

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, Second Floor

Flemington, New Jersey 08822

July 15, 2008

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 3:13 p.m. in accordance with the provisions of the Open Public Meetings Act.

PRESENT: MR. MENNEN, MR. MELICK, MR. SWOREN.

ABSENT: MR. PETERSON, MR. HOLT.

OPEN PUBLIC MEETINGS ACT

Deputy Director Mennen 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 July 11, 2008, to the Hunterdon County Democrat, Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review and Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

Mr. Peterson came into the meeting at 3:14 p.m.

PLEDGE OF ALLEGIANCE

EXECUTIVE SESSION REQUESTS

Mr. Mennen moved and Mr. Melick seconded these:

See Page 07/15/08-1A RESOLUTION

RESOLVED, Executive Session to discuss various personnel issues.

See Page 07/15/08-1B RESOLUTION

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

See Page 07/15/08-1C RESOLUTION

RESOLVED, Executive Session to discuss an administrative question concerning the County's Trip Policy/Vacation buy backs and advanced notification regarding Cultural and Heritage Grants.

See Page 07/15/08-1D RESOLUTION

RESOLVED, Executive Session to discuss various legal issues including the Sheriff's litigation and the engagement of an outside attorney in connection with claims with regard to the Emergency Services building.

See Page 07/15/08-1E RESOLUTION

RESOLVED, Executive Session to discuss legal issues concerning a payment request by Hunterdon Central High School.

See Page 07/15/08-1F RESOLUTION

RESOLVED, Executive Session to discuss closed session minutes for review to determine what can be released.

See Page 07/15/08-1A RESOLUTION

RESOLVED, Executive Session to discuss potential land acquisitions in Delaware Township, Readington Township, and Bethlehem Township.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 3:16 p.m. and reconvened in Open Session at 5:22 p.m.

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

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."

Item #13 held until August 05, 2008.

CONSENT AGENDA

Mr. Mennen moved and Mr. Melick seconded a motion to approve the regular session minutes April 01, 2008.

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

Mr. Mennen moved and Mr. Melick seconded a motion to approve claims in accordance with the Claims Register dated July 15, 2008.

See Page 07/15/08-2A CLAIMS REGISTER

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

Mr. Mennen moved and Mr. Melick seconded these:

See Page 07/15/08-2B RESOLUTION

RESOLVED, Elaine Mills-Winkler appointed permanent, full time Principal Clerk Typist, Prosecutor's Office.

See Page 07/15/08-2C RESOLUTION

RESOLVED, Cynthia Gould appointed permanent, full time Social Worker Juvenile Rehabilitation, Youth Facility Division, Department of Public Safety.

See Page 07/15/08-2D RESOLUTION

RESOLVED, Suzanne Sollner-Figler appointed permanent, full time Laborer, Rutgers Cooperative Extension of Hunterdon.

See Page 07/15/08-2E RESOLUTION

RESOLVED, Susan Kebler appointed permanent, full time Library Assistant, Library.

See Page 07/15/08-2F RESOLUTION

RESOLVED, Danielle Aloisio appointed provisional, full time Registered Environmental Health Specialist Trainee, Health Department.

See Page 07/15/08-2G RESOLUTION

RESOLVED, Stephen Foran appointed provisional, full time County Correction Officer, Division of Corrections, Department of Public Safety.

See Page 07/15/08-2H RESOLUTION

RESOLVED, Jennifer Waisempacher appointed provisional, full time County Correction Officer, Division of Corrections, Department of Public Safety.

See Page 07/15/08-2I RESOLUTION

RESOLVED, Stephanie Goldman appointed temporary, Recreation Leader, Parks & Recreation.

See Page 07/15/08-2J RESOLUTION

RESOLVED, Carol Heffler appointed temporary, as needed Instructor, Division of Senior Services, Human Services Department.

See Page 07/15/08-2K RESOLUTION

RESOLVED, Mariana DeMartinez, Family Service Worker, Division of Social Services, Department of Human Services, leave of absence without pay.

See Page 07/15/08-2L RESOLUTION

RESOLVED, Authorizing the release of the executive session minutes from January 15, 2008, January 28, 2008, February 15, 2008 and December 27, 2008.

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

Mr. Sworen moved and Mr. Melick seconded this:

See Page 07/15/08-2M RESOLUTION

RESOLVED, Paul Fandel appointed provisional, full time Mechanic, Roads and Bridges.

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

Mr. Mennen moved and Mr. Melick seconded this:

See Page 07/15/08-3A

RESOLUTION

RESOLVED, Paul Bolanowski appointed provisional, full time Mechanic, Roads, Bridges and Engineering.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 07/15/08-3B

RESOLUTION

RESOLVED, Approving an employment agreement with Danielle Aloisio, Health Department.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 07/15/08-3C

RESOLUTION

RESOLVED, Approving a contract with the NJ Human Services Dept., to provide \$85,326 in Special Initiatives and Transportation funds, for child care and transportation related services to recipients of Temporary Assistance to Needy Families and Post-Temporary Assistance to Needy Families.

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

COUNTY UPDATE

Use of Historic Court House

Cynthia J. Yard, County Administrator, informed the Board that awhile ago an entity/agency wanted to use the historic Court House for a theatrical production, the re-enactment of the Lindberg Trail. The County agreed to reconsider the fees for the use of the facility once the renovations were completed. The Board has never formalized the fees for the use of the historic Court House. There are times the County uses the historic Court House and either the Sheriff's Office or a County designee will conduct tours through the building because it is a public building, paid for with public funds.

Mrs. Yard explained there are some different scenarios that need to be addressed; including when a public official, acting in their public capacity, such as the County Clerk or Surrogate marry someone and it is done in the historic Court House during regular working hours, there should be no charge but if it is after hours, that is a different matter.

Mrs. Yard reported that recently there was a situation with the Sheriff's Office, where a weekend someone wanted the Sheriff's Office or a representative of the County to be available to conduct tours throughout the historic Court House. Mrs. Yard spoke with Sheriff Trout and it was decided there would be overtime fees.

Mrs. Yard advised the Gazebo behind the historic Court House, in the Court Street Park, is also included in this revised fee schedule, as many people ask to be married there.

Mrs. Yard worked on a new fee schedule for use of County buildings with County Counsel DeSapio. The policy says if a County official in their official capacity, during regular hours, performs a ceremony, there is no charge. If a County official performs a services/ceremony during off hours and on weekends, the regular rate of \$75 per hour will be charged.

