

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Historic Court House, Main Street County Complex, Second Floor
Flemington, New Jersey 08822

May 20, 2008

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:09 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

OPEN PUBLIC MEETINGS ACT

Director Peterson announced: "This meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been given by posting throughout the year a copy of the notice on Bulletin Boards on the First and Second Floor of the Main Street County Complex, Building #1, Flemington, New Jersey, a public place reserved for such announcements. A copy was mailed on or before May 15, 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. Sworen moved and Mr. Holt seconded these:

See Page 05/20/08-1A RESOLUTION

RESOLVED, Executive Session to discuss the dissolution of the Hunterdon County Housing Corporation.

See Page 05/20/08-1B RESOLUTION

RESOLVED, Executive Session to discuss personnel issues in the Sheriff's Office.

See Page 05/20/08-1C RESOLUTION

RESOLVED, Executive Session to discuss issues regarding salaries for unclassified and appointed individuals.

See Page 05/20/08-1D RESOLUTION

RESOLVED, Executive Session to discuss negotiations with unclassified employees.

See Page 05/20/08-1E RESOLUTION

RESOLVED, Executive Session to discuss legal procedure to be used with the budget dispute with the Sheriff.

See Page 05/20/08-1F RESOLUTION

RESOLVED, Executive Session to discuss and review various executive session minutes.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:13 p.m. and reconvened in Open Session at 5:13 p.m.

SHERIFF

The Sheriff was invited and attended open session of today's meeting to discuss the need for additional moneys in her budget to perform required court house security duties.

Sheriff Trout began her presentation by addressing Freeholder Melick and his recent request for ELEC to investigate the Sheriff's reports to this agency. Sheriff Tout reprimanded Mr. Melick's inquiry stating she was highly offended and that all of the bills were paid and that before he makes another accusation he should look further.

Sheriff Trout turned the floor over to Undersheriff Maloney and Mr. Muller who presented a verbal response to the May 09, 2008 memorandum written by County Administrator, Cynthia J. Yard, on behalf of the Board.

Mr. Maloney spent a considerable amount of time disputing the contents of the letter and requesting the work product of the Board in their budget consideration. Director Peterson provided the requested document. County Counsel DeSapio and Mr. Maloney engaged in a conversation retarding the work product.

Mr. DeSapio requested on behalf of the Board the security plan which was provided to Judge Ciccone and any other documents which would demonstrate the Sheriff is unable to perform required court house security duties other statutorily prescribed functions within the \$1,498,460 budget. Mr. DeSapio also shared with the Sheriff and her Undersheriff's, the 2006 modified operations review duty sheets that provided a staffing allocation/assignment on any given day. Mr. Maloney indicated that is not a true picture of staffing needs. The court house security plan was discussed and Mr. Maloney admitted that there was not a full court house security plan provided to the Judge but an in camera review. Mr. DeSapio questioned the Sheriff's representatives of the Hunterdon County Justice Center Security Committee and what the involvement or knowledge has been of this plan presented to the Judge. Mr. DeSapio asked if the Sheriff's representatives know of this committee, its structure, function and representation. Mrs. Yard was requested to communicate what the Justice Center Security Committee is and who is on this committee since Mrs. Yard stated the last time the committee convened was under Assignment Judge Graham Ross and representatives were present from the Prosecutor's Office, Sheriff's Office, Public Safety Director, George Wagner, and herself. The Sheriff's representative confirmed that this plan has not been submitted to this committee, but Assignment Judge Ciccone obviously has seen it as she was the one who ordered it.

Mr. Holt discussed the differences between the County's budget worksheet and the Sheriff's final budget worksheet from the May 13, 2008 correspondence. The County approved the budget with 15 Sheriff's Officer, 3 Undersheriff's and no new position of Confidential Aide. Mr. DeSapio inquired what is the problem of providing required court house duties with their complement of staff?

Mr. DeSapio again requested the Sheriff's Office to provide documentation which supports the Sheriff's inability to perform regular court house security with the established budget. Mr. DeSapio also questioned how a newly created position of Confidential Aid fits into the required court house security duties.

Mr. Maloney continued to attempt to demonstrate why the budget was inadequate. He spoke of the past Sheriff's administration and the staffing allocation and also the turnover of Sheriff's Officers which according to Mr. Maloney requires the Sheriff's Office to maintain 17 Sheriff's Officers and the equivalent of 7 full time security guards.

Sheriff Trout expressed her displeasure in the Board's questions and asked for information to make an informed decision. At one point, Sheriff Trout stated there were 23 Sheriff's Officers assigned to the Sheriff's Office and the reason she was able to cut security guards hours was due to the compliment of Sheriff's Officers.

