

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, Second Floor

Flemington, New Jersey 08822

November 18, 2008

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:02 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

ABSENT: MR. PETERSON, MR. SWOREN.

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 29, 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. Melick moved and Mr. Holt seconded these:

See Page 11/18/08-1A RESOLUTION

RESOLVED, Executive Session to discuss the terms of the Park housing leases.

See Page 11/18/08-1B RESOLUTION

RESOLVED, Executive Session to discuss binding litigation entitled: Hunterdon County versus Stryker.

See Page 11/18/08-1C RESOLUTION

RESOLVED, Executive Session to discuss various land acquisition matters.

See Page 11/18/08-1D RESOLUTION

RESOLVED, Executive Session to discuss a matter concerning the project for County Bridge M-110, Milford Borough.

See Page 11/18/08-1E RESOLUTION

RESOLVED, Executive Session to discuss a matter concerning County Bridge T-85A in Mountainville, Tewksbury Township.

See Page 11/18/08-1F RESOLUTION

RESOLVED, Executive Session to discuss a professional legal services agreement for the Human Services Department.

See Page 11/18/08-1G RESOLUTION

RESOLVED, Executive Session to discuss a contract for medical examiner services.

See Page 11/18/08-1H RESOLUTION

RESOLVED, Executive Session to discuss amendments to the 2006 Court House Security Plan, (Justice Center).

See Page 11/18/08-1I RESOLUTION

RESOLVED, Executive Session to discuss negotiations for Corrections Officers and Sheriff's Investigators.

See Page 11/18/08-1A RESOLUTION

RESOLVED, Executive Session to discuss the executive session minutes of October 21, 2008 and November 06, 2008 for redaction and release.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:37 p.m. and reconvened in Open Session at 6:21 p.m.

PRESENT: MR. MENNEN, MR. HOLT, MR. MELICK, MR. PETERSON.
ABSENT: 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."

Mr. Mennen moved and Mr. Holt seconded a motion to approve claims in accordance with the Claims Register dated November 18, 2008.

See Page 11/18/08-2A CLAIMS REGISTER

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

Mr. Mennen moved and Mr. Holt seconded this:

See Page 11/18/08-2B RESOLUTION

RESOLVED, Heather Fike appointed permanent, full time Coordinator of Contractual Operations, Human Services. (passed Civil Service Exam).

See Page 11/18/08-2C RESOLUTION

RESOLVED, Jane Duke appointed permanent, full time Housing Assistance Technician, Housing Division, Human Services. (passed Civil Service Exam).

See Page 11/18/08-2D RESOLUTION

RESOLVED, Kathleen Hynes appointed permanent, full time Principal Account Clerk, Finance. (passed Civil Service Exam).

See Page 11/18/08-2E RESOLUTION

RESOLVED, Brynda Taylor-Flynn appointed permanent, part time, as needed, Librarian, Library. (passed Civil Service Exam).

See Page 11/18/08-2F RESOLUTION

RESOLVED, Elisabeth Gilbert appointed permanent, part time Librarian, Library. (passed Civil Service Exam).

See Page 11/18/08-2G RESOLUTION

RESOLVED, Donald Donally appointed permanent, full time Horticulturalist, Parks and Recreation. (passed Civil Service Exam).

See Page 11/18/08-2H RESOLUTION

RESOLVED, Brian Jados appointed provisional, full time Research Assistant, Prosecutor's Office. (support position, approved August 19, 2008).

See Page 11/18/08-2I RESOLUTION

RESOLVED, Patricia Davino appointed provisional, full time Principal Clerk Typist, Rutgers Cooperative Extension of Hunterdon. (Desk Audit/NJDOP)

See Page 11/18/08-2J RESOLUTION

RESOLVED, Nancy Cramer appointed temporary, as needed Principal Clerk Transcriber, Prosecutor's Office. (approved August 19, 2008).

See Page 11/18/08-2K RESOLUTION

RESOLVED, Approving State Change Order #1, for Bid #2007-35, for Roadway Resurfacing and Drainage Improvements to County Route 615, in Franklin and Kingwood Townships, with Trap Rock Industries, Inc., decrease of \$127,383.32.

See Page 11/18/08-2L RESOLUTION

RESOLVED, Approving No Stopping or Standing a vehicle at the Intersection of County Route 620 (Readington Road) and Lightfield Road, in Readington Township.

See Page 11/18/08-2M RESOLUTION

RESOLVED, Approving a subcontract for the FY 2009 Subregional Transportation Planning Program with the North Jersey Transportation Planning Authority, in the amount of \$64,880, (\$51,904 Federal funds, \$12,976 County Match).

