

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

September 25, 2007

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 3:00 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

The Hunterdon County Board of Chosen Freeholders reconvened in Executive Session, from their special meeting on September 24, 2007 at 3:01 p.m., recessed at 3:34 p.m. and reconvened in Open Session at 4:37 p.m.

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

Director Muller noted that Freeholder Sworen is not present as he is representing the Board of Freeholders at the opening of a building at Raritan Valley Community College.

Open Public Meetings Act

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

PLEDGE ALLEGIANCE

CONSENT AGENDA

Deputy Director Peterson 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. Holt moved and Mr. Melick seconded a motion to approve claims in accordance with the Claims Register dated September 25, 2007.

See Page 09/25/07-1A

CLAIMS REGISTER

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

Mr. Holt moved and Mr. Melick seconded a motion to approve the Social Services Funds reported for August 2007.

See Page 09/25/07-1B

SOCIAL SERVICES FUNDS REPORT

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

Mr. Holt moved and Mr. Melick seconded these:

See Page 09/25/07-1C

RESOLUTION

RESOLVED, Lucas Schwab appointed permanent, full time Sheriff's Officer, Sheriff's Office.

See Page 09/25/07-1D

RESOLUTION

RESOLVED, James Klesney Jr. appointed permanent, full time Sheriff's Officer, Sheriff's Office.

See Page 09/25/07-1E

RESOLUTION

RESOLVED, George Glashoff appointed permanent, full time Senior Road Repairer, Roads, Bridges and Engineering.

See Page 09/25/07-1F

RESOLUTION

RESOLVED, Scott Carver appointed permanent, full time Senior Road Repairer, Roads, Bridges and Engineering.

See Page 09/25/07-1G

RESOLUTION

RESOLVED, John Sigafoos appointed permanent, full time Senior Road Repairer, Roads, Bridges and Engineering.

See Page 09/25/07-2A

RESOLUTION

RESOLVED, Robert Hanley appointed provisional, full time Road Repairer, Roads, Bridges and Engineering.

See Page 09/25/07-2B

RESOLUTION

RESOLVED, Cory Colaluca appointed permanent, full time Road Repairer, Roads, Bridges and Engineering.

See Page 09/25/07-2C

RESOLUTION

RESOLVED, Approving an employment agreement with Lucas Schwab, Sheriff's Officer.

See Page 09/25/07-2D

RESOLUTION

RESOLVED, Approving an employment agreement with James Klesney, Sheriff's Officer.

See Page 09/25/07-2E

RESOLUTION

RESOLVED, Approving Application for Payment #17, for Bid #2005-47, for the addition and alteration to the Communications/ Emergency Services Building, with DeSapio Construction, Inc., in the amount of \$105,998.18.

See Page 09/25/07-2F

RESOLUTION

RESOLVED, Amending a portion of a resolution adopted on April 10, 2007 designating "Through Streets" and "Stop" Intersections effecting County Route 635, in Bethlehem and Union Townships and Hampton Borough.

See Page 09/25/07-2G

RESOLUTION

RESOLVED, Authorizing the release of a Road Opening Deposit, to TJS & SJM, LLC, in the amount of \$3,000.

See Page 09/25/07-2H

RESOLUTION

RESOLVED, Authorizing the return of a maintenance bond to Kalian Companies, in the amount \$11,812.

See Page 09/25/07-2I

RESOLUTION

RESOLVED, Authorizing the return of a performance bond to Toll Brothers, in the amount of \$10,000.

See Page 09/25/07-2J

RESOLUTION

RESOLVED, Authorizing the release of portions of executive session minutes from February 2006.

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

PROCLAMATIONS/RECOGNITION

Mr. Melick moved and Mr. Holt seconded this:

See Page 09/25/07-2K

PROCLAMATION

RESOLVED, Recognizing October 2007 as County Employee Appreciation Month.

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

Mr. Holt moved and Mr. Peterson seconded this:

See Page 09/25/07-2L

PROCLAMATION

RESOLVED, Recognizing October 2007 as Breast Cancer Awareness Month.

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

The Board asked the Clerk to obtain a written resignation from John Jacober who has been serving on the Hunterdon County Shade Tree Commission.

Mr. Peterson moved and Mr. Holt seconded this:

See Page 09/25/07-3A

PROCLAMATION

RESOLVED, Recognizing Mihir Sarwade for having attained the designation of Eagle Scout.

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

FINANCE

Mr. Peterson moved and Mr. Melick seconded this:

See Page 09/25/07-3B

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services to insert an item of revenue in the 2007 budget for the Victim Assistance Project, in the amount of \$230,428.

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

Mr. Holt moved and Mr. Peterson seconded this:

See Page 09/25/07-3C

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services to insert an item of revenue in the 2007 budget for the Homeland Security Grant Program, in the amount of \$32,757.

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

Mr. Melick left the meeting at 4:51 p.m.

FARMLAND PRESERVATION

Mr. Peterson moved and Mr. Holt seconded this:

See Page 09/25/07-3D

RESOLUTION

RESOLVED, Authorizing preliminary approval to East Amwell Township's PIG 1/2000A application's final amendment to include the Geils Farm, Block 27, Lot 7, consisting of 49 acres, (SADC-208,740, County-\$69,580, Township-\$69,580), total amount \$347,900.

