

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

February 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. SWOREN.
ABSENT: MR. MELICK.

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 02/05/08-1A **RESOLUTION**

RESOLVED, Executive Session to discuss pending litigation entitled: Pizzalato versus Hunterdon County.

See Page 02/05/08-1B **RESOLUTION**

RESOLVED, Executive Session to discuss pending farmland issues. .

See Page 02/05/08-1C **RESOLUTION**

RESOLVED, Executive Session to discuss labor negotiations with the Correction Officers Supervisors bargaining unit.

See Page 02/05/08-1D **RESOLUTION**

RESOLVED, Executive Session to discuss various land acquisitions.

See Page 02/05/08-1E **RESOLUTION**

RESOLVED, Executive Session to discuss the status of the County's Transfer Station site.

See Page 02/05/08-1F **RESOLUTION**

RESOLVED, Executive Session to discuss the Sheriff's letter.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:03 p.m. and reconvened in Open Session at 6:13 p.m.

COUNTY Update

Cynthia J. Yard, County Administrator, updated the Board of Chosen Freeholders concerning the Fire Marshal position. She brought to the Board's attention that Bruce Fuller needs to be appointed as the unclassified County Fire Marshal in the Public Safety Department of Hunterdon County in accordance with the N.J.S.A.40A.

Mr. Holt moved and Mr. Mennen seconded this:

See Page 02/05/08-1G **RESOLUTION**

RESOLVED, Bruce Fuller appointed unclassified, full time County Fire Marshal, Public Safety.

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

Mr. Sworen brought an issue to the County Administrator's attention, that a number of County employees and members of the public have approached him concerning the fact that there was somewhat of a sensational public trail for the past couple of weeks that a number of County employees had attended. He's been told those County employees went on County time and used County vehicles. Mr. Sworen did not believe it was true but wanted to get this issue out in the public. Also, pointed out to him was the County's Policy #93-4 concerning political activity. It

was felt this was a political activity because it had nothing to do with the County. Mr. Sworen again stated he wants to get this out in public and respond that it is not true based on the facts the County has.

Cynthia Yard, County Administrator responded that she had emailed Director Peterson the night before one of the times the employees were scheduled to go and reminded him that she and two other employees would not be in work in the morning as they were using personal time. The time sheets for the three employees involved reflect that personal time was taken and there are leave slips which also reflect that.

Mrs. Yard said any of the County employees that approached Mr. Sworen should have felt free to ask her about the situation. Mrs. Yard reiterated that the record reflect that personal time was used by the three employees and that personal vehicles were used; not County vehicles.

Mr. Sworen advised he wanted the facts to be clear and to clarify in open session those facts so there are no more questions. Mrs. Yard is pleased and hopes that the press puts the information in the paper correctly to clarify any confusion on any employees or the public's part. Mr. Sworen said that is exactly why it is out there and asked Warren Cooper, reporter for the Democrat news if it was clear. Mr. Sworen confirmed that all the employees who went were on their personal time.