See Page 11/18/08-3A

RESOLUTION

RESOLVED, Authorizing the release of redacted Executive Session minutes for September 30, 2008 and October 07, 2008.

See Page 11/18/08-3B

RESOLUTION

RESOLVED, Approving a professional agreement with Lanza & Lanza, in connection with legal matters concerning the 9-1-1 Communications Center, amount not to exceed \$50,000.

See Page 11/18/08-3C

RESOLUTION

RESOLVED, Approving an amendment to the professional services agreement with Archer & Greiner for legal services for the Division of Social Services, Human Services Department, increase of \$30,000.

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

OLD BUSINESS

The Board discussed a Memorandum of Agreement with the Musconetcong River Management Association implementing the designation of the Musconetcong River as a component of the National Wild and Scenic Rivers System.

Mr. DeSapio questioned if the Planning Board has found out if there was a reference in the memorandum of agreement to see if the plan had been developed.

Mr. DeSapio informed the Board of an existing Management Plan dated 2003 which the Musconetcong Management Association is in the mists of revising. This form of agreement in front of the Board is a uniformed agreement used by the federal government. In paragraphs one, six and eight of article 3 says you agree to implement the plan; to force the use of management to make sure the water is protected and eight says you agree to control land under your jurisdiction. These items look as though they serve a public service. Mr. DeSapio expressed concern because the County's role in land use is limited, sometimes you agree to things and later on they are used to argue with you about some area that you want to use discretion in another way. This is basically to a way to protect the environment but sometimes the State Department of Environmental Protection disagrees and things have to be worked out.

Mr. Glynn said there have never been issues working with the River Management because they have always worked through what needed to be worked on. The permitting process is getting more difficult with DEP but the County has an understanding and is working with them. This is just a formulation to keep the Freeholders in the loop to know what is going on and the County has supported the resolution to make the river scenic.

Mr. Mennen asked if the County has very little land use and if the County has any land or waters under its jurisdiction under the River that the Board is agreeing to control. Mr. DeSapio said there may be some park lands.

Mr. DeSapio informed the Board that this document will not require the County to do anything more than what is currently done according to state statue and regulations. This is to keep all of the groups who have signed, fully informed; and so everyone is in contact with each another. There are meetings four times a year; there is a plan to keep the river scenic and there are many groups that they want to keep in touch; so what this does is foster communication.

Mr. Mennen asked if there are lands that the County may own that would need some law over it to make sure that the laws and objectives are being followed. Mr. Glynn said there are some types of farmland preservations. Most of the lands along the river concerned are preserved lands. Mr. Mennen said that 99% of everything is expected there are no 100% guarantees.

Mr. Holt said this is just an agreement that says the County will follow and keep things the way they are suppose to be.

Mr. Melick said the County will find out what the agreement means if it is ever litigated. Mr. DeSapio thinks the agreement will mean what the person wants them to mean but that does not mean that the Board should not do this.

Mr. DeSapio said recommended if the Board adopts this resolution that it be reviewed annually and the Board can make a determination each year if something needs to be changed.

Mr. Mennen moved and Mr. Melick seconded this:

See Page 11/18/08-3D

RESOLUTION

RESOLVED, Authorizing a Memorandum of Understanding with the Musconetcong River Management Association implementing the designation of the Musconetcong River as a component of the National Wild and Scenic Rivers System.

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

COUNTY UPDATE

Policy on Trips, Conferences, Training and Memberships

Cynthia J. Yard, County Administrator explained the Board has been discussed the policy on trips, conferences, training and memberships for half a year. Once it was adopted and put in place, she and the Human Resources Director, Cheryl Wieder, noticed there was a critical issue not placed in the policy. There was no reference to training and seminars offered by third party but the Board did not discuss about if they were just trainings for CEU/CERT and are held within the State of NJ or a 75 mile radius and Mrs. Yard was asked by the Board to review the policy to determine if it met that criterion. There are specific times when people are scheduled to go for training or tog et their CEU's or Certifications and the policy needs to be made clear as to what is a training and what is a conference; plus it still would have to meet the 75 mile radius.

Director Peterson said that one of the issues is if that CEU is also at a conference/get away type of thing and asked if that wouldn't that count as one and count as the conference as well.

