

# HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

**May 08, 2007**

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 1:10 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

## **OPEN PUBLIC MEETINGS ACT**

Director Muller announced: "This meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been given by posting throughout the year a copy of the notice on Bulletin Boards on the First and Second Floor of the Main Street County Complex, Building #1, Flemington, New Jersey, a public place reserved for such announcements. A copy was mailed on or before May 01, 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**

## **HIGHLANDS' DISCUSSION**

Director Muller explained the meeting is being held early today so that the Freeholders may hold a discussion concerning Hunterdon County property in the Highlands area. The Freeholder Board has gone on record to not place funding in its budget to enter into litigation with Warren County. Warren County is proceeding in filing a summary judgment.

Director Muller feels this Board needs to discuss what direction it will be taking, since Hunterdon is still affected by the Highlands Act, as 15% of Hunterdon is located in the Highlands area.

Director Muller informed the public that new Freeholders Holt and Sworen do have a background in the Highland's discussion, as they have met with Warren County as Freeholders-elect after winning the 2006 General Election and also as Freeholders after being sworn in this past January.

Director Muller opened the meeting for Freeholder comment.

Mr. Holt confirmed he was the Freeholder who wanted to make sure the Board had a dialog regarding the Highlands. It is important to understand where we are today and where the lawsuit moves forward from here. He doesn't feel anyone takes a position against the overall premise of Highlands' represents, which is the preservation of water as a resource in New Jersey, not only in the Highlands but for use in the entire state. The concept of environmental protection of that resource has merit. The flip side is land ownership and that is what Hunterdon and Warren Counties were investigating for the lawsuit. One of the greatest attributes American's have is the right to own land and those rights cannot be taken away without some sort of profit compensation. His understanding with regard to the lawsuit is because it is felt there has not been the compensation monetarily with the Highlands Act that was clear cut and established to compensate property owners. He feels the premise of the litigation was to drive this back to the legislature to look at to determine how to establish a guideline that would work within the legislation.

Mr. Holt stated in the past both Hunterdon and Warren have taken this very seriously and the County's responsibility was to get this litigation to the point where it was ready to be filed, and because of that, individual property owners, in various municipalities had the opportunity to join on as amicus if they so chose, and inexpensively. That litigation has been finalized and Warren County has moved forward. He feels the question is whether Hunterdon wishes to be a part of the litigation or does Hunterdon feel it has reached the goal it set out to do, which is create the litigation and allow property owners to join in.

Director Muller advised this Board's policy has been to not purchase land in the Highlands' preservation area located in Hunterdon because it was felt the State would be acquiring the property. While that legislation is in place, there is still no funding mechanism in place to determine when the lands will be acquired. Hunterdon County was forced to help prepare the litigation against the Highlands' Act because the legislation does not have a proper funding mechanism.

Director Muller asked if this Board is willing to consider acquiring land in the Highlands preservation area, knowing that state funding is not in place. Possibly legislation could be amended and then any county that purchases land in the Highlands' area would be reimbursed. The intent of the Highlands Act is to preserve the watershed and the counties are preserving that watershed. He would support looking at Hunterdon's properties in the Highlands' area and honor any agreements to purchase those properties.

Mr. Sworen said the State is protecting the watershed but not for Hunterdon or Warren counties, they are protecting it for municipalities east of us and people need to be aware of that.

Mr. Sworen confirmed with County Counsel DeSapio that the lawsuit was filed and there were six amicus on it and asked how many were from Hunterdon. Mr. Schoop and Mr. Klump stood up and informed the Board they are amicus on the lawsuit and they are from Hunterdon.

Mr. DeSapio confirmed for Mr. Sworen that Hunterdon did not have a written agreement with Warren County to be on the lawsuit. Mr. Sworen said Hunterdon spent around \$500,000 to assist in preparing the lawsuit, then Warren County doesn't put Hunterdon's name on the lawsuit and he believes they should have.

Mr. Sworen confirmed since the lawsuit has been filed, that Freeholder Peterson can now rejoin these discussions. Mr. Peterson being on the Highlands' Council is an invaluable resource for the County and the Board to make proper decisions. He looks forward to his input to the Board but also to what Mr. Peterson can take back to the Highlands' Council from Hunterdon. Mr. Sworen feels all the land within Hunterdon County should be treated the same whether it is in the Highlands preservation area or planning area, it should be viewed the same as other lands in Hunterdon using the same criteria currently established for farmland preservation or open space.

Mr. Holt feels the Freeholder Boards of Hunterdon and Warren understood and recognized their responsibility and did so to support their residents who could not afford to do litigation on their own, and those people were able to be added onto the litigation amicus. Financially there is no way an individual or municipality could have undertaken this expense.

Mr. Melick thinks what the state did was eminent domain by basically taking the properties by placing them in the Highlands Preservation and Planning Area, except the State did not compensate the property owners. The Board's logic two years ago was why spend taxpayer money for something that the state says is preserved. The Board did follow through and purchase properties were contracts were signed but new properties were not considered.

Mr. DeSapio explained the County funded all farms where there was a contract to purchase. The farms not funded were farms where there were no contracts to purchase that were located in the preservation area. Also there were a couple of contracts which came to the Board for approval, but the Board decided not to sign them. The Freeholder Board never reneged on an existing contract.

Mr. Melick asked Mr. Peterson what the opinion was of the attorney for the Highlands' Council on your could do and not do. He's aware that members of the Highlands' Council were advised of their certain limitations because there are Freeholders on the Council from other jurisdictions. Mr. DeSapio feels at the first Highlands Council meeting, the attorney for the Committee on Ethical Standards, made a presentation to outline some limitations would apply to the members of the Highlands' Council who were elected officials. There was concern about that expressed and there was supposed to be a subsequent meeting/discussion but he was never at a Highlands' meeting where that was finally resolved but it was discussed at the initial meeting of the Highlands' Council.

Mr. Peterson thinks since Hunterdon is not actively engaged in the lawsuit, he is free to speak about the actual lawsuit which was filed. Everyone has their own opinion of what condemnation means, but they are usually wrong from a legal standpoint or what a taking is. The legal meaning of those words is different. He has looked at the case law from the beginning. If you read the history of this, you will find the grounds which were established that were plead in the complaint aren't very strong. He always thought that the lawsuit was not a good avenue for public policy on the grounds that government bodies should not be filing lawsuits just to make a point, because it is taxpayer money. He feels Hunterdon would have better served if the County had gotten actively involved in working with the Highlands Council on the Regional Master Plan for the Highlands. The Highlands Act provides no ability to the Highlands' Council to raise money to provide for the purchase of any property in the Highlands areas. That is the domain of the legislature. To his knowledge, there is no one in the legislature who has introduced legislation to increase the water tax, or any other tax, that would be dedicated in some fashion to the Highlands. There is much talk but no action.

Mr. Peterson feels a lot of the issues people have are not within the domain of the Highlands' Council, they are within the domain of the State Department of Environmental Protection.

Mr. Peterson does not feel the County has a formal policy not to purchase lands in the Highlands' preservation area but he feels the Freeholders should reiterate what the course of action will be concerning land purchase in the Highlands. One of the mechanisms for purchasing lands in the Highlands is through the Farmland Preservation and Open Space trust fund. If Hunterdon is going to compensate people, that is one mechanism that can be used. If Hunterdon believes there are people in the Highlands who have lost value of their properties, then Hunterdon should use this program as a form of compensating those people. He has been pushing to reverse this policy for a long time. Also, Hunterdon's neighbors in the Highlands', in the preservation zone pay taxes and they also contribute to the Farmland Preservation/Open Space Trust Fund. They should not be kept from participating in a program that they are contributing towards.

