

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, 2nd Floor

Flemington, New Jersey 08822

August 18, 2009

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 3:12 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

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 January 02, 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."

EXECUTIVE SESSION REQUESTS

Mr. Sworen moved and Mr. Peterson seconded these:

See Page 08/18/09-1A

RESOLUTION

RESOLVED, Executive Session to discuss the status of negotiations with CWA for the non-department head supervisory unit.

See Page 08/18/09-1B

RESOLUTION

RESOLVED, Executive Session to discuss the continuing status regarding issues involving the acquisition of property on Horseshoe Bend Road.

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

Mr. Peterson moved and Mr. Holt seconded this:

See Page 08/18/09-1A

RESOLUTION

RESOLVED, Executive Session to discuss the issue regarding County Route 517/523 acquisition from the Melick LLC.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 3:15 p.m. and reconvened in Open Session at 4:46 p.m.

PLEDGE OF ALLEGIANCE

COUNTY HEALTH BENEFITS PRESENTATION

Health Benefits Committee: Kim Browne, Finance Director, Cheryl Wieder, Human Resources Director and John Davenport, Purchasing Agent.

The Health Benefits Committee made a presentation to the Board concerning the County's health costs advising they met with the County's broker, as it is known that the County's health costs are a budgetary issue. The broker went out for quotes and two were received back, one from CIGNA and the other from Horizon Blue Cross/Blue Shield of New Jersey which the County currently has. The other plans did not quote and it is thought this was not cost effective for them.

Mrs. Browne advised the Health Committee met again this week to explore options, including rates for CIGNA which include a prescription plan and Horizon BC/BS which also includes the prescription plan. The revised rate for Horizon (including prescription) was over \$10 million. The CIGNA quote was \$9.4 million (all in-compassing) and at the suggestion of the Broker, the Committee looked at carving out prescription services and finding another vendor. The Committee received prescription quotes from BeneScript, Bollinger, Wellnet and Medico. If the County were to keep the medical services with Horizon and carving out the prescription, the cost would be \$9.6 million which is a 4% increase from last year. Mr. Davenport stated the \$9.6 million is the high end; the prescription would be on a self-funded program so the company running prescriptions is projecting out what they expect the County's expenses to be, they are projecting a high number for what the expenses could be and there is an administrative fee. The vendor would guarantee if the number meets the high watermark that the Administrative fee would come back to the County.

Mrs. Browne informed the Board that Horizon has agreed to waive the exit penalty. Mr. Davenport explained if any portion of the current policy, such as prescriptions were broken out, the vendor would charge the County 2% premium just to do that. In this case, Horizon has agreed to waive that fee, if the County chooses to go in that direction.

Ms. Wieder advised if the County were to change vendors, the run out claims costs would have to be covered and it was estimated high, at \$700,000, which would be a three to four month window for claims as they come through for the end of the plan year. If the Board were considering changes vendors, another potential \$700,000 would have to be added to the premium for run out claims.

Mrs. Browne explained to the Board that in the discussions of the Health Benefits Committee all types of ideas were talked about but one of the suggestions which the entire Committee agreed to is educating the employees; especially with the high pharmaceutical costs. Employees have to be educated to know to ask for generic prescriptions instead of name brand prescription drugs and it will help the County's experience rate. All the costs are based on the experience rate. Also, the traditional plan the County currently has, is one of the highest with claims, because a majority of the County's retirees and about 100 active people are in the Traditional plan and if it were shifted to a PPO there would be discounts.

The Committee looked at various proposals without changing the benefits to the employees.

Mr. Melick questioned how the broker was chosen. Ms. Wieder explained the Purchasing Agent, John Davenport was brought in to assist with the broker piece because there was a consulting firm came to the County and performed an overview of the County's benefits and provided an offer to do the broker portion for \$125,000 and they said it would be a \$50,000 savings and when the County figured it out, it is a \$10,000 savings.

Mr. Davenport explained the broker is not paid by the County; they are paid by the insurance company.

Mr. Peterson questioned why the County needed a broker. Mr. Melick asked if the Broker is looking out for the County's best interest. Mr. Davenport explained the Blue Cross/Blue Shield commission rate is 1.6% and CIGNA's is 2%. If the broker was out to make the most money they could, they would have persuaded the County to use CIGNA. CIGNA's commission is around \$190,000. Mr. Davenport advised the Board that he polled the different counties to see what they were doing. One of the eight counties that responded back, sent out a Request for Proposals (Somerset County) and the firm they hired is the same firm the County uses. He explained the difference is you can put in your RFP rate but the rate is typically set by the insurance companies on the commissions.

Mr. Peterson doesn't understand what the broker does that the County can't do in-house for \$136,000. Mr. Browne said the brokers have a lot of connections and experience. Mr. Davenport added that the brokers do a lot of analysis in the market place that the County may not have the ability to do if this were done in-house. Plus, they can calculate the loss ratios and they know what the market trends are. While Mr. Davenport is sure the County could go out and get quotes from insurance companies but the brokers have the leverage.

Mr. Peterson said it sounds like this is a mathematical formula that there is a certain loss rate and they calculate out based on the loss rate and the County doesn't have a choice. Ms. Wieder explained that isn't the only thing a broker does because if there are claim problems, it is the broker who deals with those issues. Mr. Peterson said he will dispel that because if you wait for the broker to resolve claims disputes, you would have a judgment against you from the doctor's office. He found them to be totally incompetent when it came to that.