Mrs. Yard advised also in the policy, under training, it states that department heads are to monitor the CEU's and programs and where they are being offered. It became very clear that there is a clear dividing between a real training and a conference and a lot of times during a conference they can get CEU's. It was determined that if someone goes to a conference those trainings are optional. They can chose to attend seminars or not and under the policy they could still go to a conference, because they get one a year. This would require the need to do a little planning on the attendees' part.

Mrs. Yard stated they wanted to put the training into this policy because training is very different than conferences. She would like the Board to approve this change if they agree with it.

Mr. Melick feels we are going into uncharted financial waters and he is very skeptical of the government issues. Mrs. Yard stated that department heads have been instructed that when they do their department budgets, they are not to put trips into their budget because they will not be included.

Director Peterson asked if the conferences should have some connection to the job the person is in and be benefit to the position, for CEU's or something along those lines. Mrs. Yard explained if the Board lets her continue to work on this; it can be revisited during the budget process.

Mr. Mennen said this Board needs to make clear to its departments of the expectation that this is for trainings and CEU's pertaining to the job. Mrs. Yard feel that when the departments send in these requests, they are to be specific as to what the training is and where it is being held. The policy allows peoples who are authorized to go on a conference in New Jersey, within a 75 mile radius but they could go to NJAC (New Jersey Association of Counties) and to get CEU's.

Director Peterson questioned why allowing attendance at conferences unless there is some benefit to the taxpayers, and the benefit would be some type of training that would be integral to the success in the position which would dictate a need to attain some education level that comes with those credits. Mrs. Yard agreed and stated that each conference includes the ability to get CEU's, so they can say yes, they are getting their required CEU's unless they do not need CEU's for their job title. Mr. Holt feels that the point being made is that a true education should have a value to the taxpayers and should be provided to the employee. Training can come in various forms.

Director Peterson thinks some of the trainings could be a waste of money because they are not going to benefit the employees' position. He questioned how to judge that they are going to a conference and there will be some benefit to the taxpayer. Mrs. Yard explained that is one reason to require the individual to attend a conference/training in the State of New Jersey or within a 75 mile radius, it will save money because people aren't going to Nevada to get their CEU's, if it is being offered in New Brunswick or Rutgers or Cape May. The Policy says all County Employees that are approved to go on a conference, the County controls that, and her own personal feeling is that you should not go unless it pertains to your position and/or your education.

Director Peterson advised he is fine with the changes.

Mr. Mennen asked if there were any additional changes how long would the process be held up.

Mrs. Yard feels it could take up to six months to rework the policy and bring it back to the Board.

Mr. Holt moved and Mr. Mennen seconded this:

See Page 11/18/08-4A

RESOLUTION

RESOLVED, approving the revised Policy on Trips, Conferences, Training and Memberships.

**ROLL CALL: (AYES)
(ABSENT)**

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

Harbinger newsletter

Mrs. Yard informed the Board that as a cost savings measure to the County, there is a question on whether the Harbinger should be distributed two times or three times a year and also, if it should be sent in the regular mail or placed in the Observer. Bob Thurgarland, Director, Central Printing and Mail determined that it would be more cost effective to have the Harbinger be an insert in the Observer, and it would be more cost effective.

The issue of whether there should be two or three issues was brought before the Parks Advisory Board by Mr. Mennen. Mr. Mennen said it was not their preference to be taken from three to two but they explored other options, such as posting them online or if an opportunity arose to have a flyer saying it will be posted somewhere else.

Mrs. Yard informed the Board that the final decision was to have the Harbinger be an insert in the Observer two times a year. There will also be a regular article in the observer talking about up coming events and Parks and Recreation could also make announcements in the paper as well. Mr. Mennen said it is cost free if it is posted on the website but you have to figure out a way to get information to the people that that this will be on the County's webpage. Mr. Holt advised that during the budget for 2007 the Board begin to look at these issues from a marketing standpoint, as individuals registered for courses. There is a need to eliminate that mailing services and the programs market themselves by word of mouth. The Parks programs are always overbooked.

Open Space Tax Trust Fund for Historic Preservation

Mrs. Yard informed the Board of the many questions received about the Open Space Tax Fund for Historic Preservation. The three buildings in question are the Hall of Records, the Historic Court House and the Southard Building. Can ordinances be brought forward to see if the County could use some of the Historic Preservation money to fund these areas. The Open Space Trust Plan was written in 1999 and according to Kevin Richardson, the Open Space Trust Fund Coordinator, it was updated in 2004 to see determine what was an appropriate expense for this money. In the November 04, 2008 Ballot Question it said acquisition of Land, Farmland Preservation and Historic Preservation of land and landmarks, structures, facilities, sites and objects. It says funds can be used for the following: purchasing, historic preservation of County owned structures, sites and objects, and the three buildings are clearly on the State Historic Register. Mrs. Yard advised she spoke with County Counsel DeSapio to see if there was a recommended way that this historic money could be leveraged. There was discussion about the Cultural and Heritage Commission, on an annual basis would review projects and make recommendations to the Freeholders and then the Board would decide what projects they wanted to embrace. There is nothing in past minutes saying the money should be used for specific buildings but that is because of the way the County does business, which is pay as you go.

