

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

January 09, 2007

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

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

Open Public Meetings Act

Director 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 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."

FLAG SALUTE

Pledge of Allegiance.

CONSENT AGENDA

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

Mr. Sworen moved and Mr. Holt seconded these:

See Page 01/09/07-1A

RESOLUTION

RESOLVED, Samantha Yukniewicz appointed permanent, full time Public Safety Telecommunicator, Division of Emergency Services of the Department of Public Safety.

See Page 01/09/07-1B

RESOLUTION

RESOLVED, Thomas Roy appointed permanent, full time Mechanic's Helper, Roads, Bridges and Engineering.

See Page 01/09/07-1C

RESOLUTION

RESOLVED, Tracy Cerillo appointed provisional, full time Family Service Worker, Social Services Division of the Human Services Department.

See Page 01/09/07-1D

RESOLUTION

RESOLVED, Mariana DeMartinez appointed provisional, full time Family Service Worker, Social Services Division of the Human Services Department.

See Page 01/09/07-1E

RESOLUTION

RESOLVED, Setting the 2006 and 2007 salaries for employees covered under the contract for the FOP Lodge #94, (Sheriff's Officers).

See Page 01/09/07-1F

RESOLUTION

RESOLVED, Setting the 2006 and 2007 salaries for Sheriff's Investigators' in the Sheriff's Office.

See Page 01/09/07-1G

RESOLUTION

RESOLVED, Approving the Collective Bargaining Agreement between the County of Hunterdon and the Hunterdon County Sheriff's Officer Association, F.O.P. Lodge #94, for the period of January 1, 2006 through December 31, 2008.

See Page 01/09/07-1H

RESOLUTION

RESOLVED, Approving authorized individuals to sign documents, for the purpose of receiving various State funded allocations administered by the Human Services Department.

See Page 01/09/07-1I

RESOLUTION

RESOLVED, Authorizing the award of County Quote #0073-2006, for the provision of human services, awarded to various Hunterdon County agencies, in the total amount of \$89,046.25.

See Page 01/09/07-2A

RESOLUTION

RESOLVED, Approving the "Senior Citizen and Disabled Resident Transportation Assistance Agreement" with the NJ Transit Corporation, in the amount of \$593,810.

See Page 01/09/07-2B

RESOLUTION

RESOLVED, Approving the application and agreement for State Aid for the Transportation Trust Fund Authority Act, for the resurfacing of County Routes 615 and 579, in the Townships of Franklin and Kingwood.

See Page 01/09/07-2C

RESOLUTION

RESOLVED, Approving a modification to the provider services agreement with Anderson House, increase of \$8,732.

See Page 01/09/07-2D

RESOLUTION

RESOLVED, Approving a project award with the NJ Department of Law and Public Safety, for the Insurance Fraud Reimbursement Program, in the amount of \$15,310.

See Page 01/09/07-2E

RESOLUTION

RESOLVED, Authorizing the release of a performance bond with Kaplan Companies, in the amount of \$466,206.00.

See Page 01/09/07-2F

PROCLAMATION

RESOLVED, Recognizing Kenneth M. Dahler for attaining the designation of Eagle Scout.

See Page 01/09/07-2G

PROCLAMATION

RESOLVED, Recognizing Christopher Garthwaite for attaining the designation of Eagle Scout.

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

FINANCE

Mr. Sworen confirmed with Charles Balogh, Jr., County Treasurer, that the temporary budget contains 25% of the prior year's budget. Mr. Sworen confirmed that amount could be increased if need be for the Emergency Services project. Mr. Balogh explained those funds would come from capital not this budget.

Mr. Holt moved and Mr. Sworen seconded this:

See Page 01/09/07-2G

2007 TEMPORARY BUDGET

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

Mr. Sworen moved and Mr. Peterson seconded this:

See Page 01/09/07-2H

RESOLUTION

RESOLVED, Cancelling a grant receivable and reserve for the 2005 County Environmental Health Act, (CEHA), in the amount of \$2,500.

Mr. Balogh explained for Mr. Peterson that this grant is being cancelled because the grant period has expired and all the items that were going to be required under the grant have been completed. Mr. Peterson confirmed the grant was completed for less money than allocated.

Ron Matthews, Budget and Grant Director, further explained that the CEHA grant is considered a warehouse allotment, and the entire amount of the grant, the \$2500 worth of products received from the state warehouse.

Mrs. Yard asked how this coincides with the request received for the next agenda asking for an extension of a CEHA grant. Mr. Matthews feels that request is for the 2006 grant. Mrs. Yard asked that this be a part of the record.

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

Mr. Melick moved and Mr. Holt seconded this:

See Page 01/09/07-2I

RESOLUTION

RESOLVED, Approving the Pension Refunding Bond Sale, for the 2004 pension/early retirement incentive.

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

Mr. Balogh informed the pension refunding bonds were sold at a net interest rate of 5.1892%. This represents a saving of approximately \$2.5 million over what it would have cost the County had these obligations be paid over the 15 year life that would have been billed by the Pension Bureau.