Mr. Peterson recalls that the former County Treasurer would receive quotes, and he would then negotiate the price down; that says they never gave their best and lowest offer upfront. To have competition, you get one chance at it. Mr. Peterson doesn't think the broker does what the County believes they are doing because past practice shows there are not benefits, if you can negotiate a lower rate.

Mr. Davenport advised negotiation is part of the process in private business. He agrees that competition is very important in a bidding situation; that one bite of the apple is all you should get but there are certain products/services that the one bite of the apple should not be the only bite they should be allowed; you should be able to negotiate one against the other to obtain the best product you can. Mrs. Browne advised the County's broker; Willis is one of the second largest firms.

Mr. Davenport advised is the County want to get RFP's, it would not be possible for this year because September 01, 2009 is the renewal date but it could be done for next year.

Director Mennen asked that Mr. Davenport go back to the broker and bring to their attention the fact that the County has another potential broker of record that has already stated he will do this for \$10,000 less and see if they will match the \$10,000 reduction. Ms. Wieder added that she is aware of another company who is interested in being the County's broker of record.

Mr. Peterson questioned why Peter Tarricone doesn't handle the County's health benefits, since he does the County's Auto insurance, property insurance and workers' compensation. Mr. Peterson asked how Mr. Tarricone is paid. Gaetano M. DeSapio, County Counsel advised Mr. Tarricone is paid by PAIC (Public Alliance Insurance Coverage) through a contract. PAIC requires the County have a Risk Manager, not a broker and Mr. Tarricone monitors the County's activities ensuring that the County takes the necessary steps reduce claims.

Mr. Peterson suggested if the County had a broker who was fighting for the County, they would work with the County's employees encouraging the use of generic drugs and cheaper programs. Also, they should be here today to discuss this with the Board. Mrs. Browne advised they were

not invited to the meeting today. Also, they could provide advice on policies and other things going on in the industry. Mr. Peterson would like to know why the County is paying \$136,000. He would like to see an RFP which says x, y and z is done for the fee and one of the items would be education to get people to transition from the traditional plan into a PPO and what the wellness offers are, in order to cut down on costs by having a better educated workforce.

Mr. Davenport informed Mr. Peterson that the committee has a set of bullet point recommendations and what he just said is included in those bullet points.

Mrs. Browne advised the broker has said he would attend any meetings the County arranges with employees and talk about switching from traditional to a PPO.

Director Mennen confirmed with the Health Benefits Committee that September 01, 2009 is the renewal date and he asked what options and flexibility does the County have given the timeframe to work with.

Ms. Wieder advised the Committee's first recommendation is to carve out the prescription services; one it saves money and also because it can be done without having to negotiate with unions because the benefits are not being changed. All this would do is the County would give them a separate prescription card. The people under the point of service plan will look at this as a better benefit because presently they pay 10% of their prescriptions so if a prescription costs \$200 they would pay \$20 and this plan would allow them to get the same prescription for \$10.

Ms. Wieder reported the Committee is reviewing the plans from Medico and Benescript. Carving out the prescription portion of the health benefits plan will decrease the County's costs with Horizon and not affect anyone's benefits and this can be done quickly.

Director Mennen confirmed Mr. Davenport will contact the broker for this period to see if they will match the price given on another proposal or any number the Board may recommend. Mr. Davenport stated if there is interest on the Board to put out an RFP for what can be done next year.

Mr. Sworen confirmed the County has to make a decision by September 01, 2009 and the employees will have open enrollment in November for 2010. Ms. Wieder stated the prescription services change can be done right away.

Mr. Peterson asked if a Cost Savings Account could be added as one of the choices for County employees to choose from; he is aware the union's would need to agree to this as an option.

After further discussion, Mr. Holt moved and Mr. Sworen seconded a motion to carve out the prescription portion and keep the remainder of the benefits with Horizon Blue Cross/Blue Shield.

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

Ms. Wieder reported that the Committee also looked at the State's Health Benefits Plan and their rates will be increasing. If the County were to go back to the State Health Benefits Plan that would exceed what the County's original renewal with Horizon, without the carve out, would be.

PURCHASING

Mr. Sworen moved and Mr. Holt seconded this:

See Page 08/18/09-3A RESOLUTION

RESOLVED, Approving Requisition #3093, through State Contract #A-70256, with Dell, for infrastructure data center equipment, for the I.T. Department, in the amount of \$236,691.00.

Mr. Melick asked Mike Rasimowicz, Information Technology Department Head, if this purchase will save the County manpower. Mr. Rasimowicz advised it will not save on manpower but it will allow the consolidation of equipment so it isn't spread all over the County. This should help with the replacement of equipment.

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

FINANCE

Mr. Holt moved and Mr. Sworen seconded this:

See Page 08/18/09-3A RESOLUTION

RESOLVED, Acknowledging compliance with the Division of Local Government Services, in connection with the 2008 Audit.

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

Mr. Holt moved and Mr. Melick seconded this:

See Page 08/18/09-3A

RESOLUTION

RESOLVED, Authorizing the cancellation of improvement authorization balances.

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

Mr. Peterson recused himself at 5:32 p.m.

