

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS
Main Street County Complex, Second Floor
Flemington, New Jersey 08822

September 16, 2008

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:05 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

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. Holt moved and Mr. Sworen seconded these:

See Page 09/16/08-1A **RESOLUTION**

RESOLVED, Executive Session to discuss personnel issues related to appointments to various boards, committee and councils.

See Page 09/16/08-1B **RESOLUTION**

RESOLVED, Executive Session to discuss filling personnel vacancies in the Health Department and the Library.

See Page 09/16/08-1C **RESOLUTION**

RESOLVED, Executive Session to discuss budget operational impact concerning the Sheriff's Office.

See Page 09/16/08-1D **RESOLUTION**

RESOLVED, Executive Session to discuss a claim by Mid-Atlantic Contracting concerning the addition at the Route 12 County Library Headquarters.

See Page 09/16/08-1E **RESOLUTION**

RESOLVED, Executive Session to review executive session minutes.

See Page 09/16/08-1F **RESOLUTION**

RESOLVED, Executive Session to discuss a strategy for the possible acquisition of Transfer Station property from the State of New Jersey.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:08 p.m., recessed at 5:56 p.m. and reconvened in Open Session at 6:02 p.m.

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

CONSENT AGENDA

Director Peterson announced: "All matters listed under the Consent Agenda are considered to be routine by the Board of Chosen Freeholders of the County of Hunterdon and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired that item will be removed from the Consent Agenda and will be considered separately."

Mr. Holt moved and Mr. Melick seconded a motion to approve the regular session minutes of September 02, 2008.

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

Mr. Holt moved and Mr. Melick seconded a motion to approve claims in accordance with the Claims Register dated September 16, 2008.

See Page 09/16/08-2A

CLAIMS REGISTER

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

Mr. Holt moved and Mr. Melick seconded these:

See Page 09/16/08-2B

RESOLUTION

RESOLVED, Daniel Hurley appointed unclassified, full time Chief of County Detectives, Prosecutor's Office. (replacement)

See Page 09/16/08-2C

RESOLUTION

RESOLVED, Laura Verdi appointed permanent, full time Family Service Worker, Division of Social Services, Human Services Department. (replacement)

See Page 09/16/08-2D

RESOLUTION

RESOLVED, Elizabeth Rzasa, Senior Account Clerk, Division of Social Services, Human Services Department, adjusting hours to full time.

See Page 09/16/08-2E

RESOLUTION

RESOLVED, Joan Tigar, Senior Account Clerk, transfer to Building and Maintenance. (replacement)

See Page 09/16/08-2F

RESOLUTION

RESOLVED, Josephine Malloy, Senior Account Clerk, Division of Social Services, Human Services Department, leave of absence. (without pay)

See Page 09/16/08-2G

RESOLUTION

RESOLVED, Approving the Hunterdon County Municipal Alliance Plan, for 2009-2011 and recommending its transmittal to the Governor's Council on Alcoholism and Drug Abuse.

See Page 09/16/08-2H

RESOLUTION

RESOLVED, Approving a contract modification, for Bid #2006-45, for a provider service agreement with All Quality Care, Inc., to include 2008, in the amount of \$38,000.

See Page 09/16/08-2I

RESOLUTION

RESOLVED, Authorizing the release of the Executive Session Minutes for July 15, 2008 and August 05, 2008.

See Page 09/16/08-2J

RESOLUTION

RESOLVED, Approving Application for Payment #1, for Bid #2008-07, for the Addition to the Everittstown Garage, with J. Tufaro & Sons Electrical Contractors, Inc., in the amount of \$845.74.

See Page 09/16/08-2K

RESOLUTION

RESOLVED, Authorizing the conveyance of an easement over a portion of Block 21, Lot 5, in Flemington Borough to Donald Vincent, for the amount of \$5,000.

See Page 09/16/08-2L

RESOLUTION

RESOLVED, Approving an agreement with the CWA for January 1, 2006 through December 31, 2008.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 09/16/08-2M

PROCLAMATION

RESOLVED, Declaring October 2008 as National Disability Employment Awareness Month in Hunterdon County.

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

FINANCE

Kim Browne, Finance Director and Margaret Pasqua, County Treasurer came before the Board. Ms. Browne introduced Thomas Ferry, the County's Auditor for the 2007 Audit, who is here this evening to answer any questions the Board may have.

Mr. Sworen moved and Mr. Melick seconded this:

See Page 09/16/08-3A

RESOLUTION

RESOLVED, Acknowledging compliance with the New Jersey Division of Local Government Services, in connection with the 2007 Audit.

Mr. Mennen asked the dynamic in the "General Comments" section of the audit about the "Adjuster and the Planning Board did not turn over money to the Treasurer in a timely manner." He questioned what that was about and if thought has been given how to correct that situation.

Mr. Ferry explained as part of the audit the firm goes to the individual outside County offices and checks the internal controls. There is a New Jersey State Statute which says money has to be deposited within 48 hours. His firm also analyzes whatever is collected and compares that with information from the Treasurer's Office to make sure that both are in agreement. He explained there could be a mis-posting on the Treasurer's part or a mis-posting on the outside office department. Mr. Ferry noted the offices are small offices; the Adjuster has not been depositing to the County Treasurer for about a year. Before the former County Treasurer left the separate bank account for the Adjuster was deleted so they now have to come directly to Treasurer once any money is collected; so that issue has been taken care of. The Planning Board hasn't been depositing funds in a timely basis, it wasn't done on a 48 hour basis. County Administrator, Cynthia Yard advised that has been addressed in the Plan of Correction developed by the current County Treasurer.

Director Peterson stated in the Auditor's "General Comments" it was noted there are several ordinances over 5 years old that have cash deficient. Mr. Ferry explained the ordinances are unfunded. The County adopted a bond ordinance, spend the money but it was never funded through budget (pay as you go) or take out a bond anticipation note, which the County has not done in year. These unfunded ordinances have to be raised in subsequent years' budgets.

Ms. Pasqua advised the 2008 deferred charges covered the old ordinances that have been spent out of. Finance will be looking into whether the County has to do a bond sale. Mrs. Yard added that recommendations will be made to the Board tomorrow that will mitigate some of this.

Mr. Melick confirmed with Mr. Ferry that a note sale could be done. Mr. Ferry explained at this time the notes are going cheaper. With the way the stock market is at this time, he can't predict how the bond market will be. He will be contacting bond counsel to see if they have any bond sale between now and a few weeks from now, to determine where the market is standing. Notes are fairly stable, so temporary financing could be done. Mr. Melick feels it would be a benefit to the County to have a note sale.

Mr. Sworen asked how many tens of millions of dollars are bonded. Mr. Ferry advised currently the County has \$109 million in authorized but unissued. He spoke with bond counsel after the last Freeholder Meeting on September 02, 2008 and he is comfortable with partially funding some of the newer ordinances and not going back too far. He feels \$30,000 and continue funding through the County's budget. This would free up the Board a little more with the ongoing budgets. Mr. Ferry will do a projection for the Board on what has been paid off in bonds and stated some of the serial bonds are coming due in 2009, 2010 and 2011. As that drops off, you can add to it. In addition, some of the pay as you go items could be released from the budget and be incorporated into the debt service payments.

Mr. Sworen questioned how a bond sale will help the County. The cost of a bond sale is expensive. Mr. Ferry stated until yesterday with the market shake up the interest rates were low; so that would have been his recommendation 2 days ago. At this time, Mr. Ferry can't provide a recommendation; he is just providing the logistics of what is normally done as debt falls off, it is replaced so that the debt service payments are always the same moving forward. As budget season progresses, he proposed that he would come back before the Board in November and provide a dissertation and also provide some real numbers because by November everyone should know where the bond market stands.

Director Peterson said he is not inclined to do any bonding but rather to cut the budget.

Mr. Holt advised tomorrow the Board will start to look at the 2009 budget. Having this information is timely. He feels once the Board gets past the initial meetings in late September/early October, the Board will be seeking options in terms of what direction to move in. Mr. Ferry said once the Board has its basic proposal for the 2009 budget and Ms. Pasqua starts inputting some of the numbers; then he will come to the Board and make some projections.

Mrs. Yard advised Mr. Ferry has been very accommodating in working with the County on its questions brought up. He will continue to work with Ms. Browne, Mrs. Pasqua, Mr. DeSapio and herself in making sure the County has the proper, adequate controls.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 09/16/08-4A

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the 2008 Budget for the Comprehensive Cancer Control Plan, in the amount of \$31,002.

