

# HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, Second Floor

Flemington, New Jersey 08822

August 05, 2008

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:00 p.m. in accordance with the provisions of the Open Public Meetings Act.

**PRESENT: MR. PETERSON, MR. MENNEN, MR. HOLT, MR. MELICK, MR. SWOREN.**

## **OPEN PUBLIC MEETINGS ACT**

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, 2008, to the Hunterdon County Democrat, Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review and The Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

## **PLEDGE OF ALLEGIANCE**

## **EXECUTIVE SESSION REQUESTS**

Mr. Holt moved and Mr. Sworen seconded these:

**See Page 08/05/08-1A**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss appointments to various boards and committees.

**See Page 08/05/08-1B**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss various legal issues including an update on the Sheriff, her response to the denial of a shirt requisition, and the use of JABG grant funds for a youth mentoring program through the Special Star Force Grant.

**See Page 08/05/08-1C**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss a legal issue regarding the use of the Stanton Place building.

**See Page 08/05/08-1D**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss a legal issue regarding a Right of Way, Block 21, Lot 5, Flemington Borough.

**See Page 08/05/08-1E**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss various land issues with Hampilos & Fernandez for a property appraisal; Kuhl Kadezabek's counteroffer; Proposed Open Space dedication of Longview Manor; D & R Greenway; Schick property donation; County's offer for the Pfauth property; County offer removed from the table for Urbach property; Foreman property status of potential tax sale.

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

Special Note: County Administrator, Cynthia Yard was absent from the Open Session meeting.

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:04 p.m. and reconvened in Open Session at 6:00 p.m.

## **CONSENT AGENDA**

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. Sworen moved and Mr. Holt seconded a motion to approve the regular session minutes of December 11, 2007.

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

Mr. Sworen moved and Mr. Mennen seconded a motion to approve the regular session minutes of July 1, 2008 minutes.

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

The Board will approve a corrected set of the July 15, 2008 minutes at the next meeting.

A purchase order for payment to Bally's was pulled from the claims register.

Mr. Melick moved and Mr. Mennen seconded a motion to approve the claims (minus Bally's), in accordance with the Claims Register dated August 5, 2008.

**See Page 08/05/08-2A CLAIMS REGISTER**

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve the Social Services Funds report for July 2008.

**See Page 08/05/08-2B SOCIAL SERVICES FUNDS REPORT**

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

Mr. Sworen moved and Mr. Holt seconded these:

**See Page 08/05/08-2C RESOLUTION**

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

**See Page 08/05/08-2D RESOLUTION**

**RESOLVED**, Trevor Smith appointed permanent, full time Senior Road Repairer, Roads, Bridges and Engineering.

**See Page 08/05/08-2E RESOLUTION**

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

**See Page 08/05/08-2F RESOLUTION**

**RESOLVED**, Brian Stull appointed permanent, full time Technician MIS, Information and Technology Department.

**See Page 08/05/08-2G RESOLUTION**

**RESOLVED**, Amy Hollander appointed, permanent, part time Library Assistant, Library Department.

**See Page 08/05/08-2H RESOLUTION**

**RESOLVED**, Dan Waisempacher appointed provisional, full-time Mechanic, Roads, Bridges and Engineering.

**See Page 08/05/08-2I RESOLUTION**

**RESOLVED**, Alyssa Bradley appointed temporary, as needed Student Assistant, Library Department.

**See Page 08/05/08-2J RESOLUTION**

**RESOLVED**, Jamie Rue Pickard appointed temporary, as needed Student Assistant, Library Department.

**See Page 08/05/08-2K RESOLUTION**

**RESOLVED**, Patricia Lippincott appointed temporary, as needed Instructor, Division of Senior Services, Human Services Department.

**See Page 08/05/08-2L RESOLUTION**

**RESOLVED**, Christine Aebiscner appointed temporary, as needed, Student Assistant, Library Department.

**See Page 08/05/08-2M RESOLUTION**

**RESOLVED**, Julianne Dinizio appointed temporary, when and as needed, Student Assistant, Library Department.

**See Page 08/05/08-2N RESOLUTION**

**RESOLVED**, Approving salaries for employees covered under the bargaining agreement between the Sheriff, the County and FOP Lodge #94, who are eligible for July 2008 adjustments.