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

Mr. Holt moved and Mr. Peterson seconded this:

See Page 09/25/07-3D

RESOLUTION

RESOLVED, Authorizing final approval for the acquisition of a development easement from Phillip and Susan Rochelle, for Block 10, Lot 52, in Alexandria Township, estimated 53 acres, (SADC-\$206,700, County-\$55,650, Township-\$55,650), total amount of \$318,000.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 09/25/07-3E

RESOLUTION

RESOLVED, Approving a Deed of Easement and Grant Agreement from Alexandria Township, for Block 11, Lot 13, (formerly Barretti/Landmarks), consisting of 35.095 acres, (SADC-\$187,758.25, County-\$56,046.72, Township-\$68,540.53), total amount of \$312,345.50.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 09/25/07-3F

RESOLUTION

RESOLVED, Authorizing final approval for the acquisition of a development easement from Barbara Staump Hay, Block 21, Lots 16 and 16.01, in East Amwell Township, estimated 60 acres, (SADC-\$432,000, County-\$144,000, Township-\$144,00), total amount of \$720,000.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 09/25/07-4A

RESOLUTION

RESOLVED, Authorizing final approval for the acquisition of a development easement from Jeffrey and Debra Fisher, Block 17, Lot 16.03, in East Amwell Township, estimated 27 acres, (SADC-\$226,800, County-\$75,600, Township-\$75,600), total amount of \$378,000.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 09/25/07-4B

RESOLUTION

RESOLVED, Authorizing final approval for the acquisition of a development easement from Readington Township, (James Farm), Block 56, Lot 5, estimated 21 acres, (SADC-\$277,200, County-\$92,400, Township-\$92,400), total amount of \$462,000.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 09/25/07-4C

RESOLUTION

RESOLVED, Authorizing final approval for the acquisition of a development easement from West Amwell Township, (Holcombe II Farm), Block 5, Lot 15, estimated 60 acres, (SADC-\$396,000, County-\$132,000, Township-\$132,000), total amount of \$660,000.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 09/25/07-4D

RESOLUTION

RESOLVED, Approving a grant agreement for the acquisition of development easement, with Dean Torsilieri and Christine Torsilieri, Block 21, Lot 15, in East Amwell Township, consisting of 19.000 acres, (SADC-\$102,600, County-\$34,200, Township-\$34,200), total amount of \$171,000.

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

PLANNING BOARD Update

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

- 2 farms in Readington Township were closed in September, bringing the County's total to 34 farms and 1,918 acres. There are still several farms down with the State Agriculture Development Commission (SADC).
- A municipal farmland status meeting was held on September 19, 2007 and the next meeting will be held on October 17, 2007.
- The 2007 Hunterdon County Growth Management Plan was distributed to the County Planning Board early this month. Comments are due by the end of the month, a public hearing will be held on November 07, 2007. All municipal officials have been notified at the plan is on the County's website for their convenience and to encourage them to provide comments. Formal comments will be received at the public hearing. A tentative adoption date is November 08, 2007 at the regular Planning Board meeting and then it will be presented to the Freeholder Board for approval.
- The Planning Board is working with the Delaware River Basin Commission on the flood initiative for the Delaware Municipalities, helping to coordinate with those municipalities to get their Flood Mitigation Plans underway.
- A public hearing was held on August 27, 2007 for Cross Acceptance. The Office of Smart Growth has been asked for their final recommendations that they are going to take to the State Planning Commission.
- The Planning Board continues to monitor the Highlands Council work sessions and participate in the County Planning work sessions with Highlands staff.
- The next municipal breakfast will be held on Wednesday, October 10, 2007 at 7:30 a.m.
- The Planning Awards Program will be held on October 29, 2007 from 4 to 7 p.m. This is a different format than has been held in the past. There will be a review of past award winners and then the presentation of the 2007 recipients will take place.
- Work continues on the Transportation Plan. A 90 day extension has been requested from the Office of Smart Growth because the Highlands' Land Use Capability data is due to be released in mid-November and the Planning Board would like to incorporate that information into the County's plan.
- Being worked on is the Comprehensive Farmland Preservation plan and a public hearing has been scheduled for October 11, 2007 at 6:00 p.m. in order to gather input from the general public, at the Route 12 County Assembly room.

Mr. Melick returned to the meeting at 5:15 p.m.

Mr. Holt thanked Ms. Dziamara for the many years put into the Cross Acceptance process which started 4 years ago. Hunterdon County was in the Planning Area 2 (PA 2) and because of the hard work and dedication from the Planning Board staff and the support of all the municipalities that the impact on Hunterdon will not be felt as it is no longer in the PA 2 area.

Director Muller recognized John Collins, of Raritan Township, who asked about the status of the Urbach property.

Ms. Dziamara directed Mr. Collins to contact the County's Open Space Trust Fund Coordinator, Kevin Richardson, as this is an open space acquisition, not a farmland preservation issue.

OPEN SPACE

Director Muller advised Raritan Township brought the Urbach property to the attention of the County to participate in the acquisition. The County had some concerns and Director Muller attended a Raritan Township Committee meeting to find out their position on the property. At that time, the Township voted against participating in the acquisition but after that Raritan's Mayor attended a Freeholder meeting and informed the Board that the Township was re-thinking this acquisition and wanted to move forward. Mr. Melick raised the point that Raritan Township was only putting up Green Acres funds, not Township funds. Raritan Township met and reversed their prior decision and the Township was going to come up with \$450,000 towards the acquisition of the property.

Director Muller stated the County has not heard further from Raritan Township on the Urbach property.

Mr. Richardson advised a joint purchase agreement was prepared and sent to Raritan Township's Administrator. It is his understanding the Township was going to vote on the joint purchase agreement last night but he has not heard of the outcome of their meeting. Mr. Richardson is under the impression that this was approved by the Raritan Township Committee at a previous meeting and it was to be acted on and voted on last night.

Mr. Collins asked what steps need to be taken to bring this to closure.

Director Muller advised Raritan Township now needs to show they have the funds to proceed with the acquisition. This is now in Raritan Township's hands. Mr. Collins confirmed financial funds have to be approved by the Township. Director Muller explained Hunterdon County has approved this acquisition subject to Raritan coming up with the funds.

Mr. Collins questioned if he could see the total funds available for the Open Space Program. Director Muller stated that is public information and can be requested.