Mr. DeSapio said t in view of the fact that the plan indicates that the Cultural and Heritage Commission would make recommendations on listing which projects needed to be looked at first, it may be good to send a list to them to review. The Cultural and Heritage Commission would make recommendations on County owned land and buildings and would list them in order as to which projects they feel should be looked at. It would then be considered by the Board at budget time. The Commission would look at the areas annually and take into consideration all of the factors before making a recommendation to the Board on which project should be given priority.

Director Peterson questioned if the Board wanted to send the three projects to the Cultural and Heritage Commission to review and send back their recommendations. There are now four projects that we have for the Commission to review. The Commission has a meeting on Thursday and asked that the projects be sent to in order to get it on their agenda.

Capital Plans

Mrs. Yard confirmed wit the Board that a special meeting will be held for capital items on Monday, November 24, 2008 at 8:30 a.m. to go over the capital summaries. She asked the Board who they are interested in having attend the meeting. Mr. Mennen would like to hear from everyone on the list. Mrs. Yard reported that Planning and Open Space does not need to attend the meeting because they have been talked to already, and know their budgets are set at \$2,000,000 each for Open Space/Recreation and Farmland Preservation.

Mrs. Yard suggested meeting with Roads, Bridges and Engineering, Purchasing, Buildings and Maintenance, Central Printing and Mail, and the Project Administrator. She will put together a list of department heads for the Board to speak with.

FINANCE

Mr. Melick moved and Mr. Holt seconded this:

See Page 11/18/08-5A

CAPITAL ORDINANCE No. 13-08

RESOLVED, ORDINANCE AUTHORIZING THE DEMOLITION OF VARIOUS COUNTY BUILDINGS, AND STRUCTURES, BY THE COUNTY OF HUNTERDON AND APPROPRIATING \$200,000.00 THEREFORE.

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

Mr. Holt moved and Mr. Melick seconded this:

See Page 11/18/08-6A

BOND ORDINANCE NO. 14-08

RESOLVED, BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF DEVELOPMENT EASEMENTS ON AGRICULTURAL LAND FOR THE FARMLAND PRESERVATION PROGRAM IN, BY AND FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,000,000 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. MELICK, MR. MENNEN, MR. PETERSON.
(ABSENT) MR. SWOREN.**

Mr. Holt moved and Mr. Peterson seconded this:

See Page 11/18/08-6B

BOND ORDINANCE NO. 15-08

RESOLVED, BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR OPEN SPACE, PARK AND RECREATION PURPOSES IN, BY AND FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,000,000 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. PETERSON, MR. MENNEN.
(ABSTAIN) MR. MELICK
(ABSENT) MR. SWOREN.**

Mr. Holt moved and Mr. Mennen seconded this:

See Page 11/18/08-6C

BOND ORDINANCE NO. 16-08

RESOLVED, BOND ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF AN ADDITION TO THE COUNTY RECORDS RETENTION CENTER AND WAREHOUSE IN, BY AND FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,750,000 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. MENNEN, MR. MELICK, MR. PETERSON.
(ABSENT) MR. SWOREN.**

Mr. Mennen moved and Mr. Holt seconded this:

See Page 11/18/08-6D

RESOLUTION

RESOLVED, Authorizing the cancellation of various County Ordinances.

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

Mr. Mennen moved and Mr. Holt seconded this:

See Page 11/18/08-6E

RESOLUTION

RESOLVED, Authorizing the cancellation of a grant receivable for the 2007 Municipal Alliance Program in the amount of \$9,769.04 and a reserve in the amount of \$9,769.08.

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

Mr. Holt moved and Mr. Mennen seconded this:

See Page 11/18/08-6F

RESOLUTION

RESOLVED, Authorizing the cancellation of a grant receivable for the 2007 Subregional Transportation Planning Program, in the amount of \$0.01.

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

Mr. Melick moved and Mr. Mennen seconded this:

See Page 11/18/08-7A

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the 2008 Budget for the Delta Dental Plan of New Jersey Foundation, in the amount of \$10,000.