See Page 08/05/08-3A

**RESOLUTION**

**RESOLVED**, Approving salaries for employees covered under the bargaining agreement between the County and FOP Lodge #29.

See Page 08/05/08-3B

**RESOLUTION**

**RESOLVED**, Approving salary adjustment for Curt Blomquist, acting as Temporary Supervisor, Roads and Bridges Department.

See Page 08/05/08-3C

**RESOLUTION**

**RESOLVED**, Individual agreements for 94 artists to participate in an art show sponsored by the Hunterdon County Cultural and Heritage Commission scheduled from July 20 through July 31, 2008, at the Historic Prallsville Mill, in Stockton, New Jersey.

See Page 08/05/08-3D

**RESOLUTION**

**RESOLVED**, Joining the County Planning Board in support of the Delaware River Scenic Byway Corridor Management Committee in their application for National Scenic Byway designation.

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

Mr. Holt motioned and Mr. Melick seconded this:

See Page 08/05/08-3E

**RESOLUTION**

**RESOLVED**, Approving the recommendation of the Hunterdon County Board of Construction Appeals for the adoption of Rule for Escrow Appeals.

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

Mr. DeSapio was directed to follow up this.

Mr. Sworen motioned and Mr. Holt seconded this:

See Page 08/05/08-3F

**RESOLUTION**

**RESOLVED**, Approving a property acquisition, in Fee Simple for a Drainage Easement, from Matthew E. and Ann A. Adriance, Block 44, Lot 19, in the Township of Delaware.

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

Mr. Sworen moved and Mr. Holt seconded these:

See Page 08/05/08-3G

**RESOLUTION**

**RESOLVED**, Approving Plans and Specifications for reconstruction of Bridge H-64-W, on Mount Joy Road, Township of Holland.

See Page 08/05/08-3H

**RESOLUTION**

**RESOLVED**, Supporting Assembly Bill 2046 and companion Senate Bill 1830, to increase annual appropriation from the Casino Revenue Fund, for the Senior Citizens and Disabled Residents Transportation Assistance Program.

See Page 08/05/08-3I

**RESOLUTION**

**RESOLVED**, Approving County Ordinance #2008-1 amending County Ordinance 99-1 and 2002-1, for Health Department fees.

See Page 08/05/08-3J

**RESOLUTION**

**RESOLVED**, Authorizing the release of redacted Executive Session minutes for February 05, 2008, February 19, 2008, March 04, 2008 and March 18, 2008.

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

**RECOGNITION**

Mr. Sworen moved and Mr. Holt seconded this:

See Page 08/05/08-4E

**PROCLAMATION**

**RECOGNIZING**, Brent Alexander Long for attaining the designation of Eagle Scout.

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

Mr. Mennen moved and Mr. Mr. Holt seconded these:

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

**RESOLUTION**

**RESOLVED**, Appointing Robert Zelle as a member to the County Agricultural Development Board.

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

**RESOLVED**, Appointing Eve Busse as a member for the Human Services Advisory Council.

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

**COUNTY Update**

Cheryl Wieder, Human Resources Director provided input for the Administrator's discussion items in Mrs. Yard's absence.

The Trips/Meetings/Conferences policy will be updated to define allowable in-state travel distance to include a 75-mile radius from Flemington, New Jersey. As Administrator Yard was absent, the Board will review the draft update as well as the updated policy on Historic Courthouse Usage Fees. Before The Board tabled this discussion for the August 19 Freeholder meeting. The Board directed that the phrase "or 75-mile radius" be inserted in paragraph one (1) under 'Meetings, Trips and Conferences.'

A request to attend a second conference (in August 2008) was submitted by Mr. Efstathiou, Tax Board Administrator, was approved due to his presidency in the organization holding the conference and also to obtain required CEUs. Attending two annual conferences violates the County's policy, therefore the Board requested a review of the conference information (to be held in September) and will bring the matter back at the August 19, 2008 meeting.

Mr. Holt motioned and Mr. Mennen seconded approval for Mr. Efstathiou to attend the August conference in Cape May; Mr. Melick nayed.

