

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, 2nd Floor

Flemington, New Jersey 08822

February 03, 2009

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 3:04 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

ABSENT: MR. PETERSON.

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 29, 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."

FINANCE

Kim Browne, Finance Director and Margaret Pasqua, County Treasurer came before the Board at 3:04 p.m.

Director Mennen informed those present that at this time the Finance Department will be providing the Board with an overview of the 2009 pre-budget.

Mrs. Browne informed the Board that the cover pages in their budget books did change slightly but the book itself remains the same. Any significant changes in the budgets for the various departments have been noted for 2008 and 2009. Mrs. Browne noted that at the end of each section, the County Treasurer ran the expenditures through December 31, 2008 because when departments were asked to submit their budget back in October/November 2008, the worksheets were only through the October/November expenses.

Mr. Peterson came into the meeting at 3:06 p.m.

Mrs. Browne advised in 2008 from the \$13 million Operating Budget, the County expended \$11 million. There is a \$1.5 million balance that hasn't been spent but there are charges coming in.

Mrs. Browne reported when departments were asked to shave their budgets by 10%, the County saved \$700,000, in the 2009 requests from all departments. Originally there was \$1.5 million in savings but that is a changing number as transportation has gone up, legal is up and more funding had to be added to vehicle services because of the LINK buses. Mr. Melick confirmed there is a reason for each one of these items.

Mrs. Browne reported the County is down from what it anticipated in revenues, by \$600,000. She feels this will get worse in 2009 with the current economy.

Mrs. Browne advised she has been meeting with the County Administrator, Cynthia Yard and the County Treasurer, Margaret Pasqua, regarding the various trust accounts and they will be looking closer at these trust accounts to determine if more can be spent from them in order to shift some of the burden from the County's budget into some of these trust accounts. Mrs. Browne assured the Board that while these accounts are pretty well used they will be reviewed more closely in 2009.

Mrs. Yard stated that in 2008, the Freeholder Board asked that the statutes be pulled concerning the various trust accounts. All the statutes have been sent to County Counsel, Gaetano M. DeSapio as directed by the Board, so should a question come up concerning a trust account and what it can be used for, County Counsel will be able to guide the Board.

Mrs. Browne feels the County may be able to pay some salaries out of the trust accounts. It maybe a temporary fix but she is looking into it.

Mrs. Yard informed the Board that the Department of Weights and Measurers is a one person department, William Yancey. While Mr. Yancey has a very small budget, he does utilize a vehicle; so should he ever need his vehicle replaced in the future the cost could come from the trust account; as it is a legitimate expense. Mrs. Yard added that Mr. Yancey's salary is also a legitimate expense from the trust account.

Mrs. Browne advised that pensions have gone up for 2009; this year \$1.9 million has been allocated for pensions and that is funded 100% in the budget.

Mr. Sworen asked about motor vehicle fines and why there is \$1 million in that account. John P. Glynn, Director of Roads, Bridges and Engineering, explained the County receives funds from the motor vehicle violations that people pay when ticketed on County roads. The motor vehicle fines are split between the County and the municipalities. Mr. Glynn further explained that these funds go to pay for some of the County's road and bridge projects, such as slurry seal. Also, there is a \$1 million trust in his budget from these motor vehicle fines.

Mr. Glynn confirmed for the Board that the money given to the County from motor vehicle fines comes from every summons written in the County, not just those written on County roads.

Mrs. Browne confirmed with Mr. Glynn that the trust is used for items other than just slurry seal. Mrs. Pasqua stated she has seen payments going directly from that trust for road projects. Mr. Glynn stated in the past, the trust has been used for emergency bridge replacements and more. Mrs. Pasqua advised the Board that around \$1 million is moved from the fund each year to cover what Roads and Bridges spends in their operating budget.

Mr. Glynn expressed concern about the funds for snow and ice control materials because it is only the beginning of February and the County has spent over what was spent last year for the materials and winter is not over yet. Mr. Sworen confirmed the County is not having trouble getting those materials at this time.

Mrs. Browne confirmed with Mr. Glynn that the County may have to use more of the motor vehicle fine trust account for snow and ice control materials for 2009.

Mr. Holt asked Mrs. Browne to briefly inform the Board about pensions and confirmed it is fully funded. Mrs. Browne explained there is a bill before the State at this time, saying they will only accept 50% of the pension and if they adopt that, then the County will have to put the other 50% in an account. Her office did not look at allocating just 50% of the pensions.