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

Mr. Holt moved and Mr. Mennen seconded this:

See Page 11/18/08-7B

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services to insert an item of revenue in the 2008 Budget for the Kids are Riding Safe Program, in the amount of \$25,925.

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

Mr. Melick moved and Mr. Holt seconded this:

See Page 11/18/08-7C

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services to insert an item of revenue in the 2008 Budget for the Victim Assistance Project, in the amount of \$11,040.

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

Mr. Holt moved and Mr. Melick seconded this:

See Page 11/18/08-7D

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services to insert an item of revenue in the 2008 Budget for the New Jersey Historical Commission, in the amount of \$16,600.

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

PURCHASING

Mr. Holt moved and Mr. Melick seconded this:

See Page 11/18/08-7E

RESOLUTION

RESOLVED, Approving Requisition #Parks.04065, with the New Jersey Parks and Recreation Association, for theme park tickets, for Parks and Recreation, in the amount of \$18,354.50.

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

Mr. Mennen recused himself and left the meeting at 7:28pm.

ROADS and BRIDGES

County Bridge T-52

John P. Glynn, Director, Roads, Bridges and Engineering updated the Board concerning County Bridge T-52 on Fox Hill Road, in Tewksbury Township.

Mr. Glynn reminded the Board that the County declared Bridge T-52 an emergency two meetings ago and it was planned to provide Tewksbury with the bridge plan and to work with the various interested groups.

Mr. Glynn advised the Board that it is his understanding that Tewksbury Township supports the project as outlined by the County. He stressed that you cannot build this bridge as a one lane structure, it is not able to be done with the roadway. He asked for the Board approval to move forward with the project.

Mr. Melick confirmed Mr. Glynn would be meeting with the various groups who have expressed an interest in this project. He pointed out that if driving on this road at a moderate speed there is a tree in the bridge area which you don't see because of the skew/bend in the road. This project needs to be done for the safety of the residents who travel the road. This bridge is also used by the local school. Mr. Melick stated that more than one person has come down this road too fast and had an accident.

Mr. Glynn reported that no trees would be removed for the project and the repairs would be done within the limit of the bridge that currently exists. The County either needs to start this project now or it will have to wait until spring because winter is upon us.

Mr. Melick said the County is responsible for the structure of this bridge and it needs to be made safe to use. He confirmed the plan is acceptable to Tewksbury Township.

Director Peterson asked if a decision could be made at the next meeting. Mr. Glynn advised he is seeking approval from the Board tonight to start the construction project and actual construction would start Monday. Director Peterson questioned if Tewksbury could have a resolution put together by Tuesday saying that they are approving this construction.

Mr. Holt explained that Mr. Glynn needs approval from this Board but it is up for final discussion from the municipality. He recommended the Board give Mr. Glynn the authority to move ahead with this project. There are two sides to the project of concern because it is historic but it needs to be safe to use. He suggested the County's resolution saying that the Board approves this project but waits for the municipalities' response.

Mr. Holt moved and Mr. Melick seconded this:

See Page 11/18/08-8A

RESOLUTION

RESOLVED, Authorizing the Director of Roads, Bridges and Engineering to move forward with an emergency project, County Bridge T-52, on Fox Hill Road, in Tewksbury Township for repair/replacement and that he be directed to meet with Tewksbury Township on this project to obtain their approval.

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

Intersection of Routes 523/612

Mr. Glynn reported on an issue concerning the Intersection project on County Routes 523/612 advising there maybe two claims coming before the Board in the future; one is for the adjustments for the asphalt and the other is for an oil cost adjustment with the contractor.

Mr. Mennen returned at 7:40pm and Mr. Melick left.

FARMLAND PRESERVATION

Mr. Holt moved and Mr. Mennen seconded this:

See Page 11/18/08-8B

RESOLUTION

RESOLVED, Approving a Municipal/County Cost Saving Agreement with West Amwell Township, for the Gulick Home Farm I, Block 14, Lot 33.02.

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

Mr. Mennen moved and Mr. Holt seconded this:

See Page 11/18/08-8C

RESOLUTION

RESOLVED, Approving a Municipal/County Cost Saving Agreement with West Amwell Township, for the Gulick Home Farm II, Block 13, Lot 34.

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

Hunterdon Land Trust – request Letter of Support for their Wild and Scenic Management Grant funding

Sue Dziamara, Planning Board Director came before the Board to discuss a request from the Hunterdon Land Trust for a letter of support for their Wild and Scenic Management Grant funding. Typically the Planning Board has been asked in the past to supply letters of support for grant requests because it gives the applicant more points toward receiving a grant. The Hunterdon Land Trust is asking that the County support their request for grant funding so Ms. Dziamara forwarded this to the Board for approval.