The Fleet Management Committee will be present at the Freeholders' meeting on August 19, 2008 to provide an update and recommendations on reducing fuel consumption.

**PURCHASING**

Mr. Sworen moved and Mr. Holt seconded these:

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

**RESOLUTION**

**RESOLVED**, Approving Requisition #PROS.06915, using State Contract #A70256 WSCA, with Dell, for computers, for the Prosecutor's Office, in the amount of \$11,595.48.

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

Mr. Holt moved and Mr. Mennen seconded this:

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

**RESOLUTION**

**RESOLVED**, Approving Requisition #40018946, using Quote #0070-2008 for Storr Tractor Company, for a flail mower cutter head, as needed by the Roads and Bridges Department, in the amount of \$11,258.00.

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

Mr. Sworen moved and Mr. Holt seconded these:

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

**RESOLUTION**

**RESOLVED**, Approving Requisition #OOA.20994, using State Contract #A53824, with Dell, for computers, as needed by the Hunterdon County Division of Senior Services, in the amount of \$12,933.00.

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

Mr. Sworen moved and Mr. Mennen seconded this:

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

**RESOLUTION**

**RESOLVED**, Rejection of Bid, from Powerco Inc. for County Bid #2008-18, for one John Deere 544J Wheel Loader, as needed by Roads and Bridges, due to failure to meet minimum requirements of specifications.

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

Mr. Melick moved and Mr. Mennen seconded this:

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

**RESOLUTION**

**RESOLVED**, Authorizing the award of County Bid #2008-18, for one John Deere 544J Wheel Loader, as needed by Roads and Bridges, to Jesco, Inc., in an amount not to exceed \$118,000.00.

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

Mr. Holt moved and Mr. Mennen seconded

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

**RESOLUTION**

**RESOLVED**, Authorizing the award of County Bid #2008-24, for Resurfacing and Drainage Improvements to County Route 514, to Trap Rock Industries Inc., in an amount not to exceed \$2,087,689.93.

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

**ROADS, BRIDGES AND ENGINEERING**

John P. Glynn, Director, Roads, Bridges and Engineering provided a status update on various road and bridge projects. The Board accepted the report as written.

Mr. Melick recused himself at this time and left the meeting.

**FARMLAND PRESERVATION**

Mr. Sworen moved and Mr. Holt seconded this:

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

**RESOLUTION**

**RESOLVED**, Approving a Contract for Sale of Development Easement from Stuart C. and Katherine M. Newcomb, Block 26, Lot 25, consisting of 44.621 acres, in Kingwood Township, (SADC - \$216,411.85 County - \$60,996.91, Township - \$75,097.14), total amount of \$352,505.90.

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

Mr. Sworen moved and Mr. Holt seconded this:

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

**RESOLUTION**

**RESOLVED**, Approving the proposed acquisition of a Development Easement owned by Delaware Township (Skuese/Steinhardt Properties, L.L.C.), on Block 39, Lot 1, in Delaware Township, consisting of approximately 43.436 acres, (SADC - \$521,232.00, County - \$173,744.00, Township - \$173,744.00, Township), total amount of \$868,720.00.

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

Mr. Sworen moved and Mr. Mennen seconded this:

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

**RESOLUTION**

**RESOLVED**, Approving a Cost Share Contribution, in the amount of \$173,744.00, toward the purchase of a Development Easement of Block 39, Lot 1, (Skuese/Steinhardt Properties, LLC), consisting of approximately 43.436 acres, with Delaware Township.

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

Mr. Sworen moved and Mr. Mennen seconded this:

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

**RESOLUTION**

**RESOLVED**, Approving a Contract for Sale of Development Easement from Deborah K. Masefield, Block 18, Lot 47, consisting of 66.503 acres, in Lebanon Township, (SADC - \$305,747.54, Federal - \$99,754.50, County - \$0.), total amount of \$491,789.68.

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

Mr. Sworen moved and Mr. Holt seconded this:

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

**RESOLUTION**

**RESOLVED**, Approving the acquisition of a portion of property in fee simple along with a drainage easement, from Matthew E. and Anne A. Adriance, Block 44, Lot 19, Tewksbury Township, in the amount of \$15,000.00.