COUNTY PROJECT Update

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

- Close out projects, the Route 12 Garage the Arboretum Green house and Deer Path Park and Library. Items have been picked up and projects are being finalized.
- Emergency Services Center, a leak has been picked up in the door in the attic area, the contractor believes it is the leak they ordered parts for and it will be taken care of. The contractor is trying to get it fixed it as quickly as they can. The next project meeting is on the 14th. Everyone is trying to get the dispatch area up and running.
- Furniture is coming next week for the Hall of Records. Mr. Bell feels the move in should start the beginning of February or March.
- A revised layout of furniture is being prepared for the Prosecutor area in the Justice Center. There is a revised layout of the furniture plan and Mr. Bell will be going over pricing with Sam DeBella of the Prosecutor's Office tomorrow.
- Mr. Bell has been back and forth with the architect on making various changes to the plan for the Warehouse/Records Retention Center. The County is trying to accomplish maximizing as much space and money towards the records center. The County is trying to get as much money as possible from the PARIS grant to do this work. A loading dock has been inserted into the plan plus office space. Mr. Bell stated plans will be finalized. Once this is accomplished, Bob Thurgarland, PARIS Grant Coordinator will take that information and will apply it towards the PARIS grant. The County has talked about the capital and that this is not to improve a certain plan but it is to improve the budget to apply for the PARIS Grant Application. There is still have another round of drawings and designs to be done once the County gets the grant application back.
- Mr. Bell will be doing a cost estimate for the Heron Glen clubhouse project. He will be meeting with the Buildings and Maintenance Director to see what can be done about the roof and if there is a need for a flooring system. They will also discuss leaks in the walls and ventilation issues. A cost estimate will be prepared for the Board so a decision can be made on the repairs.
- There is a County Space Facility meeting tomorrow to go over various requests and changes to the facilities. Information Technology will be present to talk about their request. The jail roof had a couple of leaks and it is anticipated that they are old leaks that will be repaired once the coating is applied to that portion of the blue roof.
- Mr. Bell provided the Board with brochures received through the State from a conference he and Pete Maddalena, Buildings and Maintenance Director attended back in September 2007, as part of the Green Committee. There was a discussion about grant money that may be coming available for two phases; one would be for an energy audit and the other would be to implement the energy audit. The ground should be available sometime this Spring and the County will be taking a closer look to see how much money it could receive. Mr. Bell feels the County could receive 75% of the money to pay for the audit and if the County was to implement certain aspects of the audit it could receive the other 25% of the grant money; so the entire audit would be 100% paid for. Mr. Bell will be researching more on the grant for the Board.

County Department Reports

Mrs. Yard informed the Board that a memorandum has been sent to department managers informing them of a quarterly rotation, so they can provide the Board with a five or ten minute presentation/update on their departments. Pete Maddalena, Buildings and Maintenance Director was to be the presentation but there was a scheduling problem; hopefully he will be ready at the February 19, 2008 meeting.

Mr. Sworen questioned when the Board had an in depth conversation to discuss the scheduling of department managers. Mrs. Yard explained when the County Clerk, Mary Melfi was elected she to provide the Board a quarterly update and Director and the Board of Chosen Freeholders said that although a schedule was not set that certain departments should come and do a presentation; and Director Peterson had asked her to follow up on it which she did.

Mr. Sworen did not understand, saying there are three Constitutional Officers but only one has been asked to report. Mrs. Yard stated that is because Ms. Melfi asked to come before the Board. The minutes will reflect that George Muller had asked to come on a quarterly basis to provide a status. Mr. Sworen said his point is that the County has three Constitutional Officers and all three should provide updates.

Mr. Sworen advised another issue is, and he understands Mrs. Yard rushed this out but the County Clerk is listed as coming before the Board on June 03, 2008 and she has a statutory responsibility of running the primary election that day. Mrs. Yard said any of the department managers can be rescheduled. The issue is that the County has 28 department heads and revisions to the schedule will not be uncommon. There are also department heads such as John Glynn, Director of Roads, Bridges and Engineering and Frank Bell, AIA, County Project Administrator who attend every other meeting in order to keep the Board informed. The Freeholder Clerk will work with the department heads and the schedule.

Director Peterson said explained he thinks the Buildings and Maintenance Director should report to the Board because there are questions that come up a lot of times that the Board needs to have answered. This is an opportunity to educate the public and it provides the department heads an opportunity to say what they are doing so everyone has a better understanding. Director Peterson thought this was a positive to provide interaction between the Board and the department heads. As for the schedule, nothing is set in stone, he understands the need to be flexible.

Director Peterson agreed with Mr. Sworen that it would be advantageous to have the Constitutional Officers come and provide a report/status of their offices but it should be at their discretion if they want to come or not.