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

Mr. Melick moved and Mr. Sworen seconded this:

See Page 09/16/08-4B

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the 2008 Budget for the Subregional Transportation Planning Program, in the amount of \$51,904.

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

Mr. Sworen moved and Mr. Melick seconded this:

See Page 09/16/08-4C

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the 2008 Budget for the Solid Waste Services Tax, in the amount of \$110,408.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 09/16/08-4D

RESOLUTION

RESOLVED, Authorizing the cancellation of improvement authorization balances.

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

COUNTY UPDATE

Old Business

Cynthia J. Yard, County Administrator informed the Board that all their comments and recommendations made over the last three months; have been incorporated in this latest revision of the policy for Requests for Trips, Meetings, Training and Conferences.

Mr. Mennen moved and Mr. Sworen seconded this:

See Page 09/16/08-4E

RESOLUTION

RESOLVED, Approving a policy amendment for requests for Trips, Meetings, Training and Conferences.

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

New Business

Mrs. Yard reported the following individuals have worked very hard to evaluate the detention needs of the County and a recommendation will be made to the Board this evening on those services. Mrs. Yard introduced the committee which worked on Detention Services for the County: Ron Kirk of the Juvenile Court System, Pam Pontrelli, Human Services Administrator, Janet Previte, Deputy Human Services Administrator, Cathy Zahn, Human Services, Denise Childers, George Wagner, Public Safety Director and herself. Mrs. Yard explained Mr. Wagner was involved as he governs the County's Youth Facility.

Mrs. Yard explained to the Board that a comparison was done of the facilities run by Sussex County and Morris County. She informed the Board that Warren Acres Detention Facility in Warren County is closing. Hunterdon has always had a reciprocal relationship with Warren County and they have always brought their youngsters to Hunterdon's facility and Hunterdon sent its youngsters to Warren Acres for detention services. Hunterdon received notification around the Spring or Summer that Warren Acres was starting to close their doors.

Mrs. Yard advised Hunterdon decided to visit the facilities at both Sussex and Morris Counties and a comparison was done. Hunterdon's Committee has changed its point several times on its recommendation to the Board. The Committee wanted to provide a bottom line of dollars and cents; but that isn't the only consideration when thinking about Hunterdon's youngsters and where they are at on the continuum of services.

Mrs. Yard stated Morris County's facility is very regimental structure. It is a very cut and dry/black and white run organization, with the detention services. Both residential sites offer all of the Juvenile Justice Commission's compliance and they are both accredited by the Juvenile Justice Commission. Sussex County is more of an extension of Hunterdon's Youth Facility services.

Mrs. Yard stated both Sussex and Morris were very amenable to have Hunterdon and to also work with Hunterdon to introduce video conferencing; which would assist Hunterdon with the court appearances and the need for court appearances because both facilities are located a lot farther than where Warren County's facility was.

Mrs. Yard reported there is a program being developed for electronic monitoring and once that is put in place, as well as the video conferencing, then only the worst of the worst offenders will be going to these facilities.

Mrs. Yard informed the Board that after all the research and looking at both facilities, the Committee felt that Morris County could best accommodate Hunterdon's youngsters in detention services because Sussex was more of an extension of Hunterdon's Youth Facility. If the purpose is to be a deterrent for repeat offenders or to keep the community safe, than Morris County is the more structured environment to take care of the youngsters who are at that degree of the continuum of youth services.

Mrs. Yard advised this was not an easy choice but as the Committee met and made comparisons, and met with Morris and Sussex Counties, the Board feels this is in the best interest of Hunterdon's youngsters. The Committee also looked at stability and Sussex like many of the youth detention centers are on thinner ice regarding sustainability and stability. You can see from the censuses, they are low. One of the many things Mr. Kirk brought to the table was that the judges in our vicinage are very supportive of video conferencing and the electronic monitoring program. It is thought there will be a considerable, less number of youngsters getting to that level of requiring a very structured environment and something that will leave an impression, as far as repeat offenders.

Mr. Sworen confirmed video conferencing is used for court which means there will be no need for transportation. Mrs. Yard stated both of the accommodations were willing to work with Hunterdon. Also, Warren County will be sending their youngsters to Morris County's facility.

Mr. Sworen confirmed Hunterdon had a give and take with Warren County, with them sending their youth to Hunterdon what will happen with that. Mrs. Yard explained the detention and youth facility are clearly different services, and they are going to reduce by one. Mr. Wagner reported that the reciprocal agreement was not for free; there was a contract for a per diem cost held by each county. The reciprocal term was not bartering or an exchange or services, Warren paid Hunterdon and vice versa.

Mr. Sworen confirmed the same changes would apply. Mr. Wagner said the cost for Warren Acres was looked at by the Committee, verses the anticipated cost of going to either Morris or Sussex.

Mrs. Yard reported Hunterdon used to contract for up to five beds and this contract being discussed with Morris County is only for two beds with the understanding if Hunterdon has additional needs the County would just pay the per diem, so Hunterdon isn't locked in. With these services, you pay whether the beds are filled or not. The Committee felt two was a reasonable number after reviewing the statistics and the history. Mr. Wagner added that there is an anticipated reduction with the electronic monitoring. It is considered that Morris County would be the most restricted environments so other alternatives would be explored whether it is using electronic monitoring or the youth facility prior to going to either Morris or Sussex.

Mrs. Yard reported Hunterdon's 2007 numbers were plugged into what would be charged by Sussex and Morris Counties for the Board to get an idea of what the costs are. In addition, the Committee also factored in the video conferencing because neither of those counties currently have video conferencing. Sussex said 50/50 for the costs and Morris said Hunterdon should pay for the equipment and they will pay for the T line and the maintenance.

Mr. Mennen said there is a difference in the contract terms between Sussex and Morris. Sussex was offering a one year contract with options to renew and Morris was offering a five year contract. When the projected costs are done with Morris County, the \$175 per diem was used and multiplied by the five years but it has a caveat in Morris' contract that it is a five year contract with the option to negotiate rate each year. Mrs. Yard stated it is Morris' option. Mr. Mennen stated there would not be a fixed price term for five years. Mrs. Yard stated Morris wants room to change the charge but the Committee feels Morris has the more stable residential placement.

Director Peterson asked why Warren County's facility is going out of business. Mr. Wagner advised Warren's numbers are low. Mrs. Yard stated numbers are low statewide in detention services.

Mr. Sworen confirmed this contract would be to buy two beds for 365 days whether we use them or not. Mrs. Yard stated this includes the educational costs.

Mrs. Yard advised the Juvenile Justice Committee is going to be asking for a plan of action and what Hunterdon has done and what direction the County is moving in. The Board agreed to go forward with the Committee's recommendation to pursue detention services with Morris County.

Mrs. Yard thanked the Committee for taking the time to look at the detention services and see what was in the best interest of Hunterdon County's youngsters.

Transportation LINK Services/Fees

Mrs. Pontrelli introduced the County's Transportation Coordinator, Lupe Fowler and Rob Woodward, the fiscal officer.

Mrs. Pontrelli asked the Board if it would approve raising fares for LINK services. Mrs. Pontrelli provided a charge prepared by Mr. Woodward.

Mrs. Pontrelli advised that as of July 01st the budget for Roads, Bridges and Engineering assumed the costs for fuel and maintenance costs for the LINK.

Mrs. Pontrelli stated as seen by Mr. Woodward's chart, the LINK did okay in 2007 but as this progresses, expenses will definitely exceed revenue. The price of fuel has gone up. The LINK's transportation system was just rebid and those costs are going up. She advised the County took a \$66,000 loss in State Casino Revenue funds; each county in the state took a loss. Mrs. Pontrelli explained the reason for the loss was because there were several taxes added that have sunset for the casinos. The counties were told to expect some decrease starting in 2009 for Casino Revenue funds; plus casino revenue is down. There is the expectation that in 2010 the Casino Revenue will continue to decline.

Mrs. Pontrelli reported to the Board that the fares for the LINK were set in 1990 and have never been adjusted in the past 18 years. The options are looking at the fares, increasing the County's funding and possibly service reduction which Mrs. Pontrelli would not like to see as there are many people who depend on the LINK each day. There will be no increase for individuals who are low income, people on public assistance and the Medicaid transportation as there is no fare as there are grants that fund those services.