After much discussion the Board requested Sheriff Trout and her representatives to provide the following information:

- (1) A copy of the security plan submitted to Judge Ciccone.
- (2) A copy of the Federal Marshal's staffing review.
- (3) A daily staffing pattern which demonstrates how staff was allocated.
- (4) A copy of the 2008 Capital Requests.

A fifth item was requested which was assigned to the County Finance Office to establish the real dollar amount needed for staffing adjustments.

Sheriff Trout completed her presentation by reading the attached statement.

Mr. Melick requested the status of a grant request for equipment. The Board took no action at this time.

CULTURAL & HERITAGE COMMISSION

Stephanie Stevens, Chairman, Cultural and Heritage Commission introduced the Board of Chosen Freeholders to the students and parents present for the awards of Mini-Historian and explained, what a Freeholder is and does and that Hunterdon County was founded in 1714. Hunterdon County is 294 years old. It is older than the United States of America.

Mrs. Stevens thanked the parents for encouraging their children to learn about Hunterdon County and the teachers for instilling an interest in history in their students.

Mrs. Stevens announced to those present the Honorable Mentions: Hannah Fisher and Scott Rasile from the Delaware Township School; Catherine Moody and Carmine Ricciardi of the Franklin Township School; Alexandria Earhard, Samuel Huey, Kaitlyn Krejdovski and Emily Scott from the Frenchtown Elementary School; Francesca Cafaro, David Wernicki, Miles Mancini, Daniel Shea, and Brendan McGill from the Tewksbury Elementary School.

Mrs. Stevens announced the Second Place Winners: Emma Kerrigan from the Delaware Township School, Jesse Taylor from the Franklin Township School, Maggie Nugent from the Frenchtown Elementary School, Steven Muentener from the High Bridge Elementary School, Tommy Palka from the Kingwood Township School, Samantha Dlugaszewski from the Lebanon Township Elementary School and Thomas Bishoff from the Tewksbury Elementary School.

Mrs. Stevens announced the First Place Winners: Madeline Johnstone from the Bloomsbury Elementary School; Helen Avery from the Califon Public School; Allana Cursley from the Delaware Township School; Bennett Mirabito from East Amwell Township – Home School Student; Katherine Barbieri from the Barley Sheaf School; Tabbatha Schultz from the Franklin Township School; Laura St. Onge from the Frenchtown Elementary School; Kayla K. Aguilar

Cserr from the Kingwood Township School; Christa Baldino from the Lebanon Township Valley View School; Sean Thompson from the Milford Public School; Amy Fallat from the Readington Township Holland Brook School; Nick Matukaitis from the Tewksbury Elementary School and Allison Hedrick of the Hunterdon Christian Academy.

Mrs. Stevens announced the 2nd Place Winner for the County is Tabbatha Schultz, from the Franklin Township School, for writing about "Lord Stirling's Apple Jack Brandy".

The Grand Prize Winner of Mini-Historian for 2008 of Hunterdon County is Nick Matukaitis from the Tewksbury Township Elementary school, for his writing about "Ancient Indian Campsites".

The Hunterdon County Board of Chosen Freeholders thanked all the students who participated in this worthwhile event and the parents who encouraged their children.

Mr. Melick moved and Mr. Mennen seconded this:

See Page 05/20/08-3A **PROCLAMATION**

RESOLVED, Declaring May as National Historic Preservation Month.

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

The Hunterdon County Board of Chosen Freeholders recessed at 6:47 p.m. to allow for picture opportunities for the students, parents, Freeholders, teachers and the press.

The Hunterdon County Board of Chosen Freeholders returned to Open Session at 7:03 p.m.

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

FINANCE

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/20/08-3B **CAPITAL ORDINANCE NO. 05-08**

INTRODUCTION, ORDINANCE AUTHORIZING THE ACQUISITION OF EQUIPMENT FOR THE HUNTERDON COUNTY PARKS AND RECREATION DEPARTMENT BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$32,500.00 THEREFORE.

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

Deputy Director Mennen opened the public hearing on Capital Ordinance No. 02-08. There being no comments or questions from the press or public, Mr. Melick moved and Mr. Holt seconded a motion to close the public hearing.

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

Director Peterson returned to the meeting at 7:06 p.m.

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/20/08-3C **CAPITAL ORDINANCE NO. 02-08**

ADOPTION, ORDINANCE AUTHORIZING THE ACQUISITION OF OFFICE FURNITURE, FIXTURES AND BUSINESS EQUIPMENT BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$80,500.00 THEREFORE.