Mr. Peterson said while not all contracts were signed, some were oral agreements, and Hunterdon needs to honor them.

Mr. Sworen asked if the State Agriculture Development Board funds farms in the Highlands area. Mr. Peterson's understanding is that properties in the Highlands area given a bump in the ratings. Sue Dziarama, Planning Board Director, advised there is additional funding set aside for Highlands acquisitions. Mr. Sworen understands that those properties are given pre-Highlands'

appraisals. Ms. Dziamara explained that pre and post Highlands prices were determined and the pre-Highlands' price has been used.

Director Muller advised today the Board will consider the Fentzlaff property, which is located in the Highlands' preservation area, in Lebanon Township. Ms. Dziamara has had prepared two resolutions for the Board, one with a County contribution and the other with a zero contribution.

Mr. DeSapio advised if the Board is inclined to change the practice about funding properties in the Highlands' preservation area, it would be his recommendation that the Board make it prospective, from this day forward and effecting new applications only rather than single out the Fentzlaff property and deal with a situation which has already been resolved legally because he would be concerned that anyone of the other five properties might read about the Board's action on Fentzlaff to pay money now; so the Board might have to pay money for any of the other five if they come in.

Ms. Dziamara's understanding is that the Fentzlaff property is the only property that did not receive other funding and had a shortfall. Mr. DeSapio stated with the Wade property, the Township picked up the County's share. Leilani Hershey, Planning Board, informed the Board that Trimmer and Rodagras received federal funding. Everyone was made whole except for Fentzlaff.

Mr. DeSapio provided a brief history of the above referenced farms and their applications for preservation. Hunterdon spent a lot of time negotiating and brokering to find other funding sources for those farms, principal was the federal funds for certain properties in Lebanon Township. Fentzlaff did not get 100% of the federal funding and he feels it was because of the quality of the land.

Ms. Dziamara explained for Freeholder Holt the two distinct programs in the County, the traditional program where the County, from the onset handles the entire process and the other program is the municipal planning incentive grant (PIG) program is where the municipality is the lead agency, and obtains the initial contract and the municipality then comes to the County asking for participation.

After further discussion, Mr. Holt feels there are three directions this Board can consider: 1. the Board can consider joining the lawsuit today; 2. the Board can join the lawsuit as an amicus as six others have done; and 3. the Board can consider that the Freeholders have accomplished what the prior Board set out to do which allowed the litigation to move forward and allowed municipalities and property owners to join in the lawsuit.

Mrs. Yard confirmed the record should reflect that the Hunterdon County Board of Chosen Freeholders has decided there will be no further action by the Board.

Director Muller recommended the Board go on public record today, as a policy position to reflect its actions regarding property in the Highlands' preservation area.

Mr. Sworen moved and Mr. Holt seconded a motion that the Board of Chosen Freeholders set policy today to consider all properties for preservation in Hunterdon County as the standard was prior to the Highlands Act, with the ranking of different properties for preservation. Mr. Peterson confirmed being in the Highlands area is no longer a deficiency that will remove a property from consideration, as it was pre-Highlands' Act.

John Trontis, Parks and Recreation Director, confirmed this would also apply to obtaining easements or acquiring property for parkland, as well as farmland preservation.

Mr. Melick questioned if this action would not obligate the County into spending money, just state and municipal funding. He questioned what will be used as a basis for appraisal, since the state has already preempted the County with eminent domain. How will the County determine the value of the properties in the Highlands preservation area which is by state standards preserved. Mr. Peterson said the Board is going back to the criteria used to consider property and obtain appraisals, pre-Highlands Act. Mr. Trontis added that in both the farmland and preservation acquisitions, it is established that an appraisal be done pre-Highlands Act.

Mr. DeSapio explained with the County goes to acquire a development easement or fee title to a parkland, the property will be appraised as if the Highlands' Act is not in existence. Mr. Melick feels the Highlands' Act has taken property value away, so this would be a political decision. Mr. Holt said if a property is being considered and the State Agriculture Development Board is going to fund 60% of that property, the largest amount to be placed towards that purchase, so they are still funding property pre-Highlands, then the County should participate also pre-Highlands.

Kevin Richardson, Open Space Trust Fund Coordinator, reported that legislation requires there be a dual appraisal scenario with any property in the Highlands; but that is only when state funds from the Garden State Preservation Trust Fund are being used.

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

Mr. Melick explained he abstained because he feels this is a political decision, yet there are people who are impacted by the action taken by the State of New Jersey being the Highlands' Act and he can sympathize. He feels the state destroyed the value of these properties. He feels the County is going along with the state's philosophy. Mr. Holt said if the state is willing to fund, at

the levels they were funding before, then nothing has changed. Mr. Peterson said this is a mechanism to compensate landowners in the Highlands area.

Mr. Sworen confirmed Hunterdon County is not participating in the Warren County Lawsuit on the Highlands issue. He asked County Counsel DeSapio, that based on that issue is it reasonable to say that Freeholder Peterson is now allowed to participate in any discussions concerning the Highlands, as a member of this Board, including executive sessions. Mr. DeSapio stated it is hard to give a broad generalization but he feels there is a 99% chance that could occur. If there is an instance where it doesn't, he could raise the point. Mr. Sworen said the issue is that Mr. Peterson is now free to participate. Mr. DeSapio said if the Board was going to participate in a discussion concerning participation or support of Warren County's lawsuit then Mr. Peterson should not participate but he can participate in a general discussion. Mr. DeSapio said if there is an instance where someone appeared before the Freeholder Board or if the Freeholder Board had something for which they had to obtain the approval of the Highlands' Council, such as a road project in the preservation area and to be discussed was the application to DEP or the Highlands' Council, then Mr. Peterson should not participate in that discussion.

Director Muller recognized several residents of Hunterdon County who thanked the Board for their action today: Hank Klump of Tewksbury Township, Jim Matarazzo of Tewksbury Township and James Kessler of Tewksbury and Mansfield Townships.

#### **EXECUTIVE SESSION**

Mr. Sworen moved and Mr. Holt seconded these:

**See Page 05/08/07-4A**

#### **RESOLUTION**

**RESOLVED**, Executive Session to review the minutes of January 09, 2007, January 23, 2007, February 13, 2007 and February 27, 2007; and April 11, 2006 and April 25, 2006 to determine what can be released.

**See Page 05/08/07-4B**

#### **RESOLUTION**

**RESOLVED**, Executive Session to discuss an appointment issue involving personnel under the HIV grant.

**See Page 05/08/07-4C**

#### **RESOLUTION**

**RESOLVED**, Executive Session to discuss filling vacancies on the Polytech Board of Education.

**See Page 05/08/07-4D**

#### **RESOLUTION**

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

**See Page 05/08/07-4E**

#### **RESOLUTION**

**RESOLVED**, Executive Session to discuss the establishment of road rates for use of Sheriff's Officers in connection with road projects in various municipalities.

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

The Hunterdon County Board of Chosen Freeholders recessed at 2:51 p.m. and reconvened in Open Session at 3:05 p.m.

#### **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. Melick seconded a motion to approve the regular session minutes of March 27, 2007.

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

Mr. Sworen moved and Mr. Melick seconded a motion to approve claims in accordance with the Claims Register dated May 08, 2007.