Mrs. Pontrelli explained that she needs to hold a public hearing on this and is looking for an okay from the Board to move forward. Director Peterson confirmed this is not a Freeholder hearing but a Human Services hearing.

Mrs. Pontrelli stated current charges run from \$0.75 to \$1.00 one way, depending on the activity and she would like to increase that cost to \$1.50. She wants to propose the cost for sedan services be increased to \$5.00 each way. Currently sedan services and other services run from \$1.00 to \$2.00 to \$5.00. Those charges apply to whether someone uses a car, sedan or van. This includes out of county medical trips to Philadelphia or Phillipsburg, to Medicaid Dental. Director Peterson confirmed the cost to a medical appointment in Philadelphia would be \$5.00 each way. Mrs. Pontrelli feels the cost to Philadelphia currently is \$5.00 round trip. Director Peterson confirmed the trips to Philadelphia are for people in need of medical services and they have no other means of transportation. Mrs. Pontrelli informed the Board that a majority of the medical trips out of County are Medicaid and they are reimbursed from the state but there is a budget through Social Services/Division of Family Development and that has a ceiling on it and sedan costs have gone from \$47.00 to \$62.00 an hour. She is very cautious in watching this Medicaid ceiling. Mrs. Pontrelli advised discussions have taken place to coordinate appointments so that if three people need to get to the Phillipsburg Dental Clinic, a date could be set for that and coordinate that with the clinic. Mrs. Yard confirmed the County will have to ask the physicians and dentists to cooperate with the County by setting specific days the County will transport to those areas and ask that they accommodate people seeking those dates for services.

Mrs. Pontrelli reported also being looked at are the public riders, as funds are received from New Jersey Transit for rural riders but there are four municipalities which are excluded (High Bridge, Flemington, Lambertville and another one). Currently there is a minimum cost of \$0.75 and then it costs \$0.10 a grid. The County is looking at restructuring into three zones. Mrs. Pontrelli is recommending the cost of \$2.00 per zone and it will be broken up into three zones. The idea back in 2003 was to rezone into three areas. If a person stayed in one zone, they would pay \$2.00 but if a person goes into another zone, it would be \$3.00, such as going from Alexandria Township to West Amwell Township. She further explained to the Board that after the 2010 census, which will be made public in 2012, it isn't expected that much of New Jersey will be considered rural. Director Peterson confirmed this is a federal program being discussed. Mrs. Pontrelli confirmed that Section 5311 is a federal program.

Mrs. Pontrelli advised the County receives a minimal amount of money from Title III, the Older Americans Act, and most of the seniors are considered under that, and when they ride, it is a suggested donation. Many of Hunterdon's seniors don't pay a fare because it is a suggested donation. Mrs. Pontrelli would like to encourage that more and stated that many of the counties surrounding Hunterdon hand out envelopes when seniors get on the bus. There is a shopping bus billed to the Title III grant, where people are taken to Wal-Mart in Clinton to shop. The last time the bus driver checked there were no donations from anyone on the bus. She feels there is revenue to be gained and would like to encourage it more.

Mrs. Pontrelli informed the Board that the Shuffle has been \$1.00 a day, unlimited since 1990 and it is proposed that the fare be increased to \$2.00.

Director Peterson asked if these recommendations were implemented, how much revenue do you think it would generate. Mr. Woodward estimates the County would receive \$65,000 based on the 2007 numbers.

Director Peterson asked historically what has been the deficit between revenue and expenses. Mrs. Pontrelli said the County's transportation was in the black in 2007. Kim Browne, Director of Finance, feels that the revenues brought in, are not keeping up with the expenses to run the program. Mrs. Pontrelli stated the County has lost some Casino Revenue funding, as well as a couple of month of Job Access/Reverse Commute funding and the bid for operations just came in. Also in 2005, the Board approved unlimited trips for people with high priority medical issue to get transportation to treatment. Mrs. Yard added this program is for medically compromised programs and the Board in 2005, stated it would provide the number of rides to treatment that is necessary.

Mrs. Pontrelli confirmed with John Glynn, Director, Roads, Bridges and Engineering that the fuel and service costs are also a factor.

Mrs. Pontrelli informed the Board there are times when an agency would like to use a vehicle, per hour, for a group trip, and she recommends the cost be \$75.00 per hour; that is a figure she arrived at by looking at the fuel and maintenance. This item does not need to be in the public hearing.

Mrs. Browne stated in the 2008 budget for Roads, Bridges and Engineering, it included oil, supplies, tires and repair items. She went through the items that were shifted from Human Services budget to the budget for Roads, Bridges and Engineering, as of July 2008, including the repair and maintenance of the buses and the fueling of the buses. Also, dispatch (Easton Coach) was moved out of the Route 31 Complex to a different facility, which freed up space and they were made to get a new computer system to run the LINK, which was built into the bid.

Director Peterson does feel the chart provided gives a reflection of the actual costs, historically, for the Board to see how the County is doing on holding costs down. Mrs. Browne feels that number needs to come from Easton Coach.

Mr. Holt said there is a responsibility on society as whole to work to provide service and there is some piece of that same responsibility that falls upon the individual user. For 18 years the County has not taken a look at what responsibility the individual user is and should be. Now, we are doing that. As costs have risen between 2006, 2007 and 2008, the public participation portion has dropped off in terms of the type of grant money that comes into the County and as such the County is going to have to balance potentially some additional costs absorbed in the County budget and some costs now being estimated after 18 years that could be passed on to the user. Mr. Holt said one thing government does horribly is not fairly assessing on an annual basis what rising costs are with respect to whatever the cost of living is and appropriate a portion accordingly. He continued by saying after 18 years we are looking at a rate increase of \$1.00 to \$1.50 which in theory is a 50% increase that maybe should have been apportioned every five years at a \$.10 increase and then the hit would not be so high. This is a double edged sword and a portion of it is being addressed through an increase in user fees and he doesn't think that is out of line.

Mr. Melick feels that by the County maintaining the LINK buses, the service provided to the buses could be on a higher level as he feels the County may have better standards for public safety. Mr. Holt agreed saying some portion of the cost for year one could be assessed to the upgrade of bus safety. He feels the County may find, once the buses are under the County's maintenance program that those costs begin to level off. Mr. Melick said the County is better able to do preventive maintenance than a private contractor. Mr. Holt agreed.

Mr. Sworen asked the rationale for the increase in fees. He asked if Finance suggested the rates be raised. He asked Mrs. Pontrelli how she arrived at the increases for the fees. Are these increases high enough or are they too high. Mrs. Pontrelli explained the increases came about through a series of meetings and discussions; plus looking at the figures in surrounding counties which go anywhere from \$0.50 to \$1.50 to \$2.00. A lot of counties do not do public riders, they have New Jersey Transit. Director Peterson asked what New Jersey Transit charges riders. Mrs. Pontrelli said it depends where the buses are going; their costs range from \$1.35 for the first couple of blocks and then it was \$2.40. She did look at New Jersey Transits site for their ride costs. Director Peterson confirmed New Jersey Transit is charging on a mileage to the destination.

Mr. Sworen asked if a study of done and if the rates are raised, will it lower the ridership. Did anyone look to see if other counties have raised their rates and what that effect was. Mrs. Pontrelli stated a lot of other counties have not raised their fares but her understanding from New Jersey Transit is that five counties out of the seven in this region are pursuing increasing their fares. She was advised to look at Somerset which is \$1.50 for the Scoot. Mrs. Pontrelli can't say she has any true signs except her group talked with dispatch and what would be doable without protecting and taking into consideration what people would be willing to pay. The Shuffle for \$2.00 is a great deal.

After further discussion, the Board directed Mrs. Pontrelli to move forward with holding a public hearing on the increase in fees for LINK services. Mrs. Pontrelli stated the public hearing will be set for either October or November 2008, with the fees to be effective in January 2009.

Mrs. Yard told Mrs. Pontrelli to work with the Clerk of the Board, Denise Doolan, on the public hearings.

Animal Control Officer Study

Mrs. Yard brought back to the Board a discussion for a request for proposals for an animal control officer study. At the meeting held on May 20, 2008, Michael Capabianco of the Chamber of Commerce came before the Board to talk about the possibility of the County sponsoring and going out for a feasibility study for animal control services, where the County would have to pay 10% of the costs. Mrs. Yard advised there was some discussion that the interested municipalities should help the County defray the costs of the feasibility study. Mr. Capabianco had said he thought the cost would be around \$20,000 and at that meeting, he said half the municipalities had expressed an interest. The Board offered Mr. Capabianco the services of the County's Purchasing Agent, John Davenport, to work with him, hand and glove, to get this Request for Proposals together. Since that time, Mr. Capabianco has left the Chamber of Commerce and taken the position of municipal administrator in another county.