Mr. Balogh announced as a result of this bond sale Moody's upgraded the County's bond rating from AA1 to AAA, which is the highest rating that can be given.

County Bonds

Mr. Peterson confirmed that the two bonds which were introduced at the December 12, 2006 meeting will be redone in 2007. Mr. Balogh explained it depends on how urgently the funding needs to be put in place. The open space bond could wait until the adoption of the County's budget; as well as the bond for farmland preservation. He would present them again in the Capital Plan that will be reviewed by the Board of Freeholders in February. If those funds are needed sooner a temporary capital plan can be done.

Mr. Sworen left the meeting at 3:13 p.m.

Mr. Peterson feels that some of the people who own the farms listed in those ordinances are anticipating those funds, such as for the Milligan farm. Union Township came before the Board and made a request for the County to assist them in the purchase and the Freeholders held off in order to put in place the policy for Extraordinary Policy on funding on projects such as the Milligan farm. The policy was put into place in December but the bonding was delayed and this will just delay things further.

Mr. Melick doesn't feel the Board has made a decision yet. Mr. Peterson agreed saying the Board decided to change the procedure.

Mrs. Yard noted the procedure was installed prior to Union Township coming to the Board of Chosen Freeholders concerning the Milligan farm situation. Delaware Township was the first municipality to come before to the County asking for special consideration. The County has a process in place for municipalities to request funds; they are to come before the Board, which they did, and the Board then requests Kevin Richardson, Open Space Trust Fund Coordinator to evaluate the merits of the request, which he has done and he did provide the Board with a report, Union Township was supposed to come back to the County, and they chose not to come today as they were scheduled, but they will be present at the next meeting.

Mr. Peterson feels the process was delayed because the County changed its policy concerning large capital expenditures for open space and farmland preservation. Union Township was ready prior to today but the County delayed things. The County has a scoring system now and it appears the scoring system would favor the County contributing to that purchase and he feels the County needs to do this.

Mr. Peterson said this purchase did not go through last year for reasons that had nothing to do with the bonding. Mr. Melick feels there are other issues in play with Union Township. There are outstanding issues concerning access at Interchange 78 and there are complications with the State Department of Transportation that they are responsible for.

Mr. Holt asked to have a little more time to understand the funding. He would like to see the time line with Union Township coming in at the next meeting.

Director Muller noted Union Township is not present this evening as they are holding their reorganization meeting.

After further discussion, Mr. Balogh was directed to prepare a temporary capital budget for the next meeting. Mr. Balogh advised once the temporary capital budget is in place, ordinances for open space and farmland preservation could be introduced at the first meeting in February.

Mr. Peterson questioned the request from Emergency Services concerning capital funding. George Wagner, Director, Public Safety, explained the estimated delivery date for the new Emergency Services/Communications Center and having it operational is May 16, 2007. If a large portion of equipment for that center is in the Capital 2007 budget request; there is a need for lead time to order the equipment and if most or all of it is under state contract, time is still needed to get the equipment purchased, installed and operational by May 16, 2007.

Mr. Balogh confirmed for the Board that that item could be included in the temporary capital budget.

Mr. Sworen returned to the meeting at 3:24 p.m.

The Board of Chosen Freeholders confirmed the temporary capital plan will be introduced on January 23, 2007 and the ordinances introduced the first meeting in February. Mr. Melick feels it is sometimes better to be late in getting things done because when things are done late they are done after they are thought out and its is in the best interest of the taxpayer. That has been his experience over the years.

ROADS and Bridges Update

John P. Glynn, Director, Roads, Bridges and Engineering updated the Board on various County road and bridge projects.

- A meeting is scheduled with East Amwell Township to discuss the final geometrics of the improvement for County Route 579.
- Projects for County Route 645 and County Route 617 have been winterized.
- Final plans are being reviewed for resurfacing of County Route 579/State Route 31 to Mercer County and specification are 50% complete. Plans should be ready for approval by the first meeting in February.
- Contractor is still making corrective work on the south abutment of Bridge L-92-W. The trusses are scheduled to be delivered in mid-February.
- A meeting is scheduled with the Delaware Township Planning Board to discuss several items, including County Bridge D-345 and the County will be presenting alternative plans for the bridge.
- Bids have been received for County Bridge K-136.
- Preliminary plans have been prepared for InterCounty Bridge B-26-W. Warren County is the lead agency for this project.
- The County has heard that it will be getting its wetlands permit for County Bridge A-39, on Mt. Salem Road. There is still a question on whether a stream encroachment permit is needed.
- The application for County Bridge H-64-W, on Mt. Joy Road is now complete. This is a preservation/rehabilitation with Warren County.
- The County has requested a pre-application meeting with the New Jersey Department of Transportation to discuss the storm water permit needed for County Bridge E-166.
- The County is working with the 4-F report which is required by the federal government when you take parkland, on County Bridge F-45, on Whitebridge Road. A release is necessary from Green Acres regarding a tenth of an acre diversion.
- Final review has been completed and the plans and specifications are ready to be sent out on the two intersections, River Road/Route 523 and Route 523/Route 612. The plans and specifications will be sent out after appraisal reports are received. County Counsel will be scheduling a public hearing on both intersections; as well as public hearings for the intersection of County Routes 517/523.
- The County met with the State Historic Preservation Office (SHPO) regarding County Routes 513 and 579 in Pittstown, Franklin Township. The County must modify the plans for this signal project for a third time. Once the plans are modified the County should be able to obtain SHPO approval and be authorized to go to construction.
- The final plans are being revised for County Route 610/Race Street/County Route 513 in Frenchtown Borough. The final drainage is being reviewed; there was need for a few inlets to be reconstructed.
- Appraisal reports have not been received for County Routes 517/523.
- A call has been placed to Jersey Central Power and Light to get power to the temporary signal at the Bloomsbury Rail Road Bridge.