**See Page 05/08/07-4F**

#### **CLAIMS REGISTER**

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

Mr. Sworen moved and Mr. Melick seconded these:

**See Page 05/08/07-4G**

#### **RESOLUTION**

**RESOLVED**, Kenneth Rowe appointed unclassified, full time Investigator, Prosecutor's Office.

**See Page 05/08/07-5A**

**RESOLUTION**

**RESOLVED**, Elizabeth Thompson appointed unclassified, full time Employee Board of Elections, Board of Elections.

**See Page 05/08/07-5B**

**RESOLUTION**

**RESOLVED**, James Karpenko appointed permanent, full time Building Maintenance Worker, Buildings and Maintenance.

**See Page 05/08/07-5C**

**RESOLUTION**

**RESOLVED**, Tina Groom appointed permanent, full time Sheriff's Officer, Sheriff's Office.

**See Page 05/08/07-5D**

**RESOLUTION**

**RESOLVED**, Maria Lane appointed permanent, full time Sheriff's Officer, Sheriff's Office.

**See Page 05/08/07-5E**

**RESOLUTION**

**RESOLVED**, Frank Modaffare Jr. appointed permanent, full time Sheriff's Officer, Sheriff's Office.

**See Page 05/08/07-5F**

**RESOLUTION**

**RESOLVED**, Joan Brelsford appointed permanent, full time Senior Library Assistant, Library.

**See Page 05/08/07-5G**

**RESOLUTION**

**RESOLVED**, Joseph Horvath appointed permanent, full time Correction Officer, Division of Corrections, Public Safety Department.

**See Page 05/08/07-5H**

**RESOLUTION**

**RESOLVED**, Edward Pawlick appointed permanent, full time Correction Officer, Division of Corrections, Public Safety Department.

**See Page 05/08/07-5I**

**RESOLUTION**

**RESOLVED**, Marion Attanasio appointed permanent, full time Correction Officer, Division of Corrections, Public Safety Department.

**See Page 05/08/07-5J**

**RESOLUTION**

**RESOLVED**, Matthew DePatto appointed permanent, full time Social Worker, Aging, Division of Social Services, Human Services Department.

**See Page 05/08/07-5K**

**RESOLUTION**

**RESOLVED**, Leonard Gilbert appointed permanent, full time Recreation Leader, Parks and Recreation.

**See Page 05/08/07-5L**

**RESOLUTION**

**RESOLVED**, Evan Drake appointed permanent, full time Correction Officer, Division of Corrections, Public Safety Department.

**See Page 05/08/07-5M**

**RESOLUTION**

**RESOLVED**, Gail Nauman appointed permanent, part time Library Assistant, Library.

**See Page 05/08/07-5N**

**RESOLUTION**

**RESOLVED**, Elizabeth Erwin appointed provisional, full time Senior Librarian, Library.

**See Page 05/08/07-5O**

**RESOLUTION**

**RESOLVED**, Kathy Burgess appointed provisional, full time Senior Librarian, Library.

**See Page 05/08/07-5P**

**RESOLUTION**

**RESOLVED**, Stacey Whitelaw appointed provisional, full time Assistant Supervisor of Accounts, Library.

**See Page 05/08/07-5Q**

**RESOLUTION**

**RESOLVED**, Hugo Marin appointed provisional, full time Family Service Worker (Bilingual), Division of Social Services, Human Services Department.

**See Page 05/08/07-6A**

**RESOLUTION**

**RESOLVED**, Roseann Freund appointed provisional, full time Principal Account Clerk, Division of Social Services, Human Services Department.

**See Page 05/08/07-6B**

**RESOLUTION**

**RESOLVED**, Pamela Jamele appointed provisional, full time Graphic Artist I, Central Printing and Mail Department.

**See Page 05/08/07-6C**

**RESOLUTION**

**RESOLVED**, Brian Decker appointed provisional, full time Senior Engineering Aide, Roads, Bridges and Engineering.

**See Page 05/08/07-6D**

**RESOLUTION**

**RESOLVED**, Robert Fandel appointed provisional, full time Senior Road Repairer, Roads, Bridges and Engineering.

**See Page 05/08/07-6E**

**RESOLUTION**

**RESOLVED**, Cory Colaluce appointed provisional, full time Senior Road Repairer, Roads, Bridges and Engineering.

**See Page 05/08/07-6F**

**RESOLUTION**

**RESOLVED**, Robert Silva appointed provisional, full time Supervising Mechanic, Roads, Bridges and Engineering.

**See Page 05/08/07-6G**

**RESOLUTION**

**RESOLVED**, Mark Robinson appointed provisional, full time Construction Foreman, Roads, Bridges and Engineering.

**See Page 05/08/07-6H**

**RESOLUTION**

**RESOLVED**, Scott Howarth appointed provisional, full time Senior Park Ranger, Parks and Recreation.

**See Page 05/08/07-6I**

**RESOLUTION**

**RESOLVED**, Kenneth Bogen appointed provisional, full time Principal Planner, Planning Board.

**See Page 05/08/07-6J**

**RESOLUTION**

**RESOLVED**, Josephine Glynn appointed provisional, full time Supervising Clerk, Planning Board.

**See Page 05/08/07-6K**

**RESOLUTION**

**RESOLVED**, Michael MacIntrye appointed provisional, full time Senior Building Maintenance Worker, Buildings and Maintenance.

**See Page 05/08/07-6L**

**RESOLUTION**

**RESOLVED**, Norbert Rosso appointed temporary, as needed Instructor, Division of Emergency Services, Public Safety Department.

**See Page 05/08/07-6M**

**RESOLUTION**

**RESOLVED**, Martin Bush appointed temporary, as needed Seasonal Laborer, Roads, Bridges and Engineering.

**See Page 05/08/07-6N**

**RESOLUTION**

**RESOLVED**, Elizabeth Franck appointed temporary, as needed Librarian, Library.

**See Page 05/08/07-6O**

**RESOLUTION**

**RESOLVED**, Keith Bietka appointed temporary, as needed Seasonal Laborer, Roads, Bridges and Engineering.

**See Page 05/08/07-6P**

**RESOLUTION**

**RESOLVED**, Setting the 2007 salaries for unclassified and Non-Contract employees in the Prosecutor's Office.

**See Page 05/08/07-6Q**

**RESOLUTION**

**RESOLVED**, Timothy Dellatore, Bridge Repairer, Roads, Bridges and Engineering, salary adjustment.

**See Page 05/08/07-7A**

**RESOLUTION**

**RESOLVED**, Kyle Kullman, Equipment Operator, Roads, Bridges and Engineering, salary adjustment.

**See Page 05/08/07-7B**

**RESOLUTION**

**RESOLVED**, Daniel Fisher, Equipment Operator, Roads, Bridges and Engineering, salary adjustment.

**See Page 05/08/07-7C**

**RESOLUTION**

**RESOLVED**, Joan Dando, Library Assistant, Library, adjustment of hours.

**See Page 05/08/07-7E**

**RESOLUTION**

**RESOLVED**, Virginia Hagerty, Senior Clerk Transcriber, Human Services Department, adjustment of hours.

**See Page 05/08/07-7E**

**RESOLUTION**

**RESOLVED**, Approving a lease agreement renewal with Ringoes TLC, LLC, for the South Branch of the County Library.

**See Page 05/08/07-7F**

**RESOLUTION**

**RESOLVED**, Approving the final application (Part II) verification with NJ Transit for two (2) extended Minibus vehicles for LINK through the Section 5310 program.

**See Page 05/08/07-7G**

**RESOLUTION**

**RESOLVED**, Approving Change Order #1, for Bid #2006-04, for resurfacing of County Route 614, in Union Township, with Paving Materials and Construction Co., Inc., decrease of \$232,217.93.

**See Page 05/08/07-7H**

**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 05/08/07-7I**

**RESOLUTION**

**RESOLVED**, Approving application for payment #7, for Bid #2006-20, for renovations to the Hall of Records and Southard Building, by Watertrol, Inc., in the amount of \$70,585.