Ms. Dziamara reported the Planning Board supported the designation of the wild and scenic of the lower Delaware River.

Director Peterson questioned if there are any other organizations doing this. Ms. Dziamara is unaware if there are and explained that typically if the Planning Board receives a letter to support an organization, they typically adopt a resolution of support.

Mr. Holt said if another organization came forth that is creditable support could be given to them also.

Director Peterson questioned is if there is another organization that may not have asked the County for support? Is the County choosing one organization over another? He would like to know that before he agrees to anything. He asked Ms. Dziamara if there was a way to find out. Ms. Dziamara said if there is money coming through a grant organization then she could find out if there are other organizations but typically if there are other organizations asking for support they would send the County a letter asking for the support because it then moves their application further up in the rank.

Director Peterson does not want to be put in a position where it looks as though the Board is favoring one organization over another regarding funding in some way.

Margaret Waldock of the Hunterdon Land Trust informed the Board that it does not look as though the Board would be favoring their organization. She explained the letter of support is just to say that the Board agrees with the project. Ms. Waldock does not think there would be any problem giving a remote organization support also.

Mr. Mennen stated the Freeholder Board is asked to support this project and he feels the answer should be yes the County supports Hunterdon Land Trust request for funding.

Mrs. Yard informed the Board that the deadline for a response is November 26, 2008.

Director Peterson does not want any organization coming back to the Board of Chosen Freeholders and stating that they were not given an equal opportunity to present the Board with a similar request. He wants to be fair and equitable with the whole process.

Ms. Dziamara said normally she would take such a request to the Planning Board for approval but in the letter it states that it specifically is requesting support from Hunterdon County, which is the reason that she brought it forward to the Board.

Mrs. Yard asked if the application is available so the Board can review it because that may give them a better idea as to what is being requested. Ms. Waldock will fax a copy of the application to the Board so they can review it to make sure they are all in agreement to support.

Director Peterson explained that if the County's letter of support gives someone extra points over someone else he wants to make sure it is a fair and equitable decision.

Mrs. Yard reported that the Freeholders are holding a special meeting on Monday, November 24, 2008, and it is open to the public. If the Board receives the fax they will have time to review it and give an answer at that time.

Mr. Melick returned at 7:50pm.

GRANTS

Mr. Melick moved and Mr. Holt seconded this:

See Page 11/18/08-9A

RESOLUTION

RESOLVED, Approving State Contract #09AMKC, for LINK transportation services in the amount of \$133,463 (state funds) and the concomitant Public Donor Agreement for \$31,704 in matching funds.

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

Mr. Melick moved and Mr. Holt seconded this:

See Page 11/18/08-9B

RESOLUTION

RESOLVED, Approving the renewal of a General Operating Support Grant application, with the New Jersey Historical Commission, in the amount of \$16,600, to preserve and promote Hunterdon's historical significance.

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

Mr. Mennen moved and Mr. Melick seconded this:

See Page 11/18/08-9C

RESOLUTION

RESOLVED, Accepting an additional \$10,000 Supplemental award from Delta Dental to support the County's Children's Dental program, total award with increase is \$40,000.

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

Mr. Holt moved and Mr. Mennen seconded this:

See Page 11/18/08-9D

RESOLUTION

RESOLVED, Approving an application with the NJ Department of Community Affairs, designating the County Planning Board to use its resources to develop and complete the Hunterdon County Wastewater Management Plan, in the amount of \$100,000 (state funds).

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

CORRESPONDENCE

A request was received from the Board of Fire Commissioners of the City of Lambertville, for permission to participate in the County's cooperative purchase of gas and diesel. Mr. Melick moved and Mr. Mennen seconded a motion granting approval provided this is coordinated through the County Department of Roads, Bridges and Engineering.

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

FREEHOLDERS ASSIGNMENT REPORTS

NJTPA

Mr. Holt reported that he had the chance to meet with the Director of the New Jersey Transportation Planning Authority, (NJTPA) concerning road improvements that could be made over the next 30 years.