PROJECT UPDATE

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

- The windows are on order for the Hall of Records and they are expected before the end of October, 2007 and they will be installed. The County Clerk has asked not to move into the building until after the election.
- The office currently in the Southard Building will be moved into another location, so work can begin on that building. The exterior paint will be scraped off, the small golden wreaths will be redone, and the interior of the building will be done also. This project is scheduled to be done in October/November of this year.
- Mr. Bell and County Counsel, Gaetano M. DeSapio are working on getting two of the contractors for the Library Addition/Renovation project closed out. The Applications for final payment for the two contractors, Rampart Construction and Mid-Atlantic Mechanical, are being prepared; as well as the closeout documents.
- A skeleton of the furniture for the Communications/Emergency Services Building renovation/addition has been installed in the dispatch area. At this time all the communications wiring is being done. Painting is also being done, infusers are being installed and topsoil is being returned to the site. Once the wiring is done, the dispatchers will be moved into the area and trained.
- An extension of time is being reviewed for the Route 12 County Garage project. Issues continue on the garage roof because it was installed with maybe some wet insulation, so the manufacturer won't supply a warranty. The inspector the roofing manufacturer sent is not willing to sign off on the roof. That issue is being worked on. This problem is between the manufacturer, the inspector and the contractor.
- All exterior work is done for the Deer Path Park Restrooms project and the interior work has started and the contractor expects that work to be done in 4 weeks, along with all inspections.
- The final HVAC work is underway for the Arboretum/Greenhouse conversion. Punch list items will be worked on in about 2 weeks.
- T & M consultants for the South County Park have advised they finished the Treatment Works Approval (TWA) permit and it will be submitted to the NJ DEP. Mr. Bell will review the permit, in-house with Roads, Bridges and Engineering to make sure all the paperwork is together. The stormwater management plan will be sent at the same time for this project.
- The 4-H Group has signed off on the design for the pole barn at the South County Park. Mr. Bell will finish those drawings shortly. The pumps, well tank, the ticket area and the restrooms will be in this area.

- A grant (through the PARIS grant) has been submitted and received. The County has \$50,000 available to review the Records Center for expansion. The PARIS Grant Coordinator has supplied the assessment which has taken place through the various consultants hired through the PARIS grant. The next step is for the County to do a Request for Proposals (RFP) for an architect, get some schematic designs done, and prepare a cost estimate, than the Board can determine if it wants to go through with the project. If approved, the project will be put into the PARIS grant to apply for funding sometime in January 2008 for this project.
- Information Technology has requested a meeting with the Facilities Evaluation Committee for review of their space needs. Mr. Bell stated the personnel in the current space of the third floor of the Main Street County Complex needs to be re-evaluated.
- The contractor for the miscellaneous roof work needed at the jail has provided all the construction related submittals and schedules and work should begin by the end of the week. Mr. Bell noted the Jail Warden has been involved with this particular project, as well as the Director of Public Safety.
- Three members of the Sustainable Green Committee will be attending the New Jersey Clean Energy Conference this Thursday and Friday.
- Applications are being reviewed which have been received from new and previous applicants for a Small Cities Community Development Block Grant for Housing Rehabilitation. Once the applications have been evaluated, meetings will take place with the applicants within the next few weeks.
- A tower will be placed at the Route 12 County Complex, using PARIS grant funds.

Director Muller advised funds are available to construct a permanent facility at the County's golf course, Heron Glen, to replace the current temporary facility. In order to get this accomplished he feels the committee consisting of John Glynn, Frank Bell, John Davenport, Charles Balogh, Steve Lumus from Kemper Sports Management, and himself needs to continue working. Director Muller advised he would like to add Freeholders Peterson and Holt to the committee. He asked Mr. Bell to now make this part of his updates.

Director Muller said through discussions with Freeholder Peterson and in a public meeting, it was agreed that a Morton type or Oliver type building should be looked it and maybe the most cost efficient way to move forward in getting a permanent facility at the site.

Director Muller would like to put on the record that the only area which Mr. Peterson showed different was the eating/dining area. He has always envisioned that renting a tent for \$20,000 a year is expensive and some place is needed to accommodate a larger number of people. He suggested building a pavilion on the outside of building, which could be incorporated to be utilized for the facility as opposed to renting a tent. He feels a pavilion would be more cost effective and there are mechanisms today where these structures can be mechanically enclosed due to weather. Director Muller feels this direction would eliminate a significant number of dollars in the overall project costs.

Mr. Peterson recommended and Director Muller agreed that the Parks and Recreation Director, John Trontis should be a part of the golf committee also.

Mr. Bell said since there will be committee meetings, what would be the best way for him to report to the Board to keep them aware. Director Muller recommended Mr. Bell coordinate the activities of these meetings and report to the Freeholders on a regular basis.

Mr. Melick said as a result of the special Freeholder Meeting held a week ago this past Monday, there are a lot of unanswered questions and before this Board does anything, those questions should be answered for the public. Director Muller agreed the questions need to be answered but he doesn't feel it prevents this group from meeting.

Mr. Melick would like to see have a timetable set to answer the questions from the September 17, 2007 special meeting. He advised a letter was received about the possible overrun of the Water Allocation from the State Department of Environmental Protection. Director Muller feels the County Administrator has answered that letter. Mr. Melick said the regulations for the Water Allocation Permit have to be factored in to whatever is done and how items are addressed at the golf course. Mr. Bell reported he sent an email today concerning this issue. Mr. Melick explained he would like this put on the record so the taxpayers can be kept aware of what it being done.

Mr. Holt stated water allocation issue has more to do with irrigation than anything else. Mr. Melick said it is, but domestic use was never figured into it and it needs to be figured into the calculation. Director Muller is aware of that and it will be looked at. Mr. Melick asked it that can be addressed at the next meeting.

Mr. Melick advised the public has asked a question as to what the County's expenses will be and no one wants to answer it. He asked it before and there was not answer but now the public is asking. At the last meeting the County purchased a lawnmower for \$73,000 as a capital expenditure. There are other statutory expenses and County Counsel or the Parks Director or other County professionals might have to work on this. Has any of this been figured into the expenses for the golf course? Also, from time to time, different things are needed at the golf course from the Road Department and Mr. Glynn will go and get it fixed, as it done when Buidings and Maintenance gets called. These expenses never appear on any budget. Those expenses have never been dealt with.

