

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, 2nd Floor

Flemington, New Jersey 08822

August 4, 2009

2:00 p.m. CONVENE:

"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 23, 2009, to the Hunterdon County Democrat, Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review and Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

PLEDGE OF ALLEGIANCE

SPECIAL MEETING

Continuation of Discussion on the Emergency Policy Addressing Hunterdon County's Fiscal and Budgetary Crisis – Further Study Items.

Copies of the chart of 18 Further Study items were made available as well as Resolutions referenced by strategy to facilitate the process of addressing the County's Fiscal and budgetary Crisis.

Freeholder Director Mennen presented 14 Resolutions for Board consideration for adoption. He explained how the resolutions were developed and that all of the "whereas's" were consistent on each of the resolutions; the only difference being the operative language at the end of the each resolution which provides direction to move the strategy forward. The Resolutions chronicle what has taken place since April 14, 2009 to address the current economic situation in the nation and more particularly in Hunterdon County to exercise fiscal prudence in spending.

See Page 08/04/09-1A

RESOLUTION

RESOLVED, Resolution #1 expresses the Board's gratitude to its employees and members of the public for providing valuable suggestions, as well as its gratitude to the employees who contributed their time, talent and expertise.

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

Freeholder Sworen commented that the Board had agreed, due to issues in the past and that they would not vote without the opportunity to review prior to a meeting. Director Mennen explained his purpose for these Resolutions is to express the Board's gratitude and to showcase they are taking this issue seriously and continue to move forward with the County's Fiscal and Budgetary Crisis initiative.

Freeholder Peterson arrived at 2:18 p.m.

Discussion occurred with regard to a Resolution that re-affirms the Board's unqualified commitment to the County's full hiring freeze; it raised concern regarding a needed provision in this Resolution enabling the Freeholders to consider replacement requests in the event essential services are jeopardized. This resolution was tabled at this time for appropriate adjustments.

See Page 08/04/09-1B

RESOLUTION

RESOLVED, that 1.) representatives of the Board of Chosen Freeholders shall meet with the Cultural and Heritage Commission prior to September 1, 2009 to communicate the decision of removing the Choir School from the County's inventory/obligation by December 31, 2009 (Presentation Strategy #7B); and 2.) directs County Counsel to prepare and present to the Freeholders at the September 1, 2009 meeting, strategies to achieve the stated objective.

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

See Page 08/04/09-1C

RESOLUTION

RESOLVED, a Resolution to implement a Forestry Management Program in which all requisite County departments shall expeditiously (by October 1, 2009) move forward on the development of an implementation-ready forest management plan which would result in a County forest revenue generating harvesting program.(Presentation Strategy #6)

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

See Page 08/04/09-1D

RESOLUTION

RESOLVED, a Resolution that states effective January 1, 2010, any member of the Board of Chosen Freeholders who participates in the County's Health Insurance Plan shall contribute no less than the equivalent of 2.5 percent of a Freeholder's annual salary (Presentation Strategy #1).

**ROLL CALL: (AYES) MR. MELICK, MR. MENNEN, MR. SWOREN, MR. PETERSON, MR. HOLT
See Page 08/04/09-2A**

RESOLUTION

RESOLVED, a Resolution authorizes the Department of Corrections to charge booking fees in the amount of \$50.00 per incarceration for all persons lodged in the Hunterdon County Correctional Facility effective September 1, 2009; and, County Counsel will draft any implementing ordinances, if necessary, (Presentation Strategy #9A).

This resolution was made in consultation with The Director of Public Safety to determine a reasonable booking fee.

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

See Page 08/04/09-2B

RESOLUTION

RESOLVED, a resolution directing that the medical co-pays for inmates incarcerated at the Hunterdon County Correctional Facility be increased to \$10.00 for medical visits and \$10.00 for prescriptions, effective September 1, 2009; and, directs County Counsel to draft any implementing ordinances if necessary. (Presentation Strategy #9B)

This resolution was made in consultation with The Director of Public Safety to determine a reasonable co-pay fee.