Finance Issues

Mr. Melick explained that not only Hunterdon County but all county and municipal governments are going into unchartered financial waters with the State. There are areas of the economy in County Government that are probably going to require more help and that could cause a slow down. There are departments that are not experiencing the rush that they normally would have. The County needs to have the ability to move people within the County government so that things can be leveled out. The County needs to be able to provide help where help is needed. Hunterdon is under Civil Service guidelines, he stated is a supporter of civil service. Mr. Melick proposed that Ms. Wieder and Mrs. Yard be given the authority to talk to Civil Service. A mechanism needs to be set in motion so the County can shift people and change titles if the County doesn't need people in certain areas. He's been talking with the Finance people and Mrs. Yard and it is known that things are very slow in the County. Ten days ago a municipality began a process to lay people off. Hunterdon needs to do what is in its best interest to its employees. If the County needs to reformulate where to place necessary people in our employ, then it should be done. He knows no one else is thinking about doing this or purposing this but it is a 45 day notice.

Mrs. Yard explained that that is a four to six month process by the time everything is done according to Civil Services. The County would need to do a pre-layoff first. Ms. Wieder has been on the phone with the State Department of Personnel and there are some that an appointing authority can do but the Board is the final say in appointments and budget. There are options if that is the path that the Board would like to go down. Come January 01, 2009 the County will be in a full hiring freeze. There are options available to the County, there is a pre-layoff model or program process that you are going to follow if that is the direction you are going to go in and it is different if it is Countywide verses a specific Department. There are specific criteria that needs to be followed; it is not something that can be done in January; it is a four to six month process.

Ms. Wieder informed the Board there is a seven page plan that must be submitted to the State for approval, the County has to meet with the Unions, look at its provisional's and determine what titles and how many you want to effect and it could take up to six months because once the State approves it they give people a bumping right and you don't exactly know until the end of the bumping who is in what title.

Mrs. Yard recommended continuing to research this more to get more background information for the Board to make a decision.

Mr. Holt stated that the salary freeze would have a salary savings in the dollars plus benefits. There may be reasoning for a process being started; however he is certainly not in a position to make that decision on the first time hearing this. The Board needs to have a dialog and he recommended setting aside time to discuss this. That will provide Mrs. Yard and Ms. Wieder time to gather information and discuss this at length with the Freeholders.

Mr. Melick does not feel the County can have a hiring freeze in the 24/7 operations stressing that those positions must be filled.

Director Peterson confirmed with Ms. Wieder that if the County were to have a layoff, it would need a four month notice. Ms. Wieder said it can take four months once the meetings begin as they would need to meet with the Unions and other groups. The first step would be the Board determining what positions they want to reduce and how many bodies in those specific titles because you have to include a justification and which titles you want to reduce.

Director Peterson asked if that is for all Civil Service employees, and does it apply to Civil Service employees and non civil employees.

Mr. Mennen said that Mr. Holt raises a good point and it is what he was thinking that the Board needs to have an outline showing the alternatives and the process.

Mrs. Yard feels Mr. Melick brought this up today to get the Board's reaction and start the process.

Director Peterson said they could even go to the departments and do it by departments.

Mr. Mennen said we should look in a global sense to the alternative actions that are out there. It does not mean we need to exercise the alternative but it is a good chance to look at the other options. At this point it is premature to start this process.

Director Peterson said one of the ways to start the lay off would be to offer people to transfer within the organization and it would be voluntary so it is either a lay off or voluntary. There are ways that if everyone were to cooperate by using the hiring freeze to keep people employed.

Mrs. Yard said also if there even is a remote possibility that the Board is planning a lay off the County would have to lay the framework and go through the process.

Mr. Holt said that to date in 2009 we have established there will be a full hiring freeze and have discussed the full amount of the hiring freeze and as he stated before as they are reviewing everything in the budget this should work and we should fully understand the process and the options that are available. He does not want a rumor to fly off from this meeting that the Board is going to lay off people because he does not want to cause a panic amongst the employees. However, the Board does have a duty to know what the process is and his suggestion is that we might take a look in the next couple of weeks to walk through that process and see what the options are and go from there.

Mr. Melick said when you say a hiring freeze that sounds good but someone could in Corrections leaves the County has to hire a replacement or pay overtime. This isn't really a hiring freeze because you need to fill these important 24/7 operations.

Mr. Melick stated for the record he would like to start looking at this so the Board knows what its alternatives are.

Mr. Melick further stated that land values are in the tank and people are going to be appealing to get their assessments down graded. There are people being laid off from every type of business which was not expected.

Mrs. Yard recommended the Board set time aside within the next two weeks and look at the prescribed steps and customize it to Hunterdon. The Board will be able to see if it would be department wide or have voluntary movement from within titles. The County can figure out the time frames so the Board could see what their options are and how it would impact Hunterdon with step one and then step two. The County would need to get a pre-lay off; then titles have to be approved. It is a process that needs to be followed.

