The Planning Board is continuing its work on the Growth Management Plan.
- The Planning Board is involved with the Flood Mitigation Planning efforts along the Delaware River.

PURCHASING

Mr. Melick moved and Mr. Holt seconded this:

See Page 02/13/07-6B

RESOLUTION

RESOLVED, Approving a professional services agreement for land surveying services on various County projects, for Roads, Bridges and Engineering, to Robert W. Ent, LLC, amount not to exceed \$30,000.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/13/07-6C

RESOLUTION

RESOLVED, Approving Requisition #23395, with Queues Enforth Development, for software maintenance, for the Division of Emergency Services, of the Public Safety Department, in the amount of \$30,744.

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

Mr. Sworen moved and Mr. Melick seconded this:

See Page 02/13/07-6D

RESOLUTION

RESOLVED, Approving Requisition #40014299, with Ennis Paint, for striping powder, for the Division of Traffic Maintenance, of the Department of Roads, Bridges and Engineering, in the amount of \$14,875.

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

Mr. Peterson moved and Mr. Melick seconded this:

See Page 02/13/07-7A

RESOLUTION

RESOLVED, Approving Requisition #40014601, with Kane Steel, for reinforcing bars, for the Division of Roads and Bridges, of the Department of Roads, Bridges and Engineering, in the amount of \$19,221.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 02/13/07-7B

RESOLUTION

RESOLVED, Approving Requisition #IT.2676, with ASAP Software, for software, for the Department of Information Technology, in the amount of \$8,947.92.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 02/13/07-7C

RESOLUTION

RESOLVED, Approving Requisition #PROS.06023, for expert testimony for the Prosecutor's Office, in the amount of \$10,800.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 02/13/07-7D

RESOLUTION

RESOLVED, Authorizing the award of Bid #2206-51, to furnish 2 Ford E-450 RV Cutaway with a Phoenix 12 Passenger 2 Wheelchair Transit style buses and associated equipment, to Arcola Sales and Service Corporation, in an amount not to exceed \$116,500.

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

PROJECT UPDATE

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

- The certificate of occupancy has been filed for the Route 12 Library Headquarters. The temporary certificate of occupancy is good until April 23, 2007. Raritan Township walked through the building on Monday, and indicated there were two areas where the rails were short and needed to be corrected. The architect and contractor on working on how to correct that. The rail should be 42" and it is 41.5". The sprinkler contractor must send a certification indicating the sprinkler system/piping is braced properly. The architect or contractor must send certification that the carpet is in compliance with BOCA standards. An emergency light must be installed at the lower level of the Main Stair. This was not included in the original Department of Community Affairs (DCA) documents.
- Work continues on the Emergency Services Building with the roof now being installed, and shop drawings being received.
- The mill work is ready to go on the Hall of Records. The contractor is waiting for better weather because the scaffolding is slippery. Shelving units will be completed this week for installation in the Search area. Work continues in the front of the Hall of Records roughing in the electrical, HVAC, and plumbing. The installation of sheet rock should begin in the next few weeks.
- Roofing is being installed at the Route 12 Garage. There is some concern because when the contractor started to install it, there were some leaks so the contractor was advised to stop work until better weather. The contractor now has to correct the motor which was shorted out due to the leaking. There is also some installation that needs to be replaced because of the leak. There are new vehicle lifts that will be going in the new addition to the garage. Once the under slab work is done, the lifts can be installed.
- A planning meeting is scheduled to review the final drawings for the South County Park which will be presented to the Freeholder Board on March 2, 2007 at 8 a.m. Part of the work encompasses the septic (TWA permit) which is being filed by the consultant, T & M Associates. The County will have to appear before the State Department of Environmental Protection for the septic permit. Once the permit is received the septic system can be constructed and a building can be put in. There is discussion that the 4H group may put the building up at their cost.

Director Muller asked if there were change order in connection with the Route 12 Library Headquarters project. Mr. Bell advised he is going to try and get those resolved between the contractor and the architect before bringing it to the Freeholder Board.