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

Director Peterson opened the public hearing on Capital Ordinance No. 03-08. There being no comments or questions from the press or public, Mr. Holt moved and Mr. Mennen seconded a motion to close the public hearing.

Mr. Holt moved and Mr. Sworen seconded this:

See Page 05/20/08-3D **CAPITAL ORDINANCE NO. 03-08**

ADOPTION, ORDINANCE AUTHORIZING THE ACQUISITION OF COMPUTER EQUIPMENT BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$138,100.00 THEREFORE.

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

Director Peterson opened the public hearing on Capital Ordinance No. 04-08, authorizing the upgrade of the County-wide network for various County campuses, in the amount of \$1,000,000.

John King, Mayor, Raritan Township asked the Board to not take action this evening on Capital Ordinance No. 04-08, as there is still objection from people in the Township. Mayor King does not feel the County's plan considers the needs of Raritan Township. He has heard from people in the community who will be affected by this visually.

Director Peterson asked all those interested in addressing Capital Ordinance No. 04-08 to let the Board know your concerns.

Lou Reiner, State Highway 12, in Raritan Township, informed the Board he has no problem with the cell phone tower and feels the County should move forward with the project.

Brian Skeuse of Goat Hill Road, Raritan Township, raised questions to the necessity. He stated he is concerned about the construction and its location. Mr. Skeuse stated it is a beautiful community and feels 220' is unsightly. He asked the Board to review the location again. He also recommended having more than one tower, which would be smaller. Mr. Skeuse also recommended the County review the necessity of the tower.

Tom Huber of Bonetown Road, Raritan Township, is concerned that his property value will be impacted because of the tower. He asked about potential health risks because he has small children and there are numerous children on Bonetown Road. Mr. Huber asked if this is the best option for the County.

Woton Annazio of Raritan Township also shared his objections based on property values.

Tim Bart informed the Board that he was in contact with the County's Offices today and the Freeholder Clerk put in him tough with the County Architect who was quick to answer his questions and provide information. He also is concerned about property values. He asked if any thought has been put into minimizing the effect of the facility.

Mary Ann Romapola of the Raritan Township Environmental Commission asked the Board to work with the Township.

Mrs. Weisenpacker of Bonetown Road, Raritan Township asked if the tower will be place by the off leash area or Chicken Coop (Route 12 County Building #1). She is concerned about the necessity of the tower and would like to see historic Hunterdon County preserved, as well as her own home.

Valerie Bart of Raritan Township, asked if there isn't another way to do this, does the County have to use towers, can't the County use underground wiring.

Mr. Sworen explained this process has been going on for two to three years. A couple of years ago the County was looking at fiber and the costs to install fiber would have been around \$1.8 million. The costs for fiber installation is around \$1.8 million plus around \$1 million for maintenance costs. This is your taxpayer dollars.

Mr. Sworen explained the County is using more and more information and the County has 5 separate places they can't talk to each other and it is felt that this project will bring all 5 areas together.

Mr. Sworen advised the Information Technology Department has looked at this project and the County is able to receive PARIS grant funds to pay for parts of the project upgrades. Mr. Sworen stressed the towers are not cell towers or microwaves, they are laser beams that go between the towers and they can carry up to 2 gigabytes. With this system, the costs of installing the tower and the equipment is through the Paris Grant; it has been approved by the state to use those funds to purchase this equipment. He advised there isn't the same health risk as the microwaves in the 1970's or 1980's. This is a different process; plus the towers have to be a certain height and as the tower becomes higher the FAA gets involved with lights for the tower. That was also a part of the consideration. The tower at the Route 31 building was moved at the request of Raritan Township. Should phone lines ever go down, the County can rely on these towers to keep information flowing, it will be on this laser beam technology. If an emergency should happen, the R.A.C.E.S. group (Ham Operators) will be able to stay in contact with the County.

Mr. Sworen stressed there was a lot of research and a lot of information considered. He further explained that the County's Information Technology Director and County Architect have looked around to determine the best location of the towers for the County.

Mr. Sworen stated that Raritan Township was contacted along time ago and all the documents were given to them and had the County come in because the County could do this work without getting any approvals from the Township, but the County chose try and work with the Township. He confirmed Raritan Township has all the documents and information at this time and they were give information throughout the whole process.

Mr. Sworen informed Ms. Bart that this will be a laser technology and for security reasons, it won't be able to be intercepted. It is a beam that will go from Route 12 to the Main Street County Complex; a beam will go from Route 12 to the 911 Center/Emergency Services, a beam will go from Route 12 to the Route 31 Center.