Mr. Sworen confirmed there would be no charge for a ceremony if the County Clerk performed a ceremony during one of her evening shifts or when her office is open for business on a Saturday. Mrs. Yard advised janitorial staff is in the buildings until 11:00 p.m., so that would be during normal working hours. The County charges \$75 per hour because staff has to be called in to open and close buildings or to monitor programs.

Mrs. Yard advised if tours are conducted by County staff, such as the Sheriff's Office or a designee during regular hours, there would be no charge. If tours were conducted by County staff on off-hours, the fee would be \$75 an hour or the overtime rate per hour, whichever is greater. Tours and presentations by non-County entities/agencies is \$75 per hour and it would be paid for by the presenter. When the historic Court House is used for rehearsals of historic re-enactments related to the actual structure or use of the historic Court House, it is \$75 an hour. When the historic Court House is used for historic filming and historic re-enactment performances related to the actual structure in use, the charge will be \$250 or 10% of the profits, whichever is greater for each use. This will require financial disclosure within 2 weeks of the event.

Mr. Sworen asked Mrs. Yard to clarify if a performance over a weekend or week, 5 performances is one use or 5 uses. Mrs. Yard will make some minor changes to the policy and bring it back before the Board for approval at its August 05, 2008 meeting.

Sheriff Trout asked to be notified when someone requests to use the historic Court House. Mrs. Yard will have the person in charge of scheduling the building, notify the Sheriff.

Director Peterson asked why the historic Court House is still considered an active court house. Mr. DeSapio informed the Board that there is a history, but he does not agree that the historic Court House is an active Court House.

Fees – Parks and Recreation/Hunting permits

Mrs. Yard explained the Parks and Recreation Director is on vacation so Craig Evans, Ranger, Parks and Recreation, will represent the Department today. Mrs. Yard advised it is time for the Board to approve the fees and permits for the County's Controlled Hunting Program.

Mr. Evans informed the Board that Parks would like to start selling permits for the Archery Season on August 13, 2008. Parks is still taking an aggressive approach to reducing and maintaining the reduced deer herd in the County's parks. The state for the last 6 or 7 had a program in place called "earn a buck" where you had to harvest an antlerless animal by law before you could harvest an antler animal because this helps reduce the population. Last year the state felt they had achieved their goal in reducing the population and lifted that restriction. Hunterdon County Parks and Recreation still maintains that restriction in the County's parks, in order to keep the deer population low.

Mr. Evans informed the Board that Parks and Recreation would like to include the Van Light property in Bethlehem Township, which is 53 acres, which is owned by the Township but managed by the County and open it up to 3 hunters; also the Tower Hill property, which is around 35 acres behind the County owned house, which is vacant. Those two items are the major changes for this year.

Mr. Evans reported Parks and Recreation received an award this past year, for the Special Hunt for Individuals with Disabilities. One May 21, 2008, Parks and Recreation received the Ted Kaplan Exemplary Recreation Group Award from the New Jersey Commission of Recreation, for Individuals with Disabilities, for the hunt held at the Heron Glen Golf Course.

Mr. Evans provided the Board with statistics on the harvest for all the hunting areas. The overall harvest in Hunterdon was down 31%. The State Fish and Wildlife Division attribute that to the fact that they feel they have reduced the population in areas where they can access the herd.

Mrs. Yard confirmed that Parks and Recreation continues to streamline the permitting times for hunters. Mr. Evans stated Parks is always looking at ways to improve. Mrs. Yard noted that each year Parks and Recreation adds more property to the program to be hunted.

After further discussion, Mr. Melick moved and Mr. Mennen seconded a motion to approve the revised Controlled Hunting Program through Parks and Recreation for the County of Hunterdon.

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

FINANCE

Director Peterson opened the public hearing on Capital Ordinance No. 12-08. There being no comments or questions from the press or public, Mr. Holt moved and Mr. Sworen seconded a motion to close the public hearing.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 07/15/08-4A

CAPITAL ORDINANCE NO. 12-08

RESOLVED, Capital Ordinance No. 12-08, Authorizing Repairs and Improvements at Heron Glen Golf Course, in the amount of \$177,000.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 07/15/08-4B

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services approves the insertion of an item of revenue in the 2008 Budget for HIV Counseling & Testing, in the amount of \$59,800.

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

PURCHASING

Items 1, 2, 4 and 5 were held at this time.

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 07/15/08-5A

RESOLUTION

RESOLVED, Approving Requisition #23927, using State Contract #A53804, with Motorola, for communications' equipment, (replacement equipment), for Emergency Services, Public Safety Dept., in the amount of \$57,574.80.

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

Mr. Melick moved and Mr. Holt seconded this:

See Page 07/15/08-5B

RESOLUTION

RESOLVED, Approving Requisition #40018739, using State Contract #A71626, with the Campbell Foundry Company, for various type inlets, for Roads and Bridges, in the amount of \$13,453.

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

Mr. Melick moved and Mr. Holt seconded this:

See Page 07/15/08-5C

RESOLUTION

RESOLVED, Approving Requisition #40018812, using County Quote #0065-2008, with the Storr Tractor Company, for mower parts, in the amount of \$17,203.20.

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

Mr. Melick moved and Mr. Mennen seconded this:

See Page 07/15/08-5D

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-07, for the Hunterdon County Everittstown Garage Addition, to CB Structures, Inc., (general construction), in an amount not to exceed \$208,500.

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

Mr. Melick moved and Mr. Mennen seconded this:

See Page 07/15/08-5E

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-07, for the Hunterdon County Everittstown Garage Addition, to J. Tufaro & Sons Electrical Contractor, Inc., (electrical), in an amount not to exceed \$28,750.

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

Mr. Mennen moved and Mr. Holt seconded this:

See Page 07/15/08-5F

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-16, for Maintenance and Repair Materials, as needed by Roads and Bridges, to Campbell Foundry Company, in an amount not to exceed \$22,000.

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

Mr. Sworen moved and Mr. Melick seconded this:

See Page 07/15/08-5G

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-16, for Maintenance and Repair Materials, as needed by Roads and Bridges, to Flemington Bituminous Corporation, in an amount not to exceed \$133,065.

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

Mr. Sworen moved and Mr. Melick seconded this:

See Page 07/15/08-6A

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-16, for Maintenance and Repair Materials, as needed by Roads and Bridges, to Stavola Construction Materials, Inc., in an amount not to exceed \$37,736.25.