Mr. Glynn reported Stockton Borough is looking to purchase one of the County's surplus utility body trucks that are being sent to auction. Mr. Peterson moved and Mr. Sworen seconded a motion authorizing Mr. Glynn to proceed with the process to the sale of this utility truck to Stockton Borough at the recommended price of \$6,500 as was prepared by the County's mechanics.

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

Park Avenue/Foran Blvd.

Mr. Glynn reported he spoke with Charles Scott on December 22, 2006 concerning the joint project with Flemington Borough to improve the intersection of Park Avenue/Foran Boulevard. Mr. Glynn was assured by Mr. Scott that he would have a response back to the New Jersey Department of Transportation, (NJDOT). Mr. Glynn further explained for those present that when the County started the Justice Center on Park Avenue, the County agreed to improve the drainage on Park Avenue, the alignment on Park Avenue and to put in a new signal where the temporary signal currently is at Agway. The State Department of Environmental Protection, (NJDEP) is the lead agency doing the environmental/cultural resources report for Flemington Borough. The State Historic Preservation Office has identified several key issues: the old railroad station, an Agway historic district (certain buildings have to be protected), the engineering serpentine road around those buildings so they could be saved. The issue is the Agway Historic District because it is felt there are other issues based on Agway but no one can get an answer from NJDEP on what the significance is and what mitigation they are looking for.

Mr. Glynn recommended getting Assemblywoman Marcia Karrow involved in this issue because she did offer her assistance. The Board agreed.

Frontage Road/Exit 15 at Interchange 78

Director Muller advised he would like to appoint two Freeholders, George Melick and Matt Holt, Mr. Glynn and Sue Dziamara, Planning Board Director, to be a committee to meet with representatives of Union Township to begin to discuss moving the project of Frontage Road and Exit 15 forward. He attended the North Jersey Transportation Planning Authority meeting yesterday and spoke to officials from NJDOT and they are in a holding pattern on this project and did not understand that the County would like to see this move forward. Mr. Glynn is anxious to push this because the County had several meetings with Union Township, Clinton Town, Franklin Township and the NJDOT on this issue. The NJDOT at one time gave this project the highest priority to push the Frontage Road connection

through and the County waited to go to construction two years ago and he found out the project was on hold because there was no concurrence from Union Township. Mr. Glynn feels this meeting will assist in finding out what the issues are with Union Township and get them resolved.

Mr. Holt explained the County needs to bring back that the key focus of what started this project in the beginning was a school bus accident at Exit 15, where it was extremely lucky that no children were injured. That incident jumpstarted not only the realignment project but took it further to include Frontage Road extension project. Mr. Holt says Union Township needs to be reminded of what the issue was that this project is built upon.

Mr. Glynn reviewed the minutes of 2004 and everyone was on board with the project. There were other issues concerning permitting of wetlands but that was the only outstanding issue. He is not sure what transpired from 2004 to present with Union Township.

The Board directed the County Administrator to coordinate the meeting between the County and Union Township.

Mr. Melick left the meeting at this time.

State Agriculture Development Commission (SADC) rules

Leilani Hershey, Senior Planning, Planning Board came before the Board concerning the new proposed State Agriculture Development Commission (SADC) rules. The SADC is currently revamping the Farmland Preservation Program as the County has known it. The farmland program was very rigid while the Planning Incentive Grant (PIG) program with municipalities were more fluid and applications could be sent throughout the year as received from landowners. The SADC has made an attempt to make the County farmland program more like the municipal PIG program, and reducing the rigid time schedules which create large block of time and holding periods.

An example is that currently applications in January and go through processes required by the SADC rules; appraise the faculty, and the County would not know if the applications were being funded until June of the following year. While the County was busy getting things done to be in compliance with the SADC, the landowner would know nothing for a year and a half.

The SADC is now proposing, starting in December of 2007 the County would submit an entire farmland comprehensive farmland plan to the State which initially would require a lot of staff time and energy to compile and coordinate with municipalities. Once the plan is approved, which would include target areas and project farms, applications could then be submitted on a rolling basis and the timeframes of the applications would move on a faster track.