Mrs. Yard reported that she and Mr. Davenport had some questions as to why the Chamber wasn't trying to put municipalities together to do something with a Request for Proposal for animal control services since this isn't a County responsibility. In May, the Board did give the go ahead to pursue this and one respondent government strategy group, and a recommendation was sent to the County from Mr. Capabianco asking the Freeholders to adopt a resolution and the contract would only be valid if a grant is received. It further suggested the Freeholders adopt a resolution approving a share group. Mr. Capabianco is also recommending the County release its SAGE access to the SAGE Tier Access for these grants, and Mr. Capabianco would write the share grant. Mrs. Yard and Mr. Davenport have some concern releasing County SAGE information; plus Mr. Capabianco is no longer an employee of the Chamber of Commerce, nor is he employed by anything to do with Hunterdon County.

Mrs. Yard advised she and Freeholder Holt discussed the issue that the municipalities would pony up funds if this is something they were interested in participating in. She will find out which municipalities were interested.

Mrs. Yard stated if the Chamber is going to continue their initiative to provide shared services, perhaps the County should wait until the new person is hired and let them lead the charge on this.

Mrs. Yard said in discussions with Mr. Capabianco regarding fuel as a shared service. The state initiative does not recognize any of the shared services the County has already put together, so there won't be credit for it; as they are only looking to develop new shared services initiatives. When Mr. Capabianco was the host for shared services, he wasn't interested in what was amenable to municipalities such as regionalizing. Mrs. Yard has concern about giving this individual access to the SAGE computer system. As the County Administrator, Mrs. Yard has total access and there are a few others who are designated to access the system as a "worker", such as John Glynn, Director, Roads, Bridges and Engineering; Rhonda Kelly, Administration; and Alan Johnson, Solid Waste/Recycling Coordinator.

Mr. Sworen stated part of this is SAGE and part is other information. Mr. Capabianco is still doing work for the Chamber of Commerce and he still has projects he needs to finish for them such a shared services meeting coming up in a few weeks and some paperwork. There is still discussion about paying him fees from the original grant until the Chamber is able to get a new person in place. Mr. Sworen stated that Mr. Capabianco will be paid under a different part of the grant the Chamber has, so technically he is still with the Chamber of Commerce. Mr. Sworen feels Mr. Capabianco could be set up with limited access to SAGE as a "worker" to a specific project. SAGE is set up in a way that the person has to be on the system for that entity to make it work. Mr. Capabianco has to be able to access the system in order to make this work and it can be restricted access so he only can work on the one project.

Mrs. Yard stated the terms of the grant which the Chamber of Commerce received, in the amount of \$100,000, was for three years and she feels the Chamber should want to fill that position quickly. Mr. Sworen stated they are working on that process but until that happens, there is an interim process going on, so Mr. Capabianco can continue even though he left the Chamber in the beginning of August, the memorandum received from him is dated August 22, 2008 and he still has the capability to do the work.

Mrs. Yard said she and Mr. Holt had active and engaging conversations about shared services being shared costs and if municipalities want the County to spearhead this effort, it was advertised to the Board that the County had to take the lead and that isn't correct, the municipalities could take the lead in shared services. Mr. Sworen agreed anyone can take the lead but in the original discussions, the Freeholders decided it would pursue this process, for a countywide animal control process and take care of the initial cost and the rest of the costs would be provided by whoever was going to go into the shared service. He believes the Freeholders said they would be supportive of the initial costs and asked that the minutes of May 20, 2008 be researched to see what the Freeholders agreed to, in order to get the process off the ground, and get the grant. This would benefit all the County residents because if there was a countywide animal control, either run by the County or run by another group, because the issue right now is there is a lack of animal control services in the County. He thought this could be a continuation of that process as the Board already agreed to do this.

Mr. Sworen stated Mrs. Yard raised a good point with Mr. Capabianco having access to SAGE. He would need an identifier and/or a password from the County or entity, to get into the system to put something for that entity forward. Mr. Capabianco would not need to access SAGE to create the data and then he would have to get on SAGE to create the project, create the request and to key in all the information in general. This is more of a situation where he would need to access the system once or twice to do that.

Mr. Mennen thinks that Mr. Sworen and Mrs. Yard are both correct and it isn't about Mr. Capabianco or computer access, this was a staged process, and the first stage was a minimal outlay by the County and that outlay was the Purchasing Agent's time and the funds to advertise for the RFP and when the RFP came back, the Freeholders were going to take a second look at it, which is where we are now. Mr. Mennen added that part of the analysis was to be what municipalities are interested and to what degree would the municipalities be willing to fund the portion of the study that was not grant funded. Mr. Mennen feels this Board is not ready to move forward at this time because more information is needed.

Mr. Mennen said when the Board met on May 20, 2008 at the historic Court House, the Freeholders agreed to the survey and felt they would see how much the costs were when the survey was done and then the Board could see what the County's share would be and then the Board would ascertain what municipalities want to participate as this is to the municipalities benefit.

Mr. Sworen advised another important factor is that there is no money. The cost right now is the access to SAGE to put together a proposal and make a request. The \$3,590 is not something the County has to agree to pay at this time, it is only if the grant is awarded; then that value has to be generated by the County and entities involved; but that cost doesn't have to be paid right now; it is a future cost if the grant is received. Mr. Mennen agreed but feels it is an encumbrance. Mr. Mennen explained the resolution proposed says that Hunterdon County is required to provide 10%. If the Freeholders move forward with the grant process, the Board would be agreeing, if the grant is approved, and if the Board accepts it, to fund \$3,590. The County has met stage one and it cost the County the Purchasing Agent's time and the cost to advertise the RFP and that has been done. Now, the Board has to make a decision whether to do this alone or to look for municipal commitments.

Mr. Holt said the concept of shared services is one where everyone will join in, if it sounds like a free ride but now there is a cost associated with this service and in his opinion, some portion of the costs should be shared by those municipalities who are interested in pursuing this. If that number is divided by the number of municipalities that expressed an interest, it would cost a few hundred dollars each. At the time the grant would be awarded, the County would try to figure out how to make computer access available and ask them, at that time, to verify with the municipalities that have expressed an interest to participate what their financial contribution will be towards this, before moving forward. Mr. Sworen added that whoever will be applying for this grant, the County would be responsible for the 10%. Mr. Mennen stated the municipalities need to be vested, because shared services are good and sometimes to get it off the ground there could be a small cost.

Mrs. Yard said her staff could go back and look for any resolutions from interested municipalities or the County can contact Mr. Capabianco to see if he has any records, in order to establish which municipalities have favorably agreed to be a participant in the shared services for animal control. Mr. Holt suggested Mrs. Yard contact Mr. Capabianco.

Mr. Melick recused himself at 7:25 p.m. and left the meeting.

FARMLAND PRESERVATION

Mr. Sworen moved and Mr. Holt seconded this:

See Page 09/16/08-9A

RESOLUTION

RESOLVED, Approving the Contract for Sale of Development Easement from West Amwell Township (Gulick Home Farm I), on Block 14, Lot 33.02, (SADC - \$329,353.20, Township - \$109,784.40, County - \$109,784.40), total amount of \$548,922.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 09/16/08-9B

RESOLUTION

RESOLVED, Approving the Contract for Sale of Development Easement from West Amwell Township (Gulick Home Farm II), on Block 13, Lot 34, (SADC - \$306,096, Township - \$102,032, County - \$102,032), total amount of \$510,160.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 09/16/08-9C

RESOLUTION

RESOLVED, Approving the Deed of Easement and Grant Agreement with Henry C. Verity and A. Shirley Verity, on Block 4, Lot 2, in Kingwood Township and Block 39, Lot 11 and Block 41, Lot 18, in Franklin Township, consisting of 92.104 acres, (SADC - \$596,833.92, County - \$169,102.94, Kingwood - \$100,917.47 and Franklin - \$127,868.87), total amount of \$994,723.20.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 09/16/08-9D

RESOLUTION

RESOLVED, Authorizing the release of an Option Agreement with Richard W. Cain, on Block 25, Lot 28.01, in Holland Township.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 09/16/08-10A

RESOLUTION

RESOLVED, Authorizing final approval to provide a cost share for the purchase of a development easement on Serenity Hills farm, consisting of 307 acres, Block 3, Lots 4, 4.02 and 34, Block 4, Lots 4.02, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, 4.09, 4.10, 4.11, 4.12, 4.13, 4.14, 4.16 and Barclay Road, in Tewksbury Township.