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

Mr. Melick moved and Mr. Mennen seconded this:

See Page 07/15/08-6B

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-16, for Maintenance and Repair Materials, as needed by Roads and Bridges, to Trap Rock Industries, Inc., in an amount not to exceed \$106,404.50.

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

Mr. Melick moved and Mr. Holt seconded this:

See Page 07/15/08-6C

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-19, for the Resurfacing and Surface Treatment program, for Roads and Bridges, to Trap Rock Industries, Inc., in an amount not to exceed \$1,573,756.61.

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

Mr. Mennen moved and Mr. Sworen seconded this:

See Page 07/15/08-6D

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-20, for Resurfacing of various County Roads, to Schifano Construction Corporation, in an amount not to exceed \$1,189,126.86.

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

Mr. Sworen moved and Mr. Melick seconded this:

See Page 07/15/08-6E

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-23, to furnish and deliver Long Life Traffic Stripe Epoxy, for Roads and Bridges, to Epoplex, Division of Stoncor Group, Inc., in an amount not to exceed \$90,000.

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

Mr. Melick moved and Mr. Mennen seconded this:

See Page 07/15/08-6F

RESOLUTION

RESOLVED, Authorizing the award of a professional engineering services agreement, using County Quotation #0031-2008, for Comprehensive Bridge Inspection for various County Park Bridges, to Trans Systems Corporation, in the amount of \$22,000.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 07/15/08-6G

RESOLUTION

RESOLVED, Authorizing the award of a professional services contract for Material Testing Services, using County Quotation #0039-2008, to Key-Tech, in an amount not to exceed \$35,000 for a two year period.

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

Mr. Mennen moved and Mr. Melick seconded this:

See Page 07/15/08-7A

RESOLUTION

RESOLVED, Authorizing the award of a professional services contract for Material Testing Services, using County Quotation #0039-2008, to MT Operating of NJ, LLC, in an amount not to exceed \$20,000 for a two year period.

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

Professional Service Agreements

Mrs. Yard reported at the second meeting in August, there will be a discussion concerning professional service agreements with the Purchasing Agent, John Davenport. During August or September of each year, all professional services agreement will be brought to the Board's attention to determine if the Board will continue to enter into a professional services agreement or if the Board wants to competitively bid these services.

Mr. Davenport informed the Board that towards the end of the year there will be solicitations for professionals to prequalify, so the County's list can be expanded.

County Budget

Mrs. Yard reported that in September the County Finance Director and County Treasurer will be making a presentation to the Board on ways to modify the budget process, as a result of last year's questions and concerns by the Board.

PROJECT UPDATE

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

- The Library, Deer Path Restroom, Arboretum and Route 12 are being closed out. The contractors will be sending close out documents, once they are received, they will be reviewed prior to final payments being considered.
- A meeting was held with the equipment vendors for the Emergency Services Building renovations on Friday and various tests were performed. It was found that a power supply was not operating for the CML. Mr. Bell stated they are waiting for the laptop that was used by a technician the Monday morning when there were issues with the GPS system. Once that is received, a report will be coming to the Board.
- A job meeting was held today at 1:00 p.m. to begin the renovations to the Southard Building. The building is now vacated. The contractor expects the project to take around 2 to 3 months.
- There are problems in the Hall of Records building with the air conditioning. The Buildings and Maintenance Director has looked at the problem and feels there is a flow problem and the contractor has been asked to come and look at this. Mr. Sworen asked Mr. Bell to investigate why the lights come on when no one is in the building.
- The contractor has begun work on the renovations to the former Justice Veniero space in the Justice Center. Quotes were received from 3 contractors as requested by the State for the additional work. The award of County Quote #0057-2008 needs to be approved this evening. Mr. Bell confirmed that the State will be reimbursing the County for that dollar amount.

Mr. Holt moved and Mr. Melick seconded a motion authorizing the award of County Quotation #0057-2008, for Alterations to the Hunterdon County Justice Center, to Charles Mann General Contractors, in an amount not to exceed \$18,000.

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

Space/Route 31 County Complex

Mrs. Yard reported at least 2 years ago the Freeholders went on a Space Tour and Route 31 was toured and at that time the Board agreed that Human Services needed more space. Some of Human Services space is occupied by the Public Health Nursing program. The Facilities Committee has met several times and a decision has to be made because Human Services staff is in need of space.

John P. Glynn, Director, Roads, Bridges and Engineering, and Facilities Committee member, informed the Board that the Committee has carefully looked at the availability of the spaces the County has. They viewed the 2nd Floor of the Buildings and Maintenance building which isn't acceptable because of the type of service that the Public Health Nurses provide. The Committee viewed all the available space at the Main Street Complex, and they could not find a good location for this type of service. The County recently purchased the A Frame building next to the Arboretum. In the rear of that structure there are several condominium offices and the three condominiums in the rear of that complex could satisfy the nurses' needs as a separate, stand alone, interim type space until the programming is set for the remaining half of that facility.

Mrs. Yard informed the Facilities Committee that the A Frame was specifically identified and earmarked as programming space for Parks and Recreation. There was talk that Parks and Recreation wanted to make office space in the A Frame and she has spoken with John Trontis, Director of Parks and Recreation because it is to be program space.

Mrs. Yard explained to the Board that the Facilities Committee is asking that placing Public Health Nursing in the A Frame be strongly considered so that Human Services can gain back their space at the Route 31 building. The staff of Human Services' is County employees while the nurses are Hunterdon Medical Center employees. Mrs. Yard urged the Board to do something to satisfy the space needs of Human Services. According to Buildings and Maintenance the A Frame could use a coat of paint and some carpeting or tile; it already has computer lines and the Public Health Nurses can move into the space. Mrs. Yard stressed that Human Services has waited quite awhile for this to happen.

Mr. Melick agreed Human Services needs more space and confirmed the nurses aren't County employees. Mr. Melick moved and Mr. Sworen seconded a motion to move the Public Health Nurses out of the Route 31 County Complex to make more space for the County's employees of Human Services. Mrs. Yard confirmed for the Board that the septic at the A Frame will accommodate 14 full time/part time nurses. Mr. Mennen confirmed only 3 office condominiums will be used. Mr. Glynn stated there are 5 units plus space in the front of the A Frame. He stated the 2 condo units plus the A Frame front will be available for classrooms/programs by Parks and Recreation.