Mr. Bell informed the Board that payment is needed to the architect on the Route 12 County Library Project. Mr. Melick moved and Mr. Holt seconded a motion authorizing payment to Faridy, Veize and Fraytek, in the amount of \$29,798.

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

DOT meeting

John P. Glynn, Director, Roads, Bridges and Engineering informed the Board that he's been in contact with the State Department of Transportation about a meeting on the parkway. He feels Director Muller will need to call DOT to have them come before the Board the first or second meeting in March 2007.

Exit 15

Mr. Glynn confirmed for Mr. Holt that a technical meeting was held with the Union Township Engineering with regard to Exit 15/Interchange 78 last Thursday. The meeting went well and they have been informed about the urgency of the project. A report will be prepared for the Union Township Committee in order to gain their support for this project.

CORRESPONDENCE

A request was received from the County Clerk, Mary Melfi, to approve her "Five Year Plan" for use, application and spending of document trust funds as required by the state. Ms. Melfi reported in reviewing the duties of the County Clerk, her office is to prepare a 5 year plan for the funds received by her office. She has been working with the County Treasurer on finalizing this plan. Ms. Melfi quickly informed the Board where the funds go that are collected from the County Clerk's Office.

Mr. Peterson confirmed the statute says the County Clerk provides the Freeholders with a budget for approval. If the Board does not approve it, then it can either be worked out or the County Clerk can bring it before the Assignment Judge. The Freeholders do have a role in this. Ms. Melfi said her understanding is that the budget is the fees. Mr. Peterson advised there is nothing in the statute which says you need to provide the five year plan in year one. Ms. Melfi explained there should have been a plan in place, and she's trying to comply with the statute. The five year plan can always be amended. Mr. Peterson feels the Freeholder Board should also have a plan in place stating what its goals are for equipment, technology, vehicles and buildings. Ms. Melfi feels a year from now, after some time in office, she will be able to be more specific with the five year plan.

Mr. Melick advised the County is spending Paris Grant funds and taxpayer dollars in renovating the Hall of Records. Mr. Bell reported the County has \$4.5 million for the Hall of Records project, there is \$750,000 in Paris Grant funds and there is pending \$750,000 of the State Historic Trust Office. Mr. Melick stated the County puts this money up front, which is County taxpayer money. He asked if there are any funds collected by the County Clerk's Office to offset what the taxpayers are putting into that building. Ms. Melfi feels the money given to the County should help offset that amount and added that furnishing a building isn't an acceptable expense under the document fund. Mr. Peterson feels that it depends on how the capital expense is defined. Office equipment and furniture maybe considered a capital expense. Mr. Sworen stated Ms. Melfi is getting a ruling from the attorney for the County Clerk's organization. He recommended obtaining a copy of that ruling for County Counsel DeSapio to review. Mr. Melick stated the attorney for the Clerk's organization works for the 21 New Jersey County Clerks. There is a difference between the 21 counties. Some counties have more political pool than others to get what they want.

After further discussion, Mr. Holt moved and Mr. Sworen seconded a motion approving the "Five Year Plan" for the County Clerk's Office.

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

Ms. Melfi asked permission to come before the Board every third quarter in order to keep the Freeholders updated on what her office is doing.

A request was received from Somerset Wheelman, for permission to conduct the Readington Time Trial on County Route 629 (Pleasant Run Road) on Saturday, April 14, 2007, from 8 am to 9:30 am. Mr. Melick moved and Mr. Holt seconded a motion granting permission provided this event is coordinated through the County Office of Roads, Bridges and Engineering.

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

Correspondence was received from the Whitehouse Fire Company #1, requesting permission to hold a coin toss on June 1 and 2, 2007, with June 8 and 9 as the rain date. 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.**

A letter was received from High Bridge Borough, requesting permission to use a portion of County Route 513, to hold their 10th Annual Tour of High Bridge Bike Race, on June 10, 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.