PURCHASING

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/05/08 – 3A

RESOLUTION

RESOLVED, Approving Requisition #23767, with Queues Enforth Development, for maintenance of computer software for the 911 System, Public Safety Dept., in the amount of \$30,744.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 02/05/08 – 3B

RESOLUTION

RESOLVED, Approving Requisition #40017394, with DLT Solutions, for maintenance of computer software for the CAD System, Engineering Division of Roads, Bridges and Engineering, in the amount of \$17,758.77.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/05/08 – 3C

RESOLUTION

RESOLVED, Approving Requisition #CC.964, with Progress Printing Company, for printing the Presidential Primary Election Ballots, for the County Clerk, in the amount of \$39,962.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 02/05/08 – 3D

RESOLUTION

RESOLVED, Approving Requisition #40017354, with Custom Products, for aluminum sign blanks for the Traffic Maintenance Division of Roads, Bridges and Engineering, in the amount of \$16,882.12.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 02/05/08 – 3E

RESOLUTION

RESOLVED, Approving Requisition #40017348, with 3M Traffic Control Materials, for reflective sheeting for making traffic signs, for the Traffic Maintenance Division of Roads, Bridges and Engineering, in the amount of \$13,816.65.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/05/08 – 4A

RESOLUTION

RESOLVED, Approving Requisition #40017351, with Garden State Highway Products, for reflective sheeting for making traffic signs, for the Traffic Maintenance Division of Roads, Bridges and Engineering, in the amount of \$17,164.15.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 02/05/08 – 5A

RESOLUTION

RESOLVED, Approving Requisition #40017360, with Ennis Paint, for striping powder, for the Traffic Maintenance Division of Roads, Bridges and Engineering, in the amount of \$11,900.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 02/05/08 – 5B

RESOLUTION

RESOLVED, Authorizing the award of County Quote #0117-2007, for engineering feasibility and design services in connection with a multi-use path across the Prescott Brook, a tributary to the South Branch of the Raritan River, in Clinton Township, connecting the County Arboretum with the South Branch Reservation, to Malick and Scherer, PC, in an amount not to exceed \$89,520.38.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/05/08 – 5C

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-03, to furnish and deliver structural steel for County Bridge M-94, to Samson Metal Service, in an amount not to exceed \$26,232.15.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 02/05/08 – 5D

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2007-48, to furnish and deliver liquid propane gas for various County buildings, to Amerigas, in an amount not to exceed \$153,396 for a two (2) year period.

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

It was noted that an issue was brought up in the Public Safety Report from the Buildings and Maintenance Director regarding the 911 Emergency Services Center. The Board asked if there are other ways to handle heating for the building since sometimes there are problems with propane and being able to get someone out quickly enough to take care of problems. The Green Committee suggested solar usages. Someone from the Green Committee would be willing to meet and discuss other possible routes for the 911 Emergency Services Center.

LIBRARY

Mark Titus, Library Director came before the Board to provide a cost analysis for the Bookmobile as requested by the Freeholder Board. Mr. Titus explained how relative the bookmobile is the Library and how it allows the Library to reach parts of the County that would not otherwise be served. The total cost for 2007 was \$9,592 and that was due to a large repair due which was needed to the air conditioning system. For the year it was a 5.2% increase and he foresees that increasing with more stops being added. Mr. Titus feels a lot more can be done with the availability of the bookmobile.

Mr. Mennen asked what operative data is most relevant; is it the circulations per hour. Mr. Titus said that is helpful to look at because the question is if that bookmobile important and does it pulls its weight. The bookmobile ranks certainly in the top and circulates for six of the County's libraries. The bookmobile is very concentrated and is used to circulate materials.

Mr. Mennen inquired of the goal of the bookmobile. Mr. Titus explained he wants the bookmobile to go to places where there is a need and there may be a little bit of trial and error with that. He is open to looking at places that need the bookmobile, such as senior centers and other places that have a hard time reaching the library. The new bookmobile will enable the County Library to be able to do more for the residents of the County.

Mr. Titus further explained that the bookmobile brings people who are interested in the books and he is hopeful an increase will be seen in the usage based on when people get more familiar with what goes on at the Library.