Mr. Sworen said the next step would be to try inter-act with police departments and ambulances. It is anticipated that all the police departments will want their own service.

Mr. Sworen said eventually the T1 lines and DSL will be gotten rid of and the County will use this power. Mr. Sworen said if the Board had known anyone was coming to object to this tonight, he would have made sure someone from Information Technology was present to answer their questions.

Mr. Sworen advised the County is trying to provide low cost options for the taxpayers of the County. He noted that hundreds of hours have been spent in looking at every option available to come to the decision before us today and today the Paris grant is here also to save the County and its taxpayers \$1 million.

Mayor King asked if the Board would not close the public hearing on Capital Ordinance No. 04-08 tonight and try to work with the Township.

Mr. Mennen stated when Capital Ordinance No. 04-08 was introduced at the May 06, 2008 meeting, discussion was held on whether an extension could be gotten for the Paris Grant and through the County's professionals' efforts the Paris Grant has been extended through November 30, 2008. Director Peterson feels that will give everyone time to work together.

Mr. Mennen stated the new drop dead date for the Paris Grant does not provide much time. Mrs. Yard volunteered to have the County's Manager for the PARIS Grant provide a timeline for the project.

Mr. Holt moved and Mr. Melick seconded a motion to close the public hearing on Capital Ordinance No. 04-08 and added that both the County and Raritan Township need to know what each other is doing and where we are headed.

Director Peterson asked that the County Architect, Information Technology Director, Purchasing Agent and County Administrator meet with Raritan Township representatives to discuss any issues and report back to the Board.

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

John P. Davenport, County Purchasing Agent informed the Board that bids for this project are due in two days. The Board directed Mr. Davenport to postpone the bids.

Director Peterson opened the public hearing on Bond Ordinance No. 06-08. There being no comments or questions from the press or public, Mr. Holt moved and Mr. Melick seconded a motion to close the public hearing.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 05/20/08-5A BOND ORDINANCE NO. 06-08

ADOPTION, BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF VARIOUS PUBLIC HIGHWAYS, ROADS AND STREETS IN, BY AND FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$8,050,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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

Director Peterson opened the public hearing on Bond Ordinance No. 07-08. There being no comments or questions from the press or public, Mr. Mennen moved and Mr. Sworen seconded a motion to close to the public hearing.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/20/08-5B BOND ORDINANCE NO. 07-08

ADOPTION, BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF VARIOUS BRIDGES AND CULVERTS IN, BY AND FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,685,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

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

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/20/08-6A

CAPITAL ORDINANCE NO. 08-08

ADOPTION, ORDINANCE AUTHORIZING IMPROVEMENTS AND EXPANSION OF THE EVERITTSTOWN GARAGE STORAGE FACILITY, BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$450,000.00 THEREFORE.

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

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

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

Mr. Swore moved and Mr. Mennen seconded this:

See Page 05/20/08-6B

CAPITAL ORDINANCE NO. 09-08

ADOPTION, ORDINANCE AUTHORIZING THE ACQUISITION OF HEAVY PUBLIC WORKS MACHINERY, EQUIPMENT AND TRUCKS FOR THE COUNTY ROADS AND BRIDGES AND VEHICLE SERVICES DEPARTMENTS AND BUSES FOR THE HUMAN SERVICES DEPARTMENT BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$960,000.00 THEREFORE.

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

Director Peterson opened the public hearing on Capital Ordinance No. 10-08. 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. SWOREN, MR. HOLT, MR. MELICK, MR. MENNEN, MR. PETERSON.

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 05/20/08-6C

CAPITAL ORDINANCE NO. 10-08

ADOPTION, ORDINANCE AUTHORIZING THE UPGRADE AND REPLACEMENT OF VARIOUS COMMUNICATIONS EQUIPMENT FOR THE HUNTERDON COUNTY EMERGENCY MANAGEMENT FACILITY AND APPROPRIATING \$273,000.00 THEREFORE.

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

Director Peterson opened the public hearing on Capital Ordinance No. 11-08. There being no comments from the press or public, Mr. Mennen moved and Mr. Sworen seconded a motion to close the public hearing.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 05/20/08-6D

CAPITAL ORDINANCE NO. 11-08

ADOPTION, ORDINANCE AUTHORIZING THE ACQUISITION OF COMPUTER EQUIPMENT AND FURNITUE FOR THE ESTABLISHMENT OF A COMPUTER CRIMES UNIT FOR THE HUNTERDON COUNTY PROSECUTOR BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$25,000.00 THEREFORE.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/20/08-7A

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services approve the insertion of an item of revenue in the 2008 Budget for the Clean Communities Entitlement, in the amount of \$47,885.75.