Ms. Hershey does not see any major issues concerning the state's overhaul of the rules until there are concerns about staff time and costs would be a concern of the Freeholder Board. She informed the Board that the SADC will be offering a grant, up to \$30,000, to each County to compile this information. Ms. Hershey has asked the SADC to clarify for the County that in subsequent years amendments will be issued for the plan, and that a whole new plan will not be submitted yearly.

Ms. Hershey explained that municipalities must approve of the plan and the target farm list 90 days prior to the County submitting the plan to the State. In addition, under the proposed SADC Rules a municipality must adopt a resolution approving acquisitions even if they are not cost sharing; and if the County isn't cost sharing it too must adopt a resolution.

The SADC has added Subchapter 6, which relates to the acquisition of development easements. This is a new section related to when the County or municipalities purchase a property in fee, and then want to apply to a program, such as the County's program to have it preserved through a farmland preservation program and then auction it off.

The SADC has put a lot of regulations into place, such as when the property is purchased a municipality only has three years to submit it to a program. There is also the issue of properties which have been purchased, that because of the rules not being proposed would be ineligible.

Ms. Hershey explained to the Board if a property is purchased, preserved and auctioned the SADC reimburses only the difference between the purchase and the resale. If the property is not auctioned prior to the preservation, the SADC is proposing to put a restriction on the grant agreement which would require a reimbursement back to the state if any profit is gained. The rules do take into consideration any municipal costs incurred and Ms. Hershey has asked the state to consider also any County interest costs. The State does not take into consideration any costs associated with purchasing a property in fee, auctioning it, maintaining it (for whatever time period), subdividing, demolishing, or anything else that goes into holding a property in fee.

Ms. Hershey advised the goals were to reduce timeframes for the landowners and that may happen, benefiting the people preserving their farms. Ms. Hershey stated these rules went through the farmland preservation program process review committee (FPPRC) at the SADC to create these proposed rules.

Mr. Holt agreed the proposed rules go against the idea of preservation; in addition the rules need to factor in what the County's expenses are for preservation in the County. He confirmed that the County will be submitting the comments from the CADB (County Agriculture Development Board), to the SADC on February 02, 2007. Mr. DeSapio feels the Board should express its concerns on reimbursement from the state. Mr. Sworen agreed the state needs to be accountable when reimbursement is made to the counties.

After further discussion, Mr. DeSapio confirmed the Board of Chosen Freeholders agreed that a letter should be crafted for the Freeholders signature stating it is the consensus of the Board of Chosen Freeholders that the County wants to be reimbursed for costs, finance charges, caring charges, the costs for acquisition and for development if the property is subdivided.

Mr. DeSapio recommended two letters be written for the SADC, one which highlights the importance to the Freeholders of reimbursement issues and the second letter would include the creation of an escrow account in case there is a profit, so the profit monies could be reinvested at the County level. The Hunterdon County Board of Chosen Freeholders directed Mr. DeSapio to work with Ms. Hershey on drafting those letters to the SADC, which the Freeholders will review at their next meeting.

FARMLAND PRESERVATION

Mr. Peterson moved Ms. Sworen seconded this:

See Page 01/09/07-6A

RESOLUTION

RESOLVED, Authorizing a Municipal Cost Sharing Agreement with Raritan Township, for Block 81, Lot 2 and Block 82, Lot 4.

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

Mr. Peterson moved Ms. Sworen seconded this:

See Page 01/09/07-6B

RESOLUTION

RESOLVED, Authorizing a Contract for Sale of Development Easement, Block 22, Lot 98 and Block 14, Lot 35, in the Township of Holland, owned by Suzanne Murphy, (SADC - \$162,750; County - \$49,875; Holland Township - \$49,875), total of \$262,500.

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

Mr. Peterson moved Ms. Sworen seconded this:

See Page 01/09/07-6C

RESOLUTION

RESOLVED, Authorizing a grant agreement for the acquisition of a development easement, Block 32, Lot 7.03, with the Township of West Amwell, (Atchley) (SADC - \$337,673.49; County - \$95,674.16; West Amwell Township - \$129,441.50), total of \$562,789.15.

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

Mr. Peterson moved Ms. Sworen seconded this:

See Page 01/09/07-6D

RESOLUTION

RESOLVED, Authorizing a Contract for Sale of Development Easement, Block 17, Lots 23, 23.01, and 23.02, in the Township of Delaware, owned by Elizabeth Dugger, (SADC - \$588,000; County - \$196,000; Delaware Township - \$196,000), total of \$980,000.

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

Mr. Peterson asked Ms. Hershey to include the total number of acres in the farmland preservation resolutions in the future.

PURCHASING

Mr. Sworen moved and Mr. Peterson seconded this:

See Page 01/09/07-6E

RESOLUTION

RESOLVED, Approving Requisition #40014134, with Campbell Foundry, for inlets, for the Roads and Bridges Department, in the amount of \$11,230.