Mr. Melick said maybe we can meet Monday afternoon and discuss this issue more.

Director Peterson thinks that lay offs are a last resort measure that only need to be done under the most dire circumstances. If everyone cooperates in the situation, works together and realizes that these are difficult times but it is not forever and hopefully by next third quarter next year things will begin to look up. It will require everyone to pick up and help out and cooperate. He does not see it being that bad unless people want to make it that way. If everyone works together we can make it happen.

Mr. Melick said twice in the last 30 years since he has been a Freeholder has the County gone into a negative balance.

Human Services

Director Peterson received a letter from Human Services regarding an anonymous letter regarding vehicles. He has seen vehicles over in the lot by the Court House and he thinks we need to work on that. There are other things on the letter that really bothered him and that there are things that can be done within management to fix them.

Credit Card/Surrogate's Office

Director Peterson spoke with the Surrogate and she does not have any way of using a credit card. Sometimes there are clients that request using a credit care because they have not established a bank account or they want to put the fee on their credit card because the cost can be a good amount of money. He suggested that as the County is working on agreements with the banks, that they are asked to provide credit card services for free where fees are collected. The Surrogate does not do that many transactions and the systems that are used today are a lot less hard to work with.

Mr. DeSapio advised the County Clerk now accepts credit cards and he sees no reason why the Surrogate could not do this as well. Director Peterson would like to make Hunterdon County more user friendly. His understanding is that the County Clerk is not being charged a fee.

OPEN TO THE PUBLIC

East Amwell

Frances Gavigan of Wertsville Road, Ringoes New Jersey came before the Board. Ms. Gavigan advised she took Mr. Mennen's advice from many years ago when he went door to door, to talk with people. She ran a fools effort to talk to a neighbor who had heard about County Bridge projects that were coming and it was something that had been going on from 2000 and the notice concerning one of the roads was just after September 11th. There are two County approved road projects that are going to shut down Wertsville Road for six to eight months at a time at a cost of \$2.5 million dollars each. While it is Federal money being used for the project, it is still coming out of the taxpayers' pockets.

Mrs. Gavigan advised the Dutch Lane project it is going out for bid shortly, with a spring start date. There is no defect and the bridge isn't falling down; it has been deemed functionally dissolute. If the County straightens the road and moves the street it is only going to effect people's lives that live there. When she looked at the alternatives there was a do nothing, no build or rehabilitate the bridge. East Amwell Township is spending \$150,000 to rework the go

around road and this will interfere with the Township project before they can apply for a grant to do work on another road. The people in the area, the residents don't want the County to work on the roads. Why fix something that isn't broken. Ms. Gavigan went to the Township Committee about this; she has spoken with Mr. Glynn who was very nice and they are approaching it as if it is a done deal minus the funding. She asked that these projects be re-evaluated and justified in specific safety and structural issues. In the opinion of the residents all that is being done, is making it easier for drivers to pop their wheelies and speed down the road. There is nothing wrong with the Dutch Lane bridge so why shut it down causing a farmer and his house to be shut out of his own hay fields.

Ms. Gavigan asked that when Mr. Glynn and the engineers come to East Amwell that the Freeholder liaison come down as well to listen to people. She said her life would be improved by shutting the roads down so she would not have to deal with traffic coming from Pennsylvania into New Jersey. She does not feel this is the economy to shut down roadways as it will impact negatively on businesses. Residents use and need Wertsville Road so the County should do only what is necessary because it is everyone's money.

Kingwood Township

Margaret Waldoock from Hunterdon Land Trust Alliance advised she had a meeting with Mr. Sworen and Mr. Mennen and was under the impression that there was going to be a resolution tonight for the Kingwood Open Space Project and was wondering what happened because she was late to the meeting.

Mr. DeSapio said the Board was going to adopt a resolution confirming what the previous discussion was and Mr. Sworen said he was going to talk to her about what was talked about in Executive Session last meeting. Mr. DeSapio said he would speak with her in the hall regarding this issue since there was some miscommunication.

Mr. Mennen stated that he had told Margaret Waldoock that she was to speak with Mr. DeSapio about the issue and it was agreed that that conversation took place.

EXECUTIVE SESSION

The Hunterdon County Board of Chosen Freeholders returned to Executive Session at 8:34 p.m. and reconvened in Open Session at 10:37 p.m.

There being no further business to come before the Board, Director Peterson adjourned the meeting at 10:37 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board