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

See Page 08/04/09-2C

RESOLUTION

RESOLVED, a resolution that directs the County staff, to, under the County Administrator's supervision, immediately undertake a full operational and funding review of the relationship between the County and the Rutgers Cooperative Extension and report back to the Board of Chosen Freeholders on October 1, 2009. Particular attention shall be paid to the relative funding obligations of the County and Rutgers and the status of the operative legal documents governing the relationship between the parties. A draft copy shall be made available to the Board by October 1, 2009. (Presentation Strategy #10)

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

See Page 08/04/09-2D

RESOLUTION

RESOLVED, a Resolution appealing to the Sheriff to refrain from authorizing the use of County resources to perform exclusively discretionary law enforcement functions; and the Board of Chosen Freeholders intends not to fund general law enforcement exclusively discretionary services and activities in the upcoming 2010 Budget. (Presentation Strategy #11)

Freeholder Holt went on record that in regard to paragraph 2, that it is way too early in this process at the moment for the Board to indicate what it will or will not be funding.

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

With regard to a Resolution regarding the Sheriff's Office conducting security details/road jobs, Mr. DeSapio explained that the Sheriff's Office does not have statutory law enforcement responsibilities that their law enforcement authority is the same as Corrections Officers with general law enforcement functions and do not have to be funded by the Freeholders. The Sheriff stated that her officers do not independently pursue general law enforcement activities but will take action if someone is violating the law or in need of law enforcement assistance. The Sheriff responded "no" when asked if her officers were exclusively assigned to road patrols. The Freeholders agreed that it is appropriate for a Sheriff's Officer on duty to intervene when necessary to assist individuals requiring law enforcement intervention. The Resolution authorizes an immediate stop of all outside security/road jobs due to liability/ staffing issues or allows for existing arrangements during the development of the policy. The Freeholders will continue discussions for a policy articulating the terms, conditions and limitations of the County's liability and the establishment of criteria to accept security/road jobs. (The County receives an administrative fee of \$5 per hour with no vehicle involved; \$15 per hour with a vehicle.) The Board agreed the policy would be completed by September 15, 2009 by County Counsel, the Human Resources Director and consultation with the Sheriff.

See Page 08/04/09-2E

RESOLUTION

RESOLVED, a Resolution in which the Board of Chosen Freeholders appeal to the Sheriff to refrain from authorizing the use of County resources to perform discretionary outside security details/road jobs during normal hours of operation; and, furthermore, given a potential for County liability, the Sheriff is hereby directed to cease any and all outside security details until County Counsel and the Human Resources Director prepare, by September 15, 2009, an approved policy (including the terms, conditions and limitations of County liability) setting forth the criteria for accepting such outside security details, which exempts pre-existing agreements for road jobs. (Presentation Strategy #12)

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

In an effort to assist in the determination of outsourcing custodial services, the Board discussed a cost analysis and scope of services to be performed on the current in-house custodial services at the Justice Center, including the bonding services. The custodial service at the Justice Center is assigned as stand-alone and therefore was easier to perform the analysis.

See Page 08/04/09-3A

RESOLUTION

RESOLVED, a Resolution instructing the Directors of Purchasing and Buildings and Maintenance to perform, by September 1, 2009, an in-depth cost analysis and develop a scope of services of current in-house custodial services at the Justice Center. This report will form the basis of a potential request for proposal for consideration of outsourcing these services. (Presentation Strategy #16).

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

A Resolution was discussed to reduce the funds required to maintain the County's fleet by ten percent. Mr. Peterson suggested a member of the Freeholder Board should be assigned to the Fleet Management Analysis.

See Page 08/04/09-3B

RESOLUTION

RESOLVED, a Resolution directing the Fleet Management Committee to evaluate all County vehicle use and make a recommendation to the Board of Chosen Freeholders by September 15, 2009 to reduce the amount of County funding required to maintain the County's fleet by ten percent; and, that acceptable strategies include reduction in the number of vehicles in the County fleet, reduction in the number of vehicles taken home after hours, an augmentation to replacement schedules, and alternative sources to fund the County fleet. (Presentation Strategy #13)

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

In the essence of time, Freeholder Director Mennen concluded this special strategy session for the Emergency Policy Addressing Hunterdon County's Fiscal and Budgetary Crisis. In addition to these initial 18 Further Study Items (over 30 were developed), Freeholder Mennen suggested the Board, at the Open Session later tonight, should determine a future date to discuss the remaining strategy items.

EXECUTIVE SESSION REQUESTS

The following motions were made and carried:

See Page 08/04/09-3C

RESOLVED, Executive Session to review the Executive Session minutes of June 02, 2009, June 16, 2009, and July 21, 2009.