Mr. Melick feels the main issue is the interest on the debt. It should be addressed. He would like to find out what the numbers are. How much debt is there from the golf course, for the land and the course, and anything else that it there. Director Muller suggested getting the numbers from

the County Treasurer. Mr. Melick advised the Treasurer was at the meeting but he did not respond. If the debt is \$6 million with 4% interest, that would be \$240,000 interest. All this information should be written down and available to the public, the public has a right to know because they are paying the bills. Director Muller said the public can ask all the questions they want about any department and what the costs are.

Mr. Melick asked for the County's experts, the Treasurer, Roads, Bridges and Engineering Director, Parks Director, Project Administrator, and the Buildings and Maintenance Director to respond to the questions asked at the public meeting. Someone needs to go down the list of the statutory expenditures to figure them out. Someone who is impartial needs to do this. The list of questions was printed in last week's Democrat newspaper. Director Muller asked Mr. Melick to provide that list so it can be addressed.

Mr. Melick requested the number of County residents and non-County people playing golf at Heron Glen. Mr. Holt stated it was clearly stipulated that Heron Glen does not have the record keeping capacity to say exactly how many County residents played. He fees the number of rounds should be enough information. County residents played around 24,000 rounds and non-County residents played around 6,000 rounds, with a total of 30,000 rounds being played or more. He hopes that non-county people play golf here, spend their money and bring their friends and that they go to restaurants and more because every dollar that comes into this County is part of the economic development of the County. Mr. Melick feels this information should be available because there is a difference in the fee structure for residents and non-residents. He questioned how the records are kept and if there has been an audit done.

Mr. Melick said he wants to go on record to answer the public's questions that they asked at the hearing. Mr. Holt asked if there is a list available of those questions. Mr. Melick confirmed he has Director Muller's support to get this information and provide it to the public.'

Mr. Holt explained with respect to water, as part of the evaluation of what can and will be built, all the utilities will be analyzed as to what currently exists on site.

Mr. Bell informed the Board he wrote down what the public asked for at the meeting, which included: (1) water allocation overrun; (2) the cost to operate course; (3) purchase of lawn equipment – does it come from capital funds or where does it come from.

Mr. Davenport advised the lawn equipment purchased at the last meeting for the golf course was purchased out of the trust fund. Mr. Holt added it was also part of the lengthy budget meetings held earlier in the year. It was also debated at the time whether one or two machines was needed and Mr. Holt questioned at the time if one could be purchased this year and the other next year, but since they were five years old, it was agreed to purchase 2 lawn machines this year.

Mr. Melick agreed this information would be put together so that the Board knows and the public knows. Mr. Bell stated he, Mr. Glynn and Mr. Trontis will look and see how Kemper keeps and maintains their records. Mr. Trontis will submit to the Board the financial information he receives from Kemper.

Mr. Melick said Hunterdon County owns the course, so the County has certain obligations and Kemper Sports Management has their own obligations; but the County answers to the public, so the information on the course has to be sorted out so each member of the Board is aware of all aspects. He would like all decisions made by the Board of Chosen Freeholders and recommended going forward by having a golf/clubhouse report at each meeting under Mr. Bell's report. Mr. Trontis offered to submit a monthly report to the Freeholders to keep them informed.

Mr. Holt feels the initial work for the golf course facility will include the scope of project, square footage, a desire to produce an amount of space that is necessary to the concepts which are put forth by Mr. Peterson and others; once the scope of project is agreed upon than the County can consider style and type of building. The initial desire is to come up with something that is agreeable and will fit the need of the course.

Mr. Melick moved and Mr. Peterson seconded a motion to direct the County's professionals to answer questions put forth at a special meeting by the public in connection with the clubhouse for the Heron Glen Golf Course on September 17, 2007, by the Board's next meeting.

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

Mr. Peterson left the meeting at 4:39 p.m.

Old Business
SOLID WASTE/RECYCLING

Alan Johnson, Director, advised the amendment discussion for the County's Solid Waste Management Plan is being discussed again as it was held over from the meeting of September 11, 2007.

Mr. Johnson reported the action taken by the Solid Waste Advisory Council (SWAC) unanimously moved for the Board's consideration the Solid Waste Management Plan amendment dealing with recycling and several other "housekeeping" issues. There was discussion at the last meeting concerning legal issues, most of those revolved around enforcement. Mr. Johnson provided documentation with regard to statutory and regulatory requirements on those issues.

Mr. Johnson advised the County is under a deadline from the Department of Environmental Protection to have this recycling plan moved and approved by the Freeholder Board but in order to do that, the plan must be reviewed as to the contents, set up a public hearing date, and forwarding the plan amendment to the governing bodies of the County's municipalities for comment, further comment can be given at the public hearing and consideration will be given. The Board would then act on those comments and forward the amendment to the DEP.

Director Muller confirmed Hunterdon County must set the public hearing and asked that it be done today. Mr. Johnson stated if the Board agrees with the content of the plan amendment, as was presented at the last meeting or advise what alterations need to be made, then the meeting can be set. He advised the plan amendment was approved by the SWAC and sixteen municipalities were involved in the development process of the amendment.

Mr. Melick moved and Mr. Holt seconded a motion directing the Clerk of the Board to notice a public hearing on the SWMP Amendment, for Tuesday, November 27, 2007, at 7:30 p.m., to take place in the Freeholders' Meeting Room, at 71 Main Street, Flemington, New Jersey. Mr. Johnson stated the Clerk of the Board's Office would have to take care of sending out the certified mailings to the municipalities.

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

County Counsel DeSapio informed the Board that New Jersey Statute 13:1E-99, which is included in the material provided by Mr. Johnson, is the Municipal Recycling Program

After the Board adopts this plan, after both the County and municipalities have to review it, each municipality is required by law to (1) provide for a collection system for the recycling of materials designated by the County to achieve the goals that the County sets. This plan also states that the governing body of each municipality shall adopt an ordinance requiring people to source separate and whatever else the plan calls for. Mr. DeSapio advised this Board is making a decision that as a matter of law, will be binding on every municipality in Hunterdon.

Mr. Peterson returned to the meeting at 4:47 p.m.