Mr. Holt moved and Mr. Sworen seconded this:

See Page 08/18/09-3A

RESOLUTION

RESOLVED, Authorizing approval to the Director of Finance to request a budget modification for grant funds from the New Jersey Highlands Council for the Sustainable Agricultural Grant.

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

Mr. Peterson returned to the meeting at 5:34 p.m.

Cynthia J. Yard, County Administrator informed the Board that in the spirit of revenue generating and cost savings that the Finance Director, County Treasurer and the Director of Public Safety are looking at the prisoner liens, which amount to roughly \$400,000. The County is starting to streamline the lien process and go after the liens in order to recoup money.

IN-KIND PRINT REQUEST

Robert Thurgarland, Director of Central Printing and Mail came before the Board concerning two print requests.

Mr. Thurgarland advised Delaware Township is requesting print services to produce their quarterly newsletter for one year. He does not see, given their timeframes that there would be any disruption of services or additional costs.

Mr. Thurgarland advised the request from Kingwood Township for print services is a renewal; last year the Board of Freeholders had approved doing Kingwood's annual mailing for their newsletter, septic information and such to their citizens.

After a brief discussion, Mr. Sworen moved and Mr. Holt seconded a motion authorizing Central Printing and Mail to fulfill the print requests from Delaware Township and Kingwood Township and to charge for said services accordingly.

Mrs. Yard explained the County's In-Kind policy that was adopted on May 26, 2006, says that Department Managers being asked to provide In-Kind Services must assure the Freeholder Board that there will be no disruption in County work and that this would not have a negative operation impact, such as overtime and such.

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

Mr. Melick asked Mr. Thurgarland at what point will the County not be able to provide these services anymore.

Mr. Thurgarland feels this will have to be evaluated on a case by case basis. As more and more entities join on, the County will have to evaluate this. He deferred to Freeholder Sworen who is a pioneer in Shared Services. Mr. Sworen advised there would need to be a meeting to determine what the break even point is, and to review the price list/fees so the amount generated would pay for the service.

Mrs. Yard advised the more work done by the County means more equipment will be needed or more staff may be needed. Those costs should be factored into the price/costs.

Mr. Thurgarland advised currently, his office is dealing with this on a case by case basis. Mrs. Yard reported the County is aware of the issues and is staying on top of it.

Print Staff

Mr. Thurgarland reported the work his office has been doing for the 4H Fair this month and with the work done for the North Hunterdon/Voorhees Regional High School and some of the other in-kind printing requests along with the other printing requests, he wanted to say that his staff has stepped up and done a fantastic job.

COUNTY UPDATE

Budget timeline/process

Cynthia J. Yard, County Administrator suggested to the Board meeting one or two hours prior to each Freeholder meeting in order to start the 2010 budget process.

Mrs. Yard provided the Board with a timeline of all the resolutions the Board has adopted at the last few minutes regarding responsible parties but there are two outstanding resolutions that have

not been addressed. Mrs. Yard explained that whatever direction the Board is going to take the 2010 budget, that information needs to be given to the Department managers so they know what the parameters of the budget are.

Director Mennen recommended starting the September 01, 2009 meeting at 2:00 p.m. to go over issues related to the 2010 budget.

Mr. Sworen stated the Freeholder Board has done a lot of work this year with a lot of people to get the County to a certain point. He does not see the process to reinvent the wheel here, he sees that the managers need to be informed that the budget for next year will not increase unless there are extraordinary issues, the restrictions on travel stay the same, and the issues with the hiring freeze still exist. He doesn't see the need for a series of eight to ten meetings to do that, he sees that maybe the result of one meeting and following up meetings to work on the budget with managers' requests.

Mr. Sworen feels this Board has set up very strong ground work over the past year concerning the budget and the Board just needs to reinforce that.

Mrs. Yard explained she needs the Board to advise her that she needs to reaffirm this with the Department managers. When the managers know what the ground rules are and send their budgets back to the Board for review, they know what the expectations are.

Mr. Sworen said with what has been put into place this year; he expects to send the initial statement that the budget is to remain the same.

The Board agreed to meet at 2:00 p.m. on September 01, 2009 to discuss the 2010 budget. Mrs. Yard confirmed the early time for meetings will be set at each meeting.

Leave Time - Volunteer Firefighters, First Aid/Rescue Squad Members

Mrs. Yard informed the Board that a draft policy was prepared for review for Volunteer Firefighters, First Aid and Rescue Squad members. Mrs. Yard explained the reason this is a draft is because the County has protocols in place for emergency squads or first aid volunteers to be called out during the workday but it needs to be formalized in a County Policy. The enabling statute is attached to the policy, which states the County is obligated to release people when they go to a municipality within the County.

Cheryl A. Wieder, Human Resources Director explained the policy is written as the County has been operating but the County has never had a formal policy. The County could have a problem if anyone questions what the County's policy is.

Ms. Wieder explained if someone is called out during the day, they need to ask their supervisor if it is operationally good for them to leave; and if it is not, they can't leave. 24/7 people cannot leave their post no matter what. The County does have quite a few people that volunteer on rescue squads and fire companies. In most cases, people are relieved to go out and fight the fire or deal with an accident.