See Page 08/04/09-3D

RESOLVED, Executive Session to discuss two existing lawsuits against the County Prosecutor and a tort claim filed against the County Prosecutor.

See Page 08/04/09-3E

RESOLVED, Executive Session to discuss a negotiation strategy for Fibertech, who is in contract negotiations with the County to utilize portions of the County's right-of-way to install their product.

See Page 08/04/09-3F

RESOLVED, Executive Session to discuss negotiations with the potential new unit for Department Managers; and, negotiations with all other bargaining units that presently have outstanding negotiations or will start this year, including CWA, CWA Supervisors, Sheriff's Officers, Prosecutor's Detectives, Prosecutor's Sergeants, Prosecutor's Lieutenants and Corrections Officers.

Mr. Sworen left the meeting at 3:41.

See Page 08/04/09-3G

RESOLVED, Executive Session to discuss an inquiry from a land owner regarding land acquisition in Lebanon Township; and a legal issue in connection with the contract with Horseshoe Bend LLC in Kingwood Township.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 3:42 p.m.

REGULAR OPEN SESSION MEETING

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:45 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

Others Present: Cynthia J. Yard, County Administrator, Cheryl A. Wieder, Director, Human Resources, Gaetano M. DeSapio, County Counsel, Rhonda Kelly, Deputy Clerk

OPEN PUBLIC MEETINGS ACT

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 23, 2009, 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."

V. DISCUSSION

County Clerk's Request to Utilize Trust Funds – As a result of a conference call with Mr. DeSapio, Judge Shuster and Mr. Carbone in which they discussed using the Clerk's Trust Funds for attendance at the annual COANJ conference by the Clerk and Deputy Clerk, it was determined that a mediation should take place (August 21, 2009 was a suggested date) to settle the dispute.

In addition to the Clerk's request to utilize the Trust Fund and, since Judge Ciccone has directed Judge Shuster to mediate the dispute of the Sheriff's request for approval of her five-year plan, it was suggested two separate mediations on the same day (the suggested August 21, 2009 date).

Discussion continued addressing the Board's concern of proper usage of the Trust Fund monies, of which the governing statute is vague. Mr. DeSapio will contact the Clerk, Sheriff, Surrogate and Mr. Carbone to relay a meeting that a meeting should take place – with no attorneys – in an attempt to resolve issues; Freeholders Holt and Peterson will represent the Board, at this meeting prior to the August 18, 2009 Freeholder meeting. If an agreement is not reached prior to August 18, the Board will request, in writing to Judge Shuster, to put off the August 21st meeting.

It was determined the Clerk's Operating Expense Account will fund the cost for the County Clerk to attend (the Deputy Clerk was not approved); if deemed appropriate after meeting with the Constitutional Officers, the Board may direct that the Clerk reimburse her Operating Expense Account with monies from the Clerk's Trust Fund Account.

Freeholder Holt moved and Freeholder Sworen seconded a motion approving the County Clerk to attend the annual COANJ Conference.

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

Freeholder Holt moved and Freeholder Sworen seconded a motion approving the County Deputy Clerk to attend the annual COANJ Conference.

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

County Clerk's Request to Hire Legal Counsel

The Board discussed the Clerk's request to hire Jack Carbone, legal counsel for \$300 per hour.

Freeholder Melick moved and Freeholder Mennen seconded a motion to deny the payment demand addressed to Mr. DeSapio from Mr. Carbone.

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

Request to Reduce OPRA copy fees

The current copy fee schedule is \$0.75 cents for pages one through ten; \$0.50 cents for pages 11 through 20; and \$0.25 cents for all additional pages. Mr. DeSapio provided a legal opinion of a fair copy fee rate to charge the public, yet not undercut the County's legal standing of a separate, pending lawsuit.

Freeholder Peterson motioned and Freeholder Melick seconded a motion to reduce fees for black and white, single-sided copies to a flat .25 cents per page until the appellate division rules on the appeal.

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

With regard to the pending lawsuit, Mr. DeSapio will contact the Surrogate regarding the statute governing the copy fees, which would apply to the Clerk's office. He noted, as a positive outcome on the pending lawsuit, the appellate division ruled a fee complaint must be made within 45 days – not six years – an approximate cost of \$275,000.00 to the County.