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

Mr. Peterson moved Ms. Sworen seconded this:

See Page 01/09/07-6F

RESOLUTION

RESOLVED, Approving Requisition #HCJ.46631, with Motorola, for a radio base station, for the Corrections Department, in the amount of \$7,355.

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

Mr. Melick returned to the meeting.

GRANTS

Mr. Peterson moved and Mr. Holt seconded this:

See Page 01/09/07-7A

RESOLUTION

RESOLVED, Approving the Title XX Transportation grant renewal, for the provision of transportation services and, the concomitant Public Donor Agreement, for \$32,704.00 in matching funds.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 01/09/07-7B

RESOLUTION

RESOLVED, Approving a grant agreement application, with the NJ State Council on the Arts, support and re-granting purposes, in the amount of \$75,218.00 – state funds and \$73,874 – County Match; and designating the Cultural and Heritage Commission as the official agency to administer awards from the grant application.

Mrs. Yard explained discussion have taken place with the Cultural and Heritage Commission because they receive money from the New Jersey State Council on the Arts each year in the form of this grant; plus they come to the Freeholder Board for additional funding to give above the grant amount to art applicants. The Cultural and Heritage Commission often solicits people to apply for a grant. A concern has been that funds come from the County and the Commission is asking County departments if they want to apply for the grants.

After further discussion the Board agreed to approve this grant subject to Cultural and Heritage meeting with Mrs. Yard to establish goals and objectives so that the Freeholders can see that the County's money is being used which shows value to the taxpayers. Mrs. Yard will meet with Cultural and Heritage to establish quantifiable goals in keeping with the County's new aggressive grant management program. She noted that this grant was sitting on someone's desk for six months prior to coming before the Board for approval. The mechanics of this grant needs to be worked out. Mr. Peterson agreed goals need to be established because the Board will be able to evaluate the grant based on those goals and objectives.

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

Mr. Peterson moved and Mr. Melick seconded a motion that Mrs. Yard advise the Cultural and Heritage Commission that one of the goals for the grant with the New Jersey Council of the Arts, be to educate the public that these grant funds are available. The Board agreed this should be done prior to accepting the grant funds from the state. Mr. Peterson felt that this program could also be used to promote and expand children's art programs.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 01/09/07-7C

RESOLUTION

RESOLVED, Approving a grant application with the National Association of County and City Health Officials, to provide support development of Medical Reserve Corps, (MRC), in the amount of \$10,000.00.

Mr. Peterson informed the Board that he did not see any goals on how this grant money is to be used for such as completed training, recruitment activities or exercises. It does not say how many people are anticipated to be trained or recruit. There needs to be a quantitative measure to determine if the County is moving forward or to just see how the funds are spent so the Board has something to evaluate it by.

Mrs. Yard explained this is the first grant for 2007 where the Grant Committee, herself and Jeanne Ferrari, began the new process of meeting with departments on their grants. They met with the Health Director to establish measurable, quantifiable goals and objectives. It was made clear that the Freeholders have to agree to accept the grant funds and if it is accepted the measurable goals will need to be followed. Mrs. Yard reported the goal of the grant is to increase the capacity of the MRC. The MRC currently has 195 members and once all the stations are established the MRC would need to have around 250 members. The Health Director was cautioned that this grant is not to purchase T-shirts, hats or clipboards.

The Health Director has stated that some of these federal monies will be sent to states that don't have a strong MRC and the federal funds will be going to the most needy areas/states.

The Health Director was informed that there will be measurable goals if Hunterdon does receive these federal funds.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 01/09/07-8A

RESOLUTION

RESOLVED, Approving a grant application with NJ Historical Commission, for General Operating Support and re-granting purposes, in the amount of \$56,109.00, (\$23,000 state funds and a County Match of \$36,109).

Mrs. Yard confirmed for the Board that prior to accepting these grant funds, goals will be established for this grant with the Cultural and Heritage Commission.

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

FOR DISCUSSION

NJAC Membership

Denise Doolan, Clerk of the Board of Chosen Freeholders announced that the 2007 invoice has been received for membership dues for the New Jersey Association of Counties. 2007. Mr. Holt and Mr. Sworen feel membership will allow Hunterdon to utilize information gathered by the NJAC and their attorney. Mr. DeSapio agreed that the NJAC provides moral support to the County on various issues. Mr. Sworen reported he will be attending all NJAC meetings for 2007. Mr. Sworen Moved and Mr. Holt seconded a motion approving membership to the New Jersey Association of Counties for 2007.

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

Deer Carcass Removal

Mr. DeSapio advised Judge Rubin issued his decision concerning deer carcass removal on December 15, 2006, saying that the picking up of deer was not a County responsibility, it was not a road maintenance responsibility but he had no legal jurisdiction to compel the state to do that but that this is a serious problem which the legislature should address. The County has 45 days from that date to appeal.