Ms. Wieder reported the first part of the policy deals with what happens when a volunteer is at work and the second part of the policy deals with if the individual is out at an emergency and it extends into their shift, the requirements of the employee to notify their supervisor to report to work as soon as the emergency is over or if they have been out all night at a fire then they would need to use their leave time and if they are injured they would use their sick time in order not to report for work. The third part is if the person is tired or injured, they have a notification procedure and they may take available sick, personal, vacation, comp time or leave without pay if they have no leave available.

Ms. Wieder advised the State Forest Service, which she believes is a group but it isn't one of the normal municipal rescue squads, if an employee is called to emergency duty during their work shift, they are required to notify their supervisor and they can be released if operationally possible.

Mr. Peterson asked if the Board did not approve something like this last year. Mrs. Yard explained that the policy was in the Board agenda books three meetings ago but it was pulled.

The Board asked various questions concerning various scenarios which Mrs. Yard and Ms. Wieder addressed. Mrs. Yard frequently referred back to the New Jersey Statute which governs this type of leave.

Ms. Wieder reported the last section of the policy is training and training is not an emergency. If people need to attend training during the work hours they either have to take their own leave time or leave without pay.

After further discussion, Mr. Melick asked Mrs. Yard and Ms. Wieder to modify the policy as discussed today and bring it back at next meeting in resolution form for Board consideration.

Vacancies

Park Naturalist (discretionary service); Parks Department and Bridge Engineer (mandated service, N.J.S.A. 27:19), Roads, Bridges and Engineering Department

Mrs. Yard reported the Board had modified the County's Hiring Policy on August 04, 2009 for reaffirming the full hiring freeze with certain exceptions. In that policy, it states under "C" that the Freeholders do not currently anticipate a need to fill positions which become vacant in the County

in order to continue to provide the central services, however, the Freeholders recognize that there may be circumstances where central services cannot be provided without a new hire. The Freeholders will consider an act on such a request on a case by case basis.

Mrs. Yard explained when the County has vacancies now the Department Manager is asked to answer four questions on the need.

Bridge Engineer vacancy

Mrs. Yard informed the Board that the County had two bridge engineers but one just retired as of July 01, 2009. Three of the County's bridges have recently been declared emergencies and the County has received both state and federal stimulus money. Mr. Glynn is asking the Board's consideration to fill the vacancy of a bridge engineer in order to bring the level back to two.

Mr. Sworen questioned if this could be handle through outside services instead of hiring someone. Mrs. Yard advised that one of the questions on the questionnaire that Department Managers have to answer is: "how would this service be delivered if the position were not filled?"

After further discussion, Mrs. Yard was asked to inform Mr. Glynn that this will be discussed at the next meeting.

Park Naturalist

Director Mennen confirmed that the Board has reviewed the memorandum from John Trontis, Parks and Recreation Director, dated July 21, 2009 concerning the vacancy in his department of a Park Naturalist.

Mr. Melick informed Mr. Trontis that he would like to have a personal conversation with him about his operation.

Mrs. Yard advised the Board had directed her office to break down the County's services by what is mandated versus what is discretionary, to determine what the County is required to deliver services, The majority of services delivered by the County are discretionary services and discretionary services is tied such as quality of life, safety or combinations of same. Managers have been assured that just because they deliver discretionary services doesn't mean it is less valued.

Mr. Trontis informed the Board he provided six pages of information on the current vacancy. He stated his office did look at the programs that would be need to be cut this Fall, and programs were removed from the Harbinger newsletter, as well as school and scout programs which are requested programs. Mr. Trontis explained the number of people who will not be served in programs this Fall without filling this position.

Mrs. Yard advised the full hiring freeze has been a difficult situation and all Department Mangers have been asked to review what their offices do and prioritize services.

Mrs. Yard reported that Ms. Wieder, Mr. Trontis and she have been working closely on this situation and it was Mrs. Yard recommendation to modify the Harbinger newsletter to reflect that the County can only provide so many programs with the resources available. Even if the Board decided to hire someone, they would need to be trained and they would not be able to do programs independently for the Fall edition.

Mr. Trontis advised the school requested programs are not affected by Harbinger and his office has already begun to decline school requested programs.

Mr. Trontis stated if the Board were to allow him to fill this position, the school programs could be fulfilled but not the Harbinger programs because they were pulled, but they would come back in the next issue.

Mr. Trontis introduced Tom Shepherd the Parks' Chief Naturalist who provided further information concerning programs.

Mr. Holt confirmed that the balance of programs which will be affected will occur this Fall.

Mr. Trontis informed the Board if he is allowed to fill this position, and he can't find someone by the Spring, then the Summer Nature programs will be cut in half.

Director Mennen questioned if a lot of the void could be filled through the use of temporary, seasonal employees. Mr. Trontis stated that the Summer Nature Program is one of the few programs in the County where they can hire seasonal in the summer and it is because the fees generated outweigh the salaries. It is hard to hire temporary people to be Park Naturalists because everyone needs temporary people in the Spring and Fall because they are the busiest times for schools and for scout requested programs. It takes several months to hire college staff members in the summer months. Mr. Shepherd thinks that temporary people could fill part of the void but not the whole void.

Director Mennen asked if Parks were able to find a way to make something work with seasonal people or temporary people, in the summer, that potentially give you the ability to continue to capture some revenue. He realizes it would be challenging to deliver a service to schools and the scouts.

Director Mennen advised he believes in the Parks and Recreation programs and he believes in the policies set by this Board. There is a policy that is very clear concerning discretionary service and he is trying to find a way to be supportive yet not violate the County's own policy.