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

PLANNING BOARD

Sue Dziamara, Planning Board Director, updated the Board on the Farmland Preservation Program and Planning Board activities.

- o **Municipal Outreach Meetings:**
 - Completed 10 of the 26 meetings.
 - Wastewater Management Plan, local advisory committee and county steering committee.
 - Planning Awards, new date: March 31, 2009.
 - Efforts to implement Transportation Plan, coordination with HART Commuter Information Services.
- o **County Wastewater Management Plan:**
 - Working on the grant request for the \$100,000 from NJDEP.
 - Scheduled municipal information meeting with Larry Baier, Director of the Watershed Management, tentatively set for October 27.
 - Scheduled Breakfast Talk for WMP discussions on December 3.
- o **County Planning Awards Program**
 - March 31, 2009 Hold the Date; Information to be distributed.
- o **Transportation Project Update:**
 - I-78 resurfacing to begin October.
 - I-78 Designation as Scenic Corridor: Staff prepared maps for Committee; Meeting with Somerset 9/16; next step, schedule pre-application meeting with NJDOT.
 - Route 202 Corridor Project: Good response to on-line survey, analysis being prepared by Ridewise; next step: meeting with Somerset and Hunterdon.
- o **County Transportation Plan:**
 - Adopted in June 2008, received a check for \$72,000 from the State.
 - Close out Smart Future Grant that was awarded in 2003.
- o **Highlands Regional Master Plan:**
 - Approved and Executive Order 114 signed by the Governor on September 5.
 - Review and analyze Executive Order.
- o **COAH Update:**
 - Planning staff spent over 130 hours developing the map template.
 - 128 municipal maps to support the Municipal lawsuit.
 - Continue to review COAH regulations/A-500.
 - Sept 16 meeting with Assemblywoman Karrow.
 - According to Charles Richmond, Deputy Commissioner, DCA, local governments are not likely to be exempt from the 2.5% non-residential development fee, the AG is reviewing.
- o **State Development and Redevelopment Plan (State Plan)**
 - Municipal Land Use Center to prepare and submit Draft State Plan (4th Draft under Review).
 - Followed by 6 public hearings.
- o **Draft Hunterdon County Comprehensive Farmland Preservation Plan**
 - Resubmitted to SADC, once we receive "green light" approval, we will schedule public hearing and adoption by Planning Board.
- o **SADC Final Closing Authorization Requested: (4 applications (211 acres).**
- o **SADC Preliminary Review Comments Being Addressed: (6 applications, 528 acres).**
 - In January 2006 the Farmland Program had 40 traditional farms pending with application dates ranging between 2001 and 2006, today that number has been reduced to 6.
 - There are six (6) applications in the 2007 round (2 have closed), seven (7) in the 2008 round and 13 option agreements sent out for the 2009 program.

ROADS, BRIDGES and ENGINEERING

County's Community Management Plan for Forestry

John P. Glynn, Director, Roads, Bridges and Engineering informed the Board that the Shade Tree Commission met last week and they have received their Certificate of Approval for the County's Community Management Plan for Forestry. This has been in the making for five years. A special thanks should go out to all the Commission members, especially Shaun Van Doren for all his effort in putting this plan together. The biggest challenge now is to make sure the County abides by this approved plan.

Mr. Melick confirmed with Mr. Glynn that he agrees with the plan and is comfortable with it.

Bridge on McCan Mill Road, Tewksbury Township (repairs)

Mr. Glynn informed the Board that there is a bridge problem in Tewksbury Township on McCan Mill Road, there is a small hole in the bridge and repair work will be done as necessary.

Public Hearing, September 17, 2008, County Bridge project

Mr. Glynn reported a public hearing will be held tomorrow, September 17, 2008, at the Route 12 County Complex, Building #1, on a bridge project on Holland Brook Road, in Readington Township, between 6:00 p.m. and 7:30 p.m.

COUNTY PROJECTS

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

- The exhaust fan is now set up at the Emergency Services/Communications Center Addition and Renovation, however some air is blowing back into the room. Mr. Bell and Pete Maddalena, Director, Buildings and Maintenance have looked at this today, and they believe the engineer did not take into account that there are fixed louvers on the existing opening. They think if this was looked at closer, there should have been a movable or a gravity type or an operable type louver allowing the air to flow out. The issue is it isn't good that the air is coming back into the room, because it is supposed to exhaust all the hot air out of the space. This is going to create a lot of heat. While most the air is blowing out, there is some that is coming back in and the heat is supposed to be dissipated by blowing it out of the building. Mr. Bell has asked the architect why the air is staying in the space. That will be clarified. Mr. Bell advised the ballasting report has been received from the HVAC contractor and it is ready to go. The County at this time is waiting to get a temporary certificate of occupancy (TCO) for the addition to the building and to get that the exhaust fan has to be remedied. Plus there is also some touch up work to be done, painting and clean up work. The bulk of the work is done. When the County is ready to get the TCO for that side of the building and substantial completion is being done, the County will do a partial substantial completion and accept out all of the EPS and items that have been damaged and anything that might have been effected by the EPS. Mr. Bell will be discussing this with the County's attorney.
- Paint has been striped off of the Southard Building; all the lead paint has been removed. The vendor has started painting the building. There is a small amount of a tint showing through the paint on the outside of the building, and Mr. Bell brought back Sherwin-Williams who sold the paint to the contractor and they will be testing that because there is something that is bleeding through, so they need to find what product needs to go on the building to block this. The mortar on the chimney is extremely soft, so plywood has been placed around it to keep it stable; the architect will be coming back to look at the chimney to see what can be done to stabilize the chimney.
- The contractor for the Hall of Records did come back and review the lights which were turning on at night, with Mr. Maddalena. Adjustments were made and it is believed the adjustment worked. Once the Southard Building is finished, the entire system will be commissioned.
- The contractor for the Justice Veniero space, in the Justice Center, is waiting for final approvals on his application for permits, and for the final inspections. Mr. Bell is be doing a walkthrough with the architect shortly.
- Mr. Bell advised the contractor is waiting for a permit to be released for the Everittstown Garage project; this was held up because the contractor did not submit the final, approved sealed drawings to the building inspector. Those drawings were hand delivered today. It is expected the permits will be released by Friday of this week and then the contractor will drill for the holes for the foundation.
- The County is waiting for the TWA (treatment works approval) permit to be approved by the New Jersey Department of Environmental Protection for the South County Park.
- The contract for the Warehouse/Records Retention Center is at the architect for review prior to awarding the contract.
- The Point to Point Wireless System is being rebid.
- Mr. Bell stated he is working on the A-Frame building blocking it out; he's taken existing measurements and is drawing a document for future use.
- The contractor is finished the Jail roof and the County is waiting for final the final payment for the contractor.
- A meeting will be held on September 26, 2008 on the Small Cities Housing Grant, to review the project status to date. A presentation will be made to the Board at the first meeting in October to review the project. Mrs. Yard added that County Counsel DeSapio is helping to close out the 2004 Small Cities Grant.

PURCHASING

Director Peterson questioned if Items #1 and 2, (Bid #2008-25, to furnish and deliver a 2009 Case 580 Super M 4-Wheel Drive Backhoe and associated equipment, to Powerco, Inc., in an amount not to exceed \$86,125 and Bid #2008-26, to furnish and deliver One (1) 2009 Sterling Bullet 5500, 4 Wheel Drive, Dual Rear Wheel Cab Chassis and/or Two (2) Sterling Bullet 5500, 4 Wheel Drive, Dual Rear Wheel Cab Chassis with Aristocrat model CS125, 3-4 Cubic Yard Heavy Duty Municipal Bodies and Associated Equipment or approved equal, to Robert H. Hoover & Sons, Inc., in an amount not to exceed \$164,254) are absolutely necessary. He asked if these capital items need to be expended at this time, as he would prefer to save money for next year.

Mr. Melick said if the Board wants to delete these items, then we need to delete the operators that run this equipment because there is no sense in having operators that have nothing to do. This is two fold. The Board can make it so nothing can be purchased, but then we will have people standing around with nothing to do because they have no equipment to run.