**See Page 05/08/07-7J**

**RESOLUTION**

**RESOLVED**, Approving the appointment of Karen Widico to the Mental Health Board.

**See Page 05/08/07-7K**

**RESOLUTION**

**RESOLVED**, Approving waiver agreements with various artists for the 33<sup>rd</sup> Annual Hunterdon County Senior Art Show.

**See Page 05/08/07-7L**

**RESOLUTION**

**RESOLVED**, Approving Change Order #11, for Bid #2006-20, for renovations to the Hall of Records and Southard Building, for new plywood subflooring, increase of \$14,613.

**See Page 05/08/07-7M**

**RESOLUTION**

**RESOLVED**, Approving the appointment of Renay Salamon to the Health and Human Services Advisory Council.

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

**OLD BUSINESS**

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 05/08/07-7N**

**RESOLUTION**

**RESOLVED**, Supporting the restoration of the original amount dedicated to Tourism advertising and promotion in the FY 2005 State Budget.

Mr. Peterson reported that the state is not putting into the Tourism budget what was originally agreed to.

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

## **PROCLAMATIONS**

Mr. Sworen moved and Mr. Peterson seconded this:

**See Page 05/08/07-8A**

## **PROCLAMATION**

**RESOLVED**, Recognizing Ryan Freitag for attaining the designation of Eagle Scout.

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

## **COUNTY UPDATE**

### **RVCC – basic management training**

Cynthia J. Yard, County Administrator, informed the Board that a proposal was received from Raritan Valley Community College (RVCC) for basic management training for the County's supervisors. RVCC is willing to customize programs for the County. Cheryl Wieder, Human Resources Director has been meeting with RVCC and she is pleased with what the college is willing to do to accommodate the County's needs for basic supervision and management. The cost works out to be \$10 per hour per person, not counting the course materials. This would be for a 28 hour block of time for the course and RVCC is willing to do sessions with 15 people and they will do as much training as the County desires.

Mrs. Yard reported an Administrative Staff meeting is scheduled for this Thursday, May 10, 2007, and she will be reaching out to the Administrative Managers to nominate staff to participate. A successful program was held with a group from Roads, Bridges and Engineering about ten years ago, a management series was done for the first line supervisors.

Mrs. Yard advised department managers recognize the worth of this program and make sure they release their staff to attend.

Mr. Sworen confirmed with Mrs. Yard that the training will be done on County property.

Mr. Peterson questioned why the course is limited to 15 people at one time. Mrs. Yard advised in the course there is roll playing and such. Ms. Wieder stated the first session is 4 hours then it can be structured to do half-days or whole-days for the rest of the course. The class size is 15 because a lot of interactive learning is done; plus there are assignments that need to be completed. This is a more comprehensive training than the County has had.

Mr. Peterson feels municipalities could benefit from this type of training also. He questioned if it could be offered them.

Mrs. Yard feels the County could open it up to municipalities but stated that we need to recognize the class size that RVCC has recommended for success and said maybe there could be 10 County people attending the course with 5 municipality people. She is confident more than one class will be held.

### **Public Employee Recognition Week**

Mrs. Yard reported this is Public Employee Recognition week and the Freeholders are hosting a luncheon this Friday at the Route 12 Assembly space, for County employees.

### **Hunterdon County Housing Corporation ( HCHC) and Small Cities Funding**

Mrs. Yard explained Director Muller asked her to comment on the letter received from the Hunterdon County Housing Corporation dated May 01, 2007, addressed to the Freeholder Board, which talks about an outstanding \$77,000 that the County has been speaking with them about for the last two years. The HCHC has provided a mechanism to repay the County. Mrs. Yard stated the HCHC agrees with two amounts owed, but not the third, but in good faith they have agreed to repay the County the \$77,000 and they have sent a check, in the amount of \$15,000 which is the first installment towards payment.

Mrs. Yard informed the Board that an issue to be addressed is the Small Cities Community Development Block Grant in the amount of \$300,000 for 2007. A letter was received on April 06, 2007 from the HCHC which said the County has never told them, they were to administer this grant for 2007. The County had an agreement with the HCHC in the early 1990's when they were created, and that's the only agreement there was. For the past three or four years, discussion has taken place that a provider services agreement should be put in place with the HCHC to administer the Small Cities Grant; plus an expectation must be set for the HCHC. She's aware Director Muller and Freeholder Peterson have been working with the HCHC.

Director Muller feels this is the first step in getting things reconciled with the HCHC. Another meeting will be scheduled with the HCHC in order to move onto the next step.

Mr. Peterson advised the intention of the HCHC is to sell the apartment building they have in Clinton Township. Mrs. Yard confirmed the HCHC has a mortgage on that property and the County will not be asked to assume the mortgage. Mr. Peterson explained he was concerned if the property was deed restricted, and it is for low/moderate income housing.

Mr. Peterson informed the Board that there have been discussions with the HCHC concerning the Small Cities funding and at this time, it makes more sense for the County to administer those grant funds/program. The HCHC needed administrative money from the towns in order to provide the grant money to those who applied and the towns did not want to pay the administrative money. Mrs. Yard confirmed this is the \$10,000 that the HCHC told municipalities they needed to pay to participate in this grant.

Mr. Peterson feels County personnel could run the Small Cities Community Development Block Grant program, at no additional costs and therefore the program could be administered without looking at borders so whoever qualified would get the grant funds. Qualified people in townships that have not been a part of this program in the past, would be able to participate. The program would be based totally on need.

Mr. Peterson feels if the County administers the program, it could easily spend the current awarded amount of \$300,000 and then might be eligible for more grant funds in the next grant period. Mrs. Yard stated the maximum amount of \$500,000 could be attained with success stories.

Mrs. Yard said the Freeholder Board needs to recognize that it takes resources to administer a program like this, and the County has those resources and its personnel knows who to do it right. There are funds appropriately designated for administrative costs and the County can obtain the appropriate knowledge on how to implement that program, with the proper resources. Mrs. Yard stated a meeting has taken place with the State Department of Community Affairs towards achieving that goal.

Mr. Melick recommended contacting Warren County because they have a very good model, and the County would follow their criteria. Mrs. Yard confirmed she has been in contact with Warren County.

Mr. Holt confirmed Mrs. Yard is directed to write to the HCHC, with regard to the repayment of the \$77,000, and let them know the Board accepts.

### **PURCHASING**

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 05/08/07- 9A**

### **RESOLUTION**

**RESOLVED**, Approving Requisition #CountyClerk.866, with Progress Printing, for the School Election ballots, for the County Clerk, in the amount of \$33,371.

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

Mr. Melick moved and Mr. Holt seconded this:

**See Page 05/08/07-9B**

### **RESOLUTION**

**RESOLVED**, Approving Requisition #Pros.06138, using Quote #0040-2007, with Sirchie Fingerprint Laboratories, for forensic evidence drying cabinets, for the Prosecutor's Office, in the amount of \$14,060.

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

Mr. Melick moved and Mr. Holt seconded this:

**See Page 05/08/07-9C**

### **RESOLUTION**

**RESOLVED**, Authorizing the award of Bid #2007-10, for Maintenance and Repair Materials, to Campbell Foundry Company, amount not to exceed \$35,000.

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

Mr. Sworen moved and Mr. Melick seconded this:

**See Page 05/08/07- 9D**

### **RESOLUTION**

**RESOLVED**, Authorizing the award of Bid #2007-10, for Maintenance and Repair Materials, to Flemington Bituminous Corporation, amount not to exceed \$89,425.