Mr. Trontis said if he is able to bring on more seasonal staff, Mr. Shepherd would have to supervise one of the two locations and Laura the other location, and Mr. Shepherd's summer programs would have to be eliminated.

Director Mennen questioned if Mr. Trontis could get seasonal staff that are more qualified/seasoned. Mr. Trontis explained to hire someone that is a program manager would require a level of sophistication. Mrs. Yard recommended Mr. Trontis look at the people who return each year as a seasonal.

Mrs. Yard advised the Freeholder Board is already talking about the 2010 budget and being considered is the scenario of bringing people on at 19 hours a week with no benefits.

Mr. Trontis advised he has two positions that are vacant, the other is the Environmental Education Specialist position and a third of that salary was funded through the recycling program. He recommended instead of hiring a Park Naturalist to hire an Environmental Education Specialist and see if the grant is still available to assist in funding the salary. Mrs. Yard explained these are the types of things that need to be considered.

Mr. Trontis assured the Board and Mrs. Yard that he would do anything to maximize the program without hiring someone else.

Mr. Melick stated while we are focusing and concerned about cutting expenditures but what the Board needs to focus on is where the money will come from to pay for programs.

Mr. Melick asked what the total allocation for the Parks and Recreation Department is. Mrs. Yard advised in the 2009 budget, Parks and Recreation had 30 funded positions, their operating budget was \$198,000 and their salary and wages was \$1,054,921.

Mr. Melick questioned how the Board could allocate some of that funding to benefit the public. Hunterdon County has a problem because people cannot afford to live here. Mr. Trontis understands.

Mr. Holt advised the exercise concerning mandatory versus discretionary services, that the County went through in 2009 showed that the expectation of staff, as well as the Freeholders, was the services would be found to be clear but what was actually found was that there are an extraordinary amount of services provided by the County are not statutorily required. The Freeholders adopted the full hiring freeze early this year and when it was revised a few weeks ago, there was discussion with regard to assuring that paragraph three said that the Freeholders would entertain consideration for a position to be filled. The Board is going to have to entertain department by department requests because the services provided are being affected.

Mr. Holt feels Mr. Trontis is showing how the reduction of staff will affect programming and programs are cost positive in terms of revenues.

Mr. Holt said Mr. Trontis also discussed the school requested programs which are not cost effective but there maybe an argument whether that is discretionary or statutorily required but mandatory with regard to the expectations from the community.

Mr. Holt advised he is inclined to consider this request and at the same time, he's anxious to see if there is any solution for the school requests in order to accommodate them, even if it means hiring two part time positions.

Mr. Holt said in order to consider not only this position but a couple of others that occurred over the past nine to twelve months during the hiring freeze. Mr. Holt asked Mr. Trontis if the position were declined today what would be the options for the next four to six months for the school program.

Mr. Trontis advised he would not have written to the Board if he had other options to offer a school program; he needs to bring someone in. He can't have a part time person, manage part time people and still adhere to the County's policies and make sure the programs are safe for kids.

Mr. Holt advised he does feel the programs have a value but he also understands the position the County is in concerning the budget.

Mrs. Yard reported that in the 2009 County Budget funding was taken from the Recreation Trust Account to defray some salaries and that is a legitimate use of that trust account. Mrs. Yard stated the Freeholders tapped into many of the County's trust accounts.

Director Mennen asked if the sentiment of this Board is to provide some relief with regard to Mr. Trontis' request and if the answer is yes, will that be done now to include Winter programs or is the answer to hold off until Spring/Summer in the hopes of finding some creative grant funding or the use of seasonal employees. He understands the problem with seasonal people overseeing temporary people.

Mr. Melick advised he would like to look at the Parks and Recreation Department's salary budget and talk with Mr. Trontis on what each of his people does.

Mr. Peterson stated he would like this done for each department.

Mrs. Yard recognized John Trontis, Director, Parks and Recreation who is present this evening because of a vacancy in his office.

Director Mennen confirmed there is an inclination on this Board to answer the Parks and Recreation need and that relief would come in Spring/Summer. Mr. Holt feels there is a need to provide relief in this case and the question is how to provide that relief in the near future and the question is it is solely the replacement of a full time individual or another avenue.

Director Mennen advised he also believes this Board should try to find a way to get some help to Parks and Recreation and also, it should be done on the condition that it is cost neutral. He does not feel this will happen today but in the coming weeks and months, something should be done to keep the programs moving forward.

Mr. Holt suggested that any department that has a request in place for consideration be some of the first departments that the Freeholders meet with during the budget process. Director Mennen agreed.

Mr. Trontis asked if the Board if he could find a retired school teacher who can work on a part time basis would the Board entertain a request for part time help. Mr. Melick said that is possible. Director Mennen stated that is the creative thinking that this Board is trying to move towards.

Mr. Sworen left the meeting at 6:43 p.m.

County Policy #95-2, Cost for Copies (\$0.25)

Mr. Peterson moved and Mr. Melick seconded this:

See Page 08/18/09-8A

RESOLUTION

RESOLVED, Approving an amendment to County Policy #95-2 for Public Records to reflect the changes in pricing for copies of public records.