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

Mr. Mennen moved and Mr. Holt seconded this:

See Page 05/20/08-7B

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services approve the insertion of an item of revenue in the 2008 Budget for the Human Services Advisory Council, in the amount of \$1,000.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/20/08-7C

RESOLUTION

RESOLVED, Authorizing the cancellation of a grant receivable/reserve, for the 2006 Sexual Assault Nurse Examiner/Response Team, in the amount of \$3,810.25.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 05/20/08-7D

RESOLUTION

RESOLVED, Authorizing the cancellation of a grant receivable of \$323.65 and reserve of \$323.50, for the 2005 Homeland Security Grant.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 05/20/08-7E

RESOLUTION

RESOLVED, Authorizing the cancellation of a grant receivable and reserve for the 2006 County Environmental Health Act, (receivable \$7,537.68 and reserve \$7,538.27).

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 05/20/08-7F

RESOLUTION

RESOLVED, Authorizing the cancellation of a grant receivable of \$34,901 and reserve of \$34,900.88, for the 2007 County Comprehensive Alcoholism Grant.

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

CHAMBER OF COMMERCE

Michael Capabianco of the Chamber of Commerce informed the Board that with regard to animal pickup in the County, he is finding that some municipalities are happy with the system they have while others are not. He has asked the municipalities to adopt a resolution asking the County look to provide shared services for an Animal Control Program. 13 municipalities have approved resolutions saying this service should be provided by the County. The state is offering funding to do a feasibility study on this issue.

Mr. Capabianco advised if the Board wanted to move ahead, the next step would be to advertise for collection services. Either he or the County's Purchasing Agent would put out an RFP (Request for Proposals). If the costs were expensive, he would go back to the municipalities and ask them to pony up some money for the program.

Mr. Capabianco stressed the first step is to just see what this shared services program would cost. If the program isn't cost prohibitive, he would arrange to do all the leg work, and work with the state to get money for the program. If the state does not provide money for the program, then the program stops.

Mr. Melick informed Mr. Capabianco that animal recovery is a municipal responsibility. He asked Mr. Capabianco why he can't work with the municipalities to put together a shared services program for animal recovery. Mr. Capabianco advised the municipalities are saying this is something they think the County should do and he agrees with them.

Mr. Holt confirmed the first step is to advertise and obtain an estimate on what it would cost to do a feasibility study. Mr. Capabianco stated some of the municipalities are willing to put up money. The greater number of participants, the greater number of state funding.

Mr. Mennen confirmed with Mr. Capabianco is looking for the Freeholder Board to put out an RFP and the second step would be the County to put up a 10% match, so this can go to the next step. Mr. Mennen confirmed Mr. Capabianco is not looking for the County to buy-in on the concept of doing this program but to get the RFP out there to determine interest.

Mrs. Yard informed Mr. Capabianco that the County's Purchasing Agent must be involved from the beginning and through the process. Mr. Capabianco agreed.

Mr. Sworen also noted, as did Mr. Melick did earlier, that municipalities are required by law to provide this service to their municipalities.

Mr. Davenport said he has concerns and the program depends on what service will be provided.

Mrs. Yard said that everyone needs to be clear on what the final product is that is being looked for.

Mr. Sworen moved and Mr. Holt seconded a motion to pursue working with the Chamber of Commerce, Michael Capabianco, on shared services for an animal control program, and in putting out an RFP for those services and the County will contribute a 10% matching grant which could be contributed by the municipalities.

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

The Board agreed that the County will fund the advertising of the RFP.

PLANNING BOARD

Sue Dziamara, Planning Board Director reported a few months she came before the Board to discuss a wastewater management plan. Her office sent letters to Hunterdon's municipalities and to date 13 municipalities have responded supporting a County Wastewater Management Plan, 3 municipalities do not support this, 8 municipalities are undecided and 3 municipalities have verbally given their support. Ms. Dziamara noted that Clinton and West Amwell Townships have submitted applications to the state and DEP has stated as long as there are no major revisions, that the state will approve their plans and she is aware that West Amwell's plan has already been approved.

Director Peterson questioned if all municipalities must be involved in the Wastewater Management Plan. Ms. Dziamara feels that the state is going to strongly encourage participation. The state has told her office that if a municipality needs to go to the state for any type of permit or amendments, the state will not approve those amendments or permits unless the municipality completes the wastewater management plan as part of the County process.

Ms. Dziamara informed the Board that some municipalities have plans that are ready to go to the state and if those plans are submitted before June 16, 2008 they will be reviewed under the existing rules but if they are submitted after June 16th, they will have to be submitted as part of the County's submission.