Mr. Peterson advised he is against appealing and this is over. There is nothing in the opinion that gives Hunterdon an option. Senator Lance has introduced legislation to try and put appropriations back into the state budget to have the state pay the financial costs for deer carcass recovery. He recommended getting the New Jersey Association of Counties (NJAC) and the New Jersey Association of Municipal Officials to support this legislation. Mr. Sworen agreed. Mr. Peterson moved and Mr. Holt seconded a motion not to appeal the court's decision concerning the deer carcass recovery lawsuit.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 01/09/07-8B

RESOLUTION

RESOLVED, the Hunterdon County Board of Chosen Freeholders supports Senate Bill #2271 to have the \$730,000 put back into the appropriations' budget of the State of New Jersey for the removal of deer carcasses and that resolution be sent to all 21 Counties, NJAC and the League of Municipalities.

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

Mr. Holt left the meeting at 4:40 p.m.

NJ Veterans Services Office

Mr. Peterson reported that currently Hunterdon County veterans in need of Services by the League of New Jersey Veterans Services must travel to Warren County. He has talked with NJ Veterans Services and they are willing to have someone come to Hunterdon County. The County's Division of Senior Services feels that service would also benefit the seniors. The representative would need a desk, phone and fax line. Mr. Peterson will gather more information and report back to the Freeholder Board.

Mr. Holt returned at 4:44 p.m.

Mr. Sworen feels the County Clerk should be involved in this because records have to be maintained for the veterans.

After further discussion, the Hunterdon County Board of Chosen Freeholders agreed that Hunterdon County should provide services for the veterans.

Constitutional Officers/Deputies

Mrs. Yard reported there is a chronology in the Freeholders' packets regarding the issue of salaries for constitutional officers and their deputies. This issue was last discussed by the Freeholder Board on October 10, 2006 at which time the Board was going to look into additional information and evaluate. Mrs. Yard explained she is trying to respond to a particular staff member who has made an inquiry about this issue.

Mr. Peterson thinks it was the feeling of the Freeholder Board that the salaries for constitutional officers are tied to the judiciary and therefore when the judiciary receives a raise, the constitutional officers would automatically get a raise and that appears to be the common practice in some New Jersey counties. The Constitutional Officers did receive a rapid and large increase a few years ago when their salaries were to be a percent of what the judiciary receives.

Mr. Peterson advised he is concerned about the issue of the deputies which have to be a certain percentage of the constitutional officers' salary. Mrs. Yard advised this is only an issue in one area because the Surrogate's purposely took the deputies out of the statute when the pay raise was initiated in 2003, when the constitutional salaries were raised to \$91,500. The deputies' salary is not an issue in the Sheriff's Office but it is an issue in the County Clerk's Office because there is a new Clerk and a seasoned Deputy Clerk. Mr. Sworen also saw this as an issue and asked NJAC for assistance by obtaining the 2006 salary survey which was just completed. He will make sure everyone gets a copy of the survey.

Mr. Peterson feels the Freeholders have not resolved the issue regarding the County Clerk's salary. Director Muller relied the salary was going to remain where it is until the Board was ready to take action. Mrs. Yard reported there was a majority on the Board to stay constant with the judicial vicinage decision and the salary was to remain as is but there was one Freeholder who wanted to look at this and that was back on October 10, 2006; but nothing was formally resolved.

The Board discussed the issue that the salary of the Deputy County Clerk is greater than 75% of the County Clerk's salary. County Counsel DeSapio reported if it is the Board's pleasure he would check to see if there maybe the possibility that the law would require that the Deputy's salary not be reduced while serving in office. Mr. Peterson reported he will look at the issue for resolution and Mr. Sworen will run this issue past the legal department at NJAC.

Director Muller confirmed this issue will be discussed again on January 23, 2007 to provide Freeholder Peterson time to look at the issue further.

Mrs. Yard asked the Board if she is to respond to the constitutional officer, which was been emailing her concerning salaries, tomorrow and inform them that this is still under advisement. Mr. Peterson advised he will contact her.

County Clerk's Office/Saturday hours

Director Muller reported the County Clerk has talked with the Freeholders about opening the office on Saturdays, starting in February. Mrs. Yard explained by contract we can't just change someone's conditions of work or hours. The first step is to get unanimous agreement by the workers agreeing to change their work schedules and it would then need to be submitted to the Union so they are aware of this intention. This request came into the County's Human Resources Office late last Friday, January 05, 2007, asking that this program start on Saturday, February 02, 2007. Since this is a change in policy, it must be approved by the Board of Chosen Freeholders. Mrs. Yard reported this would be a pilot program which would be reviewed by the County Clerk after a year's time, to determine if it was cost effective because overtime will be necessary since people will be working on Saturdays. Mrs. Yard advised the protocol is being followed with the Union, to insure that the employees' rights are not violated. There is an agreement with the employees who will be working on Saturdays and that will be sent to the Union.

Mr. Peterson feels it is a good idea to have the County Clerk's Office open on Saturdays, especially if it is done the Saturday before elections to get absentee ballots, but to also allow people to get their passports and for voters' registration.