Mr. Mennen asked about connecting the A Frame lines with the new wireless system for the County. Mr. Glynn advised there has been a discussion about placing a tower that could hit the North County Library. That might be able to be done in the distant future. Mrs. Yard advised that isn't an issued to be considered for the contracted staff, as they will already have hook up to take care of what they need. Mr. Mennen confirmed they do not tap into the County's system.

Mr. Holt recalls the Board last May agreed that Human Services needed space. He feels it is important to remember that we consider Public Health Nursing to be employees of the County, through an agreement with the Hunterdon Medical Center. They provide a service that is mandated by law and it has to be done and the County chose to provide these services through a professional services agreement with the Hunterdon Medical Center and the former agreement stated that space would be provided by the County. In the agreement which will be ready shortly, space will not be provided by the County but for now, in the interim space will be provided.

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

FINANCE continued

Mrs. Yard reported when the new Finance Director and County Treasurer took over in the Finance Department, they were asked to provide a 6 month review for the Board. Kim Browne, Finance Director and Margaret Pasqua, County Treasurer, are here to do that.

Ms. Browne briefly went through salaries and wages and operating expenses for the Board. Mrs. Yard reported if something was being spent over 50%, Ms. Browne and Ms. Pasqua reached out to the Departments in order to get a sense of the spending. Should anything stand out to the Board, Ms. Browne and Ms. Pasqua are prepared to discuss that with the Board.

Ms. Browne answered various questions for the Board concerning grants, when they are received and what the grants can be used for.

The Board discussed gasoline and diesel usage by the County's Roads and Bridges Department. Mrs. Yard stated at the August 05, 2008 meeting the Fleet Management Committee is submitting its recommendations to the Board, for emergency measurers due to the current state of the price of oil. The Committee will also submit suggestions to conserve fuel.

The Board thanked Ms. Browne and Ms. Pasqua for their good work and to keep the Board posted.

ROADS and BRIDGES

Mr. Sworen moved and Mr. Melick seconded this:

See Page 07/15/08-8A

RESOLUTION

RESOLVED, Approving a Mid-Block Pedestrian Crosswalk, on County Route 519 (Water Street), in Milford Borough.

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

Mr. Glynn reported Roads and Bridges was assigned to work with Parks and Recreation on the construction of a multi-use path across the Prescott Brook, in Clinton Township, from the Arboretum over to Echo Hill Preservation. This is the sketch phase. Written in the contract is for the contractor not to proceed until the County gets authorization to go to the design phase. The recommendation is to build a single stand truss, with a 90' span, which is similar to the bridge placed across the South Branch at the pumping station, in Franklin and Clinton Townships. It would be similar in size and scope to that bridge. There is also a small drainage structure that would be needed for the project. Mr. Glynn informed the Board that the cost to do the Trail/Bridge project is \$472,700 and there are no grant monies available at this time to assist.

Mr. Mennen stated that the report paints a gloomy picture that this project would probably not be blessed by the New Jersey Department of Environmental Protection (DEP) for permits. Mr. Glynn said he's looked at this and there is a contract to go into the feasibility phase and then the design

phase. This is crossing a lot of sensitive wetlands. There hasn't been a preliminary assessment on the historical issues such as if there are any Indian sites in the area or any other issues that would have to be addressed. Wildlife issues were identified, such as the Indian Bat that would have to be considered in the area and a few other things that the County would have to watch for when the construction is done. Mr. Glynn isn't aware of anything that would put an end to the project unless DEP finds something which is why he wants to meet early with DEP and show them the project and what the problems are. He feels this is a trail that is needed, and it will connect Echo Hill and the Arboretum. There are some classes that now have to walk through the trail. It would provide a convenience for maintenance equipment to be able to go between the parks without having to go out onto Route 31.

After further discussion with the Board concerning costs, Mr. Glynn suggested continuing with the design, not go to construction, and see if there might be some enhancement funds through the ICE-T monies. The County might be able to get some federal money for this as an enhancement project.

Mr. Mennen questioned the cost to continue to the next phase. Mr. Glynn said to continue to the design phase, the cost would be another \$80,000, and that has to be done in order to get permits. Mr. Mennen recommended going to DEP with the documents the County already has now, and talk. Mr. Mennen recommended instead of spending \$80,000, Mr. Glynn needs to have a conversation with DEP.

After further discussion, Mr. Glynn confirmed the concept and alignment is acceptable to the Board however, there is no approval to do any hard engineering until a clarification or an understanding is received from DEP on whether this will be permitted. Mr. Glynn will tell the contractor to stop design now, and meet with DEP to plead the case and see if we can get an understanding to continue and pull a permit before going to the next step.

Roads and Bridges Update

- Additional documentation was provided to the State Historic Preservation Office (SHPO) on the retaining wall in Pittstown on July 07, 2008. It could take SHPO 45 days to respond. Mr. Glynn would like to do this project, this year because the walls are disintegrating.
- The milling and patching have been done on Route 523 through Whitehouse Station. Patching will also be done this evening on 523, than the contractor will resurface Route 523 from Route 22 to the Readington Township Municipal Building and that should take 3 days. By Friday of this week the night time construction should be completed. The will need to be final clean up and the project should be wrapped by sometime next week.
- Bids are due on July 17, 2008 for the Route 514 project; it should be a competitive bid. This is a state aid project.
- Route 604 is advancing, a contract has been awarded for work and the revised proposals have been received for the storm drainage in Sergeantsville. The cost is \$92,000 but Mr. Glynn will be talking with the contractor about prices for a couple of inlets and he hopes to get that amount reduced.
- Comments have been received from Frenchtown Borough on the Frenchtown project through Alexandria. The County will be working to incorporate Frenchtown's comments into the final plans. The County is working with the gas company as gas will run from Milford through Frenchtown, and through Kingwood, it will come up through Point Breeze.

Director Peterson left the meeting at 7:04 p.m.