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

Mr. Sworen moved and Mr. Mennen seconded this:

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

**RESOLUTION**

**RESOLVED**, Approving a Contract for Sale of Development Easement owned by Robert A. LeCompte, Block 29, Lot 4.01, in Clinton Township, consisting of 40 acres, (SADC-\$360,000, County-\$96,000, Township-\$144,000), total amount of \$600,000.

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

Discussion occurred regarding a resolution addressing the funding process for five Planning Incentive Grants. Mr. DeSapio reviewed the information pertaining to the resolution that is before the Board for consideration to adopt. The Finance Department has indicated that funding is available to close on these five farms and pay in full in the amount of \$233,885.70.

Mr. Sworen moved and Mr. Holt seconded this:

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

**RESOLUTION**

**RESOLVED**, Approving the amendment of the installment policy and authorizing that PIG farm acquisitions, for Rochelle in Alexandria Township, Wilson/Smith in Holland Township, and Gulik I, Gulik II and Holcombe II in West Amwell Township, be paid in installments.

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

Mr. Holt moved and Mr. Sworen seconded this;

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

**RESOLUTION**

**RESOLVED**, Approving preliminary approval for 13 easement purchase applications in accordance with the CADB Planning Incentive Grant Program and the State Agriculture Retention and Development Act, and authoring appraisals for these applications at the recommendation of the CADB. Estimate cost share for the County on the 13 easements is \$1,868,000.

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

**HEALTH DEPARTMENT/ Zufall Dental Clinic Proposal**

John Beckley (Health Department Director) requested to come before the Board to address the lack of dental insurance and access to dental care which was identified in the County Health Assessment Project in 2006 as a community health concern with approximately 40 percent of Hunterdon's residents uninsured for dental services. In New Jersey, Hunterdon and Somerset are the only counties without a federally-qualified health center. Hunterdon has one pediatric Medicaid dental provider and currently is not accepting new patients; few dentists in Hunterdon accept Medicaid-eligible adult patients which results in transporting the residents long distances, through Social Services, to access dental services. Eva Trabiner, President of Zufall Health Center was invited to present an overview of their services.

Zufall operates the Dover Public Health Center (Morris County) to provide free general primary care, women's health services, podiatry, dentistry and family counseling services. Annually they serve approximately 9,000 under- and un-insured patients below poverty level using a sliding-fee scale (ranging from regular charges down to \$20 per visit). The center is licensed and receives federal funds from the NJ Department of Health and Senior Services, reimbursements from Medicaid/Medicare and other insurers.

Ms. Trabiner reported that Zufall anticipates providing health services through a new state-funded, mobile medical van program for residents in Hunterdon, Warren and Sussex. Zufall supports the operational cost of an established clinic (on a break-even basis) with state funds, reimbursements from Medicaid and other insurers. Approximately \$130,000.00 would be incurred by the County for start-up, building renovations and equipment.

Mr. Holt indicated there is strong argument to consider this concept and would like to move forward to explore the County's responsibility for a building, equipment and start-up and, to take a look at state/federal funding and develop a business plan that maps out everything.

According to Ms. Trabiner, a clinic would start with one, full-time dentist for 1,000 patients (2,500 visits) per year; ten-fold over the current number in the Public Health Nursing Program. Mr. Beckley suggested that a majority of resources could be raised in the County, through corporate partners, applying for one-time grant funds or through the U.S.D.A. with a low-interest loan.

Mr. Beckley did not want to speculate at this time about a location in a County building. Mr. Sworen offered his support for a public health clinic and suggested one of the Educational Services Commission buildings or a possible agreement with the Hunterdon Medical Center for one of the buildings they recently purchased. Mr. Beckley will look into this possibility. Mr. Mennen stated it is an interesting and broad macro concept that would fill a needed void; he wants specific information on start up and the County's level of continued involvement. Ms. Trabiner offered that a Small Cities Grant provided funding for Dover's building and stated that no operational money is provided by the Town of Dover or the County of Morris, they only provided start-up. She also indicated that, in time, Zufall may be in a position to pay a small amount in rent.