Ms. Dziamara explained she is present today to ask the Board if it wants the Planning Board to pursue being the agency for the Wastewater Management Plan for the County. The benefits to the County is the state would provide a \$100,000 grant for the County to do this and the Planning Board would be able to update some of its data bases and data layers and there would be a consistent, standardized format across the County. Ms. Dziamara stated this would support the shared services objective and it would promote the County/Municipal partnership. If the County is the Agency developing most of the modeling for the build out, she feels the costs would be reduced.

Ms. Dziamara confirmed for Mr. Mennen that the work can be done in-house by the Planning Board, the County's GIS Division and the County Health Department. Mr. Melick confirmed with Ms. Dziamara that there will not be a need for additional staff or additional resources.

Mr. Holt feels the County should move forward on this; he and Ms. Dziamara worked on this and he feels the costs to the taxpayers will be lower if the County takes the lead.

Mr. Mennen moved and Mr. Holt seconded this:

See Page 05/20/08-8A

RESOLUTION

RESOLVED, Approving the Hunterdon County Planning Board to serve as the lead agency for a County Wastewater Management Plan.

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

COUNTY PROJECT ADMINISTRATOR

Frank J. Bell, AIA, updated the Board concerning the issues at the Emergency Services/Communications Center. The County's insurance carrier has been contacted regarding the loss of various pieces of equipment. A change order will be necessary to authorize Embarq to order new equipment. Mr. Bell is setting up a meeting with Embarq and the County within the next week.

Mr. Bell advised with the assistance of the Public Safety Director, George Wagner, and his staff, the County was able to put together a list of equipment that will be needed to be ordered. He will report back to the Board at the June 03, 2008 meeting.

Mr. Mennen and Mr. Melick left the meeting at 8:33 p.m.

FARMLAND PRESERVATION

Ms. Dziamara brought before the Board a recommendation from the County Agriculture Development Board, recommending the approval of 3 PIG farms in Tewksbury Township.

Mr. Sworen advised he would like to see the paperwork on these farms.

Ms. Dziamara explained the 3 farms are listed to be on the State Agriculture Development Commission for approval this week and that can't happen without a resolution from this Board that they have granted approval.

After further discussion, Ms. Dziamara was directed to provide information to the Board that the HC CADB has granted approval for these farms during the year 2008.

Mr. Mennen returned to the meeting at 8:51 p.m.

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/20/08-9A **RESOLUTION**

RESOLVED, Approving the acquisition of a development easement from Kingwood Township on property owned by Margaret Augustine, Block 14, Lot 21.03, (SADC-\$373,641, County-\$124,547, Township-\$124,547), total amount of \$622,735.

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

Mr. Melick returned to the meeting at 8:53 p.m.

PURCHASING

Mr. Mennen moved and Mr. Sworen seconded this:

See Page 05/20/08-9B **RESOLUTION**

RESOLVED, Authorizing the award of Bid #2008-11, to furnish and deliver Ultra Low Sulfur Diesel Fuel, to Rachles/Michele's Oil Co., Inc., in an amount not to exceed \$1,860,565.

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

Mr. Holt moved and Mr. Melick seconded this:

See Page 05/20/08-9C **RESOLUTION**

RESOLVED, Authorizing the award of Bid #2008-12, for Safety Improvements to Routes 579 and 513, in Alexandria and Franklin Twps., to Z Brothers Concrete Contractors, Inc., in an amount not to exceed \$312,102.17.

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

Mr. Holt moved and Mr. Melick seconded this:

See Page 05/20/08-9D **RESOLUTION**

RESOLVED, Authorizing the award of Bid #2008-13, for Resurfacing and Storm Water Improvements to County Route 523, in Readington Township, to Defino Contracting Company, in an amount not to exceed \$492,855.19.

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

Mr. Sworen moved and Mr. Holt seconded these:

See Page 05/20/08-9E **RESOLUTION**

RESOLVED, Approving Requisition #IT.2931, with ESRI, Inc., for software maintenance for the GIS Division, Information Technology Department, in the amount of \$25,400.

See Page 05/20/08-10A

RESOLUTION

RESOLVED, Approving Requisition #IT.2939, with Software House International, for email security software, for Information Technology, in the amount of \$22,219.

See Page 05/20/08-10B

RESOLUTION

RESOLVED, Approving Requisition #40018256, with Atlas Flasher, for an attenuator traffic device, for Roads, Bridges and Engineering, in the amount of \$17,140.

See Page 05/20/08-10C

RESOLUTION

RESOLVED, Approving Requisition #40018316, with Whitemarsh Corporation, for a fueling station for Roads, Bridges and Engineering, in the amount of \$69,871.44.