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

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 05/08/07- 9E**

### **RESOLUTION**

**RESOLVED**, Authorizing the award of Bid #2007-10, for Maintenance and Repair Materials, to Hanson Aggregates BMC, Inc., amount not to exceed \$37,505.

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

Mr. Sworen moved and Mr. Melick seconded this:

**See Page 05/08/07- 10A**

**RESOLUTION**

**RESOLVED**, Authorizing the award of Bid #2007-10, for Maintenance and Repair Materials, to Stavola Construction Materials, amount not to exceed \$38,600.

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

Mr. Sworen moved and Mr. Melick seconded this:

**See Page 05/08/07- 10B**

**RESOLUTION**

**RESOLVED**, Authorizing the award of Bid #2007-10, for Maintenance and Repair Materials, to Trap Rock Industries, Inc., amount not to exceed \$81,565.

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

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 05/08/07- 10C**

**RESOLUTION**

**RESOLVED**, Authorizing the award of Bid #2007-11, to furnish and deliver #2 Fuel Oil, to Allied Oil, LLC, amount not to exceed \$67,695.

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

Mr. Holt moved and Mr. Melick seconded this:

**See Page 05/08/07-10E**

**RESOLUTION**

**RESOLVED**, Authorizing the Award of Bid #2007-12, to furnish and deliver Galvanized Bridge Flooring for Bridges H-93 and M-112, to The Ohio Bridge Corporation, amount not to exceed \$30,692.

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

Mr. Melick left the meeting at 3:31 p.m.

**FARMLAND PRESERVATION**

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 05/08/07-10F**

**RESOLUTION**

**RESOLVED**, Approving a Deed of Easement and Grant Agreement for the Development Easement from Elizabeth Dugger and Harry A. Dugger, on Block 17, Lots 23, 23.01 and 23.02, in Delaware Township, 55.408 acres, (SADC - \$581,784, County - \$193,928, Township - \$193,928), total amount of \$969,640.

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

Mr. Sworen moved and Mr. Peterson seconded this:

**See Page 05/08/07-10G**

**RESOLUTION**

**RESOLVED**, Approving a Deed of Easement and Grant Agreement for the Development Easement from Wielenta Family Farm South, on Block 32, Lot 5, in East Amwell Township, 73.377 acres, (SADC-\$484,288.20, County-\$161,429.40, Township-\$161,429.40), total amount of \$807,147.

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

Mr. Sworen moved and Mr. Peterson seconded this:

**See Page 05/08/07-10H**

**RESOLUTION**

**RESOLVED**, Approving a Deed of Easement and Grant Agreement for the Development Easement from Wielenta Family Farm North, on Block 25, Lot 11, in East Amwell Township, 23.105 acres, (SADC-\$162,197.10, County-\$54,065.70, Township-\$54,065.70), total amount of \$270,328.50.

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

Mr. Sworen moved and Mr. Peterson seconded this:

**See Page 05/08/07-11A**

**RESOLUTION**

**RESOLVED**, Approving a Contract for Sale of Development Easement from Readington Township (Accettola), on Block 63, Lot 13, 64.012 acres, (SADC-\$484,583.64, County-\$161,527.88, Township-\$161,527.88), total amount of \$807,639.40.

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

Mr. Peterson moved and Mr. Sworen seconded this:

**See Page 05/08/07-11B**

**RESOLUTION**

**RESOLVED** Approving a Municipal/County Cost Share Agreement with Readington Township, (Padovani), on Block 98, Lot 2, 30 acres.

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

Mr. Sworen moved and Mr. Peterson seconded this:

**See Page 05/08/07-11C**

**RESOLUTION**

**RESOLVED**, Approving a Contract for Sale of Development Easement from Laura D. Wilson and Kenneth S. Smith, on Block 21, Lot 18.01, 34 acres, (SADC-\$149,600, County-\$44,200, Township-\$44,200), total amount of \$238,000.

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

Mr. Sworen moved and Mr. Peterson seconded this:

**See Page 05/08/07-11D**

**RESOLUTION**

**RESOLVED**, Approving a Deed of Easement and Grant Agreement for the Development Easement from Edward O. Fentzlaff and Nikki Fentzlaff, on Block 69, Lot 49, in Lebanon Township, 39.589 acres, (SADC-\$270,788.76, Federal-\$19,794.50, County-\$52,415.84, Township-\$108,315.50), total amount of \$451,314.06.

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

Mr. Melick returned to the meeting.

The Board thanked Leilani Hershey for all the hard work she had done for the County and the County's Farmland Preservation Program. Director Muller noted this was Ms. Hershey's last meeting with the Board as she is leaving to take employment elsewhere.

**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 being scheduled with the property owner on the County Route 519/614 Intersection project sometime in the next two weeks to discuss the right of way needed.
- Comments have been received from the Township with regard to the Ringoes intersection. Those comments will be reviewed to see how they affect New Jersey Route 179.
- The state aid project for this year is near completion and it will include guide rail upgrades, running from Route 12 up to Pittstown.
- Punch list items have been received for shoulder treatment Route 645, as well as resetting some mailboxes and finalizing the landscaping.
- Punch list items need to be completed for Route 617, which utilized last year's NJ DOT funding, including landscaping, the edge line needs to be completed, and guide rail needs to be done on the one bridge crossing the Coopalong.
- Field work has been completed on Route 635 in Hampton; design work will not begin.
- A consensus is being sought on how the retaining wall in Pittstown will be treated.
- Bridge L-92 in New Hampton in open. Two items need to be completed before the ribbon cutting takes place, which is cap stones and landscaping and that should be done within the next two weeks.
- County Bridge H-1 will begin the week of July 9, 2007. The concrete boxes are being manufactured and the first one will be poured tomorrow.
- Bids have been reviewed for County Bridge D-437 on Dunkard Church Road and contracts have been sent to the lowest responsible bidder.
- A meeting is scheduled for County Bridge D-345 on May 30, 2007 at the Route 12 County Complex.
- County Bridge M-110 is having a historical assessment. The stream encroachment permit has been received and the wetlands permit is ready to be released but first the State Historic Preservation Office has to sign off.
- County Bridge M-112 is being done in-house and is being strengthened for truck use.

- The truss has been set for Bridge K-136.
- In April 2007 the County's report on Mt. Salem Road was sent to the State Historic Preservation Office (SHPO). The County is waiting for their acceptance so the wetlands permit can be issued.
- The County's bid for steel should be in shortly, and that steel is for County Bridge M-112.
- One bidder submitted a proposal for bridge painting.
- A letter has been received concerning County Route 519, from Green Acres finalizing the category exclusion document, so scoping can be done on the project.
- All reports have been received for County Bridge F-45 and they will be sent to the state, so authorization can be received to move forward with the design.
- Comments have been received from Bethlehem Township on County Route 579 and they do not want the sidewalk extended up to the municipal street, it will be dropped off at the bridge. The sidewalk can always be added at a later date.
- Scoping is completed on County Bridge C-88, authorization has been received from NJ DOT and the project is being advanced to final design.
- A meeting was held at the State, NJ DOT, concerning Exit 15, County Route 513. The North Jersey Transportation Planning Authority put the meeting together. Several issues were brought forth by Union Township, and their biggest issue is Pilot, at Exit 12 (formerly Johnny's Truck Stop) and the way it is being managed and forced upon the Township. DOT is now aware of the issues at Exit 12 and a problem statement must be prepared. It is a similar program to Exit 15 where the ramp is not long enough to support the exiting traffic. The other issue Union Township has deals with land use issues in Clinton Town and Franklin Township. Another meeting will be scheduled to bring all parties to the table, Clinton Town, Franklin and Clinton Townships, NJDOT, NJPTA and the County to discuss these issues. Mr. Glynn does not feel they were totally opposed to the Frontage Road connection and feels they understood the need for it but the other issues are important to them to address. NJ DOT is advancing the design concept for that extension and DOT is committed but they want to see consensus.