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

Constitutional Officers

Mrs. Yard reported at the last meeting it was agreed that the Constitutional Officers would meet with two Freeholder Board members to discuss the use of trust funds. There have been subsequent requests from Constitutional Officers and Mrs. Yard asked the status of that meeting. Director Mennen advised the idea was to have a meeting without attorneys, with just the interested parties in advance of mediation in the hopes of making mediation not necessary.

Mr. DeSapio informed the Board that it has been reported to him that perhaps the County Clerk, who asked to have the mediation schedule, which is scheduled for this Friday, could withdraw her request in view of Freeholder Holt's motion adopted by the Board at the last meeting on August 04, 2009 to pay for her registration at a conference. Mr. DeSapio will be calling Mr. Carbone the attorney representing the County Clerk and he will find out if the Clerk is withdrawing the mediation request.

Mr. Sworen returned to the meeting at 6:45 p.m.

Director Mennen confirmed that the meeting with the Constitutional Officers regarding the trust accounts did not happen. Mr. Holt advised it is still his intent to meet with the Constitutional Officers to discuss some of the issues as outlined on August 04, 2009.

CONSENT AGENDA

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

Items: #1, 6, 7, 8, 9, 12 and 14 held at this time.

Mr. Sworen moved and Mr. Holt seconded these:

See Page 08/18/09-8B

RESOLUTION

RESOLVED, Melinda Mosurick appointed temporary, interim, (fill a leave of absence) Family Service Worker, Division of Social Services, Department of Human Services.

See Page 08/18/09-8C

RESOLUTION

RESOLVED, Elaine Mills-Winkler, Principal Clerk Typist, in the Prosecutor's Office, leave of absence without pay.

See Page 08/18/09-8D

RESOLUTION

RESOLVED, Stephanie Maretta, Senior Clerk Typist, in the Prosecutor's Office, leave of absence without pay.

See Page 08/18/09-9A

RESOLUTION

RESOLVED, Authorizing Final Payment, Bid #2008-20, Re-surfacing various county roads, for Schifano Construction Company, in the amount of \$26,405.77.

See Page 08/18/09-9B

RESOLUTION

RESOLVED, Approval to rescind current weight limit of 11 tons and establish a new weight limit of 6 tons on Bridge RQ-179, Stanton Station Road over the South Branch of Raritan River, Readington and Raritan Townships.

See Page 08/18/09-9C

RESOLUTION

RESOLVED, Approval to rescind current weight limit of 6 tons and establish a new increased weight limit of 15 tons on Inter-County Bridge H-64-W, Mount Joy Road over the Musconetcong River, Holland Twp., Hunterdon County and Pohatcong Twp., Warren County.

See Page 08/18/09-9D

RESOLUTION

RESOLVED, Concurring with Warren County, the lead agent in the joint project, for the reconstruction of Inter-County Bridge #B-26-W/05039, Bethlehem Twp., Hunterdon County & Franklin Twp., to award a contract to Furino & Sons, Inc., for a total contract, which will utilize state aid funds, for an award amount of \$1,371,006.70; Hunterdon County - \$685,503.35, Warren County - \$685,503.35.

See Page 08/18/09-9E

RESOLUTION

RESOLVED, Authorizing a Services and Occupancy Agreement for John Trontis, in connection with the Mountain Farm Property.

See Page 08/18/09-9F

RESOLUTION

RESOLVED, Authorizing a Services and Occupancy Agreement for Craig Evans, in connection with the La Porte Property.

See Page 08/18/09-9G

RESOLUTION

RESOLVED, Authorizing a Joint Funding Agreement with the U.S. Department of the Interior, U.S. Geological Survey, for the annual maintenance of the Neshanic River Gauge, as required by the County's Water Allocation Permit for the County Golf Course, Heron Glen, in the amount of \$1,350.00.

See Page 08/18/09-9H

RESOLUTION

RESOLVED, Authorizing Payment #5-Final, for the Resurfacing and Drainage Improvement Project on Route 514, in the Townships of East Amwell and Raritan, County of Hunterdon, to Trap Rock, Industries, Inc., in the amount of \$133,307.87.

See Page 08/18/09-9I

RESOLUTION

RESOLVED, Authorizing Change Order #1, Final, for the 2008 Resurfacing of Various County Roads, to Schifano Construction Co., increase of \$131,161.67.

See Page 08/18/09-9J

RESOLUTION

RESOLVED, Authorizing Final Payment, for the 2008 Resurfacing of various County Roads, to Schifano Construction Co., in the amount of 26,407.77.

See Page 08/18/09-9K

RESOLUTION

RESOLVED, Authorizing Final Payment, for Bid #2008-24, for Resurfacing and Drainage Improvements to County Route 514, in East Amwell and Raritan Twps., with Trap Rock Industries, Inc., decrease of \$208,614.44.

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

Mr. Holt moved and Mr. Sworen seconded a motion to approve claims in accordance with the Claims Register dated August 18, 2009, minus Purchase Orders 124882 and 124889.

See Page 08/18/09-9L

CLAIMS REGISTER

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

Mr. Holt moved and Mr. Sworen seconded a motion to approve Purchase Orders 124882 and 124889 as listed on the August 18, 2009 Claims Register.

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

Mr. Peterson apologized for pulling Item #6, it was a mistake.