- The County is trying to get a temporary construction easement from a property owner in connection with Bridge M-110. There is an alleyway between the two properties, which Mr. Glynn feels is a public alleyway and would get a temporary construction easement on it. This would make the Oyster House a two-way operation with one driveway.
- The appraiser met with the property owner's family last Friday regarding Pennsylvania Avenue. This is the realignment of Pennsylvania Avenue and the elimination of the Pennsylvania Avenue Rail Road Bridge.
- The County will be working with KeyTech regarding Stevensburg, to do some soil borings to determine where the rock is. This is a restoration/rehabilitation of the triple stone arch bridge, it isn't any widening or removal of the bridge.
- Everyone is on board to do Bridge A-39, but the County waiting on the Historic Sites Council. The bridge has been reduced and the stone will be matched.
- Bridge H-64-W, is a joint project with Warren County, it is the restoration of a truss. There is \$200,000 in federal aid money for this project.
- Bridge R-99 was started on June 23, 2008; the boxes were set last Friday. The project should be completed and opened by July 25, 2008.
- DEP has requested additional information with regard to Bridge K-137 on Union Road.
- Bridge H-93 on James Road is closed for about 5 weeks. The deck is being removed and the truss should be out of there by the end of next week.
- A preconstruction meeting will be set up with Aussie Paining for the bridge painting project.
- The pad for the fueling dispensing project will be poured on July 28, 2008. Buildings and Maintenance has been helpful in pulling the building permits for the canopy foundation and the electrical permit for the fueling. He feels the County may want to consider placing an observation camera at the site.
- A kick off meeting for County Park bridge inspections will scheduled shortly as a contract was awarded to TransSystems (the former Leichtenstein Group).

- Local Lead projects, some are approaching 10 years and the process needs to be reviewed by all parties involved, state, federal and county personnel, because these projects should have been built by now.
- County Route 612 intersection will be closed on Monday by Anderson House. It will take 3 days to remove the road and put a new road in. The detour will be around Foran Blvd. The other section of River Road on Route 523 will be closed the following week. The old 523 up to the Lipton Tea Rail Road Bridge will be removed.
- Intersection 513/579 project is scheduled to start on July 21, 2008 but the County is having a problem with the utility company and the supplier of the stands for the signals, so the project could be delayed a week.
- Waiting to hear from Hatch Mott McDonald Group regarding Routes 513/579 intersection, in Everittstown, on their presentation to the State Historic Preservation Office.
- The power company has been asked to do their utility work up to Routes 517/523. County Counsel's office if finalizing the final agreements for the project.

Director Peterson returned to the meeting at 7:14 p.m.

CAMPA Request

A request from the Califon Area Merchants and Professionals Association (CAMPA), to borrow 750 feet of wooden snow fence and 100 metal fence posts, for use as crowd direction and parking boundaries, during their annual CAMPA Music Festival, on July 19, 2008, at Califon Island Park. Mr. Melick moved and Mr. Mennen seconded a motion granting permission for CAMPA to use the snow fence provided this is coordinated through the County's Department of Roads, Bridges and Engineering.

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

Mr. Melick and Mr. Mennen left the meeting at 7:16 p.m.

FARMLAND PRESERVATION

Mr. Sworen moved and Mr. Holt seconded this:

See Page 07/15/08-10A

RESOLUTION

RESOLVED, Approving a Contract for Sale of Development Easement from Margaret E. Augustine, Block 14, Lot 21.03, consisting of 62 acres, in Kingwood Township, (SADC-\$375,720, County-\$125,240, Township-\$125,240), total amount of \$626,200.

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

I-78/Parks and Ride

Mr. Holt reported he and the Planning Board Director, Sue Dziamara, attended a meeting at New Jersey Transit last week on the immediate and long term proposed solutions to the Route I-78 Corridor transportation issues, including bus, rail, park and ride, etc. Mr. Holt stated they were trying to get some of the short term solutions moved upon because while it has been a great study, there are no dollars behind it and it will probably end up on a shelf. While there is a focus to move people into New York City studies are showing that only 6% of the people coming from the Pennsylvania border are headed to New York City and over 50% of the people are headed into a 3 county area for work/employment. The County's focus needs to be on Inter-County/County to County transportation resolutions as part of the solution.

Mr. Melick and Mr. Mennen returned to the meeting at 7:18 p.m.

Ms. Dziamara advised the County has been talking about these issues for years at the Planning Board and the County is encouraging New Jersey Transit to find some short term solutions that the County can move forward with and get some relief out of them and bring transportation alternatives to the residents.

GRANTS

Mr. Melick moved and Mr. Sworen seconded this:

See Page 07/15/08-10B

RESOLUTION

RESOLVED, Approving Area Plan Grant #10-027/038, to provide seniors with a hot noon time meal and adult day care services, with Brideside Adult Day Centers, Inc., in the amount of \$38,384 in federal funds, \$8,458 in state funds and \$438,966 in local funds.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 07/15/08-10C

RESOLUTION

RESOLVED, Approving the grant renewal for the Kids are Riding Safe Program from New Jersey Division of Highway Traffic Safety, in the amount of \$25,925 in federal funds.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 07/15/08-11A

RESOLUTION

RESOLVED, Accepting a Victims of Crime Act (VOCA) subgrant award, from the NJ Department of Law and Public Safety, in the amount of \$73,369, (\$58,695 in federal funds and \$14,674 as a County Match).

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

Mr. Mennen moved and Mr. Sworen seconded this:

See Page 07/15/08-11B

RESOLUTION

RESOLVED, Approving an application with the United States Department of Agriculture, Natural Resources Conservation Service, for controlling invasive species and remediate failing water structures, for the Parks and Recreation Department.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 07/15/08-11C

RESOLUTION

RESOLVED, Approving an application for the Nutritional Sciences Dept. of Rutgers' Cooperative Extension, in the amount of \$185,857 in state funding and a County match of \$185,857.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 07/15/08-11D

RESOLUTION

RESOLVED, Approving an application with the NJ Transportation Dept., for funding for the Reconstruction of County Bridge M-110, over the Quequacommissacong Creek, in Milford Borough.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 07/15/08-11E

RESOLUTION

RESOLVED, Approving an application with the NJ Transportation Dept., for funding for the Reconstruction of InterCounty Bridge B-26-W, on Shurts Road, in Bethlehem Township, Hunterdon County and on Valley Road, in Franklin Township, Warren County.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 07/15/08-11F

RESOLUTION

RESOLVED, Approving an application with the NJ Department of Transportation for funding, for the Resurfacing of various County Roads, in Raritan, Readington and Tewksbury Townships.

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

CANCER CONTROL GRANT ACTIVITIES report

John Beckley, Health Director and Dr. Steve Godin, Cancer Control Grant Coordinator came before the Board.

Mr. Beckley explained that he and Dr. Godin are here this evening to inform the Board of the activities being done under the Cancer Control grant. This issue has come up in correspondence and he thought it would be useful for the Board to have a general sense of what is being done with the Hunterdon County Cancer Control grant. Dr. Godin is the County's consultant to the grant and has been very involved in shaping the grant.