Director Peterson asked if Items 1 and 2 are replacing equipment that no longer functions. Mr. Davenport informed the Board that these are replacement equipment. He can't answer to what level the equipment is functioning and the amount of repair that would be required to maintain the equipment.

Director Peterson recommended from today forward, the Board needs to look at all capital expenditures to make sure that it is needed or if it is something that can be put on a longer cycle. An example would be cars, when they hit 80,000 miles they are taken out. Mrs. Yard explained the vehicles are assessed and they are put into the pool vehicles or a department where there are less trips. Director Peterson said there is no reason the cars could not be used longer. That would be another way of not having so many cars. The Board needs to make sure a car isn't being bought because the County wants to have things in a certain timeframe but realistically maybe we can get more use from the cars.

Mr. Holt stated he has seen from the Fleet Management Committee that vehicles are shifted around and a longer amount of time for the vehicles. If you look at vehicle purchase in 2007 and 2008, it can be seen that it is dramatically lower than in prior years based on the analysis done by the Fleet Management Committee. Mr. Holt added that tomorrow morning, at the special meeting on Capital Budget items, things like this will be looked at and the Board can determine what the cycles are. Director Peterson would like to capture savings in the 2008 budget and not wait for the 2009 budget.

Mr. Davenport informed the Board that an old piece of equipment is being traded in for the replacement vehicle, and it is a 1991.

Director Peterson would like to see what the County is doing with open positions that they be re-evaluated to make sure it is needed, that it be done with the capital items. The County may be able to save a little more, and it will add up to a lot by the end of the year and it will be that much easier to get through another budget cycle. Mr. Melick suggested asking for competitive bidding for rentals or to have a contractor come in and do the work, then you can eliminate the operator and the machine. Director Peterson said as things come up, the Board can make an analysis of how often a piece of equipment gets used; whether it makes economic sense to rent versus own. Mr. Davenport said Roads, Bridges and Engineering currently does that. Director Peterson feels this needs to be re-evaluated on a regular basis and as the Board goes through the budget process there might be other ways discovered to create a cost savings. The Board needs to re-think how things are being done to see if there isn't a better way to do it. In some instances, what the County is currently doing, maybe the best way and in others it may not. Mr. Mennen said departments need to provide the rationalization or justification prior to purchasing. Director Peterson added that they should also provide other options and if those would be cost effective.

Mr. Sworen stated this was already done for this equipment earlier in the year when the capital budget was prepared for 2008. The capital budget items have all been vetted by the Board and the Director of Roads, Bridges and Engineering provided all the information as to why this was needed and backup was provided. Director Peterson said normally that would have been sufficient but since February when the budget was done, the world has changed dramatically and after what transpired this past weekend, the Board needs to take a second and third look at items to determine if they are needed at this time.

Mr. Holt said this is an 18 year old backhoe, which costs about \$3,000 a year for maintenance costs and it is the heart and soul of what the County does, in the departments that operate that equipment. He does not think a backhoe could be rented for \$3,000 a year or even \$6,000 a year. There are certain pieces of equipment that are inherent if we are going to perform certain services, and it is more cost effective to have them. Somewhere in the 18 to 20 year timeframe, there is going to be a cost factor for maintenance that keeps getting higher and that is the time decisions have to be made.

Items #1 and 2 were held until the October 07, 2008 meeting, so the Purchasing Agent, John Davenport, can obtain more information for the Board.

Mr. Holt moved and Mr. Mennen seconded this:

See Page 09/16/08-11A

RESOLUTION

RESOLVED, Authorizing the award of Bid #2008-27, for Fine Paper and Envelopes, to Paper Mart, Inc., in an amount not to exceed \$67,743.85.

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

Mr. Sworen moved and Mr. Mennen seconded this:

See Page 09/16/08-11B

RESOLUTION

RESOLVED, Authorizing that the award of Bid #2008-31, for a Hunting License Agreement for Block 6, Lots 44, 49 and 49.02, in Holland Township, to Farmers Sportsman's Club, Inc., amount to be received shall be \$8,327.87.

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

Mr. Davenport informed the Board that George Muller of the Sheriff's Office contacted him regarding the X-Ray equipment at the Justice Center. Since there are three weeks between meetings of the Board, the Purchasing Department is obtaining quotes for this equipment. Mr. Davenport asked Mr. Muller to check and see what the service records were for the X-Ray equipment and to identify if the equipment is down or if it is still operating. The machine has been at the building since it opened.

Mr. Muller stated he is representing the Sheriff, who is away at the National Sheriff's Conference. He is bringing this to the Board's attention, as it is something that could compromise the security of the Justice Center. There are critical shortcomings in the operation of the X-Ray equipment. In 2005, the generator was rebuilt at a cost of around \$15,000 but that cost was covered under the maintenance contract. When the 2006 budget was prepared by then Sheriff Doyle, it was agreed that \$5,000 would be placed in the budget to continue the maintenance contract for the X-Ray equipment as opposed to purchasing a new machine at a cost of over \$25,000. He believes the Freeholder Board did approve placing \$28,000 in the Capital Budget for 2006, for when this equipment fails. The high resolution of the machine, which is seen on the pass through screen, sometimes it fails and sometimes it is very cloudy and you can't pick out metal. If this machine isn't replaced in a timely fashion, then each bag and pocketbook will have to be hand inspected; which will delay attorneys and those coming into the building. Mr. Muller has checked with Finance and the money to replace the machine is still in the Capital Budget. He noted that the current maintenance contract will expire in three months for this piece of equipment.

Director Peterson asked why this machine can't be fixed under the maintenance contract. Mr. Muller explained the high resolution can't be repaired, the machine is worn out, its fifteen years old.

Mr. Davenport feels there are certain things in the service contract and he will look at that contract to see what is covered. Mr. Muller explained he planned on doing that but if the service contract doesn't cover what is wrong with the X-Ray equipment, and the fact that the Board doesn't meet again for three weeks, he is asking for approval to replace the machine if it can't be repaired under the service contract.

Mr. Holt confirmed funding is available under an old ordinance should this equipment need to be replaced. He then informed Mr. Muller and Mr. Davenport that the maintenance agreement needs to be looked at to see what the extent of the agreement is and whether or not there is any in that agreement which would preclude this from being repaired by the company under that agreement. If after the service agreement has been reviewed, it is found that it does not cover this, then the Board needs to decide what to do. He feels the service agreement can be reviewed over the next few days and if it does not cover this work, then the County Administrator can poll the Board to determine what needs to be done in terms of moving forward and a resolution can be done at the next meeting. Mr. Davenport will get a copy of the service contract from the County's Buildings and Maintenance Department. He feels this could be deemed an emergency purchase because it jeopardizes the security at the Justice Center and the law provides for such a situation.

Mr. Sworen feels there was some grant money from the state for upgrades to security for the courts. That should be looked into. Mr. Sworen asked George Wagner, Director of Public Safety, if this would come under Homeland Security. Mr. Wagner advised it does not according to their definition.

Director Peterson would like to have all the answers before authorizing the purchase. Mr. Holt said once the maintenance agreement has been reviewed, Mr. Davenport will inform the Board and if this is covered, we move forward and if it doesn't then Mrs. Yard will poll the Board concerning its replacement.

Mr. Davenport confirmed for the Board that he has put out quotes to replace this X-Ray equipment, but the Board doesn't meet again for three weeks and then there is a three week lead time to obtain the equipment. Mr. Davenport will inform Mrs. Yard of what the maintenance agreement says and she will keep the Board updated.

Mr. DeSapio said if action is needed to purchase this equipment, everyone will know tomorrow, and the Board could take action at tomorrow's special meeting.

Uniforms/Shirts – Sheriff's Office

Mr. Muller asked the Board, on behalf of the Sheriff, the status of the payment for the summer uniform shirts and the lettering on one of her vehicles.

Mrs. Yard advised she wrote correspondence to the Sheriff explaining to her that even through this was not a budget concern, it was an operational concern and it is still under review. Mrs. Yard stated she wrote that correspondence last week to the Sheriff. Mr. Muller said the Sheriff did mention that to him and she thought this might have been brought up at today's meeting. Mrs. Yard stated it is still under review by the Board.

GRANTS

Mr. Sworen moved and Mr. Holt seconded this:

See Page 09/16/08-13A

RESOLUTION

RESOLVED, Approving the renewal of a Health Services Grant application, to provide indigent clients substance abuse treatment; Outpatient Services, Intensive Outpatient Services, Short Term Residential, Halfway House Services, Detoxification Services and Prevention Services, in the amount of \$255,009, (state funding - \$226,485, County Match - \$28,524).