Mr. Peterson moved and Mr. Holt seconded this:

See Page 08/18/09-10A

RESOLUTION

RESOLVED, Authorizing a contract modification, with Daytop, to extend the agreement through December 31, 2009.

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

Mrs. Yard informed the Board on the change orders for the Hall of Records/Southard Building, that there was a problem with one of the vendors and payment was held until issues were resolved. This is not new work but the original work has not been paid for. Mrs. Yard confirmed that she and the County Project Administrator have talked about follow up on projects.

Mr. Peterson moved and Mr. Sworen seconded these:

See Page 08/18/09-10B

RESOLUTION

RESOLVED, Authorizing Change Order #2, for roof work damage repair at the Hall of Records/Southard Buildings, to J. Strober and Sons, LLC, for an increase in the amount of \$2,500.00.

See Page 08/18/09-10C

RESOLUTION

RESOLVED, Authorizing Payment #5-Final, to J. Strober and Sons, for the Hall of Records Roof Damage Repair, in the amount of \$5,530.00.

See Page 08/18/09-10D

RESOLUTION

RESOLVED, Authorizing Change Order #15, to Watertrol, Inc., for the Hall of Records Southard Building Roof Damages, for a decreased amount of \$2,500.00.

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

Item #12, for approval to amend the current designations of "through street" and "stop" intersections affecting Route 513 in the Townships of Alexandria, Clinton, Lebanon, Union and the Town of Clinton and the Boroughs of Frenchtown and High Bridge was held until the next meeting on September 01, 2009.

Mr. Holt moved and Mr. Sworen seconded this:

See Page 08/18/09-10E

RESOLUTION

RESOLVED, Authorizing the declaration of an emergency for County Bridge T-88, Tewksbury Township, due to the extreme weather conditions on August 9, 2009.

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

GRANTS

Mr. Sworen moved and Mr. Peterson seconded this:

See Page 08/18/09-10E

RESOLUTION

RESOLVED, Approving a grant application for additional grant funds offered by the New Jersey Department of Environmental Protection, to be utilized in completing the County's Waste Water Management Plan, in the amount of \$100,000.00.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 08/18/09-10F

RESOLUTION

RESOLVED, Approving a grant application to the New Jersey Historical Commission, for printing costs of a book entitled, "The Heritage of Our Hunterdon County Parks", in the amount of \$6,670.00.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 08/18/09-11A

RESOLUTION

RESOLVED, Approving a grant agreement for PARIS funds through the New Jersey Department of State, Division of Archives and Records Management and the State Records Committee, for records management, preservation and storage needs, in the amount of \$613,793.00.

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

PROCLAMATIONS

Mr. Peterson moved and Mr. Sworen seconded this:

See Page 08/18/09-11B

RESOLUTION

RESOLVED, Recognizing Tim Siessel for attaining the designation of Eagle Scout.

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

Mr. Holt moved and Mr. Peterson seconded this:

See Page 08/18/09-11C

RESOLUTION

RESOLVED, Recognizing Linda Rusch, Vice President of Patient Care Services at the Hunterdon Medical Center, for her work in Hunterdon County.

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

CORRESPONDENCE

A request was received from the governing body for the Township of Raritan requesting removal of the Raritan Valley Disposal (RVD) Transfer Station at River Road from the Hunterdon County's Solid Waste Management Plan.

Gaetano M. DeSapio, County Counsel informed the Board that Raritan Township sends the County a letter of opposition each year and Freeholder Boards, up to now, have always decided not to take any action but to say the County expressed its objection to the New Jersey Department of Environmental Protection (DEP) before. There is a process to eliminate that facility from the County's Solid Waste Management Plan (SWMP). In order for the facility to be in the County's SWMP, the vendor would need to obtain a permit from DEP.

Mr. DeSapio provided a brief history, explained around 11 years ago there was a big argument on whether this facility should be placed in the County's SWMP. Raritan Township objected, the people who lived in the area objected for historical reasons and because of the roadway system. After the beginning of the public hearing, that Freeholder Board entered into a settlement agreement with RVD outlining the conditions they would have to satisfy in order to be included in the County's SWMP. That Freeholder Board also said the facility has to be constructed within 5 years otherwise the approval expires. The facility has never been constructed, the 5 years passed and Raritan Township began writing to the County to take the facility out of the plan and the County has always said the conditions speak for its self and that DEP has to decide what to do. So far DEP has made not decision.

Mr. Peterson asked the benefit to the County for not taking RVD out of the County's plan. Mr. DeSapio said the County doesn't get embroiled in litigation for taking it out of the plan. He explained the County would have to go through the hearing process again which will bring the applicant, the Township and the residents before the Board. As time goes by, people do begin to feel differently, the previous Freeholder Board felt it did not want to go through the public hearing process again.

Mrs. Yard reported in 2008 a letter was sent to the DEP that Mr. DeSapio assisted her in writing, which said that DEP has not responded to the County and it appears the approval of this facility has expired since the facility was not constructed within 5 years; it appears the plan amendment is now void and there is apparently no authority for the issuance of any permits or approvals in connection with new construction on the site. The State DEP never answered that letter.

Mr. DeSapio feels Raritan Township is concerned that RVD is going to ask the DEP for a permit because it is still in the County's plan.

After further discussion, the Hunterdon County Board of Chosen Freeholders directed Raritan Township's letter to the Solid Waste Advisory Council and ask the SWAC if this should be reexamined.