Mr. Holt explained the initial discussions concerning Exit 15 started many years ago because of a school bus accident and because of the recent discussions Union Township has been able to hear the concerns and the state has been made aware of the concerns. The NJTPA wants to see dialog concerning that section of Route 78 and they are willing to actively participate.

Director Muller asked Mr. Glynn to draft a letter for him to NJDOT thanking them for their time in putting this meeting together. He also wants letter to be sent to the municipal people who were in attendance. Mr. Glynn suggested that Martin Hoffer of NJTPA be copied on that letter since he was instrumental in getting the meeting put together and all the parties in attendance.

Mr. Holt advised the County also made it clear to the state that Hunterdon will take all funds they want to give to our roads. Mr. Glynn stated the State has also advised there is a significant shortage of funds.

- Meetings have taken place with four property owners in connection with parcels that have to be acquired for the Route 523 Intersection at Lipton Tea. One property owner has accepted the County's offer. A second request for participating in the right of way will be sent to the other property owners and if they don't accept, it will be turned over to County Counsel.
- Final plans are due for Route 513/579 at Pittstown. Once they have been received, they will be sent to the Historic Sites Council.
- Final plans and specifications for Route 610 (Race Street) will be sent down to Frenchtown Borough. There is no need for right of way.
- The traffic report for the County Routes 519/513 indicates a 4 way stop. The County will be asking Alexandria Township to provide concurrence on this. The design has begun.
- Specifications for County Route 517/523 will be received shortly. Comments have been made on the final plans by the County. The appraisal reports have not been received yet also.

Mr. Glynn reported an agreement is needed with Jersey Central Power & Light to upgrade service at the Route 12 County Garage headquarters, the cost would be \$6,375.89. Mr. Peterson asked that this item be held until the Board has had a chance to review it.

### **HEALTH DEPARTMENT**

John W. Beckley, Director, Health Department and Marianne McElvoy, Director, Public Health Nursing and Education came before the Board.

Mr. Beckley provided the Board with a report for the entire County Health Department for 2006.

Mr. Beckley explained during his budget hearing back in February, 2007, the Freeholder Board requested additional information about the contract the County has had with the Hunterdon Medical Center for public health nursing and health education. He quickly went through a report for this contract which includes a scope of services for public health nursing and education for 2007; the public health practice standards for the state Health Departments and programmatic guidelines; a list of the 10 essential public health services; the difference between mandated versus elected programs and services provided within the scope of the existing contract with the HMC; the two elected programs are the HIV Counseling and Testing Site activities and the Dental Health Program for low income children the rest are mandated programs. The HIV program is provided through a state grant which Hunterdon has received for the past 15 years. The Dental program for children is a combination of funds received from Delta Dental (\$30,000) and \$10,000 is placed in the Health Department budget for these services.

Mr. Sworen left the meeting at 4:13 p.m.

Mr. Peterson advised the Board asked that Mr. Beckley break out the tasks being performed and what the qualifications are needed. What type of degree or certification would the staff need to perform a specific task(s). The Board also asked for analysis of the amount of time spent by the different staff, on their job. Mr. Beckley advised the data has been gathered on that and Human Resources had imputed a lot of the data. He has seen some of the draft charts but the final set is not yet ready for the Board. Mrs. Yard confirmed the task analysis was done; the numbers have been crunches and the charts have been shared with Mr. Beckley; they also met with Ms. McElvoy and Ms. Deni, two of the public health nursing personnel, who were very cooperative during the task analysis. The recommendations are being prepared for the Board. The original memorandum to Mr. Beckley discussed whether the clinician was required versus a non-clinician such as a nurse or health education.

Mr. Sworen returned to the meeting at 4:17 p.m.

Mrs. Yard did mention to Freeholder Holt, Liaison to the Health Department, that she was working on the task analysis. Mr. Holt confirmed he is aware the analysis would not be ready for this meeting. The Board just received the information booklets from the Health Department which need to be reviewed and he wanted to hear today's presentation by Mr. Beckley.

Mr. Holt feels the purpose of reviewing these materials is to look at the contract with the Hunterdon Medical Center which started back in 1978. The next step is to find out why this contract was formed back then; review the analysis and time allotments to determine how to best serve the County; whether that be with a contract with HMC, or something that is modified and to review the job criteria to determine if people are being used effectively.

Mrs. Yard advised the contract with the HMC is unlike any contract the County has. It is not a quantifiable deliverable contract and we are now attempting to identify what the deliverables are. Mr. Peterson explained he wanted this contract reviewed to make sure the County isn't paying for someone to do something below their skill level.

Mr. Holt feels the contract with the HMC is unique and the staff is trying to quantify in writing what needs to be accomplished. The County needs to be able to show the HMC what the County wants to accomplish with this contract.

Mrs. Yard stated the Public Health Nurses are very dedicated but the County needs to quantify what is being paid for and to determine if it would be done by a non-clinician.

Mr. Beckley continued his report saying the Public Health Nurses use a general brochure, as a handout to the public outlining the programs and services; there is also a listing of identified goals for the various staff members; then there is a side by side cost comparison showing existing contract costs versus the costs if the personnel were brought on board to be County employees.

Mr. Beckley stated he is proud of the services provided by the Public Health Nurses, saying they are dedicated and seasoned staff and they know the community and have contacts and can work effectively.

Mr. Holt said the Board is trying to better understand this contract, what the future needs might be and how the County can best address them.

#### **Liability Insurance/Medical Reserve Corp.**

Mr. Beckley explained he is asking for Board approval to do a grant budget amendment which will reposition funds that can be used to purchase a one year Liability Insurance Policy to cover the Medical Reserve Corp. through Terricone/Herder, the County's insurance agent. Once that is received the MRC can be used as vaccinators at the Fall Flu Clinics.

The Board discussed why this type of insurance isn't bid out. Mr. Sworen confirmed with Mr. Beckley that if a lawsuit comes about because of a flu clinic, there would be no coverage for that type of activity. Mr. Sworen stated there is no other coverage for these activities. Mr. Beckley stated liability protection is needed in case of a public health emergency in New Jersey. After further discussion, Mr. Sworen moved and Mr. Holt seconded a motion approving the procurement of liability insurance for the County's Medical Reserve Corps for one year.

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

#### **CORRESPONDENCE**

A request was received from Readington Township for permission to close a portion of County Route 523, from Route 22 to Mountain Road, on May 29, 2007, from 9:30 a.m. until 11:30 a.m., for the Township's annual Memorial Day Parade. Mr. Sworen moved and Mr. Holt seconded a motion granting permission provided this event is coordinated through the County's Department of Roads, Bridges and Engineering.

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

Correspondence was received from the Hunterdon County Bar Association requesting permission to use a photograph of the historic County Court House on their website. Mr. Melick moved and Mr. Holt seconded a motion granting permission for the Hunterdon Bar Association to use a photograph of the historic Court House at their webpage.

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

**GRANTS**

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 05/08/07-14A RESOLUTION**

**RESOLVED**, Approving an application with New Jersey Transit Corporation for Casino Tax Revenue for the Senior Citizen and Disabled Resident Transportation Assistance Program, \$627,776 in state funds.

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

Mr. Holt moved and Mr. Sworen seconded these:

**See Page 05/08/07-14B RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-001, for administration services of funding for seniors, in the amount of \$25,225 in federal funds, County match of \$379,079.