Modification to the Controlled Hunting Program – Parks Department

In an effort to alleviate concerns voiced by Mr. and Mrs. Toni Gaglione at the last Freeholder meeting, the Board will consider modifying the Controlled Hunting Program as it continues to operate. Mrs. Gaglione expressed safety concern for her family and the proximity of the bow hunters to her home, in combination with numerous known hunting accidents. Freeholder Director Mennen encouraged Mrs. Gaglione to review Mr. Trontis' July 21, 2009 report, which proposes a reduction in days and hours of permitted hunting and is welcome to return with any additional comments.

Barbara Sashaw supports Mrs. Gaglione's concerns.

Freeholder Holt stated that the adoption of these modifications does not preclude any future modifications that may be proposed to the Freeholders for adoption as a result of dialogue agreed upon by the property owners and Mr. Trontis.

Freeholder Peterson moved and Freeholder Holt seconded a motion to adopt the proposed modifications to the Controlled Hunting Program.

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

Flu Vaccine – Determine to Purchase through County or Third Party Vendor

The Board discussed the matter of whether the County or a third party vendor should provide flu the vaccines this year; and additionally the Board needs to provide direction as to cancelling the current vaccine order as the deadline to confirm/cancel the order is tomorrow. The Board gathered facts from a vendor (Maxim) recommended by the Health Department in order to make their determination.

Consideration was given to the following factors as well as input from the County's Purchasing Agent: obtaining a flu shot should not be a problem as Maxim has 10 separate flu clinics scheduled in New Jersey. Maxim orders, stock piles and administers the vaccine, which reduces the County's risk ordering/paying for more vaccine than needed, (1,800 vaccines were discarded in 2007/2008); in addition, the flu clinics were removed from the Public Health Nursing contract. Given these facts, Freeholder Director Mennen felt the County should not take the risk and utilize a third party.

Accuracy of the figures was discussed regarding the omission of approximately \$40,000.00 in revenue, (2008 has yet to be applied for). Due to the H1N1 challenges and lack of funds in the current Hunterdon Medical Center contract, Mr. Beckley supports a third party vendor but stated there will be a \$30 charge for the vaccine for self-paying individuals. It was noted that Maxim accepts Medicare and Aetna and Human Resources will determine if the County's health insurance covers the charge.

Mr. Beckley recommended the County not eliminate the vaccine order but modify the quantity down to 300 doses for an internal, closed administration of the vaccine to County employees and MRC volunteers, eliminating this direct cost by the third party vendor. Freeholder Director Mennen indicated the only savings realized by reducing the quantity is the actual cost of the vaccine, it would not save in the cost to set up the clinic administer the vaccine.

Freeholder Peterson moved and Freeholder Melick seconded a motion to cancel the current vaccine order and go exclusively with a third party vendor to provide flu vaccines.

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

Freeholder Holt requested Mr. Beckley to find out the time frame to place a vaccine order if the County decides to provide an internal vaccine administration. Mr. Beckley noted the importance of deciding on a vendor in order to coordinate the vendor's availability for flu clinics; dates are currently being held. Mr. Beckley will provide Mr. Davenport with contact information on one other vendor in order to determine a third party vendor in order for the Board to take action at the next Freeholder meeting for the purpose of contracting a third party vendor.

Ms. Puelle (Health Department) stated the Preparedness Nurse is in the process of trying to schedule clinic dates (four are currently on the books) and the County is losing dates. She also advised that this is an unusual year and that quantities being ordered may not be enough.

Mr. Beckley and Ms. Puelle explained that a time allowance is needed to prepare for the clinics prior to Maxim arriving on the clinic dates: apply for permits, secure insurance issues and fire inspection, develop advertising and market the clinics to the community, arrange parking and signage the day of the clinic. Ms. Puelle provided the four clinic dates: September 12, October 6, October 15, October 29.

Freeholder Holt moved and seconded a motion to endorse a contract for Maxim, subject to input from Mr. Davenport's and reviewed by Mr. DeSapio, for the provision of four flu clinics as recommended by the Public Health Department.

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

After the motion passed, Freeholder Sworen requested clarification that two different types of flu clinics will be scheduled this year; the seasonal (just endorsed by the Board) and the H1N1.

H1N1 requires two doses of vaccine and each dose must be entered into a National database to track, monitor for side effects and report to the federal government. Mr. Beckley indicated it would not be a lot of data, just the basic name, address, age and gender, though he has not yet seen the requirements. Ms. Puelle will attend the state-wide Summit for state educators and health officials on August 21, 2009.