Mr. Titus stated he tries to give a monthly update of the report of the bookmobile and the activities at the various Library sites. The goal is to drive services. Director Peterson feels the County will see more activity once the bookmobile is put into service. This shows what the County can do to enhance the quality of life in the area.

ROADS and BRIDGES Update

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

- The County will be entering into a joint agreement with Warren County for the rehabilitation of Inter-County Bridge L-97-W. Warren County is the lead on this bridge. The bridge has issues with cracks on the arch. The arch will not be changed but it will be strengthened. The agreement is to strengthen it, by taking the inside walls off and pouring material inside to increase its strength. This bridge is in the northern part of the County and is a Historic Structure which is another reason to repair it.

Mr. Holt moved and Mr. Sworen seconded a motion to enter into a joint agreement with the County of Warren for the rehabilitation of Inter-County Bridge L-97-W.

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

Mr. Glynn reported to the Board on a couple of issues concerning the intersection of County Routes 612 and 523. He advised additional work on the intersection improvements will cost between \$175,000 and \$200,000. More stone is needed to be distributed in the area. Mr. Glynn does not have the exact number but he met with the contractor last week and they are working on a solution. Mr. Glynn reported horse bones were found at the site, so the Cultural Resources people will be leaving the site. Mr. Glynn further informed the Board that the hours the contractor can work on the road has been agreed to with Readington Township and the contacting will be working on 523 through Whitehouse Station from the hours of 8:30 to 3:30 p.m., once school is out on June 18, 2008.

FARMLAND PRESERVATION

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/05/08 – 5A

RESOLUTION

RESOLVED, Approving the Deed of Easement and Grant Agreement from Timsoland LLC, for Block 14, Lot 25, in Delaware Township, consisting of 45.599 acres, (SADC- \$248,970.54, County- \$82,990.18, Township- \$82,990.18), total amount of \$414,950.90.

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

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 claims in accordance with the Claims Register dated February 05, 2008.

See Page 02/05/08-5B

CLAIMS REGISTER

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

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

See Page 02/05/08-5C

SOCIAL SERVICES FUNDS REPORT

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

Mr. Sworen moved and Mr. Holt seconded these:

See Page 02/05/08 –5C

RESOLUTION

RESOLVED, Melissa Giannelli appointed permanent, full time Library Assistant, Library.

See Page 02/05/08 – 5D

RESOLUTION

RESOLVED, Andrea Hutchins appointed permanent, full time Public Safety Telecommunicator Trainee, Emergency Services Division, Department of Public Safety.

See Page 02/05/08 – 6A

RESOLUTION

RESOLVED, Daniel Schulz appointed permanent, full time Public Safety Telecommunicator Trainee, Emergency Services Division, Department of Public Safety.

See Page 02/05/08 – 6B

RESOLUTION

RESOLVED, Ryan Gibson appointed permanent, full time Public Safety Telecommunicator Trainee, Emergency Services Division, Department of Public Safety.

See Page 02/05/08 – 6C

RESOLUTION

RESOLVED, Michael Helbing appointed permanent, full time laborer, Parks and Recreation.

See Page 02/05/08 – 6D

RESOLUTION

RESOLVED, Kyle Zenlea appointed provisional, full time Assistant Planner, Planning Board.

See Page 02/05/08 – 6E

RESOLUTION

RESOLVED, Thomas Quinn appointed provisional, full time Correction Officer, Division of Corrections, Department of Public Safety.

See Page 02/05/08 – 6F

RESOLUTION

RESOLVED, Brad Winfield appointed provisional, full time Correction Officer, Division of Corrections, Department of Public Safety.

See Page 02/05/08 – 6G

RESOLUTION

RESOLVED, Kevin Hallinger appointed provisional, full time Correction Officer, Division of Corrections, Department of Public Safety.

See Page 02/05/08 – 6H

RESOLUTION

RESOLVED, Donald Donnelly appointed provisional, full time Horticulturalist, Parks and Recreation.