GRANTS

Mr. Sworen moved and Mr. Holt seconded these:

See Page 02/27/07-9A

RESOLUTION

RESOLVED, Approving a Municipal Alliance Subgrant Agreement with the South Hunterdon Cluster, represented by West Amwell Township, to provide substance abuse prevention services, in the amount of \$17,019.95.

See Page 02/27/07-9B

RESOLUTION

RESOLVED, Approving a Municipal Alliance Subgrant Agreement with the Central Hunterdon Cluster, represented by Delaware Township, to provide substance abuse prevention services, in the amount of \$33,769.95.

See Page 02/27/07-9C

RESOLUTION

RESOLVED, Approving a Municipal Alliance Subgrant Agreement with the Voorhees Cluster, represented by Lebanon Township, to provide substance abuse prevention services, in the amount of \$22,657.95.

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

Mr. Melick left the meeting at 4:28 p.m.

Mr. Holt moved and Mr. Peterson seconded this:

See Page 02/27/07-9D

RESOLUTION

RESOLVED, Approving an application for a Senior Farmers' Market Mini Grant, for a nutrition program, in the amount of \$3,000 in state funds and a County match of \$85.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 02/07/07-9E

RESOLUTION

RESOLVED, Approving the 2007 Kids are Riding safe grant application, in the amount of \$28,435, administered through the County Prosecutor's Office.

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

Mr. Melick returned to the meeting.

Mr. Peterson moved and Mr. Holt seconded this:

See Page 02/07/07-9F

RESOLUTION

RESOLVED, Approving an application for the Countywide DWI Enforcement Grant, in the amount of \$28,895, administered through the County Prosecutor's Office.

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

COUNTY COUNSEL

Gaetano M. DeSapio, County Counsel reported he has marked up the Forestry Management Plan based upon the review of the guidelines which the State provided. He has some concerns concerning the philosophy. To modify language slightly to express your intent to make sure you take care of the trees within budgetary parameters given other needs; whereas the language of the existing plan is more definitive and enforceable against the Freeholder Board. Mr. DeSapio has talked with Mr. Glynn briefly, as he was involved with the Shade Tree Commission in drafting this. Mr. Glynn agreed with Mr. DeSapio and recommended a meeting with Bill Wild and Shaun Van Doren of the Shade Tree Commission to review the provisions. Once that is accomplished this plan could be ready for Freeholder approval at the next meeting.

PARKS AND RECREATION

John Trontis, Parks and Recreation Director, informed the Board that options have been discussed by the Parks Advisory Board for golf rates at the Heron Glen County golf course for 2007. Director Muller, Deputy Director Peterson and Mr. Trontis met to review the options.

Mr. Trontis stated it is recommended that the rates for the golf course not change from last year for County residents and add \$1 to certain rates for out of County residents. The rates for the Golf Carts would remain the same.

Mr. Peterson reported other local golf courses have changed their fee schedule to be more competitive with Hunterdon County. It was Hunterdon's feels that if the fees were raised now, the County would be put at a disadvantage.

Mr. Melick confirmed the golf course is making a profit. Mr. Trontis stated Heron Glen was in the black, after its bills were paid, for \$110,116.63.

Mr. Holt advised he will be abstaining from voting on this matter.

Mr. Peterson moved and Mr. Sworen seconded a motion approving the recommendation by the Parks Advisory Board for the rates for Heron Glen.

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

FREEHOLDERS ASSIGNMENT REPORTS

WIB/Employment Office

Mr. Peterson advised the state is preparing to move the WIB/Employment Office to Somerset County. He asked the person who runs the office what it would take for the state to keep an office here in Hunterdon. Mr. Peterson questioned if the Freeholder Board would be in favor of looking at space that the County may have that isn't being utilized that fits their needs as they need certain criteria. If the Board is interested, he has some ideas he'd like to talk with Mr. Bell about.