Mr. Peterson questions if the state could make the County only pay 50% of the amount for pensions then charge a percentage for the amount not paid. Mr. Melick said it is his opinion that the State wants to charge interest for the other 50% and informed the Board that the State has done that in the past. The State doesn't want counties to pay because it will be assumed as a receivable, so they could collect 8.25% interest. Mr. Peterson asked if the interest will begin to accrue when counties don't pay.

Mr. Peterson recommended Hunterdon County pay its pension bill in full to the State. Mrs. Browne does not think the State will allow the County to pay in full. Mr. Peterson asked County Counsel DeSapio, if the state can refuse to take the money if the County owes it for pensions.

Mr. Sworen thinks the reason the state won't accept more than half is because of the way the process is set up with pensions; which is to make it fair and reasonable for everyone. The State cannot let certain counties pay all of it because it legally throws off everyone else's payments; so they will not allow full payment and the State Treasurer told him that. Mr. Peterson does not think that is factually true and said counties have an obligation and every right to pay the bill in full. He suggested the check be drafted and personally taken to the Governor.

Mr. Holt confirmed the County's budget contains the full amount for pensions, and when this issue comes up, the Freeholders will deal with it then.

Mr. Holt stated he had heard that the County will not be paying the 4th Quarter amount for 2008 to the Hunterdon Medical Center? Mrs. Browne advised she had not heard that. Director Mennen confirmed this expenditure is from the 2008 budget.

Mr. Melick informed the Board that he would like to obtain comparable prices for the work that is done through the Hunterdon Medical Center. Mr. Holt is aware that is being worked on by the Health Director and he anticipates something coming forth to the Board shortly.

Director Mennen recalls it was the directive of the Board to all County Department Heads to find 10% savings in their operating budgets. In going through the Budget book and looking at the 2008 appropriations and the 2008 actual expenditures; there are some instances where an operating budget line item in a particular department was \$100,000 and they spent \$30,000; so they submitted a budget request that is \$90,000 thus meeting the directive to reduce it by 10% but that is meaningless because in reality they should be reducing it 10% from what was expended not what was approved. Director Mennen advised some of the budgets have a disparity in the order of 60 and 70% and this Board needs to take a longer harder look at those budgets.

Director Mennen recalls the Board discussing last year about the personnel pages in the department budgets; the detail page. The Board discussed last year about trying to make these pages more reflective of actual reality instead of just putting numbers in to be dealt with when salary increases are discussed and use that number to go back retroactively. He said there are a number of these, especially the unclassified, that are blank right now or they read the 2008 salary and give a reserve. Director Mennen had hoped that as a Board, a decision could be made on the 2009 salaries for the unclassified which are not governed by contract so real numbers could be placed in the budget, not the 2008 number. He thinks he lives true to the mandate to make the budget more representative of reality. As a Board, we have to agree to a real number to put in the budget. Time needs to be set aside to go over the numbers.

Mrs. Yard advised a presentation can be made ready for the Board in two weeks, during the executive session for the next meeting, on February 17, 2009. Director Mennen agreed the Board should continue this discussion concerning the Budget at the next meeting. He asked Mrs. Browne and Mrs. Pasqua to put together a list of the departments that are off by 70% or exceeds \$50,000. The Board should meet with those departments. Mrs. Browne asked if the Board would like to set these meetings up for Monday, February 09, 2009. Director Mennen confirmed with Mrs. Browne that all department meeting will not be completed in one day.

Mrs. Browne advised the Board there are around ten departments that need to be reviewed and discussed at budget hearings. She explained if the Board reviews the budget books provided that there is a reserve, holiday, differential and shift pay and the difference was built into the appropriate departments for that. Mrs. Browne noted that the Prosecutor's office has not budgeted for those items but they are budgeted for this year so you will see a big increase.

Mrs. Yard brought to the Board's attention that every year the County puts money aside for the Employee Appreciation Program but not budgeted for are the two luncheons hosted by the Freeholder Board, where the Treasurer finds money in the budget for; the one in April and the other is the Holiday Luncheon. The Holiday luncheon runs around \$500 and the luncheon in April is a little less depending on who caters. Mrs. Yard wanted to make sure that when the Freeholders determine their budget, that a decision is made concerning these events and that the money should be incorporated into a line item.