See Page 02/05/08 – 6I

RESOLUTION

RESOLVED, Wayne Crans appointed temporary, as needed Laboratory Assistant, Vector Control Division, Health Department.

See Page 02/05/08 – 6J

RESOLUTION

RESOLVED, Brian Engisch, Youth Worker, Youth Facility Division, Public Safety Department, increase in hours.

See Page 02/05/08 – 6K

RESOLUTION

RESOLVED, Establishing the number of Investigatory staff in the Prosecutor's Office.

See Page 02/05/08 – 6L

RESOLUTION

RESOLVED, Establishing the number of Prosecutory staff in the Prosecutor's Office.

See Page 02/05/08 – 6M

RESOLUTION

RESOLVED, Approving an employment agreement with Joseph Grande, Roads, Bridges and Engineering.

See Page 02/05/08 – 6N

RESOLUTION

RESOLVED, Approving the cancellation of a grant receivable for the 2007 Personal Assistance Services Program, in the amount of \$10,000.

See Page 02/05/08 – 6O

RESOLUTION

RESOLVED, Authorizing the return of a cash Road Opening Deposit to David Randazzo, in the amount of \$2,430, as the project will not be done.

See Page 02/05/08 – 6P

RESOLUTION

RESOLVED, Approving the plans and specifications for the Resurfacing of Route 523, in Tewksbury Township.

See Page 02/05/08 – 6Q

RESOLUTION

RESOLVED, Approving an agreement with the William Morris Agency LLC, for a performance by Lori McKenna, on August 07, 2008, as part of the "Music Under the Stars" concert series, at Deer Path Park.

See Page 02/05/08 – 7A

RESOLUTION

RESOLVED, Approving the acceptance of \$20,000 from the New Jersey Historical Commission and authorizing the re-granting.

See Page 02/05/08 – 7B

RESOLUTION

RESOLVED, Designating and supporting the Hunterdon County Chamber of Commerce as the County's Destination Marketing Organization.

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

RECOGNITION

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/05/08 – 7E

PROCLAMATION

RESOLVED, Recognizing John Peterson for having served on the County's Agriculture Development Board.

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

GRANTS

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/05/08 – 7F

RESOLUTION

RESOLVED, Approving a modification to the FY2005 Job Access/Reverse Commute (JARC) Round 7, Section 3037 contract, with New Jersey Transit, for an additional \$10,000.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/05/08 – 7G

RESOLUTION

RESOLVED, Approving the renewal of a public donor agreement to the Social Services Block Grant (SSBG) Contract #08AHKC, to provide funding to ensure the operation of the HSAC; Administration of Child Abuse and Missing Children Commission, a component of the County funded School Based Initiative Program and Safe Haven Infant Protection Law Outreach, in the amount of \$83,742 in state funds, and a County Match of \$17,980.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/05/08 – 7H

RESOLUTION

RESOLVED, Approving Grant Contract #SH08010, for homeless related services, in the amount of \$57,378.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/05/08 – 7I

RESOLUTION

RESOLVED, Approving State Contract #08AMKC, to provide transportation services in the amount of \$133,463 and a public donor agreement for \$32,704 in matching funds.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/05/08 – 7J

RESOLUTION

RESOLVED, Approving a modification to the 2007 County Environmental Health Act Grant, extending the grant through June 30, 2008.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/05/08 – 8A

RESOLUTION

RESOLVED, Approving a grant agreement for the Hunterdon County Agriculture Market Development/Niche Crops Grant, in the amount of \$50,000.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/05/08 – 8B

RESOLUTION

RESOLVED, Approving the renewal of a grant agreement with Delta Dental of New Jersey Foundation, Inc., to provide dental care services to low-income, uninsured children, in the amount of \$30,000.