Director Muller questioned if they would be paying rent. Mr. Peterson isn't sure the County would get rent. He feels the WIB/Employment Office could be put in space that won't cost the County additional money; but space that's already being heated, lit and that's already being cleaned.

Director Muller asked if the County would be able to do this, if there is space available. Mr. DeSapio feels this can be examined to see what the terms are and it is public purpose, so there maybe a way to do this.

Mr. Melick feels this should be referred to the County's Space Allocation Committee, so they can review this and make a recommendation to the Freeholder Board.

Director Muller feels this would be worthwhile to review and agreed the Space Allocation Committee needs to review this. Mr. Sworen agreed.

Mr. Melick said part of this is employment, and part of Polytech's plan is to train people for employment. Director Muller said the County owns the buildings which Polytech occupies, so that would be worth looking at. Mr. Peterson confirmed Mr. Bell can look at this to see if it would fit in with Polytech.

Mr. Peterson said there is an element which would limit some of the buildings, as he was told they need to have a security guard, or a secure type of facility. While the suggestion of Polytech is good but it's occupied during the day by students.

Mr. Peterson will come back to the Board with more recommendations at the next meeting.

Library

Mr. Sworen reported the Library recently held "Oscar Night" which was an interesting affair. Employees dressed in gowns for the occasion. The Library is preparing for its Victorian Magic program which is sold out already and there are around 100 people on a waiting list. Mr. Sworen said the Library programs are a huge success.

Mr. Sworen reported he accompanied the County Clerk yesterday to testify in Trenton on the Presidential Election Bill. In 2005 it was approved to have the election in February for the New Jersey Presidential Primary but they have since moved it to the beginning of February 2008. The problem is the state doesn't want to pay for it. He and Ms. Melfi testified yesterday on the cost to the counties, in particular Hunterdon County. The County Clerk would need \$87,000 to pay for the special election which would not be reimbursed by the state.

Mr. Sworen advised the County Clerk is working with the New Jersey Association of Counties on opposing this issue.

Mr. Melick feels the state needs to fund this mandate. Ms. Melfi advised the counties aren't arguing about what the state is making them do, they are arguing that the state is making counties pay for it. Mr. Holt said the state is in debt and whether this is paid for on the state level or county level, it still comes from the taxpayers' pocket. The Freeholders represent the taxpayers and he doesn't believe the Freeholders should ask them to fund it because whether they fund it or the county funds it, it comes from the taxpayers. The County should ask the state for strict financial reasons for this not to be done because it's a bad place to spend money.

Mr. Melick recommended working on two scenarios, one being no on the basis of the financial impact to the state; the second would be ask the state to pay for this.

Director Muller feels the solution would be to hold the regular primary on the same date. Mr. Holt agreed that would be a solution. Mr. Sworen said the cost per voter would be \$2.40.

After further discussion, Director Muller asked County Counsel DeSapio to prepare a resolution for the Board's approval at the next meeting.

Fire Radio Meeting

Mr. Sworen reported a Fire Radio meeting was held with all the chiefs in the County a couple weeks ago. George Wagner was present as the County's representative and there was a very heated conversation, with questions concerning staffing and other issues. Mr. Wagner did a wonderful job in keeping the meeting in line and in providing answers. Two letters were sent to the Freeholders as a prelude to the meeting. The issues have been resolved and Mr. Wagner reported on all the changes and fixes which had been made to address those issues. A letter was sent to the Freeholders praising Mr. Wagner on what he has accomplished.

Mr. Melick agreed that Mr. Wagner is more than capable in handling difficult situations.

Questions answered for the press.

The Hunterdon County Board of Chosen Freeholders recessed at 5:10 p.m., returned to Executive Session at 5:12 p.m., and reconvened in Open Session at 5:40 p.m.

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

FINANCE

Director Muller opened the public hearing on Capital Ordinance No. 03-07. There being no comments or questions from the press or public, Mr. Peterson moved and Mr. Melick seconded a motion to close the public hearing.

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

Mr. Holt came into the meeting at 5:43 p.m.