Health Benefits

County Counsel DeSapio reported that he was informed about a concern raised about the December decision by the previous Freeholder Board to require Freeholders to pay for their health benefits. A legal question was raised on whether or not that action was appropriate because it did not include all elected officials, such as the three constitutional officers, as well as the five Freeholder members and that constitutes discrimination. An attorney who reviewed that issue pointed out a New Jersey Statute which would seem to suggest that if there is going to be a policy like this that it needs to include everyone or you can't have the policy because you would be discriminating among elected officials. Mr. DeSapio reported he has not had the opportunity to review this yet but it makes sense because of the way the statute is worded.

Mr. Sworen stated for the record that he was concerned on whether this was done legally. He feels the intention may have been good but the process was not 100% legal.

After further discussion, the Board directed County Counsel DeSapio to gather all information on the issue of health benefits with regard to elected officials so the Freeholder Board can make an informative decision at a later time.

PUBLIC SESSION DISCUSSION

Director Muller opened the meeting to the public.

Sue Adiepietro/FEMA Application

Mr. Sworen reported Sue Adiepietro of Frenchtown Borough is present tonight; she has been affected by three floods and has had significant damage to her house. Ms. Adiepietro has approached the Frenchtown Borough Council for aid; as well as FEMA (Federal Emergency Management Association). She has worked with FEMA along with a group of citizens from Frenchtown Borough and she has found out about a FEMA buyout program where FEMA pays 100% and there is no going through the Hazard Mitigation program. He feels the County needs this information in order to help other citizens.

Ms. Adipietro handed out information regarding the Repetitive Flood Claims (RFC) Program. She wrote to all government officials after being flooded for the third time and Senator Menendez replied on October 25, 2006 about a Repetitive Flood Claims (RFC) program. The applicants (sub-applicants) can be state emergency management or similar offices. She has worked with Sgt. Paul Miller, the New Jersey State Hazard Mitigation Officer and Howard Wolf, from FEMA. The sub-applicants cannot be private individuals or non-profit agencies; they have to be state level agencies or local communities. Sgt. Miller recommended she inform Congressman Rush Holt about the program and so far nothing has been done. Mr. Wolf recommended the Park's Department be a sub-applicant. The deadline for submission of the application by the sub-applicant is January 28, 2007; with the final application being submitted by February 28, 2007.

Sue Dziamara, Planning Board Director, advised Ken Bogen of her staff attended Monday's meeting on January 08, 2007, to gather information to find out what is being asked of the County. She is unclear on what the County would be asked to do. She is aware that Frenchtown Borough is supporting the application but it is not outlined what the County would be asked to do.

Mrs. Yard questioned if this would be a pass-through grant. Mr. Sworen advised the original process was that FEMA paid 75% and the municipality paid 25% and the town would take care of demolition costs of the house. This program which Ms. Adipietro found is a program where FEMA pays 100% plus there is a 5% administrative cost which would go to the sub-applicant. No one knows what the application entails yet. Frenchtown has 18 residents which have been affected and Stockton has 41 affected residents. There are other residents in other municipalities which have also been affected.

Mrs. Yard confirmed the County would not have to put any funds upfront for this FEMA grant. Ms. Adipietro will deliver a copy of the application to Mrs. Yard's office tomorrow for review.

Mrs. Yard recommended that she, Sue Dziamara of the Planning Board, George Wagner, Director of Public Safety meet within the next 48 hours to review the applications and provide a recommendation to the Freeholders, so an informative decision can be made. Mr. Sworen agreed that would be the best in order to make an informed decision. Mrs. Yard advised recommendations will be emailed to the Freeholders by Monday, so a decision can be made on the next move.

Sue Adipietro thanked everyone for their help.

Frenchtown Borough Presentation

Ron Sworen as Frenchtown Borough Mayor stated during the flood, the County's Division of Emergency Management, of the Department of Public Safety profited Frenchtown with a gator vehicle to use during that period. The Borough did apply for extra funding for the use of that gator and he presented the Freeholder Board with a check for \$564, which is the amount they received from FEMA for use of the gator.

FREEHOLDERS ASSIGNMENT REPORTS

Finance/Revenue

Mr. Melick thanked Charles Balogh, Jr., County Treasurer for the County's AAA Finance Rating which the County received because of the surplus financial condition of the County. Mr. Balogh has worked hard on getting this AAA rating for Hunterdon County.

Health Department/Flu Vaccine

Mr. Holt reported the Health Department has 350 doses of the flu vaccine left and the Center for Disease Control (CDC) is recommending the vaccine be given out at a lower cost unit of \$5 at a flu clinic.

Mrs. Yard reported each year the Health Department makes available a location for the County's 24/7 operations/departments and that was not done this year. She would suggest if there are extra doses available that the County's employees be taken care of first. George Wagner, Director, Public Safety did mention today that the employees at the Correctional Facility, Emergency Services and the Youth Facility have not been afforded an opportunity to receive the flu vaccine.