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

CORRESPONDENCE

A request was received from the High Bridge Fire Department for permission to hold a Coin Toss on April 05, 2008 and November 29, 2008, on County Route 513, between Grayrock Road and Arch Street, from 7 a.m. until 3 p.m. Mr. Sworen moved and Mr. Holt seconded a motion granting permission provided this event is coordinated through the County's Department of Roads, Bridges and Engineering.

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

FOR DISCUSSION

NJAC Membership

Item number one regarding membership for 2008 with the New Jersey Association of Counties was tabled until Freeholder Melick was present as his request. Mr. Sworen feels this was discussed as part of the budget and requested it to be placed on the agenda for consideration. The Board decided to discuss then later.

Bigley Lawsuit

Mr. Mennen inquired the status on the Cape May dispute. Mrs. Yard advised information was received as a result of the first meeting New Jersey Association of Counties meeting attended by Mr. Melick. Someone presented Mr. Melick with a resolution of support for Cape May in the Bigley Lawsuit as it will affect all counties. County Counsel DeSapio wanted to discuss the legal aspects of this matter and stated NJAC is asking counties to join in the lawsuit. Mr. DeSapio discussed the merits of the case. He feels that the Board should not discuss this in an open session due to it being a legal matter.

Director Peterson would like to continue this discussion further in executive session this evening.

Opposing the conversion of Route 440 into a Toll Road

A resolution was received from a few other counties opposing the conversion of Route 440 into a Toll Road by the Governor. Director Peterson recommended Hunterdon County show its support by adopting a similar resolution to Middlesex County's.

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/05/08-8C

RESOLUTION

RESOLVED, Opposing the conversation of Route 400 into a Toll Road.

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

Mr. Sworen added for the record that the Governor will be presenting his plans at Hunterdon Central the week of February 21, 2008 and the public may be present to give their approval or disapproval on this matter. He feels this is important for people to attend and the meeting was moved to a larger school district, Hunterdon Central Regional High School, in order to accommodate a larger portion of the public.

OPEN Road for use of County buses

Mr. DeSapio reported the last time the Board discussed OPEN Road, about six weeks ago the Board had come to the conclusion that there were two ways the buses could be utilized. One would be to change the program to allow utilization rental of County vans on Sundays during a certain window of time and if that were done the County would have to permit any organization that met the standards of the current policy take advantage of the program. The County would just rent the buses to an organization. The Human Services Administrator, Pamela Pontrelli was going to get some figures together to show how this would work. The second option, which Mr. DeSapio thinks the staff does not prefer, would be for the County to extend it regular program for Sunday, and that would have a different cost. The County could add Sundays which would have big cost difference and the other would option would be to have the vans rented, which serve disabled and seniors on a Sunday but the organization must meet the criteria.

Mr. DeSapio explained the County can not limit where the vans would transport. Mrs. Pontrelli is getting the figures together to show the Board how the costs would range.

Human Services already have a program called Group Trips which is funded by Title III, the Older American Act, which is just shy of \$10,000 and is used for groups of seniors to go on shopping events, to dinner or shows and they pay a small fee. The cost is \$100 if the trip is in County and the Grant for the seniors pays the balance, the Grant subsidizes the program. Human Services has had groups approach them, such as veteran groups and they have tried to figure out ways to provide this service to those groups as well. The cost for a weekend group is around \$200 per hour and the Grant or the County dollars makes up the difference that is needed.

Mr. DeSapio stated other counties provide transportation directly and do not subcontract whereas Hunterdon County subcontracts. Somerset and a few other counties have their own programs. Mr. Sworen believes that Open Road began in Hunterdon County and that Hunterdon should participate if it is something that can be done and if the County can help financially. He is curious how other counties can do this program and not Hunterdon. Ms. Pontrelli discussed with County Counsel DeSapio the question of why other Counties have not looked at it from a legal standpoint like Hunterdon has. Mr. DeSapio said he does not have a question about it as long as it is non-discriminatory. Mr. DeSapio thought the County was getting the cost from people who wanted to use the program but he found that the County is subsidizing the program. Ms. Pontrelli explained a driver and a bus must be available for the groups requesting transportation. Group trips meet in one location and pick up in one location. Mrs. Yard explained that in the past people have waited in line to use the Title III money. She feels if the program is opened up on Sundays it will be just as popular as it is during regular working hours. The County does not have in its operations contract with Easton Coach a provision to provide transportation on a Sunday. Now the County is going out to contract and will be able to see what can be done.