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

ROADS and BRIDGES Update

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

- Franklin Township is preparing a letter of support for the retaining wall project on County Route 579 in Pittstown and County Route 523 in Whitehouse. A meeting is scheduled with the Township of May 28, 2008.
- CU documents have been submitted to NJDOT and at County is waiting for approval.
- Specifications are being completed for County Route 514 from Route 202 to Manners Road.
- Construction documents are being prepared for County Route 604 for storm water drainage.
- The property owner has agreed to features proposed by the County for County Bridge M-110 on County Route 519, in Milford Township. Additional fieldwork will be needed.
- Right of way documents are now complete for County Bridge Q-168 on Pennsylvania Avenue in Raritan Township. An appraisal for right of way needs to be acquired.
- Survey work will begin this week for the Multi-Purpose Trail/Bridge project, at Echo Hill Park.
- Historic American Engineering Record is needed as a Phase II for County Bridge A-39, on Mt. Salem Road.
- County Bridge R-99 on County Route 629, in Readington Township is an in-house project. The box culvert is being staged at the supplier and a meeting was held with the power company and crane operator. A detour plan has been approved by the Readington Township Police Department.
- Plans are being completed for Bridge R-123 on Holland Brook Road, in Readington Township.
- County Bridge M-94, on York Road in Milford Borough is under construction.
- Lead tests have been completed for the bridges to be painted this summer and none of the bridges have any lead paint. Bridges are L-140, T-24, K-142 and R-124.
- Requests for proposals will be re-advertised for Park Bridge Inspections.
- The electrical subcontractor is installing conduit at the Intersection of County Routes 513 and 519.
- A construction schedule is being developed for the Intersection of County Routes 513 and 579.
- Offers have been made to property owners in connection with on going negotiations related to Intersection of County Routes 517/523.

Mr. Melick moved and Mr. Mennen seconded this:

See Page 05/20/08-10D

RESOLUTION

RESOLVED, Approving a State Aid to Counties and Municipalities grant application for the Rehabilitation of County Bridge N-1, in Clinton Town, in the amount of \$950,000.

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

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."

Items #1 and 13 held at t his time.

Mr. Holt moved and Mr. Melick seconded a motion to approve claims in accordance with the Claims Register dated May 20, 2008.

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

Mr. Holt moved and Mr. Melick seconded these:

See Page 05/20/08-11A

RESOLUTION

RESOLVED, Edmund DeFilippis, Jr. appointed unclassified, full time County Investigator, Prosecutor's Office.

See Page 05/20/08-11B

RESOLUTION

RESOLVED, Kathleen Hynes appointed provisional, full time Principal Account Clerk, Finance Department.

See Page 05/20/08-11C

RESOLUTION

RESOLVED, Jennifer Reddy appointed permanent, full time Youth Worker, Youth Division, Department of Public Safety.

See Page 05/20/08-11D

RESOLUTION

RESOLVED, Approving a Refunding Bond and Release in the Matter of the Estate of Henry Wideman, to the County Library, in the amount of \$5,000.

See Page 05/20/08-11E

RESOLUTION

RESOLVED, Approving the specifications for Resurfacing and Surface Treatment of County Routes 513, 579, 604a, 604b, 629c and 639, the Route 12 Garage and the Lebanon Garage, in various municipalities.

See Page 05/20/08-11F

RESOLUTION

RESOLVED, Approving the specifications for the Resurfacing of various roads in various townships.

See Page 05/20/08-11G

RESOLUTION

RESOLVED, Approving Change Order #32, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Center, with DeSapio Construction, Inc., increase of \$5,266.

See Page 05/20/08-11H

RESOLUTION

RESOLVED, Approving Change Order #33, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Center, with DeSapio Construction, Inc., increase of \$1,213.

See Page 05/20/08-11I

RESOLUTION

RESOLVED, Approving Change Order #34, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Center, with DeSapio Construction, Inc., increase of \$4,055.

See Page 05/20/08-11J

RESOLUTION

RESOLVED, Approving Change Order #35, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Center, with DeSapio Construction, Inc., increase of \$1,209.

See Page 05/20/08-11K

RESOLUTION

RESOLVED, Approving, upon the recommendation of the Cultural & Heritage Commission, the administration of the Special Grant Award program, in the amount of \$64,800.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 05/20/08-11L

RESOLUTION

RESOLVED, Approving a \$0.10 per gallon administrative fee for fuel in addition to the identified user fee to participate in the County's Shares Services Fuel program.