Dr. Godin reported that skin cancer in New Jersey has increased 700% in the last 10 years. The Cancer Control grant project is about educating parents and their young children through signs, bracelets and other materials indicating when to put sunblock on. There are 30 sites in the state, in 6 different counties, with 5 sites per county. A message is sent to each site of what the Ultra-Violet (UV) Index is for that site, and it is posted. When the UV Index is high bucket hats or hats that cover the neck and shoulders should be used, as well as sunscreen, and sunglasses with UV filters. If the UV is 9 or higher, it is recommended to seek shade. If the UV goes higher than 10,

than there is a UV index of 11 which is a sun advisory where children should not be allowed outside in the sun and if they are allowed outside they should engage in wearing a hat, applying sunscreen and wearing sunglasses. There are 5 states moving in the direction of not allowing children to go outside for recess when the UV Index is above 10.

Dr. Godin stated bumper stickers are posted on Life Guard stands with various slogans to make parents recognize the dangers of the sun and that sunblock should be applied. One of the slogans is "Parents It's Past 10 am, Do You Know Where Your Sunscreen Is?" Lifeguards remind people throughout the day at 10 am, 12 pm and 2 pm remind parents to apply sunscreen. During the day at pools Life Guards quiz the children on sun safety and the sun safety fact during the day.

Dr. Godin informed the Board that the Cancer Control Commission only funded 3 projects in country and Hunterdon was one of the projects funded. Also, Hunterdon is the only project that did not receive a budget cut for the coming year. Hunterdon has hundreds of staff throughout 6 different counties working with this grant. They hand out informational materials, buttons, bracelets and such, promoting sun awareness.

Dr. Godin advised a problem in managing this project, is if he has 30 staff at the beach and another site becomes interested he has to make sure he has enough bucket hats, buttons, bracelets, signs, and bumper stickers, in order to launch that program in a timely fashion. There are different county health departments are involved, as are social services agencies and hospitals, and various sites are involved. It is important to get the information to them quickly.

Dr. Godin informed the Board that the National Cancer Institute wants him to write an article on Hunterdon's project so that they can put it in their newsletter. Dr. Godin feels this is a project that Hunterdon can be proud of.

Mr. Beckley stated the rates of melanoma in American young girls has gone up 50% between 1984 and now.

Mr. Holt confirmed that Hunterdon received the renewal grant this year; and that was for 6 counties. Dr. Godin explained as part of Hunterdon's special project from the Cancer Control grant, which is a separate grant, is participating.

Mr. Holt confirmed Hunterdon receives the grant funding and purchases supplies for the other counties. Mr. Beckley stated originally this project was crafted and developed in Hunterdon County and the state was so impressed they chased federal dollars to see if this could be exported to other counties in New Jersey; which is the reason the County received the CDC screen grant. Mrs. Yard confirmed that was in the amount of \$31,000. Mr. Beckley explained some of the materials being purchased now, have to be distributed to the other counties.

Mrs. Yard confirmed the grant is received with the understanding supplies be given to other counties. Hunterdon isn't reimbursed by the other counties. Mr. Beckley stated the grant is written so as Hunterdon receives the funds and purchases the materials to be supplied to other counties. Mr. Holt stated Hunterdon receives the grant and ships product outside the county.

Mrs. Yard advised a grant modification, which did not come before the Board for approval, and was presented as a Chapter 159 by the former County Treasurer, provided the additional \$31,000. A letter was received from the state, from Margaret Knight, advising an additional \$31,000 has been approved to the County. The budget modification which did not come to the Board, reflected that the grant would be going out to 5 other counties. Mrs. Yard confirmed with Mr. Beckley that the other counties do not receive grant funds for products.

Mrs. Yard confirmed with Mr. Beckley that the County chose to make the sun safe program under the Cancer grant. The \$65,000 is the base grant and the \$31,000 was the additional grant approved to provide materials to other counties.

Mr. Beckley said he would like to see the school boards adopt a policy and create a new norm by teaching the youth about the dangers of the sun.

Dr. Godin informed the Board that the counties that participate in the giveaways are: Ocean, Monmouth, Cape May, Sussex, Warren, Morris County and Hunterdon. Mrs. Yard stated she called her counterpart in Warren County and they knew nothing about this. Mr. Beckley advised in Warren County the program is being done through NORWESCAP and Sarah Price is their contact person and NORWESCAP cap received the base cancer grant.

Director Peterson suggested Mr. Beckley and Dr. Godin meet with Mrs. Yard and go through the grant and what they are doing in advance. That should help elevate problems with ordering materials. Mrs. Yard stated there is a full time employee in the Health Department, Mark Katz, and that is his job, when you look at the objectives of the grant. She reminded Dr. Godin that he isn't working alone, the County has an employee dedicated, full time to do that work. Mr. Beckley stated Mr. Katz meets regularly with Dr. Godin, takes counsel from Dr. Godin and does his very best to implement the program.

Dr. Godin confirmed for Director Peterson that Hunterdon will be monitoring this program again next year and there will be 2 additional sites to Hunterdon's 5. More supplies will be needed because the hats are not returned, the lifeguards keep them and the UV wrist bracelets move quickly. Mrs. Yard said there is now a historical perspective and Dr. Godin and Mr. Beckley can keep track of everything ordered.

Director Peterson asked if there were agreements with the other counties for this project. County Counsel DeSapio was asked to talk with Mr. Beckley about agreements. Director Peterson advised he doesn't want Hunterdon to have any liability issues.

Health Inspections

Mr. Melick confirmed with Mr. Beckley that most of the Health Department's services are providing work for the municipalities in doing inspections, including sanitary. When the Health Department originally started he recalls the object was to provide services for the municipalities so they could take advantage of the Department's expertise and each municipality would not have to hire a health person, so this is a cost savings to the municipalities.

Mr. Melick asked Mr. Beckley if he could provide an analysis of what it costs the County to provide these services to all 26 municipalities. He confirmed there are contacts with the municipalities for these services. Mr. Beckley advised the only revenue gathered from the 26 municipalities are the food inspection fees. There is an itemized listing of the 26 municipalities indicating how much they pass through to the County; what the municipalities do is license their restaurants, they hold the money and the County does the inspections and invoices them. The cost is \$10.80 per capita per year.