**See Page 05/08/07-14C RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-025/026, for congregate and home delivered meals for seniors, in the amount of \$129,517 in federal funds, \$35,964 in state funds and \$144,850 in local funds.

**See Page 05/08/07-14D RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-032, for information and assistance to seniors, in the amount of \$6,371 in federal funds, \$3,526 in state funds and a County match of \$25,105.

**See Page 05/08/07-14E RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-033, for a home delivered meals expansion program for seniors, in the amount of \$16,850 in state funds and \$11,988 in local funds.

**See Page 05/08/07-14F RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-053, for state home delivered meals to seniors, in the amount of \$30,434 in state funds.

**See Page 05/08/07-14G RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-054, for care management services for seniors, in the amount of \$3,262 in federal funds and \$45,896 in state funds.

**See Page 05/08/07-14H RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-060, for assistance with Medicare and health insurance bills for seniors and their families, in the amount of \$9,800 in state funds and a County match of \$8,000.

**See Page 05/08/07-14I RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-062, for small home repair and small application repair services (Mr. Fixit) for seniors, in the amount of \$13,283 in federal funds, \$3,328 in state funds and a County match of \$27,144.

**See Page 05/08/07-14J RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-064/065, for health awareness screenings and physical fitness activities for seniors, in the amount of \$22,757 in federal funds and a County Match of \$105,827.

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

**FREEHOLDERS ASSIGNMENT REPORTS**

**Polytech**

Mr. Sworen reported he spoke with the State today concerning Polytech's approvals for the school. If the State has all the paperwork it needs, it will be inspected; then the state should be reimbursing Polytech, and then the County will be reimbursed from Polytech.

### **Information Technology/Recording Equipment**

Mr. Sworen reported Information Technology is looking into new voice recording equipment for the Freeholders' Meeting Room.

Mr. Sworen asked Cheryl Wieder, Human Resources Director, the status of the Information Technology review. Ms. Wieder reported will report to Mr. Sworen when the final meetings will be held for Information Technology. Meetings have been held with the Division Heads of Information Technology and additional information is being gathered.

### **Exit 12/Route 78**

Mr. Melick recognized that Mr. Holt was able to attend the meeting in Trenton regarding Exit 12 off of Route 78. Mr. Holt believes there is a consensus that this needs to move forward.

### **Veterans Ceremony**

Mr. Peterson thanked everyone for participating in the opening of the Veterans Service Office. The office is up and going and please let any veteran know who needs these services that there is an office open at the Route 31 County Complex.

### **Bio-Diesel**

Director Muller asked Alan Johnson, Solid Waste/Recycling Coordinator to talk about his visit to the Bio-Diesel plant in Ontario, Canada. Mr. Johnson went to visit this plant on his own time. He was asked to view this plant to see if this was something the County consider; not that the County would fund its construction, but to determine if it is a viable solution to be considered. If it is viable the County would look to the Department of Energy or our legislators to provide grant funds to put together a pilot project to convert solid waste into bio-diesel fuel.

Mr. Johnson informed the Board, he spent time talking with the person in Canada who has a license for the technology. He also spent time viewing the plant. He feels it looks to be a viable technology and he would recommend the County further explore this to see if it is something that would work with the County's waste stream. He is finding out that each waste stream is different from country to country and even state to state.

Mr. Johnson provided a report to the Board on some of the questions he did ask the company. The operation in Canada is owned by a private company.

Mr. Johnson did have a slight concern about homogenous feed stock coming in for the operation; meaning it's the recycling of heat waste, from plastic covers and wiring feeds the process that creates the diesel fuel.

Mr. Johnson reported there is a project that will be up and running by the end of the year, which is 500 Kilometer north of Montreal, Canada that will do municipal solid waste, similar to what Hunterdon County puts out at the curb and what comes into the Transfer Station.

Mr. Johnson feels the State Department of Environmental Protection would want to sign off on this technology; so a pilot demonstration program would have to be run for about a year to see if NJDEP would approve this.

Mr. Johnson advised at the next Hunterdon County Utilities Authority, he was going to present an amended recycling plan for the County listing what additional items would be added. He recommended a deadline of July 03, 2007 be set to submit that amendment to the DEP. He's talked with a representative of DEP today, and the County could request a one month extension for that while the County evaluates this process.

Mr. Johnson reported that the United States Supreme Court recently ruled that solid waste flow control, which was in place through 1997 is legal, so all the waste within Hunterdon County can be directed to the County's Transfer Station thus increasing the revenue for the County and the Hunterdon County Utilities Authority. To do this an amendment would have to be done to the County's Solid Waste Management Plan to allow this.

Mr. Johnson reported currently the County has under development, the bid for the operation of the Transfer Station. The current bid will expire the end of 2007. The Hunterdon County Utilities Authority continues to pursue with the State of New Jersey the purchase of the Transfer Station property. Currently the County leases 6 acres from the State for the Transfer Station at \$94,000 a year. Mr. Johnson and County Counsel DeSapio have met with Assemblywoman Marcia Karrow, who sits on the State Health Commission, about the purchase of that property. The County might look at additional property in order to have a more comprehensive solid waste management activity, such as expanded recycling, residential drop off, and if it's a viable technology the Alphakat process. The County would need to contract with an engineering firm to provide a volume and composition study, so the County has a clear picture of what is in the waste so it can be proven if this process would work. This is a six month strategy of to move forward in meeting the goals of the newly revised recycling and the technology presented by Alphakat.

Mr. Johnson informed the Board that the next 30 day step would be to evaluate the decision on the solid waste flow control.

Mr. DeSapio feels the County would need to have an extensive discussion of the pluses and minuses of the solid waste flow control and when that discussion is held, he will provide the new members of the Board with a history. Previous Freeholder Board spent years trying to structure a process to not be responsible for flow control because the biggest drawback of flow control is that the County owns the garbage/waste and would have a responsibility to do something with it.

Previous Boards were not inclined to construct a landfill in Hunterdon County. A lot of time was spent exploring mechanisms to safely dispose of the County's solid waste and provide an avenue for the haulers to dispose of it without the County extending its exposure.

Director Muller recommended setting a special meeting for this discussion. Mr. DeSapio stated if the Board would like, he would provide a history going back to 1984 so the Board could get a sense of what the thinking was and what the problems were, so it could be discussed in detail. The Board agreed.

Mr. Melick advised the thought of building something that is an unknown in Hunterdon County can be very difficult. The Freeholder Board has already been through that back in 1984 and no matter what the Board did, it was perceived as wrong because it could affect people's property values with even just the concept. The technology may good but there will be truck traffic and the possibilities of odor. He questioned if there is enough land at the transfer station for this. Mr. Johnson said he would look at the transfer station and also at what space needs would be necessary. He feels the highways at Clinton Township would be a positive, the County has an existing facility and it's easier to expand a facility than it would be to cite a new one.

Mr. Melick asked if product would be guaranteed.

Director Muller said private enterprise could always come to the Board and offer to build a facility and contract to operate it. The County currently has a contract with a vendor to operate the transfer station. Mr. Johnson advised during the County's low period of flow, through the transfer station, there could be a minimal facility operate as he witnessed at the plant in Ontario, Canada. The plant could be expanded to reach greater economies of scale. Diesel fuel is a productive byproduct and it can be used to offset the costs of County and municipal government. Mr. Johnson recommended having done a volume and composition study to make sure the feed stock that the County would be putting in the facility is adequate and of high enough quality to prove the economic viability of that.

Mr. Melick said all that can be done, but you still have to sell it to the public. Mr. Johnson understands.