Mr. DeSapio advised the plan also states, according to NJSA 13:1E-99.14, that every County shall, within six months of the adoption of the plan, solicit proposals, review the qualifications and enter into contracts or agreements on behalf of municipalities with persons providing recycling or operations service, where those services are not otherwise provided by the municipality. He explained this law says that municipalities must recycle what the County says to recycle and it has to be done in a way that achieves the goals which the County sets, and you have to enter into contracts to provide that recycling.

Mr. DeSapio advised the second statute says the County shall, not may, but "shall" within six months evaluate the towns and what they have done. If the County finds that any town hasn't been doing the recycling which has been mandated in this plan, then the County is supposed to solicit and enter into contracts or agreements on behalf of the municipalities. Mr. DeSapio feels that could cause friction unless all the municipalities understand that the County would be reimbursed by the municipalities for these agreements. Mr. Melick confirmed the County would have no discretion to use the word "may". Mr. Johnson explained this is a provision that was in the original mandatory recycling law adopted in 1987 and this is a reaffirmation of that.

Mr. DeSapio advised this isn't being pointed out to bring controversy but to make sure this gets attention. In the past, when the Solid Waste Management Plan amendments have been done by the County, they received very little attention because they were just a broad scheme, and the responsibility rested entirely with the County.

Mr. DeSapio stated in this amendment, once the County sets the standards, and he asked the Board to review them to make sure they are reasonable for the municipalities to accomplish and the costs they might have to incur to do this; because the County is advising them they have to do this. Mr. DeSapio feels once the State Department of Environmental Protection received this adopted plan, they are going to expect that it be implemented.

Mr. Peterson feels the problem is that the contractor is not getting the collection rate that is needed out of the individual residents of the municipalities. County Counsel makes a good point and maybe the County's numbers are off on what the amount of recycling potential really is or maybe the participation is not there from the residents. The question is how to enforce getting the recyclables. Even if the County hires a contractor to do the collection for a municipality that doesn't guarantee the numbers will be attained. The issue is how to get the participation level up high enough; and also, how can the County drive its recycling numbers and are those numbers realistic. If those numbers are realistic, then how can the County increase the participation?

Mr. Holt feels the County needs to put forth the numbers and inform the municipalities. It maybe that recycling is being done but the numbers aren't being reported to the County and that could happen in larger townships where individual home owners are contracting with haulers. The question there is who is supposed to report those numbers. There are a number of challenges here. Mr. Holt stressed that the County needs to put the numbers out there for the municipalities on what the goals should be.

Mr. Peterson added that he does not feel that enforcement should be a matter of the County hiring a hauler and giving the municipality the bill. If the County's numbers are realistic, then we have to decide how to get participation up.

Mr. Johnson advised while the recycling law is silent on the issue of enforcement, the specific for the collection is in the law and it is definitely spell out.

Mr. DeSapio feels the enforcement is going to have a large scale impact and he doesn't want people to be surprised after it is too late to do anything about it. The enforcement will come because if Hunterdon has a plan that says, such and such town in Hunterdon County must recycle so much volume and that percentage hasn't been realistically set and DEP blessed it; then DEP isn't going to worry about how the goal is achieved, they will fine the municipality such much for not meeting the goals. He asked the Board to think this through for the goals, because there could be major problems if this plan isn't bounced off the municipalities and they need to review it.

Mr. Peterson advised all the municipalities need to know and understand what the County's options will be as far as enforcement as part of this plan, so everyone is aware of what the penalty is for not complying. The penalty should be given as part of this plan, so everyone is aware. He recommended attending town meetings to bring this to their attention.

Director Muller agreed, and suggested having a public workshop and invite the municipalities, in order for everyone to be able to go through the document and explain this. It would be an information workshop session. Mr. DeSapio advised the Board could hold the public hearing for the plan amendment at the end of November 2007 and the public workshop could be held prior to that, at the end of October, 2007. Then everyone can talk informally about this. Mr. Johnson advised the SWAC also suggested this, and they would open their October 16, 2007 meeting to all municipal elected officials to discuss this. Mr. Holt recommended meeting early in the day, around 7:30 a.m. as is done with the Planning Board roundtables. Mr. Peterson feels two work sessions should be held, one in the morning and one in the evening, to assure attendance. The Board agreed and directed Mr. Johnson to set up the work sessions and inform the municipalities.

PURCHASING

Mr. Peterson moved and Mr. Melick seconded this:

See Page 09/25/07-9A

RESOLUTION

RESOLVED, Approving Requisition #Parks.03479, with the New Jersey Parks and Recreation Assoc., for various theme park tickets, for Parks and Recreation, amount of \$15,788.80.

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

Mr. Melick moved and Mr. Peterson seconded this:

See Page 09/25/07-9B

RESOLUTION

RESOLVED, Approving Requisition #23584, with United Telephone, d/b/a Embarq, for a Norstar Modular ICS System, for the Division of Communications/ Emergency Services, of the Public Safety Department, in the amount of \$13,835.11.

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

Mr. Melick moved and Mr. Peterson seconded this:

See Page 09/25/07-9C

RESOLUTION

RESOLVED, Approving Requisition #23585, with United Telephone, d/b/a Embarq, for a Norstar Modular ICS System, for the Division of Communications/ Emergency Services, of the Public Safety Department, in the amount of \$11,714.44.

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

Mr. Melick moved and Mr. Peterson seconded this:

See Page 09/25/07-9D

RESOLUTION

RESOLVED, Authorizing the award of Bid #2007-33, for Fine Paper and Envelopes, to Central Lewmar, LLC, in an amount not to exceed \$59,705.02.

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

ROADS, BRIDGES and ENGINEERING

SHRHS request for parking/South County Garage

John P. Glynn, Director, Roads, Bridges and Engineering, reported that South Hunterdon Regional High School (SHRHS) is requesting to park at the South County Garage on different dates for events. SHRHS will provide a certificate of insurance, naming the County as additional insured. Mr. Melick moved and Mr. Peterson seconded a motion granting permission for SHRHS to park at the South County Garage during special events at the school.