Mr. Melick asked Mr. Beckley to provide a detailed analysis of what the County's commitment is for personnel and the inspections that take place. Mr. Beckley said the annual cost is the budget for the Health Department. That is the cost for them to provide all the services. Mr. Melick would like an update including any overhead to provide these services. Mr. DeSapio informed Mr. Beckley that Mr. Melick is asking what are the services that the Health Department provides for the municipalities and how much does it actually cost the County to provide those services. Mr. DeSapio asked if Health Department personnel are used to provide any other service other than what is provided to the 26 municipalities. Mr. Beckley said the cost is the budget provided to the Health Department minus the revenue brought into the County, which is \$300,000 to \$400,000 divided by 130,000 residents. That is the net costs. Mr. Beckley said that does not include grants, it is just County dollars that support the activities of the Health Department. Every program done at the Health Department is provided to every municipality. Mr. Sworen stated there is a Haz-Mat team and that is part of the budget but that isn't something that is allocated evenly to each municipality because it is a County-wide service. What are the costs for food licenses or inspections if a municipality held a carnival/fair, because temporary licenses would be issued. What are the special services provided and what are those costs and revenues.

Mr. DeSapio said the InterLocal Service Agreements with municipalities cover the food license inspections and septic inspections. Mr. Beckley said state statutes say that all 567 municipalities have a legal responsibility to provide all the mandated public health services and the public health services required are embodied in the Public Health Practice Standards. Hunterdon's municipalities decided 30 or more years ago, that rather than each municipality creating their own Health Department with a Health Officer; that they bought into a regional concept to cost share and come together. This is the perfect example of a shared services and it has been hailed of one of the best examples as to how costs are lower for every municipality. The purpose of the InterLocal Agreement is the pool through which the local Board of Health engages and defers and agrees to deputize and authorize the County Department of Health to perform services. Mr. DeSapio that some municipalities charge permit fees for some services. Mr. Beckley said the only permit fees are for food inspections. The County charges fees directly for all septic and well permits. Mr. Beckley advised that is the revenue the department brings into the County.

After further discussion, Mr. DeSapio confirmed with Mr. Beckley that he will to the Board the financial information/comparison on what his staff makes and what is being provided to each municipality.

CORRESPONDENCE

Request from the North Jersey Resource Conservation and Development, for the release of digital tax parcel data along the Musconetcong River from Finesville to Bloomsbury has been withdrawn.

FOR DISCUSSION

Nick Corcodilos, Clinton Township Mayor came before the Board to discuss COAH issues.

Director Peterson explained at the Board's last meeting, the issue was raised about the several Hunterdon municipalities who have joined to file a lawsuit regarding COAH issues. The Board had some questions about what your coalition was doing and what the New Jersey League of Municipalities is doing and what other groups are doing. The Board is considering supporting your group but there were some questions.

Director Peterson asked Mr. Corcodilos to provide the Board with a run down on what coalition is doing.

Mr. Corcodilos explained his group has 19 municipalities who filed an action this afternoon with the Superior Court, Appellate Division. 5 of the towns are in Hunterdon County and they have engaged in a shared services agreement with Clinton Township being the lead town. Each town has contributed \$8,000 to the legal fund. The Somerset County Freeholders recently notified them that they are making a contribution to the legal fund. This is an outgrowth of what has been known as the 7 town group, which are located along the Route I-78 Corridor, which formed a few years ago to work on various issues which interest their communities, including the New Jersey Transportation Planning Authority controversies, the state plan and other issues. The mayors in these towns are close knit and have learned to talk to each other about issues and they support each other state and County issues as they arise.

Mr. Corcodilos explained that recently because COAH and the municipal housing obligation promulgated recently to such a serious issues, their group has been joined by towns from 5 counties to work together to protect their interest. Because affordable housing is such a big issue, they decided to retain counsel, Stewart Konieg, who is the leading COAH strategist in the State of New Jersey. He typically represents the New Jersey League of Municipalities on COAH matters but in this case, he is handling their case.

Mr. Corcodilos stated the New Jersey League of Municipalities estimates that the new affordable housing rules coupled with the new passage of A-500 threatened to cost New Jersey property taxpayers in excess of \$4 billion. A-500 eliminates the affordable housing obligation from commercial development. In the past a commercial developer would have not only generated an affordable housing obligation of a municipality, which they still do today, but they would have been obligated to help pay for it. Instead of doing that, the State is requiring a 2.5% commercial development fee from the builders which goes straight to the state, not the municipality and the commercial builder at that point is relieved of any obligation regarding affordable housing.

Mr. Corcodilos advised that COAH, by its own calculation, says there will be 31,762 affordable units generated by commercial development between 2008 to 2018. COAH provides the number of \$162,000 as the cost to build an affordable housing unit, which in Hunterdon County is low. The total cost over 11 years for the commercially generated affordable housing units is over \$5 billion. \$467 million for a year state-wide. The fee raised by the 2.5% commercial development fee calculated by the New Jersey Office of Legislative Services is \$163 million. Instantly there is a \$300 million shortfall state-wide over the 11 year period. There is an additional \$200 million shortfall state-wide related to the retroactive component of the new COAH rules. COAH said you need to go back in time, and you owe additional affordable units for developments to which the municipality has already contributed its affordable housing obligation. This is \$500,000 worth of obligation costs. Today there is no more than \$142 million annually worth of federal and state subsidies to cover affordable housing development. Mr. Corcodilos stated this is why they are suing the State of New Jersey, they filed an appeal over the COAH rules, it is filed with Appellate Division.

Mr. Corcodilos provided a history for the Board, stating in March 2008, the 7 town group submitted a letter to State Commissioner Doria protesting the proposed rules and they were joined by a total of 54 municipalities across the State of New Jersey and no response was received from the Commissioner's office. COAH rules were adopted and in May 2008 Municipal Mayors submitted letters to the New Jersey Assembly protesting A-500 which eliminates the regional contribution agreement component of affordable housing delivery and also took away the obligation from commercial developers in exchange for the 2.5% fee. His group has now moved onto litigation and Mr. Corcodilos believes his group will win this case; largely because of one component, and that is the fact that the Fair Housing Act prohibits any requirement that municipalities expend municipal revenues, property tax dollars, to deliver affordable housing. The COAH rules as they stand today require the expenditure of municipal funds. You cannot build the affordable housing that COAH mandates without spending tax dollars.

Mr. Corcodilos stated although he feels they will win this case, he feels the real solution to this problem will be a legislation action which will be a rewrite of the Fair Housing Act. COAH needs to be take out of the compliance business and the legislature needs to find new ways to deliver affordable housing.