Mr. DeSapio advised once the preliminary review has been done, he would like to sit down with the Board, or some of the Board, to understand what this is about because we need to talk about the procurement process before spending too much time with one vendor.

Director Muller advised he will be talking with Congressman Ferguson, Congressman Holt, Senator Lautenburg and the County Legislators to let them know there is something that exists that can be done but if the funding for this can't be brought together, whether it be located at the Clinton site or somewhere else, perhaps they could come up with a grant to allow Hunterdon to have a pilot program to demonstrate it can be done.

Mr. Johnson explained the way the Solid Waste Management organization is set up in Hunterdon County, the implementation of the Solid Waste Management plan is the responsibility of the Hunterdon County Utilities Authority but the Freeholder Board has the ultimate responsibility for the development and amending of that plan.

### **EXECUTIVE SESSION**

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 5:07 p.m. and reconvened in Open Session at 5:37 p.m.

### **FINANCE**

#### **Insurance**

Charles Balogh, Jr., County Treasurer, explained to the Board about PACE, stating that approximately 50 public entities belong to PACE, which include counties, municipalities and fire districts. He is not aware of the intricacies on how the insurance fund gets the coverage but Hunterdon County receives an assessment of the insurance fund for the County's coverage and each member gets an assessment. Pete Tarricone is the County's Risk Manager who oversees this for the County.

Mr. Peterson questioned how Mr. Tarricone is paid for this. Mr. Balogh advised he receives a percentage.

Mr. Sworen asked who did this work before. Mr. Balogh advised prior to this the County had a private carrier.

At the suggestion of County Counsel DeSapio, the Board will invite Pete Tarricone to attend a special meeting to discuss insurance issues.

### **Ordinances/Public Hearings**

Director Muller opened the public hearing on Capital Ordinance No. 04-07. There being no comments or questions, Mr. Melick moved and Mr. Holt seconded a motion to close the public hearing.

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

Mr. Holt moved and Mr. Peterson seconded this:

**See Page 05/08/07-17A**

**CAPITAL ORDINANCE NO. 04-07**

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

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

Director Muller opened the public hearing on Capital Ordinance No. 05-07. 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.

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 05/08/07-17B**

**CAPITAL ORDINANCE NO. 05-07**

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

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

Director Muller opened the public hearing on Capital Ordinance No. 06-07. There being no comments or questions from the press or public, Mr. Holt moved and Mr. Sworen seconded a motion to close the public hearing.

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

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 05/08/07-17C**

**CAPITAL ORDINANCE NO. 06-07**

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

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

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

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

Mr. Holt moved and Mr. Peterson seconded this:

**See Page 05/08/07-17D**

**CAPITAL ORDINANCE NO. 07-07**

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

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

Director Muller opened the public hearing on Capital Ordinance No. 08-07. 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. HOLT, MR. SWOREN  
MR. MULLER.**

Mr. Melick moved and Mr. Sworen seconded this:

**See Page 05/08/07-17E**

**CAPITAL ORDINANCE NO. 08-07**

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

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

Director Muller opened the public hearing on Capital Ordinance No. 09-07. There being no comments or questions from the press or public, Mr. Melick moved and Mr. Sworen seconded a motion to close the public hearing.

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

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 05/08/07-18A**

**CAPITAL ORDINANCE NO. 09-07**

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

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

Director Muller opened the public hearing on Bond Ordinance No. 10-07. There being no comments or questions from the press or public, Mr. Melick moved and Mr. Holt seconded a motion to close the public hearing.

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

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 05/08/07-18B**

**BOND ORDINANCE NO. 10-07**

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

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

Director Muller opened the public hearing on Bond Ordinance No. 11-07. There being no comments or questions from the press or public, Mr. Sworen moved and Mr. Peterson seconded a motion to close the public hearing.

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

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 05/08/07-18C**

**BOND ORDINANCE NO. 11-07**

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

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

Director Muller opened the public hearing on Bond Ordinance No. 12-07. There being no comments or questions from the press or public, Mr. Holt moved and Mr. Sworen seconded a motion to close the public hearing.

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

Mr. Melick moved and Mr. Peterson seconded this:

**See Page 05/08/07-18D**

**BOND ORDINANCE NO. 12-07**

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

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

Mr. Melick said one project missing from the ordinance today was the clubhouse. While he is glad it is missing, he did expect it because in the beginning of the new year Director Muller advocated this. There was also a discussion to place the clubhouse in the capital budget. Can the public assume, since an ordinance for the clubhouse was not adopted today, that it will not come up.

Mr. Peterson recalls the discussion during budget time was to look at the income, the potential income that could be generated, the cost of building a clubhouse, how much of a clubhouse, if any kind of clubhouse, and what exactly to do. Those discussions need to be held and information has to be obtained. Once the Board receives this information, there will be a very open, deliberate and sophisticated process to see whether the County should build a clubhouse and if so, what should be built.

Mr. Melick advised he fully expected it to be in this list of ordinances, and it wasn't and he's delighted. He confirmed the discussions on the clubhouse will be done in open session.

Mr. Holt added that the clubhouse will be discussed in public, there will be information, financial figures and whatever else is needed for the Board to make a wise decision. He recalls during budget discussions that money would be put in the budget but would not be spent unless the Board reviews the information for a clubhouse and makes a decision. He feels the clubhouse has to make sense on paper before this Board votes on it.

### **OPEN TO THE PUBLIC**

Director Muller opened the meeting to the public.

Rose Leverton came before the Board because Anita's Angels did not receive a bid package to provide home health aides. Director Muller informed Ms. Leverton that Anita's Angels chose not to bid. Ms. Leverton stated that is not what they told her.

Ms. Leverton informed the Board that Barbara Metzger of Social Services is coming to visit her next week. She asked Ms. Metzger how many disabled people there were and she could not come up with a figure.

Ms. Leverton said there was an incident the other day, the home health aid that has been working with her was insulted by her neighbor and they made a complaint at the municipal office. She doesn't feel this health aid will return to her apartment, so she will have to deal with another individual from Comfort Keepers, and she's already had three people from there in the last five months.

Ms. Leverton mentioned to the Board that old antique amber beads were stolen from her, by a home health aide. Director Muller said if it's a matter of theft, it's a police matter. Ms. Leverton stated this happened last August. She feels it's the agency's responsibility. Director Muller informed Mr. Leverton that it should have been reported to the police to investigate.

Ms. Leverton again said Anita's Angels did not receive their mail of a package to bid on services from the County. Director Muller stated he was told that Anita's Angels did not want to bid. He will contact the County's Purchasing Department and Anita's Angels to find out what happened.

Ms. Leverton expressed many concerns to the Board. She requested a copy of her records from Social Services.

Mr. Holt asked Ms. Leverton to prioritize what she wants done and present that to the Board. He explained that the Freeholders are not able to obtain copies of her records, and she could make that request to Social Services.

Ms. Leverton would like to file a complaint against All Quality Care and asked how to do that. Director Muller stated he will have the Consumer Affairs representative contact Ms. Leverton to walk her through how to file a complaint.

### **Resolutions**

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 05/08/07-19A**

### **RESOLUTION**

**RESOLVED**, Authorizing the release of various executive session minutes from January 9, 2007, January 23, 2007, February 13, 2007 and February 27, 2007.

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

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 05/08/07-20A**

**RESOLUTION**

**RESOLVED**, Authorizing the appointment of Renay Salamon to the Health and Human Services Advisory Council.

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

There being no further business to come before the Board, Director Muller adjourned the meeting at 6:20 p.m.

Respectfully submitted,

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Denise B Doolan  
Clerk of the Board