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

Traffic data/Case Blvd. and Sun Road

Mr. Glynn reported Raritan Township has requested the County's assistance in collecting traffic data for Case Blvd. and Sun Drive. There are concerns on traffic circulation issues. The County does have a traffic counter that is available. Mr. Holt moved and Mr. Melick seconded a motion granting permission to assist Raritan Township in collecting traffic data on Case Blvd. and Sun Road.

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

Red Devil Road

Mr. Melick noted the County has unfinished business with Raritan Township concerning Red Devil Blvd. at Hunterdon Central Regional High School.

COUNTY COUNSEL

Gaetano M. DeSapio advised William Schleicher is present today, to continue the discussion about his request for an easement across the Columbia Trail, which is County Park property. The County held a meeting, a hearing, about six weeks ago over Mr. Schleicher's request for an easement across the Columbia Trail and at that time, the Board talked about continuing that discussion and that is why he is here today.

Mr. Peterson recalls that this was to be run, like a Planning Board hearing, where you can charge for the cost of doing all the research for a request like this, so that the taxpayers aren't bearing the burden. Once all that information has been gathered, then the County would hold a discussion and decide what to do.

Mr. DeSapio stated he may have misunderstood and if so, he apologized. He understood that the Board was going to set a policy but he would be concerned that it could not be made retroactive. He recommended the Board complete its deliberations on this request, then adopt a policy that would be applicable should the County ever run into this type of issue again in the future. His opinion is that this can't be done retroactively to cover this matter. Mr. Holt agreed and felt a policy should be adopted for the future.

Mr. Schleicher informed the Board that he isn't the only one in this situation. There are a number of other residents of the area that need easements and three (3) easements have already been granted. He would protest having to pay for the legal research for everyone who comes behind him; plus those ahead of him did not have to pay. He feels it's the normal expense of the County.

Mr. Peterson stated the Freeholders did not make those decisions, and he thinks those people did incur costs, being represented on those easement requests. He knows for a fact that George Melick paid for the costs to the Board of Recreation Commissioners for his easement. It was noted that the County no longer has a Board of Recreation Commissioners. Mr. Peterson isn't sure if the Recreation Commissioners had the legal right to give those easements. He hasn't sat down to do the research and interpreted what all the answers are and he doesn't feel anyone here knows what the legal answers are. He does have assumptions based on his knowledge of what legally can and can't be done but he hasn't done all the research.

Mr. Peterson recommended the Board discuss this issue in closed session and depending on what is decided, because it will have implications in the future, legally, for the County. He would like to understand if the legal research has been done. He would like to ask all the questions of counsel privately because it will end up being a legal strategy for the County on how these issues are handled in the future.

Mr. Peterson informed Mr. Schleicher that he understands the facts of his case but it's the application of the facts of the law that the County has to come to grips with to determine what this Board can do legally. This will have implications beyond Mr. Schleicher's property.

Mr. DeSapio suggested if the Board wants to discuss the legal issues in private, that Mr. Schleicher be provided time to say whatever he wants to present and to answer any questions for the Board.

Mr. Schleicher appreciates that the Board wants to be prudent and as a citizen he appreciates that. He explained this issue has been before the Board since June 12, 2007 but he applied for this in 1991, which is 16 years ago, and since then three easements have been granted but his has not. One of those three easements is for his driveway and it was given to someone who had no permission to use the driveway, but had used it for about 4 years and was given an easement by the County. Mr. Schleicher stated the easement he is asking for was granted to that individual. This has cost him approximately \$5,000 in the 16 years. He asked the Board to come to a conclusion soon, even if it is a denial, then he can go on.

Director Muller stated for the record that the three easements mentioned were granted by the Hunterdon County Board of Recreation Commissioners not by the Freeholder Board. This Board has not dealt with approving easements and whatever it does, will set policy. He confirmed that Mr. Schleicher questions what the Board of Recreation Commissioners did. Director Muller stated this Board wants to make sure that whatever it does it will be correct and true.

Mr. Schleicher understands this Board is trying to represent the interests of the public and he appreciates that.

Mr. DeSapio advised both the former Parks attorney and a member of the Board of Recreation Commissioners indicated to his office, that it was outlined for Mr. Schleicher what steps he needed to take back then, and at that time, Mr. Schleicher elected not to follow those steps. It is only since the County took over and the County's Open Space Trust Fund Coordinator, Kevin Richardson, has been involved that Mr. Schleicher brought this up again. Mr. DeSapio wanted the Freeholders to be aware of the Parks' Commission perspective on the 16 year issue.

Mr. Schleicher stated there were times where the situation changed over the years and one was that he applied before the Columbia people went into bankruptcy and that changed the situation and it seemed for a time that nothing happened. He said it was true that he could have pushed this harder in the past, as well.

Mr. Schleicher said he believes what he is requesting from the County is simply an acknowledgement of an easement that he already possesses by usage. He doesn't believe he is asking for this Board to alienate anything that belongs to the people of Hunterdon County, which is already in his possession. He asked the Board to consider that when it meets.

Mr. Peterson wants it on record that he disagrees that there is a prescriptive easement.

Mr. Holt recalls when he reviewed the materials regarding this easement request, the easement being asked for, a portion of that is on top of an existing easement. Mr. Schleicher agreed.

Mr. Holt confirmed this would be a deviation because that easement which was granted goes further and Mr. Schleicher's would divert off earlier. A portion of what is being requested does layer on top of an easement which was approved.

Mr. Peterson feels this is more complicated because Mr. Schleicher owns an adjacent property and probably by statute they merge together, so the access to that portion of the property is through the other portion of the property which changes everything. It gets complicated. This would make an excellent law school exam in real properties. This would be a great Bar question because there are so many aspects to this. To be honest, this is complicated and he could probably rattle off 15 issues, such as what are everyone's legal rights and how they played out at that time, such as the bankruptcy and the railroad coming through and all that has happened over time and how each of those things play out. There are statutes involved and there are all kinds of interesting and intriguing happenings.