Mr. Melick agrees on the need for this type of service. He speculated on the possibility of combining services with Somerset, maybe a mobile unit such as utilized to provide dental care to Hunterdon's inmates. Mr. Wagner (Public Safety Director/Warden) explained that a dentist arrives in a self-contained, mobile dentistry unit (a Suburban) bringing his equipment into the jail and performs the needed dental services at a cost of \$36,000.00 annually. Mr. Wagner will contact the contractor (Dentrust) and provide Mr. Beckley with contact information. Ms. Trabiner indicated Zufall could look at providing inmate dental care; some public health centers do so during segregated hours for security purposes.

Mr. Peterson is also in agreement on the need for this service and the possibility of combining services with Somerset. Additional discussion occurred regarding a mobile unit; although it may be less costly it may limit availability over an in-place unit that operates six days a week; and, utilizing bus transportation to address travel distance if partnering with Somerset County.

Mr. Melick agreed on the need but cautioned initiating programs that may be difficult to discontinue if the need arises. The County needs to protect itself and the taxpayers. He feels a meeting should be held with Mrs. Yard (County Administrator) and to reach out to other counties to determine what works/does not work for them. Nineteen counties currently provide services through a federally qualified health center.

Mr. Holt clarified this discussion, stating that the Freeholders are not being asked to make a decision tonight but to offer their support to Mr. Beckley to generate a business plan that outlines proposed expectations, costs, funding resources, what the program entails, how it would be self-substantial and when it could start. If the Board agrees, Mr. Beckley will generate a plan for Freeholder review to determine if they want to pursue this program. HHSAC should be involved to generate the plan. A comparative analysis report should provide a mobile scenario as well as the success/failure of adjoining counties for a review of different models, allowing the County to perform its due diligence in determining the most prudent/practical decision for Hunterdon's tax-paying citizens. Mr. Beckley offered the action team and its expertise is available to Human Services. The team will have a local dentist and representatives from Delta Dental come to the next meeting. Ms. Pontrelli (Human Services Administrator) stated that Human Services is involved in making recommendations but had advised Mr. Beckley that this is a health-related concept and she feels it is appropriate for Mr. Beckley to take the lead. Human Services' perspective is to assist individuals in accessing Medicaid and LINK transportation to current dental services in Phillipsburg and Hamilton. HHSAC is best suited to determine the most efficient/effective delivery system as they work directly with the individuals who regularly utilize services.

Ms. Trabiner thanked the Board for their time.

Members of the Board verified, as requested by Mr. Holt, that Mr. Beckley has "marching orders" to generate a business plan and come back to the Board with a clearer picture for the Freeholders to review/discuss.

Public comments were received from the following: Pharmacist Mark Peters (Raritan Township) agreeing that the best method in determining the most efficient dental care is to evaluate all options; adding comment that dental health correlates with overall health as bad dental care can cost taxpayers in uninsured health care costs. He stressed the importance of community support, private partnerships and dentists. Justine Ceserano, Director of the New Jersey Office of Rural Health agreed that bad oral health affects overall health. She commended the Board's support to consider this health clinic concept.

Mr. Peterson thanked Mr. Beckley.

#### **GRANTS**

Mr. Sworen moved and Mr. Holt seconded this:

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

#### **RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-055/056, to provide informational assistance, physical fitness activities and educational services, with the Hunterdon County YMCA, \$6,419 in federal funds, \$41,035 in state funds and \$19,222 in local funds.

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

Mr. Sworen stepped out of the meeting.

Mr. Melick moved and Mr. Holt seconded this:

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

**RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-061, to provide caregiver support group meetings, with Hunterdon Behavioral Health, \$15,311 in federal funds, \$12,171, in state funds and \$7,498 in local funds.

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

Mr. Mennen moved and Mr. Holt seconded this:

**See Page 08/05/08-8B**

**RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-016, to provide telephone reassurance call services to homebound citizens aged 60 and over, with Hunterdon Helpline, Inc. in the amount of \$5,890 in federal funds, and \$5,330 in local funds.

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

Mr. Holt moved and Mr. Melick seconded this:

**See Page 08/05/08-7D**

**RESOLUTION**

**RESOLVED**, Approving Area Plan Grant #10-052, to provide friendly visitor services to homebound citizens aged 60 and over, with Hunterdon Helpline, Inc., in the amount of \$9,295 in federal funds, and \$8,640 in local funds.

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

Mr. Sworen returned to the meeting.