Ms. Puelle advised the Board that a 2009 Influenza Work Group, with six task forces assigned who will provide a weekly report to the Work Group. The six task forces are: Public/Private Healthcare Partnerships; School/Childcare Communities Vaccination; Vaccination Clinics Operations and Logistics; Vaccine Storage/Distribution/Tracking; Healthcare Workers/First Responders Vaccination; Public Information/Health Education.

4:30 p.m. ROADS, BRIDGES AND ENGINEERING

See Page 08/04/09-6A

RESOLUTION

RESOLVED, declaring Block 4, Lot 94, Readington Township (Bush Property) as Surplus Property for disposal and authorizing the Clerk of the Board and County Counsel to facilitate the sale of this property.

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

See Page 08/04/09-6B

RESOLUTION

RESOLVED, approving the acquisition of a portion of property, known as Block 27, Lot 29, East Amwell Township, for a permanent right-of-way, in connection with a replacement of Bridge E-166.

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

Drainage Issue – Eileen Kelly Property, Route 519, Kingwood Township

John Glynn, Director of Roads, Bridges and Engineering and Freeholder Holt visited this property again on August 5, 2009. Mr. Glynn stated his opinion that the County should not deviate from the public right-of-way to perform work on private land but recommended and expressed his willingness to perform minor corrective work on the outlet of the structure, up to the point of where the public right-of-way exists - within the public portion - of the right-of-way drainage feature.

Mr. Kelly thanked Freeholder Holt and the others who visited the property. Mr. Kelly advised that the six-inch drainage pipe continues to be under water and feels that minor corrective changes would not improve the situation; and that because the trench was deepened by the County, it commits more water, faster to the six-inch pipe than before and does not have time to evaporate. The property owner is willing to: 1) give the County the right-of-way needed, even temporary; and 2) she would sign an agreement that, once the upgrade is made, she will not come to the County regarding this issue in the future. He reminded the Board the solicitor previously stated the County is obligated to repair a problem created by the County.

Freeholder Holt's opinion is to have the County work with the property owner to extend the trench as far back as legally able and open it out as necessary; work beyond that could create future dilemmas with regard to working on private property. Mr. Glynn agreed and provided the reference of a presentment (Mr. Oscar Rittenhouse) which states the County is NOT to work on private lands. He further stated that the County does not take drainage easements, temporary or permanent on private property.

Freeholder Director added that the County has been advised that it is not legally appropriate to perform work outside of the County right-of-way. The Director of Roads, Bridges and Engineering and the County Engineer have advised that the County has not created this drainage issue. Mr. Kelly requested a copy of the engineering drawings stamped and sealed by the County Engineer to make the assertion the County's project work did not create this drainage problem. Mr. Glynn explained there were no plans, simply an as-built drawing done as a maintenance operation. Mr. Kelly requested a copy of this drawing, stamped and sealed by the County Engineer that this County project did not create this drainage problem. Mr. Kelly clarified he would accept the certified drawings and/or letter from the Engineer, whose professional opinion would state the same.

Mr. DeSapio, County Counsel, stated that the County is not obligated to provide an opinion letter as to the cause of the problem. He concurred with Mr. Glynn that the as-built drawings are public information.

Freeholder Director Mennen verified the County will maintain that portion which is currently in the right-of-way and maintain the easement of 45-feet from the center line. Mr. Kelly further requested a written copy of what Mr. DeSapio had stated the last time that if it is true it is the County's fault, the County has an obligation to fix it, whether or not it is on County property or not. Freeholder Director Mennen stated that the minutes of that meeting will reflect County Counsel's statement.

Mr. Glynn will provide Mr. Kelly with a copy of the drawing.

Declaration of Emergency Projects

Mr. Glynn requested a Declaration of Emergency to hasten the completion of three projects damaged during the storm on August 2, 2009: Bridge L-36, on Buffalo Hollow Road in Lebanon Township; Bridge T-102, on Water Street in the Tewksbury Township and a section of retaining wall on County Route 639, Stone Mill Hill in Clinton Township. Mr. Glynn will look into any available discretionary funds through the Office of Local Aid. He commented he has never before seen the flows like this in the Rockaway Creek.