Mr. Corcodilos advised the New Jersey League of Municipalities has asked municipalities to contribute \$500 each, which Clinton Township has done. The League supports his action and they support the League's action, they are not mutually exclusive in any way, they both believe they are both necessary. The differences between his litigation and the League's is that the League represents 566 municipalities which include urban, suburban and all sorts of towns which have mixed interests and the League is required to represent all of them properly, so the League cannot put one town at odds with others. The League has appropriately developed a case which supports all its members but he doesn't believe it adequately supports the specific issues his towns are facing. Mr. Corcodilos believes his group's case is stronger because it points to very profound errors and problems with COAH's methodology.

Mr. Corcodilos advised towns have to meet 3 criteria to be in their action: one they have to be fully compliant with COAH today; two they must have filed their 3rd round plan already and finally, they must have been assigned an obligation by COAH which isn't supported by available certificate of occupancy, jobs projection data, and population projection data.

Mr. Corcodilos answered questions for the Board. Director Peterson stated that the Board was considering a contribution and questioned what Somerset County is contributing. Mr. Sworen stated the County has already been supply information through the County's Planning Board.

Mr. Corcodilos advised Somerset County has not take any action yet, they asked for a copy of their InterLocal Agreement and they said this is a shared services project. Somerset's attorney will rework this agreement to suit Somerset. Since the papers are already filed no one else can become a litigant in their action but the Somerset Freeholders intent to make a contribution to the action. The figure mentioned was \$10,000.

Mr. Mennen asked if Mr. Corcodilos' group is taking a position or seeking clarification with regard to the interplay between Highlands Regulations and COAH rules, given the fact that in this area of the state the League may not aptly represent those issues. Mr. Corcodilos stated one of the issues they are raising is that COAH has failed as required under the Fair Housing Act. Mr. Mennen would like to see a copy of the complaint.

Mr. Melick feels Hunterdon could make a contribution but the Board has to do some research to determine where the funds would come from. The Board agreed. Mr. Melick asked County Counsel DeSapio to weight in on this and to contact his counterpart in Somerset County to get some information.

Mrs. Yard asked Mr. Corcodilos if he received any assistance from the Hunterdon County Chamber of that she contacted the Chamber of Commerce on this issue. Mr. Corcodilos said he's been swamped with legal issues and did not approach the Chamber. The key has been mayors talking to mayors.

FREEHOLDERS ASSIGNMENT REPORTS

Farming/Parks properties

Mr. Sworen questioned the number of farms the County through Parks and Recreation. He feels this should be opened up to the public. The Board needs to discuss this in public because the Board needs to know what the contracts are, what is being offered and what the County is getting in return. Mrs. Yard advised there was a meeting with Soil Conservation, in the past 2 months, and they provided a recommendation for each County property that is farmed, a land management protocol. She talked with Purchasing to make sure that is included in the Request for Proposals. The County is getting closer to what the RFP's should include, property specific. Mr. Sworen would like to have a public discussion on the RFP's for Freeholder review. Mrs. Yard said the Board needs to make a judgement on whether this should be bid on or is it enough to say a farmer has to follow these practices for a property or the County can ask what will be paid to the County to have the privilege of farming County property with the practices from Soil Conservation.

Open Space Ballot Question

Mr. Sworen stated he and Mr. Mennen have been working on the Open Space Ballot Question and provided the Board with a draft copy. Mr. Mennen explained this a assimilation of language from previous ballot questions and this also took into account some of the research that was reported to the Board by the Trust for Public Lands at the last meeting. This is an effort to clearly address some concerns people have had.

Mr. Mennen asked the Board to look the resolution and possibly consider this for adoption at the August 05, 2008 meeting.

Transportation:

NJTPA

Mr. Holt reported at the NJTPA (North Jersey Transportation Planning Authority) meeting yesterday it was decided that the NJTPA would join with the NJAC (New Jersey Association of Counties) to seek the approval of a resolution to increase, a suggested increase, in the annual Trust Allotment for Local Aid for bridge and road work. An analysis has been done that says that the statewide County need is \$475 million and that includes resurfacing, bridge work, road construction, and more and another \$354 million is needed for local/municipal aid for same type of work. The Trust Fund is set up to only provide \$175 to the municipalities and counties and \$25 million is set up for County bridges for a 10 year time frame. The draft resolution to be addressed by the NJTPA in 2 weeks; would push that the State Transportation Trust Fund be increased to \$300 million a year and that would be divided between the counties and municipalities. This would increase the bridge allotment to \$50 million and it would provide for \$25 million in discretionary funds.

High Bridge

Mr. Holt reported New Jersey Transit is upgrading 33 of their newest diesel locomotives. Both High Bridge Borough and Raritan Township have experienced idling engine issues last at night. New Jersey Transit will spend \$1.5 million to upgrade 33 of the diesel engines with automatic shut down units, allowing them to shut down for a period of time, monitor temperatures, start the engine back up but shut them down again in order to reduce some of the idling. The benefit is to safe fuel which could amount of \$900,000. The benefit is that some of those idling engines are in High Bridge Borough. The retrofitting could be done in 6 to 9 months.

Train Noise

Mr. Holt advised another topic at the NJTPA meeting was the Noise Reduction Act which is being looked at by the Federal Trade Transportation agency. They are looking at rail crossing to determine where in the United States they could potentially upgrade the crossings so that the pulling of the horns (3 long and 1 short) would no longer need to be done.

Open Space Advisory

Director Peterson advised at the next meeting he will supply the Board with a copy of the comments that were made with regarding to the Open Space Advisory Committee that the County is putting together.

Computer Network

Director Peterson reported a letter was received on July 09, 2008 from Fiber Technologies Network who will be wiring Hunterdon County with a fiber optic network. This was a component with regard to connecting the County's facilities together. He is aware the County has a grant deadline with the PARIS funds but if there is any time left to investigate what Fiber Technologies timeframe is or if we can get them to juggle their timeframe that would benefit the County and maybe not have to go through with having towers because this might be an option that would elevate the issues that were raised regarding going wireless. Director Peterson said the County might be able to save money by doing this. He asked if there is any interest.

Director Peterson said Fiber Technologies Network is asking for permission to use the County's right of ways and the County might be able to parlay this into something that could benefit the County.

The Hunterdon County Board of Chosen Freeholders recessed their meeting at 9:02 p.m., returned to Open Session at 9:12 p.m., recessed at 10:37 p.m., reconvened in Executive Session at 9:18 a.m. on Friday, July 18, 2008.

There being no further business to come before the Board, Director Peterson adjourned the meeting at 10:20 a.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board