Mr. Sworen recommended the costs for this program be looked at also as there may be a more cost-effective way of handling this situation, similar to what other counties are doing.

Mrs. Yard stated there was an overview of the LINK system to see how it was being used and the total overhaul of the LINK. Mr. Sworen asked if information from other counties has been solicited on their programs which are similar. Ms. Pontrelli stated Hunterdon County has a public rider component in its service which is much more extensive than other counties. Other counties have increased their budget to help their program.

Mr. Sworen stated that based on what he has heard so far he does not have enough information to say yes or no on this matter. For the next meeting he would like information on what other counties are doing and how they are doing this and he would like to see the costs compared.

Mrs. Yard feels that as long as the program is resolved and is non-discriminatory, that the request would have to be granted and it was asked of Human Services to try to figure out a price of cost. Mr. Sworen would like to know what the rearrangements are with Open Road in other counties. He wants to see if there is something that fits with the information that was received today because there might be something Hunterdon wants to change in the contract later in the process.

Mr. DeSapio asked if OPEN Road could provide a list of other counties that use this program and list the prices. Mrs. Pontrelli can call these counties to see how they subsidize their programs and figure out the costs. The bid for operations of the LINK needs to go out shortly and the County could develop something based on the result of this study and an addendum can be done for the bid.

Mr. DeSapio advised if Easton Coach wants to subsidize this arrangement for OPEN Road, they will have to do that through some form of an agreement between them and Open Road directly. The County can not have a special deal with OPEN Road. The County needs to charge OPEN Road the same as it would charge anyone else. If Easton Coach wants to make a donation to OPEN Road they can do that but the County does not want to get in the middle of that discussion. The County needs to decide if it is going to add Sundays and if this is going to be part of the existing policy or a new policy will be established. The cost is an open issue because it is a flat fee and the flat fee determines the usage of hours, so hopefully the chart of other counties will help in figuring out what the counties cost may be.

Mr. DeSapio stated a uniformed policy that includes the usage on a Sunday, including that the hours do not go over a certain amount of time provided in said agreement and if the time runs over those certain set hours then different rates would be charged.

Mr. Sworen questioned who owns the LINK buses. Mrs. Pontrelli advised Hunterdon owns a majority of them but some are owned by the State. The County receives use of the buses under grants. Mr. Sworen asked if the County could rent OPEN Road the buses, which may be what other counties might do, at a specific rate and then have Easton Coach provide drivers. Mr. DeSapio feels that would complicate the liability issues in case of an accident. The issue is really a matter of costs; the main thought on costs would be the wear and tear on the buses which causes the need for maintenance. Director Peterson suggested charging a flat rate and have an additional fee per hour when the buses are used between certain hours on Sunday and that can be set as a full policy and then anyone can rent the buses. Easton Coach or whoever is awarded the bid, can decide if they want to subsidize the prices. The Board does not have to put the County in a situation where everyone is calling Easton Coach for buses.

Mr. DeSapio recommended drawing a policy up first and then the Board can modify the policy at a later date if need be based on later findings. Director Peterson asked to have a policy put together and ready for Board approval at the next meeting. If there is a cost to the County then the Board needs to look into the 2008 budget and the Board also needs to know if the grant would pay a certain amount and determine if the County can come up with the additional amount if need be. It was noted that out of County organizations are charged a certain amount of money per hour then the grant picks up the difference of the cost. Mrs. Pontrelli stated that Casino Revenue grant funds can be utilized also. Mr. DeSapio and Mrs. Pontrelli will work on a policy that will limit the use on Sundays for four hours then there would be no cost to the County but if a bus is needed for more than four hours then the organization would be required to pay the difference. The County needs to make sure it will not run out of funds for this program. Director Peterson asked Mr. DeSapio to distribute the policy to the Board before the next meeting.