Mr. Peterson thinks it could cost a small fortune to go through all the information which is why he felt Mr. Sworen's idea was good, that as the issues come up, with someone asking the County to do something for them, that at the minimum the County's costs to figure it out would be covered by the person making the request of the County.

Mr. Peterson advised there are other legal issues, such as were the Board of Recreation Commissioners legally able to give those easements and what happens if they weren't.

Mr. Holt said the County needs to get those answers and in order to do that, there needs to be a dedicated amount of time that says this is when we will meet on this specific issue, and if Counsel determines the initial dialog would occur in executive session, then that is what will be done. He would ask that the Board come to a conclusion based on knowledge. He understands it is complicated but he is asking that a specific date be established to get the answers as the Board does its land issues.

Mr. Peterson questioned how much research County Counsel has done on this matter. Mr. DeSapio explained he's done enough to be conversant and to discuss it intelligently and to see what direction the Board wants to go in. If there is an area the Board wants some in-depth work on, his office will do that. He has enough factual background and legal background needed currently to discuss this with the Board.

The Board discussed a time to meet to discuss land issues. After a brief discussion, the Board agreed to meet in executive session on Monday, October 01, 2007 at 4:30 p.m.

Mr. DeSapio informed Mr. Schleicher that he does not have to be present on October 01, 2007. After the Board receives some guidance on the questions that Freeholder Peterson wants to review, then the Board will hold a public discussion, and he will be informed of the date and time, so Mr. Schleicher can attend and participate.

Release

Mr. DeSapio informed the Board that there is an item listed for the Executive Session which should have been listed for public session.

Mr. Holt moved and Mr. Peterson seconded this:

See Page 09/25/07-11A

RESOLUTION

RESOLVED, Authorizing the Freeholder Director to sign a release with the County's insurance carrier to contribute \$10,000 towards the resolution of an overtime claim for Jerry Rotella.

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

CORRESPONDENCE

The Borough of Stockton has requested permission to use the fuel service at the Route 12 County Garage. Mr. Melick moved and Mr. Peterson seconded a motion granting permission, provided this is coordinated through the County office of Roads, Bridges and Engineering.

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

OPEN TO THE PUBLIC

Director Muller opened the meeting to the public. There was no one interested in the public wishing to address the Board.

FREEHOLDER ASSIGNMENT REPORTS

Warren Cooper

Mr. Holt thanked Warren Cooper, Democrat Reporter, for taking his own time last Thursday evening to prepare a fabulous meal at the County's Youth Facility. Mr. Cooper is a great cook and former restaurant owner.

Beaver Brook invitation

Mr. Holt reported the County was represented last Thursday, as he and County Clerk, Mary Melfi attended the Beaver Brook Invitation, and talked a little about the County and what is going on.

Polytech

Mr. Peterson asked if there is a status update on the lease for Polytech. Mr. Holt advised and Freeholder Sworen asked Polytech for that information. He isn't aware if they have gotten back to Mr. Sworen, because Mr. Sworen is in more contact with Polytech than he is. Polytech was asked to provide various information and Mr. Holt will follow up on this.

Mr. Peterson advised he read the minutes of that meeting this morning, and the issue is time is running out.

Director Muller advised Freeholder Melick provided this Board with a booklet, concerning Polytech, and a lot of effort was placed in gathering this information.

Mr. Melick added that this is good reading material because it shows numbers that reflect what Polytech does that needs space. He questioned if space is really needed after looking at the numbers. He asked what the mission is and what is being accomplished. Mrs. Yard gathered the numbers regarding students, classes and schedules, and various County people assisted, as well as the Superintendent of Polytech, the Superintendent of School, and the State Department's website. These numbers represent the first year program, second year program and so on. He feels it is questionable whether all the space is needed because bodies aren't there.

Director Muller said in light of what Mr. Melick has brought forward and Mr. Peterson's comments, he would like to schedule a special open session with Polytech, their Board president and this Board to address the information gathered by Mr. Melick and to also address what Mr. Peterson wants to know regarding the lease because Polytech has to make a decision by December if they are staying in the current building.

Mr. Melick confirmed with the Board that copies of this report can be provided to the press. Director Muller suggested holding a special open session with Polytech to review the report and address the various issues, including the lease situation.

Mr. Holt confirmed that a copy of Mr. Melick's report has been sent to Polytech. He would like to have Polytech's response to the report. Mr. Melick recommended everyone thoroughly read the report and discuss it before holding a meeting.

Director Muller has talked with Ms. Metz, and she would definitely want to have a meeting with the Freeholder Board to go over the report, along with the Polytech Board meeting. Mr. Melick wants the County Administrator to attend the meeting also.

Mr. Peterson recommended meeting on October 1, 2007 at 5:30 p.m. since the Board will already be here for an executive session. The Board agreed and if Polytech has a problem, they will inform the Board.

Mr. Holt reported there is 15,000 square feet of space at Bartles Corner and he isn't sure that much space can be closed down, unless Polytech is put in something the County already has. He asked everyone to look at the report. Mr. Holt said if nothing comes out of the meeting, the County would still have some direction on the space size.

Health Insurance

Charles Balogh, Jr., County Treasurer and Cheryl A. Wieder, Human Resources Director came before the Board concerning the County's Health Insurance.

Mr. Balogh advised he and Ms. Wieder were asked to report after the last meeting concerning health insurance. Historically the County's percentage has been higher than the State Health Benefits Plan but in 2006, 2007 and 2008 the County will be below the rate increases for the County's Health Benefits plan.

Mr. Peterson asked how many plans the state has. Ms. Wieder advised the state has 7 or 8 plans to choose from with Blue Cross being the main plan, the traditional and the New Jersey Plus Plan. The state also has various HMO's.

Mr. Balogh advised the average rate increase for the County for the past 4 years has been 6.6% and the state's increase has been 11.9% for the same 4 years.

Mr. Balogh feels the County's insurance people have been doing their homework when it comes to negotiating rates and keeping them low. In 2006 and 2007 the County had a zero and a negative.