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 02/27/07-11A

CAPITAL ORDINANCE NO. 03-07

ADOPTION, ORDINANCE AUTHORIZING THE UPGRADE AND REPLACEMENT OF VARIOUS COMMUNICATIONS EQUIPMENT FOR THE HUNTERDON COUNTY EMERGENCY MANAGEMENT FACILITY AND APPROPRIATING \$625,000.00 THEREFORE.

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

POLYTECH

Budget Information

Director Muller informed Richard Van Gulik, Polytech Superintendent that the County needs information from Polytech to place in the County budget for this year. Shelly Sobel stated she will provide that information to the County Treasurer tomorrow.

Director Muller reported a public meeting will be held on March 6, 2007 at 3:00 p.m. to finalize the County budget.

Polytech Construction

Mr. Van Gulik informed the Board that construction projects are nearing completion, with punch list items being worked on. The state has a disbursement schedule, when you reach certain plateau in a project you can submit invoices to be paid. The final payment cannot be received until the certificate of occupancy is submitted to the state. Mr. Van Gulik advised Polytech requested \$1.5 million but because of the bills the state figured the project was going to come in under the total, and they shorted Polytech money and only reimbursed \$1.2 million.

Mr. Van Gulik stated when this process started back in the 1990's they were led to believe as the money was expended, there would be a reimbursement. When the \$4 million purchase price was determined, Polytech was only able to get 40% of the \$4 million but the state took the purchase price and spread it over the six steps in the payment schedule. This has left Polytech with a cash flow problem. The contractors won't work unless they get paid, and Polytech can't get the money to pay them until they get the certificate of occupancy.

Mr. Van Gulik said the purpose of being here today is to ask the Freeholders for an interfund loan of \$457,360.32 in order to pay the contractors to get the work done and get the certificate of occupancy and get the money from the state, at which time they will give the money back to the Freeholders.

Director Muller confirmed its' anticipated these funds would be repaid to the County by June 2007.

Charles Balogh, Jr., County Treasurer advised a legal ruling is needed to see if this can be done. An alternative solution is once the County budget is adopted the County would have appropriated the funding that is to be supplied to Polytech for the balance of the 2007 school year. If the Board desires, rather than make payments to Polytech as is normally done in July, September and November, the County could pay the full amount up front and Polytech could use that to do their interfund to pay their capital project. In effect, they are paying themselves back.

Mr. Van Gulik stated Polytech would need a legal ruling to see if they could use operational monies for the capital project.

Mr. DeSapio reported this issue came up when the contract was signed and he feels there is a provision in the contract for the County to lend money to Polytech to carry them over if they were short on reimbursement. Mr. Balogh confirmed this was with the purchase of Hunterdon Central. Mr. DeSapio when Hunterdon Central was given to Polytech, there is something in the contract that says because of the timing of payments to the contractors and reimbursement through the state that Polytech could come to the Freeholders and ask for a loan to carry them over. Mr. DeSapio will review the contract for this purpose.

Mr. DeSapio informed Mr. Van Gulik that something has to be given to the Freeholders from their attorney Joe Novak, saying the money will be reimbursed.

Mr. Balogh recommended this issue be reviewed and discussed as part of the budget session next week, on Tuesday, March 06, 2007 at 3:00 p.m. The Clerk of the Board was directed to revise the meeting notice for the budget session to include an item of discussion for loans or advancement of funds to Polytech to cover contractor costs and advise formal action is contemplated.

In-Kind Services

Director Muller reported Mr. Van Gulik sent a memorandum to the County about moving dirt at the Hunterdon Central Polytech campus. He explained to Mr. Van Gulik that that request is being looked into because the County has a policy for in-kind services and he needs to make sure the County can do this with the Road Department through in-kind services policy of the County. This is a legal issue, so he will be talking with County Counsel about this.

Director Muller opened the meeting to the public. There was no one interested in addressing the Board at this time.

There being no further business to come before the Board, Director Muller adjourned the meeting at 6:00 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board