**CORRESPONDENCE**

Califon Borough submitted a request to utilize and maintain a piece of County property for the purpose of a Fireman's memorial. After a small discussion, the Board asked to have the current memorial policy available for review and input from Parks Director John Trontis to be presented at the next meeting.

Mr. Mennen moved and Mr. Sworen seconded a motion granting approval to the Three Bridges Volunteer Fire Company to hold a coin toss on Saturday, September 06, 2008 from 9am to 3 pm, on Summer Road Park.

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

The Business and Education Alliance has requested the County become a member, which the Board agreed to do with an annual membership fee of \$2,500.00. This item is tabled for two weeks; Mr. Maddalena will be requested to provide to the Board, what items and their value have been received from the Alliance so that the Freeholders can make a determination on becoming a member.

**FOR DISCUSSION**

**COAH consideration.**

The Board revisited the possibility of contributing funds to the municipalities who have filed action to help defray the cost of litigation. County Counsel indicated this is something the County can do; he did not come prepared with a resolution but if action is needed today, the Board can adopt a motion to do this and can adopt the formal resolution at the next meeting. Freeholder Mennen wants to see the resolution and what the Board would actually adopt. This item is tabled for two weeks to determine the source of the funding, which appears to be \$10,000.00, and to review a copy of the pleadings to be sure it purports in the direction the Freeholders want to go. Freeholder Sworen will obtain a copy of the pleadings.

**Kingwood Township – Equestrian Village status**

The Board of Chosen Freeholders has just received new correspondence in connection with this item and the Freeholders will need time to review and digest before consideration at a meeting.

**Open Space Ballot Question**

Discussion occurred regarding the Sunset clause and other language of the interpretive statement in the ballot question. Although the interpretive statement is not limited in the number of words, Mr. DeSapio cautioned that it should not become confusing. Discussion continued with regard to the proper verbiage. Mr. DeSapio read aloud a corrected version of the interpretive statement.



Freeholder Melick feels this ballot question is ahead of its time; the previous referendum does not expire until December 2009 and with approximately \$12 million dollars left in the fund, this could wait till next year. He questioned why the push in this election year; with the economy in serious trouble, no one is buying land right now you might not get the best price.

Freeholders Holt and Sworen feel it is the right year; the language is right with the additional language on restrictions and there will be a large number of voters this year which will give the best view of what the people say. If the bottom falls out of this, any Board in the future can issue a rescinding referendum.

While County Counsel revised the Ballot Question/Interpretive Statement, the Board continued with the next agenda item, the Freeholders Assignment Reports.

### **FREEHOLDERS ASSIGNMENT REPORTS**

#### **DOT/Union Twp/Frontage Road**

Freeholder Holt reported on a meeting held July 28 with the Department of Transportation and Union Township regarding the Frontage Road project. This meeting provided a 'refresher' to DOT, (the last project meeting with the Township and DOT was May 2007) and conveyed the Township's concern of meeting the needs of current and future development. DOT plan to have the date completed to bring back to the Township by January or February 2009 and they will begin to review this project and how it may change and what it may do to resolve issues involving Exit 12. Freeholder Holt verified for Director Peterson that if conditions are met regarding the Exit 12 issues, the Board will release the money for this TIP Project.

#### **Parks Programs.**

Freeholder Sworen reported on his positive experience with the Park's youth programs and the weekly performances; he commended these programs.

#### **Rural Police/S-1976**

With regard to the rural police issue, Freeholder Sworen indicated he will have a resolution generated for the next Freeholder meeting in support of S-1976 which surcharges tickets to pay for local and state police; also a resolution in support of municipalities who are filing complaints with the State regarding this unfunded State mandate.

#### **Senior Transportation**

Freeholder Peterson thought the Board may have an interest a resolution from Cape May County, which raises the appropriation amount for senior citizens'/disabled residents' transportation program and a resolution from Bridgewater Township in which NJ Transit plans to reduce transportation to Sunday service.

#### **Bigley Hearings**

Freeholder Peterson reviewed information with regard to Bigley hearings and the possibility of generating a resolution such as Somerset County adopted in support of various Bills such as limiting the amount of a Bigley hearing award. Freeholder Peterson would like to place this item on the next agenda and, if there is a consensus, adopt similar resolutions.