Mr. Sworen confirmed adding \$0.10 is enough over the market price. Mrs. Yard confirmed it is. Letters were sent to all agencies that participate in the County's gas program asking them if they would still want to participate and they said yes, because it is still the best price they can get.

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

PROCLAMATIONS/RECOGNITION

Mr. Sworen moved and Mr. Holt seconded these:

See Page 05/20/08-12A

PROCLAMATION

RESOLVED, Recognizing Christian Bitters IV for attaining the designation of Eagle Scout.

See Page 05/20/08-12B

PROCLAMATION

RESOLVED, Recognizing Irvine Johnstone IV for attaining the designation of Eagle Scout.

See Page 05/20/08-12C

PROCLAMATION

RESOLVED, Recognizing Michael Moriarty for attaining the designation of Eagle Scout.

See Page 05/20/08-12D

PROCLAMATION

RESOLVED, Recognizing Justin Prince for attaining the designation of Eagle Scout.

See Page 05/20/08-12E

PROCLAMATION

RESOLVED, Recognizing Mike Gaykowski for attaining the designation of Eagle Scout.

See Page 05/20/08-12F

PROCLAMATION

RESOLVED, Recognizing Kyle Anastasio for attaining the designation of Eagle Scout.

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

GRANTS

Mr. Holt moved and Mr. Sworen seconded this:

See Page 05/20/08-12G

RESOLUTION

RESOLVED, Approving an application with the State Department of Health and Senior Services for the Senior Farmers' Market Mini Grant, in the amount of \$3,285 (\$1,200 state funds, \$2,085 County funds).

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/20/08-12H

RESOLUTION

RESOLVED, Approving a grant with the State of New Jersey, Office of the Attorney General, Department of Law and Public Safety, for granting funding for an Attorney Identification Program, for identification cards for attorneys to facilitate access to County Court facilities statewide, in the amount of \$11,000.

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

CORRESPONDENCE

A request was received from the Whitehouse Fire Company Number 1, for permission to purchase fuel through the County. Mr. Sworen moved and Mr. Mennen seconded a motion granting permission provided this is coordinated through the County's Department of Roads, Bridges and Engineering.

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

Mr. Sworen asked Mrs. Yard to contact the Chamber of Commerce regarding the County's shared services for fuel so that everyone gets credit.

FREEHOLDERS ASSIGNMENT REPORTS

Mr. Holt informed the Board that the North Jersey Transportation Planning Authority (NJTPA) has finally approved the work for Route 78.

OPEN TO THE PUBLIC

Director Peterson opened the meeting to the public.

Robert Peabody, President of Polytech (Hunterdon County Vocational Educational School Board) came before the Board to express displeasure with the recent article in the Hunterdon County Democrat which portrayed Polytech in a negative light regarding the decision to discontinue the Junior ROTC program. Mr. Peabody felt there were misrepresentations in the article and strongly requested if the Freeholder Board had concerns over Polytech decisions that the Freeholders could contact him as the Polytech President to discuss any concerns they may have instead of using the media to air any grievances.

Mr. Peabody reminded the Board that he was sought after to join the Polytech Board and he has always made every effort to include the Freeholders and was disappointed with this recent development. He wanted to provide examples of his inclusionary overtures with the Board, its liaisons and the County Administrator. The recent decision to discontinue the Junior ROTC program was difficult one and one the Polytech Board did not take lightly. The ROTC had 6 1/5 students for the 2008/2009 school year and it would have cost \$106,000 to offer.

Mr. Peabody discussed the terms and conditions of space relocation with the Freeholder Board and referenced the recent negotiations for the Bartles Corner Lease and its extension until 2011 (with an addition 2 one year extensions). Mr. Peabody explained the Freeholder Board thinks all of Polytech's program can fit in the Hunterdon Central Campus but the Polytech Board does not agree.

Mr. Peabody is perplexed at why the Freeholder board appears to be attacking Polytech and more specifically his efforts as President.

In conclusion, of Mr. Peabody's lengthy presentation, he urged the Freeholder Board and Polytech Board to work harmoniously together.

Valerie Burns, Polytech Board Member, was recognized by the Board and articulated she was here in support of Mr. Peabody and his outstanding performance as the Board President for Polytech.

Ms. Burns did inquire of her status as a holdover Polytech Board appointment (term expired on October 31, 2007), as she is pursuing her PhD and would like to plan her schedule accordingly. She requested the Board to please make a decision one way or the other.

The Hunterdon County Board of Chosen Freeholders returned to Executive Session at 9:48 p.m. and reconvened in Open Session at 10:43 p.m.

There being no further business to come before the Board, Director Peterson adjourned the meeting at 10:43 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board