FREEHOLDERS ASSIGNMENT REPORTS

Vought House

Mr. Sworen reported he and Mr. Holt met with someone today regarding the Vought House and felt it was something the Board should discuss. The Clinton Township school board owns the pre-Revolutionary house of Christopher Vought and they want to get rid of the house. There is an organization interested in using the house but they can't get the house because it houses another governmental agency. The school board wants to know if they can turn the house over to this organization that wants to use it. Part of the ceiling is a museum and there is a desire to preserve the house. The school district does not want to move in and would like to give it to another organization. Mr. Sworen asked County Counsel DeSapio to provide his opinion in this issue and what steps would have to be taken to make this work.

Policy Manual

Mr. Sworen advised he spoke with Cheryl A. Wieder, Human Resources Director today about the Policy Manual and requests that the Policy Manual be updated. He looked at ways to do this and made a recommendation to Ms. Wieder to get a copy of resolutions from Somerset and then sometime this summer the Board can look at those resolutions and see what Hunterdon has, what can be reformed and what can be updated based on those findings. He feels that once this Board adopts the policy manual it will be good forever but today he has questions on the manual and feels it is unclear.

Mrs. Yard advised the Board that two years ago the County developed an Administrative Code and Ms. Wieder was working with Mr. DeSapio, as one of the Risk Management members because it was determined the County needed to put other policies into the manual, such as if anyone had a grievance, ADA (Americans With Disabilities Act) and certainly the Board makes decisions on policies and if they feel this is something that is needed, it will be worked on. Mr. Sworen feels that the County can work on these policies and updates and set a goal of the Fall to have these completed so then the Board may consider them and formerly adopt them.

Parks Programs

Mr. Mennen advised that he has spent the last few nights trying to tour and meet with people to view the operations of certain departments. He met with George Wagner, Director of Public Safety, John Davenport, Purchasing Agent and John Trontis, Parks and Recreation Director. Last night he attended the Parks Advisory Board meeting and he was impressed with their Maple Syrup Program, Birthday Programs, and numerous other programs. Parks is also creating a Wiffelball Team. The Planning Board had the round table for the Highlands and it was well attended. He was impressed with the attendance from those all over the County. They have to credit Sue Dziamara for the development and continued work on this program and meetings.

OPEN TO THE PUBLIC

Director Peterson opened the meeting to the public. He stated this Board will not limit the amount of time but asked those present to be considerate and take into consideration the number of people present who would also like to speak.

Christian D'Annunzio, reporter, The Hunterdon County News, asked to would like to comment on the litigation concerning the Sheriff's Office. Mr. DeSapio stated that the judge dismissed the Sheriff's complaint because the courts do not have jurisdiction over the complaint that it is a budget dispute and advised that it needs to be resolved between the Sheriff and the Freeholders.

Sheriff Trout informed the Board that after judge's decision this morning she has put together a letter to the Board of Chosen Freeholders today, asking if a resolution would be passed to pay her staff. Director Peterson explained that the Board has not had a chance to see that letter and at the first opportunity will review her letter and have a discussion on it. Sheriff Trout asked that because of the decision of the judge, she wants to know if there is any discussion that needs to be had. Director Peterson explained that the Board has not been fully apprised of the decision and cannot make a decision until they have a full understanding. The Board would like the opportunity to discuss this issue and get input from County Counsel prior to making a decision.

EXECUTIVE SESSION

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/05/08-10A

RESOLUTION

RESOLVED, Executive Session to discuss the Cape May County request to join in the Bigley Lawsuit.

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

The Hunterdon County Board of Chosen Freeholders returned to Executive Session at 8:08 p.m. and reconvened in Open Session at 9:53 p.m.

There being no further business to come before the Board, Director Peterson adjourned the meeting at 9:53 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board