After the Freeholder Assignment Reports the revisions were complete, Mr. Sworen moved for the adoption of the Ballot Question.

Mr. Sworen moved and Mr. Mennen seconded this:

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

### **RESOLUTION**

**RESOLVED**, Approving the County Question for the Ballot "Continuation of Hunterdon County Open Space, Recreation, Farmland and Historic Preservation Trust Fund" and the Interpretive Statement.

**ROLL CALL: (AYES)  
(NAYS)**

**MR. SWOREN, MR. MENNEN, MR. HOLT, MR. PETERSON.  
MR. MELICK.**

Mr. Sworen thanked Mr. Efstathiou and everyone else who helped in making this happen.

### **OPEN TO THE PUBLIC**

Nina Van Duyne, 2 Daniel Robbins Lane, Delaware Township, requested to come before the board and go on record on behalf of a citizens' group consisting of employees and volunteers of the Hunterdon Humane Shelter (576 Stamets Road, Milford, NJ) who have serious concerns regarding the Shelter; they have made repeated attempts to meet with the Hunterdon Humane Board to discuss their concerns and have either refused or meetings have been canceled when promised a place on the agenda. This group would like to meet with the Humane Board to offer solutions and partner with them to achieve a positive and safe outcome. The group anticipates being on the Humane Board's agenda August 10.

Freeholder Sworen asked Ms. Van Duyne for status update on the farm animal issue. Ms. Van Duyne offered that information was provided to the Mayor's Council who could not understand why these barn animals have been kept at the Shelter for many years. A staff member had been told the animals were not available for adoption as they are the Director's pets.

James Burke, Deputy Mayor of Kingwood Township spoke with regard to the Township's lack of service from the Hunterdon Humane Shelter and supports Ms. Van Duyne's efforts. Kingwood Township paid \$6,000 to \$7,000 in fees, however residents were unable to reach anyone when they called the Shelter or the animal control officer does not respond when asked. Mr. Burke

wrote the Shelter requesting to meet and discuss the problems; the Shelter's two-sentence response offered no explanation/willingness to discuss the deficiencies in the contracted services and stated they were no longer interested in supplying services to Kingwood Township. Kingwood now partners with Franklin Township (who received the same letter from the Shelter), hired an animal control officer and purchased a used van and outfitted it. This program has been very successful.

Faulk Engle, Esq. from Mercer County represents the volunteers at the Humane Shelter in an effort to productively negotiate with the Shelter's Board of Directors to resolve the problems. As a public policy matter, Mr. Engle stated that, 1) the Hunterdon Humane Shelter is Hunterdon County's primary animal control resource and contracts with 14 to 16 muni's for animal control services; and 2) there is the issue of proper animal welfare and public health concern with regard to rabies.

The Shelter received \$1.28 million dollars in revenues (contractual arrangements and donations) in the 2006 tax year and spent \$364,124.00 on program services; yet, the volunteers are repeatedly told there is not money for veterinarian care, etc. Their IRS 990 Form shows cash on hand increased from \$2.01 million at the end of 2005 to \$3 million; they banked over \$1 million dollars in one year, yet the residents are not getting the contracted services their tax dollars are paying for. Mr. Engle stated he feels they do have a confirmed meeting date with the Humane Shelter's Board. Through the volunteer efforts it is anticipated that managerial accountability will be restored and the Shelter will be able to offer proper and professional services to all of Hunterdon County. The group would like to return, at the Freeholders' request, to provide an update on the situation. Freeholder Holt advised the group to report back to the Freeholders at their convenience after their meeting with the Shelter's Board.

Allison Mitchell, from NJ Conservation, thanked the Freeholders for moving forward on the Ballot question.

Robert Reid, Trustee for the Hunterdon Land Trust, also thanked the Freeholders for the action taken regarding the Ballot question.

Sandra McNichol, Vice, Co-Chairperson of the Wild and Scenic Lower Delaware Management Committee thanked the Board of Chosen Freeholders for moving forward in the effort of preserving land.

There being no further business to come before the Board, Director Peterson adjourned the meeting.

Respectfully submitted,

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Denise B. Doolan  
Clerk of the Board