Freeholder Sworen made a motion and Freeholder Holt seconded the motion provide a Declaration of Emergency for Bridge L-36 Project, on Buffalo Hollow Road in Lebanon Township and, the section of retaining wall project on County Route 639, Stone Mill Hill in Clinton Township; and to authorize the Purchasing Department to work with the Roads, Bridges and Engineering Department to procure quotes pursuant to provisions of the Open Public Contract law that exempts emergency procurements from public bid.

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

Freeholder Sworen made a motion and Freeholder Sworen seconded the motion to provide a Declaration of Emergency on Bridge T-102 Project, on Water Street, in the Township of Tewksbury; and authorizes the Purchasing Department to work with the Roads, Bridges and Engineering Department to procure quotes pursuant to provisions of the Open Public Contract law that exempts emergency procurements from public bid.

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

PURCHASING, John P. Davenport, III

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 07/21/09-7A RESOLUTION

RESOLVED, Approval of Requisition #24489, through State Contract #A-62563, with Wright Line, Inc., for computer dispatch furniture for the Division of Communications, Department of Public Safety Department, in the amount of \$20,876.00.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/04/09-7B RESOLUTION

RESOLVED, Approval of Requisition #24490, through State Contract #A-53824, with Transcore, for dispatch equipment for the Division of Communications, Department of Public Safety Department, in the amount of \$92,165.00.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/04/09-7C RESOLUTION

RESOLVED, Approval of Requisition #24491, through State Contract #A-53824, with Transcore, for dispatch equipment removal, staging, re-installation and testing for the Division of Communications, Department of Public Safety Department, in the amount of \$22,000.00.

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

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/04/09-8A RESOLUTION

RESOLVED, Approval of Requisition #24492, through State Contract #A-69907, with Embarq, for 911 telecommunications equipment for the Division of Communications, Department of Public Safety Department, in the amount of \$229,600.77.

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

Freeholder Sworen noted that these four requisitions are to replace equipment damaged in the construction of Emergency Services and, to no incremental costs to the County as these purchases are being paid for with insurance money.

FINANCE – Finance Director, Kim Browne

Freeholder motioned Freeholder seconded the motion acknowledging receipt of the 2008 Audit and acknowledging that the Board has read the recommendations.

Finance Director Kim Browne commented that recommendations for corrective actions will be presented at the next Board of Chosen Freeholders.

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

COUNTY ADMINISTRATOR, Cynthia J. Yard

County Health Benefits -

Administrator Yard provided a brief update on the County health benefits analysis and stated that a full presentation will be given to the Board at their August 18, 2009 Freeholder meeting. A voluminous book is being compiled and is awaiting one additional piece.

Department of Corrections – Annual Inspection -

Freeholder Director Mennen was present for the exit interview of the Jail Inspection conducted on July 28 and 29, 2009. He reported the jail was given a glowing evaluation and report and that the Hunterdon County Corrections Facility is used as a model in all the other counties. Freeholder Director commended the entire Public Safety Department, especially those employed at the jail, for doing an incredible job.

Resolved, Authorizing a contract modification with the Hunterdon Medical Center for a one month extension for the Public Health Nursing contract.

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

See Page 08/04/09-9H RESOLUTION

Resolved, Approving the appointment of George F. Wagner, Director of Public Safety as the Deputy County Coordinator of Emergency Management.

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

See Page 08/04/09-9I RESOLUTION

Resolved, Reaffirming the full hiring freeze implemented by the Freeholders in March 2009.

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve the claims in accordance with the Claims Register dated July 21, 2009 minus Purchase Order #124695.

See Page 08/04/09-9J CLAIMS REGISTER

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve Purchase Order #124484.

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

OLD BUSINESS

Information Technology: Request to Join GMIS International -

Administrator Yard provided the explanation that this request is to allow payment for the 2008 membership, which inadvertently was not paid. Additionally, the I.T. Department is requesting approval for a 2009 membership. In this instance, in order to belong to the local/New Jersey Chapter of this organization, a National membership is required as well. As this international membership request does not fit the parameters of the modified policy, approved in March 2009, input is being requested from the Board to determine eligibility for this membership.

Freeholder Sworen moved and Freeholder Holt seconded a motion to approve payment of the 2008 GMIS dues.

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

Freeholder Sworen moved and Freeholder Holt seconded a motion to approve payment of the 2009 GMIS dues.