Ms. Wieder advised last year the County's broker went out to market the County's plan. Two of the plans came in with a formal quote, with one at 3.10% above what is currently being paid and the other was 2.66% under the current rate, so Horizon chose to take the negative increase of 2.66% in order to keep the County's plan in force. The other two declined to quote because they did not feel they were competitive based on the County's experience.

Mr. DeSapio feels the Board maybe curious in knowing who the County's broker is and what does it mean, and how do they help the County and how is he selected. Mr. Balogh explained the broker used to be Meeker Sharkey and after different takeovers, the broker is now Bank of America. They look after the County's interest. They negotiate the rates for the County.

Mr. DeSapio confirmed the Bank of America currently does the shopping for the County and the rate quoting was done in August 2006.

Ms. Wieder reported there is a six year rate history, and she provided the Board with a sheet containing that rate history and what the percentage increase or decrease has been, as well as an average.

Mr. DeSapio stated in the past the County has compared what an outside carrier would cost the County to the State Health Benefits Plan and the County could opt back in the state plan under certain limitations. He confirmed that it is still cheaper for the County to do the insurance.

Mr. DeSapio confirmed the total cost to the County is less under Horizon Blue Cross/Blue Shield than for opting back into the State's plan.

Ms. Weider confirmed the County's stop loss is \$125,000 and Mr. Balogh noted that is when another policy would kick in. Mr. DeSapio confirmed the person's medical bills would be paid but this would not affect the County's rates.

After further discussion, Mr. Balogh informed the Board that any changes that would be made would require contractual changes with the collective bargaining units in the County. Mr. DeSapio stated if the Board was to consider having higher co-pays or a change in the deductible, or anything like that, those are negotiable items. There is a provision in the collective bargaining agreement for these items. Mr. DeSapio explained in order move out of the State Health Benefits Plan, the County had to get the unions consent, so a provision was set in the unions contracts saying if the County wanted to change coverages or move carriers, it would prepare an outline comparing what the new carrier proposed for deductibles and coverages and the County would meet with the unions and discuss this. The County could move carriers at anytime provided equivalent or better coverage was provided, which is how the County moved from CIGNA to Horizon.

Mr. DeSapio said if the Freeholders are inclined to re-examine some of the alternatives, then perhaps the broker should be invited to meet with a few of the Freeholders so they can talk to them and understand what role they do for the County. He suggested the person who came before the Board earlier in the year, Michael Pierce, who was talking about a change in the system, could come back and describe that system in detail. Mr. Balogh has looked at Mr. Pierce's written material and he needs to come back and explain it, because you can't understand it just from looking at it. Ms. Wieder stated when she and Mr. Balogh sat down with Mr. Pierce, he talked about health savings accounts and the report he provided was for a health reimbursement account and they are two different things.

Mr. DeSapio recommended when Mr. Sworen comes back, that the Board needs to decide what its approach will be. Knowing what the County has gone through in the past with regard to health insurance and the unions, the County should meet with the present broker and then ask Mr. Pierce to provide more a detailed concept of what he suggests the County do. Mr. Balogh asked that Mr. Pierce come and talk with him and Ms. Wieder so they can have a better understanding of what he is proposing.

Mr. Holt feels Mr. Pierce would be adding something as an option, to what the County is already doing. He feels these items should be investigated.

Mr. Peterson said it is his understanding that the Hunterdon Medical Center has done this and there has been a transition, and it is viable. He understands the County has to deal with the union contracts but if the County offers something as an alternative and the people in the union want it, it would work.

Mr. DeSapio explained before the County can offer something, it needs to be negotiated.

Mr. Peterson asked if this could be done with the non-union employees. Mr. DeSapio said it could be done but you need to determine if what you put in jeopardizes the County's overall health benefits plan because if it is discriminatory it may lose its tax exempt status. He feels the unions understand the problem and they are receptive to talking about this but the County must decide what it wants to do first.

Mr. Peterson feels this alternative would open up financial opportunities to the employees, based on their preference. It tends to be popular with people who are just starting out and once you understand it, it could have a financial benefit, depending on how it is managed. The Freeholders are not looking to take a benefit away from anyone.

Mr. Peterson advised he would like to know what the Bank of America has done with the commission they have earned off of the County. Have they held health fairs or other health related events and how often. There are other competitive things brokers do, other than the costs and he feels the County could get the same costs and more benefits. Ms. Wieder explained they do hold health fairs; send out information regarding prescriptions and information on workshops for various conditions.

Mr. DeSapio confirmed the Board wants to have a subcommittee meet with the Bank of America and a subcommittee will be appointed at the next meeting.

Mr. Peterson asked Ms. Wieder to reach out to Mr. Pierce and explained what the Board is considering.

Polytech Board of School Estimate

Mr. Melick confirmed that he is a member of the Polytech Board of School Estimate. Director Muller stated he made the appointment back in April and Mr. Melick is a member of the Vocational Board of Education Board of School Estimate.

EXECUTIVE SESSION REQUESTS

Mr. Holt moved and Mr. Peterson seconded these:

See Page 09/25/07-14A

RESOLUTION

RESOLVED, Executive Session to discuss right of way acquisition in connection with Route 517/513 in Tewksbury Township.

See Page 9/25/07-14B

RESOLUTION

RESOLVED, Executive Session to discuss right of way acquisition in connection with Route 523/River Road, in Raritan Township.

See Page 09/25/07-14C

RESOLUTION

RESOLVED, Executive Session to discuss the purchase of property from Pelio, in Lebanon Township.

See Page 09/25/07-14D

RESOLUTION

RESOLVED, Executive Session to discuss personnel in the Finance Department in view of the upcoming retirements of the County Treasurer and the Director of Budgets and Grants.

See Page 09/25/07-14E

RESOLUTION

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

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

The Hunterdon County Board of Chosen Freeholders returned to Executive Session at 6:12 p.m. and reconvened in Open Session at 7:00 p.m.

There being no further business to come before the Board, Director Muller adjourned the meeting at 7:00 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board