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

OLD BUSINESS

Cooperative Open Space Acquisition Policy

Mrs. Yard stated the policy for Cooperative Open Space Acquisition has been discussed by the Board since October 2007. Mr. Sworen said the problem is that it went from one format to different format. He asked Mr. DeSapio if everything is still in the policy under the new format. Mr. Sworen stated he has been away and has not had a chance to review the whole policy yet. He is aware that the Planning Board Director, Sue Dziamara, had made some recommendations which were forwarded to Mr. DeSapio and they are not in this policy. Ms. Dziamara would like to meet with the Board and Mr. DeSapio to make sure those changes are included which concern the County's Agriculture Development Board and her responsibilities.

Mr. DeSapio advised Ms. Dziamara did not want it to seem as if the Farmland Preservation Program was under the oversight of the Open Space Trust Fund Coordinator and that was changed in the policy.

Mr. Sworen added there are dates missing in the policy.

Mr. DeSapio will incorporate the comments in Ms. Dziamara's email into the Cooperative Open Space Acquisition Policy prior to the Board's approval.

John Trontis, Director of Parks and Recreation, informed the Board that he also has some comments on this policy. Mr. DeSapio will email Mr. Trontis' comments to the Board this evening and a copy will be made available to the Board tomorrow at their special meeting, and the Board can inform Mr. DeSapio which of Mr. Trontis' comments they want included in this policy. Mr. DeSapio explained he received the impression, that there were none of those comments that should be incorporated in this draft.

Mr. Holt confirmed this draft Cooperative Open Space Acquisition Policy should be ready, in final form for a vote by the Board three weeks from now, on October 07, 2008.

Director Peterson explained the purpose of this policy is to have a written process so everyone could understand how the process works and see that it is a fair and equitable process. This is to put in place a process for Open Space and Parkland Preservation, because the County currently does not have a formal process like there is for Farmland Preservation. This will provide a fair and equal opportunity for anyone who wants to participate in the program.

Tewksbury Library Association/County Library Commission's Policy

Freeholders Mennen and Melick recused themselves due to a conflict.

Director Peterson confirmed with Mr. DeSapio that the Freeholders do not have the authority to tell the Library Commission how to run their Commission; the Freeholders' role is appointing members to the Commission.

Director Peterson stated the request made to the Freeholders by the Tewksbury Library Commission asking the Freeholders to have the Library Commission change its policy concerning reserve funds would need to come from the County Library Commission to change its policy. He confirmed the Freeholders cannot dictate the Library Commission to change its policy.

Mr. DeSapio advised the County Library Commission has already considered this issue and decided they do not want to change their policy. If the Board has a different point of view, the Board could talk with them and explain the Freeholders perspective and see if they will change their policy. The Library Commission has said for years, in connection with the affiliated libraries the County Library will help them stock their books and other materials, and to do that money will be placed in the Library Budget to purchase things for them but those items will be inventoried as being owned by the County. The reason for that is, if the affiliated library should go out of business the County Library can get the books and materials they paid for back and/or if a municipality withdraws from the County Library System, then the County Library would get the books they paid for back. The reason the Library Commission does not want to change its policy is if the money was used for capital improvements, such as painting a building or putting in an elevator, it is not to the County's benefit and the Library Commission feels that the local municipality that runs a municipally operated library or the private entity that runs a library should be responsible for their building and their staffing and the County will help them by providing books, materials and computers to run a catalog system.

CORRESPONDENCE

A request was received from SAFE in Hunterdon, requesting permission to use the historic Court House steps on Thursday, October 16, 2008, from 6:00 pm. until 7:00 p.m., for the annual Candlelight Vigil. Requesting permission to hang the Clothesline Project at the Justice Center and at the historic Court House and along Main Street. Also requesting permission to use a podium, light and microphones system, as approved in past years. Mr. Sworen moved and Mr. Holt seconded a motion approving this request provided it is coordinated through the County's Department of Buildings and Maintenance.

ROLL CALL: (AYES)

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

Correspondence was received from New Jersey Multi-Sport requesting permission to use a portion of County Routes 620 and 629, for their 5K bike race on October 04, 2008. Mr. Mennen moved and Mr. Sworen seconded a motion granting permission provided this event is coordinated through the County Department of Roads, Bridges and Engineering.

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

OPEN TO THE PUBLIC

Director Peterson opened the meeting to the public.

Route 31 County Complex/Bocce Court

Angela Taranto of Old Clinton Road in Raritan Township came before the Board advising she is representing some of the members of the Senior Center with regard to the Bocce Court. Ms. Taranto read a statement expressing concern over building a wireless communications tower at the Route 31 County Complex, on Wescott Drive. The seniors are disappointed that this site has been chosen. The bocce group became aware of the decision to build the tower on that site at the end of August, 2008. At that time they were going over plans to build a horseshoe pit adjacent to and to the left of the bocce court. The area along Wescott Drive is shaded which makes it ideal for the bocce court and placement of the horseshoe pit. This area affords the seniors of an activity and socializing within a matter of years of the courts. The Boy Scout, Travis Rainey, of Troop 194, is committed to building the court, a storage box for equipment, another bench and repairs to the existing flower boxes. This is Scout Rainey's project to earn his Eagle Badge.

Ms. Taranto said the seniors are concerned about the shade provided by the trees that maybe removed in order to locate the tower, the close proximity to the bocce courts, access to rest room facility and the serenity of that area.

Ms. Taranto thinks the suggestion that the courts could be moved to another area is not acceptable to the seniors. The area suggested is in full sun and is a narrow strip along the side of a parking lot, making the vehicles vulnerable to stray horseshoes. If the activities are separated, then communication is separated by those participating in the activity. The benefit to mind and body and keeping seniors active is the reason they show up each week. In addition the wireless tower would be an eyesore. She asked what happens to the towers when they are obsolete.

Ms. Taranto provided the Board with a petition signed by the seniors to the County's plans for the wireless tower.

Director Peterson agreed with Ms. Taranto and stated he voted that way. He suspects the Board has made a decision and doesn't feel they will change their mind. There is a company trying to wire the County with fiber optic and he feels there could have been an agreement made because they want to use the County's right-of-ways to do it.

Director Peterson stated he regrets she was not aware of this earlier and he agrees with her concerns. Director Peterson added that Freeholder Mennen voted with him.

Mr. Sworen explained there was a lot of discussion regarding the health issues. This is not a cell phone tower and it isn't a tower with high microwaves, so a health concern is not there as it would be for other towers. This is a very narrow, focused beam and unless you are in front of the antenna at whatever height it is and standing in front of it, you are not affected.

Mrs. Yard is aware that John Glynn, Frank Bell and Pete Maddalena have meet to look at programming for the courts and they are looking at other locations on the site. She explained the County is trying to make this a win/win situation for all parties, with the bocce court and horseshoe pit being located adjacent to each other, plus they are considering if there is adequate shade. The County is trying to look at alternatives that won't compromise what the recreational needs of the seniors are, which is the bocce court next to the horseshoe pit and close to the rest rooms and that there is shade.

Mr. Sworen said the Board will keep the Director of the Division of Senior Services of the Human Services Department involved.

Ernest DelMonte of Raritan Township feels since the bocce court is already at the site, it should influence a different location for the tower.

Sheriff's Office/Request for Additional Funding

Freeholder Melick asked John Maloney, Undersheriff, if he was armed. Undersheriff Maloney stated he was not.

Undersheriff Maloney stated the Sheriff sent a letter to the Board on September 11, 2008, for additional funding for her office. He reported the Sheriff called the Human Resources Director last week, four times, before the Sheriff left for vacation, to set up a meeting in order to reconcile the numbers and he said the calls were not returned.

Undersheriff Maloney advised a cooperative meeting was held with County Counsel DeSapio, Freeholder Mennen and George Wagner. Mr. Wagner informed them that he was making a recommendation to the Board to replace officers as they leave and to allow the use of security guards where possible to replace officers as they leave. Also, there will be two security guards are at the front desk, one in the control room, three during the day and three at night.

Undersheriff Maloney stated the numbers for the Sheriff's Office are not far off from the most recent statement from Finance. It was projected that the Sheriff's Office would be \$86,385 over budget, which projects out to \$1,559,845 and the Sheriff's salary and wages is \$1,557,089 so the Sheriff's budget is within a couple thousand dollars.