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

GRANTS

See Page 08/04/09-10A RESOLUTION

Resolved, Approval of a subgrant application for the County Gang, Gun and Narcotics Task Force Grant, with \$30,831.00 in federal funds, \$30,831.00 in County funds for a total grant amount of \$61,662.00.

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

See Page 08/04/09-10B RESOLUTION

Administrator Yard clarified that this Cancer Coalition Grant coincides with the conference request discussed earlier in this meeting and stated that all departments should provide a copy of their grant applications to the grant management team for review prior to their electronic submittal. This review provides budget details of the grant, such as conferences or memberships, which will assist the Board in making informed decisions. Administrator Yard will again discuss grant management and turn-around times for these grant reviews at an Administrative Staff Meeting. Administrator Yard indicated this grant application is for the third year in a three-year grant and should be approved.

Resolved, Approval of a grant application with the New Jersey Department of Health and Senior Services for the Cancer Control Grant, in the amount of \$65,000.00.

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

CORRESPONDENCE

A request from the Skylands Triathlon to utilize 250 of the County's safety cones for their championship event on September 13, 2009 was approved.

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

FREEHOLDERS COMMENTS/REPORTS

Freeholder Sworen communicated that the wireless project will yield much savings to the County. He also provided an update on the successful 2009 Summer Concert Series at Deer Path Park.

Freeholder Peterson congratulated Hampton Mayor Rob Walton and all of the participants of the Hampton celebration held recently.

OPEN TO THE PUBLIC

Barbara Sashaw questioned an earlier discussion regarding vaccines and if the County is statutorily required to get involved in providing vaccines. Freeholder Director Mennen indicated the earlier discussion involved only seasonal flu vaccines, which the County is not statutorily required to provide.

Mayor Rob Walton spoke regarding vaccines and shared his story regarding his daughter who was born prematurely and the health insurance did not feel the RSV vaccine was necessary; one week later his daughter was back in the hospital, on a respiratory and moved to St. Peters for three weeks.

Sheriff Trout, as a Constitutional Officer, not a member of the public, questioned why the denials of her requisitions; a \$25 magazine subscription. Freeholder Director Mennen stated that the Board is trying to hold firmly to the policies adopted and apply them uniformly.

Administrator Yard will provide a list of all the denials made since the March 2009 modifications to the policies were made.

Discussion further ensued and Freeholder Director Mennen offered to provide the \$25 as his treat.

A description of a requisition request for off duty badges/badge holders in the amount of \$2,000.00 was given along with detailed discussion.

Freeholder Peterson motioned and Mr. Melick seconded a motion to uphold the County Administrator's denial of this badge/badge holder requisition.

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

Undersheriff Maloney requested County Counsel to provide a legal basis for the Board denial of requisitions which are already approved in the budget, which Mr. DeSapio will research and provide an answer to.

Mrs. Gavigan commended the Freeholders for using common sense to work toward a meeting with the Constitutional Officers, without the cost of lawyers, to set ground rules of where their budgets start and end and control if you budget them an amount of money. Mrs. Gavigan provided statistical data regarding the Hunterdon County Clerk's office and advocated for the Clerk that she be cut some slack. She also requested and offered money to start a dedicated fund so that the Deputy Clerk can attend the COANJ conference too and will look to anyone else, the County Committee or the Republican Committee, to come up with the \$600.00; she would rather not pay Counsel \$5,000.00 to research the issue. Freeholder Director Mennen thanked Mrs. Gavigan.

Doctor Steve Godin, a resident of Hunterdon County introduced himself to ask Administrator Yard why Consumer Affairs investigated him to determine if he was contracted with other counties. Mrs. Yard explained that the Consumer Affairs representative was also a member of the grant management who made calls to determine funding sources for the Cancer Coalition grant. Dialogue continued until Freeholder Director Mennen asked Dr. Godin that if had additional issues to discuss with Mrs. Yard that she would avail herself. Dr. Godin simply added that one phone call to Peg Knight, Executive Director could have provided the answers and expressed that reputation(s) are being damaged by these phone calls.

Dr. Godin's comments were duly noted by Freeholder Director Mennen.

Freeholder Melick motioned to adjourn the meeting, seconded by Mr. Peterson.

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

Meeting was adjourned at 7:55 p.m.

EXECUTIVE SESSION (Reconvene if necessary)