Mr. Holt stated that he, Mrs. Yard and Mr. Melick are meeting with the Health Director on Friday, January 12, 2007 and they will get this issue clarified. The Board agreed if there are surplus doses of the flu vaccine that it be offered to the County's 24/7 operations/departments.

Emergency Management Coordinators

Mr. Sworen reported there have been two meetings for the Office of Emergency Management Coordinators (OEM) in 2007. Training needs to be done for OEM coordinators in different municipalities for fire companies, rescue squads, etc.

Raritan Valley Community College

Mr. Sworen advised a meeting will take place this Thursday, January 11, 2007 with Mr. Balogh and RVCC to discuss their budget, at 2:00 p.m.

Human Resources/County Clerk

Mr. Peterson advised the County Clerk is going to ask to promote an employee to Confidential Assistant to fill a vacancy.

County Vehicle Policy

Mr. Peterson reported he's asked Mrs. Yard, pending the Board's agreement, to reissue a reminder about the County's vehicle policy. He's noticed that County vehicles are being used for personal matters; such as the transportation of individuals who are not County employees. He also remarked about a vehicle speeding on Route 513 in the morning, which passed him at a high rate of speed. He asked that the County's managers review the vehicle policy with their employees. Director Muller added that if there are violators to the policy there needs to be disciplinary action. Mrs. Yard reported she and Mr. Peterson are dealing with the employees but she agreed it is good to do a generic reminder to all managers to remind them how important it is to follow the County's policies and procedures which are in place. Mr. Melick recommended checking to see how often vehicles with confidential plates are used after hours.

Freeholder Meetings in Municipalities

Director Muller advised Mr. Sworen talked about having Freeholder Meetings in various municipalities several times during the year. He will be sending a letter to the municipalities asking if they are interested in hosting a meeting and for several dates, so this can be arranged.

Mr. Sworen noted that he has already received requests of interest from the Township of Clinton, the Town of Clinton and Lambertville City. He asked that the first meeting be held in Lambertville City.

Open to the Public

Director Muller again opened the meeting to the public.

Lois Stewart asked about the change in procedure for public session for Freeholder Meetings. Director Muller explained the Freeholders' business meeting will now start at 3:00 p.m., executive sessions would be at 4:30 p.m., and open session to the public would be at 5:30 p.m.

Ms. Stewart congratulated the Board on increasing the base salary for County employees to \$25,000 because of the high cost of living but added that some people are paid adequately. Mr. Peterson informed Ms. Stewart that the Freeholders are now not only looking at what other counties and municipalities are paying their employees, that the Freeholders are also going to be looking at what private sectors pays.

Ms. Stewart asked how many Freeholders feel they should not be getting their health insurance paid. Ms. Sworen advised two of the Freeholders on the Board today were not on the Board when this was adopted and it has to be determined if that was legal. He's concerned about doing things legally.

Ms. Stewart asked the Freeholders when vehicles are purchased in the coming year to consider purchasing hybrid cars.

Ms. Stewart asked the Freeholders to start thinking about Arbor Day, which is the last Friday in April and asked the County to make a big production about Arbor Day.

EXECUTIVE SESSION REQUESTS

Mrs. Yard reported the attorney present today, who was scheduled to discuss an issue in executive session at 4:30 p.m. must attend another meeting. Mrs. Yard was asked to reschedule a special meeting with the attorney.

Mr. Sworen moved and Mr. Melick seconded this:

See Page 01/09/07-11A

RESOLUTION

RESOLVED, Executive Session 07-01 to discuss litigation entitled Schemick and Huggins versus the Sheriff and others.

See Page 01/09/07-11B

RESOLUTION

RESOLVED, Executive Session 07-02 to discuss the release of various Executive Session minutes from July 25, 2006, August 08, 2006 and August 22, 2006; as well as all minutes which include discussions about CWA negotiations and which include discussions involving state reimbursement of funds for the Kanach Farm and the Kanach Farm Auction.

See Page 01/09/07-11C

RESOLUTION

RESOLVED, Executive Session 07-03 to discuss land acquisition concerning the Eastern Regional Library Services initiative.

See Page 01/09/07-11D

RESOLUTION

RESOLVED, Executive Session 07-04 to discuss negotiations concerning the possible acquisition of the Urbach property, Block 7, portions of Lot 13 and 15, in Raritan Township.

See Page 01/09/07-12A

RESOLUTION

RESOLVED, Executive Session 07-05 to discuss continuing discussions concerning the farmland acquisition issues involved in the Kuhl/Kadezabeck property in Raritan Township and issues concerning the possibility of acquiring the property.

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

UNION TOWNSHIP

Rescheduled for January 23, 2007, to discuss a request for cost sharing on the Milligan Farm, Block 22, Lot 20.

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 6:10 p.m. and reconvened in Open Session at 7:45 p.m.

There being no further business to come before the Board, Director Muller adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board