A request was received from the Borough of High Bridge to close a portion of County Route 513 in the Borough on September 26, 2009 for their Fall Festival Street Parade. Mr. Peterson moved

and Mr. Sworen seconded a motion granting permission provided this event is coordinated through the County's Department of Roads, Bridges and Engineering.

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

FREEHOLDERS COMMENTS/REPORTS

Flu Shots

Mr. Holt stated at the last meeting there was discussion regarding the cancellation of the Flu Vaccination 1800 units which the County had ordered. It was agreed that was pending provided the County could get 300 vaccinations if needed. Mr. Holt received an email from the Health Department recommending the order be cancelled with the exception of 300 units in order to have the ability to vaccinate County employees.

Director Mennen said he did not understand the email as it contemplates that those 300 people to be considered to be critical would be done internally by the County, as opposed to contracting.

Mr. Holt recommended the Health Department come and provide a presentation on the H1N1 at the September 01, 2009 meeting in order for the Board to understand the pandemic flu issues and the vaccination policy. The initial inoculation timeframe at this time is October. The Health Department has mapped out the maximum proposed plan. Director Mennen agreed.

Mrs. Yard added that they are trying to get a handle on the costs for advertising, security and room rental. She asked if the Health Director mentioned anything about the true costs for flu clinics. Mrs. Yard was directed to ask the Health Director for this information again.

Director Mennen said a decision doesn't have to be made this evening. He questions why everyone except 300 people would go through the outsourced vendor. He would like the Health Director to explain that further at the September 01, 2009 meeting.

Budget process

Mr. Melick said in thinking back to the budget process for 2009 and the cuts that had to be made along with the reduction of the County's ratable base experienced last year, that is the reason the Board is focusing on all these cuts.

Mr. Melick advised he contacted three Tax Assessors in the County to ask how they are finding the values of property they are assessing to see what the County will be facing this coming January. The date assessors' use for values is October 01st. After talking with the assessors he predicts the County will have at least a 5% reduction for 2010 in the ratable base. He asked the County Treasurer what the Freeholders would have to do to keep the tax rate flat and she is working on that. Mr. Melick said there are large ratable that have sold for less than its worth.

Summer Concert Series

Mr. Sworen reported the summer concert series has come to an end and because of the economy this was one of the best attended concert series. There were a number of concerts with over 2,500 to 3,000 people in attendance. The parking lots and grass lots were full and people were having picnics because this is what they could afford. The concert series is run very well by the Parks and Recreation Department. There were a few nights that it rained causing the concert to move into the JP Case Middle School.

Mr. Sworen thanked the Raritan Township Board of Education for the use of the JP Case Middle School and he thanked Shop Rite for their food donations.

OPEN TO THE PUBLIC

Solid Waste

Francis Gavigan of East Amwell Township informed the Board that she goes to the Transfer Station on Petticoat Lane because she doesn't have the money to rent dumpsters. The Transfer Station only costs her \$32 to dump weekly. Mrs. Gavigan feels it would be helpful to the residents of the County if there was more than just one 2 hour period a week available to the people who are subsidizing the facility. Mrs. Yard was asked to direct this recommendation to the Solid Waste Director.

Stangl Display

Lois Stewart of Flemington thanked the Board for allowing the display of Stangl pottery on the first floor of the Main Street County Complex.

Mrs. Yard advised Stangl asked the County for space and it was felt it should be someplace where the pottery would be since. Until the County finalizes what will happen in the historic Court House it was decided to bring the display in the Main Street Administration Building as people come and go here.

Historical Commission

Mrs. Stewart asked if there was a meeting of the Historical Commission on the Choir School Building.

Mr. DeSapio reported the Historical Commission met this past week and it was reported to him that the president of the organization was unable to attend and they will be meeting again within the next month and then will report back to the Freeholders.

Copy Costs

Mrs. Stewart confirmed the County decided that the price of copies would be \$0.25 per page.

Parks

Mrs. Stewart confirmed that the County does receive some compensation from the schools for programs put on by Parks and Recreation.

Mrs. Yard confirmed for Mrs. Stewart that it does not usually cover the cost of the program. Mrs. Stewart suggested asking the schools to pay all the costs.

Mrs. Yard explained it will be recommended to the Board that fees be looked at and visited on a regular basis.

41% Fringe

Mrs. Stewart confirmed that 41% is the approximate cost for fringe benefits. She recommended the Board consider hiring more part time people in order not to pay for those benefits.

Mrs. Stewart asked how many employee groups have contracts. Mrs. Yard and Mr. DeSapio stated there are currently 7 with two new ones coming on board.

Mrs. Stewart confirmed the salaries for the Constitutional Officers are fixed by the State, as well as the Prosecutor's salary. Mr. DeSapio provided Mrs. Stewart with information on how certain people's salaries are set and by whom.

Mrs. Stewart expressed concern on how the residents of Hunterdon County are going to continue to live in the County because it is expensive. She asked the Board to keep that in mind.

Mrs. Stewart asked salaries for road department people. Mr. DeSapio explained a tentative agreement was reached with the CWA for 2009 that said the County was willing to provide people with a 1.5% increase for 2009 and CWA held an election and the employees rejected that, so negotiations will begin again for 2009, 2010 and 2011.

There being no further business to come before the Board, Director Mennen adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board