Undersheriff Maloney said County Counsel DeSapio has repeatedly said, and he believes it should be done, is to learn how to trust one and other. The Sheriff has pledged in her letter, that she will not seek raises for her administrative staff if money is left over. If money were left, it would go back into the County's coffers.

Undersheriff Maloney stated the amount of money the Sheriff's total budget would be is \$1,577,089 and if you added the money in for overtime which is \$25,000, and it is not projected all that money would be spent. He said the Freeholders have already committed to giving the Sheriff's Office \$58,472 and still needed is \$20,157, and that total is \$78,629. He stated an answer is needed as soon as possible. The money was pledged by the Board at a meeting in August, but this hasn't gone farther. If the money is not appropriated, the only way the Sheriff can come close to coming within the budget is to close the Justice Center every night and that is not something anyone wants to have to do but a decision is needed now.

Mr. DeSapio informed Undersheriff Maloney that the Board has reviewed the Sheriff's letter generally. The commitments that the Freeholders made in August can't be finalized until after November 01, 2008 because that is when the County is allowed to make budgetary transfers but you can rely on those numbers.

Mr. DeSapio advised Undersheriff Maloney that the Board discussed having him send a letter to the Sheriff and since Undersheriff Maloney is here, he will state what that letter will say. The letter will say that the understanding from the meeting with Gene Farkas, Trial Court Administrator, the Sheriff, Mr. Wagner, and yourself is that in an attempt to avoid the Sheriff's proposal to close the Justice Center that Mr. Wagner would be provided as a expert/consultant to the Sheriff's Office to try to run the operation for the month of September in a manner which would come within the budget. It is understood that the Sheriff agreed to that. As a part of that, Mr. Wagner has had a couple of meetings with Ed Davis of the Sheriff's Office and Mr. DeSapio understands that Undersheriff Russo was at more than one of those meetings. Mr. Wagner asked for the daily staffing reports so he could help analyze them and provide recommendations to Mr. Davis and/or Undersheriff Russo or the Sheriff, as to how to staff the daily operations so that the Justice Center could be kept open at night and avoid overspending your budget. Mr. Wagner was told today, which is extremely disappointing to the Freeholders, that he was not going to be receiving the daily staffing reports and also your letter says that you understand his recommendation to the Board. Mr. DeSapio informed Undersheriff Maloney that there was no discussion of him making a report to the Board, but what was discussed was Mr. Wagner assisting in providing advice to see if the Sheriff's Office could change its method of operation in order to keep the Justice Center open for the month of September. What was decided, that after you tried those recommendations of Mr. Wagner, if they did not work, then Mr. Wagner would make a report to the Board but if they worked, there would be nothing to talk about.

Mr. DeSapio stated the letter the Sheriff will be getting is going to say a meeting is needed with Mr. Farkas and whoever she wants to bring and the Board wants Mr. Davis at the meeting because he seems to be the most knowledgeable about the operation having served under the previous sheriff and having run the staffing for the first few months of this year, in order to go through this and get on the same page. The Board's understanding was that Mr. Wagner was going to make recommendation for how to run the operation and the Sheriff's Office would experiment and implement them and everyone would meet again at the end of September, before there was a discussion about money. Mr. DeSapio confirmed that was the Board's understanding.

Undersheriff Maloney said that was not what was agreed to. The agreement was to have Mr. Wagner come in, meet with Mr. Davis and Undersheriff Russo to look at the staffing, and then make a recommendation to the Board on what was needed. The only discussion that concerned the month of September is that Mr. DeSapio asked how much does the Sheriff need to keep the Justice Center open, to put off decision day until October 06, 2008 and the answer was \$10,000.

Mr. DeSapio informed Undersheriff Maloney that if the Board wanted to discuss this tonight they would have invited him to the meeting. He explained to Undersheriff Maloney that he will be asked to attend a meeting with Mr. Farkas, the Sheriff and whoever the Sheriff wants to bring, to see if this can be worked out in the spirit of cooperation but until we are on the same page about the situation and what was agreed to or not agreed to, there is nothing to talk about.

Undersheriff Maloney stated to Mr. DeSapio that he cannot be trusted.

Polytech

Mr. Sworen reported on last night's Polytech meeting, saying enrollment is up this year. Currently there are 38 more students than last year in daytime programs; plus another 58 intros. There are 509 students in the daytime programs and 184 adults attending the evening programs. There is a talk about an outside group to raise funds for Polytech.

FREEHOLDERS ASSIGNMENT REPORTS

Route 22/Merck project/NJTPA

Mr. Holt alerted the Board that one of the projects originally proposed to be in the North Jersey Transportation Planning Authority (NJTPA) report at the Route 22/Merck area is having a problem with flooding. This project was in the report for years but it was removed from the report by the New Jersey Department of Transportation (DOT). He reported that he, Mr. Glynn and Sue Dziarama put together some data, took this project back to the NJTPA and DOT and they have agreed to put the project back in the NJTPA as a funding project.

Use of Historic Court House

Mr. Sworen reported Flemington Borough will be sending a letter to the County about using the historic Court House for a few meetings. The Borough was very concerned about the County's policy concerning the use of County buildings, because it did not seem to fit them. If you read the main part of the policy, you either have County or outside agencies and entities but if you go into the schedule of the policies, it mentions other government municipalities. The problem is that it is not clear where they would fall on this sheet. Mr. Sworen explained he was approached by the Mayor of Flemington and a Councilwoman who want to ask to use the historic Court House. Bannish is going to be hosting a community session, as Flemington Borough's Planner, for the future of Flemington. Since Flemington is the County seat, the County would be part of this also. This is for two Saturdays and one evening. Mrs. Yard volunteered to show Mr. Sworen what it is felt this would come in on the County's policy. Mr. Sworen asked if Flemington Borough has to pay \$75 an hour. Mrs. Yard said yes, it is a Saturday. She explained that Mr. Bannish did call the office, who is a private planner, who is featuring a community session. Mr. Sworen stated the Mayor and Council of Flemington are hosting the session and Frank Bannish is running it because he is their planner. This is a Planning Board/Council function not a for profit function. Mrs. Yard reported Mr. Bannish did call the office, and it was discussed and it was felt because it was a Saturday, and it reads on page two that the cost should be \$75 an hour. It also says in the guidelines that if the Freeholder Board wants to waive those fees, they may do that. She explained the County is going to have to bring someone in to cover the building. Mr. Sworen feels there may be an employee who lives in the Borough that can do this. Mrs. Yard said if the Mayor and Council want the Freeholders to waive the fees, they need to put that request in writing, so it can be presented to the Board.

Fringe Policy

Mr. Sworen said the Board adopted a Fringe policy concerning vacations. He recalls being told the only change was that there won't be vacation buy backs anymore. He was approached by employees who think that the vacation time maybe changed. Mrs. Yard stated this Thursday, at the Administrative Staff meeting she and Human Resources will be going over this policy with the Administrators.

A-Frame Building

Mr. Mennen stated when the Board discussed the A-Frame building, adjacent to the County Arboretum, approximately four weeks ago, Mr. Glynn on behalf of the Facilities Evaluation Committee agreed that the Committee would take a look at the possibility of putting the Public Health Nurses into the A shaped portion of the A-Frame building to try and keep as much classroom space for classroom as possible.

Mrs. Yard updated the Board concerning the A-Frame Building stating the Health Director has said that the County first needed to redo the septic system. Mr. Glynn looked at the area and said a few lines could be done in-house for the septic and the County's LAP program was sent to the area that weekend to paint the building and measure for carpeting. At this time, the County is waiting to get the approval, from our own Health Department, to make the modifications to that piece of property in order to finally consummate that move.

Mrs. Yard advised the Health Director, Buildings and Maintenance Director, the Director of Roads, Bridges and Engineering and the contracted employee who works for the Hunterdon Medical Center went to the building to see if it was satisfactory to them. Mrs. Yard, at this time, does not have the results of the programming of the space was because it is being held up because of the septic system.

Mrs. Yard stated this is a temporary location for the Public Health Nurses. She further explained to the Board how other County employees are trying to block the use of this building.

Director Peterson asked Mrs. Yard to find out when the engineering plans were delivered and the turn around time.

Mr. Holt feels this is a positive move and it will provide more space for everyone.

There being no further business to come before the Board, Director Peterson adjourned the meeting at 9:32 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board