Mrs. Yard reported that last year the Board decided to defray the cost of the fireworks for the Agricultural Fair. Roger Everitt of the 4-H Group/Fair Committee has called and inquired on whether the Board would be contributing towards the fireworks in 2009. Mr. Everitt will be providing information so the Board can make a decision with regard to that issue in the budget. The 4-H Fair Group has received a letter from the County asking them to reduce their budget.

Mrs. Pasqua advised that a one large item which comes into the budget are the deferred charges to be used towards Capital Projects; in the past the County has been funding things that are expended during the previous year working with the oldest ordinances and working on up. This year the estimated deferred charges are \$7.8 million and that is up a little from the previous year. The problem is that this does have an impact on the current budget. Mrs. Pasqua said she would not recommend reducing this item by too much as the County has to fund these ordinances.

Mrs. Browne further explained that the County gets cited on the audit if there are outstanding older ordinances that have not been funded.

Mrs. Pasqua advised there are currently two ordinances towards the Library Headquarters, totaling just a little over a million dollars, which the County has been funding; a payment schedule was set up with the Library Commission and they have been paying the County back. At this time, the Library Commission is making payments for North County Branch and they won't finish paying the County off until about 2015. Mrs. Pasqua explained there is \$1 million dollars that needs to be funded; plus there is still another \$2.3 million that the County has already funded for the Library but the County will eventually bill them and be paid back, which is for the renovation and addition to the Library Headquarters. She suggested tapping into the Library's fund balance to fund these two ordinances and to take it off of our differed charges, which will save the County \$1 million. Mrs. Pasqua advised this goes directly to the Library fund balance so it won't impact their budget. The Library Commission has \$4 million in the trust fund balance at this time. The County did fund some of their older ordinances and this has obviously been done in the past. Mrs. Yard stated the Freeholders have the ultimate say in the budget but feels this could be done through the Library Commission.

Mrs. Yard said an issue is whether the County is going to continue to let the Library Commission make payment for the North Branch through 2015. The work for the North Branch started in 1999 and once the North Branch is paid off, then the Library Commission would begin to make payments towards the Library Headquarters project.

Mr. Melick thinks that Mrs. Pasqua's recommendation would be a positive move for the County to pay off ordinance and suggested trying to work towards this resolution with the Library Commission and Finance Department. Mr. DeSapio said he would work with Finance on that issue.

Mrs. Browne informed the Board that Tom Efstathiou, Tax Board Administrator came to visit her yesterday. He advised the County's net value for the County Tax Appropriate was \$25 billion last year, this year the figure is \$800 million dollars lower; so the County is looking at \$24 billion, which works out to about 3%. Mrs. Pasqua ran some figures and feels the County can cut enough to keep the tax rate flat.

Mrs. Yard stated the Board has been talking and trying to figure out different ways to work this out but noted that anything concerning personnel will take time, and the Board has to consider what steps to take. She confirmed the County is in a full hiring freeze and the Board will again today discuss what can and can't be frozen concerning personnel matters.

Mr. Holt confirmed with Mrs. Browne that the County's surplus in 2007 was \$38 million. Mrs. Browne advised in 2008 there was \$97 million for the budget and when the figures were run for 2009, they were not good. The Tax Board feels the County has hit the bottom and does not feel revenues will be up until 2011.

Mr. Melick advised there are three municipalities backing off concerning tax assessments. When things are cut so close, there is less latitude to build surplus. The County has cut its budget close for several years and now the budget is being cut closer and we are nickel and diming our departments. Mr. Peterson said the County should look at paying down its debt and seeing how much can be saved. He sees the market changing everyday and things are coming around a little bit. He doesn't think they will appreciate it in a quick rate but he feels we have seen the bottom of it and it is just a matter of time before things come around. Mr. Peterson said as the County pays down debt it can repay into surplus. Mrs. Browne advised the debt in 2009 is \$2 million which is cumulative for a couple of years.

Mr. Holt asked for more clarification regarding why the budget of 2009 is up by over by \$2 million dollars and the decrease is up to \$800 million. He questioned what is different in terms of revenue.

Director Mennen said to be clear the \$2 million increase for the budget is before this Board removes anything from the initial requests made by departments. This is just the starting point, not the ending point.

Mrs. Browne stated that the Finance Department has cut quiet a bit from the budget this year and confirmed the budget is pretty tight.

Mrs. Yard informed the Board that they did an analysis of the 2008 hiring freeze and the County only lost 42 people and around 35 have been back filled. People are staying longer in their jobs. It was thought the County would lose a lot more people than it had. The County has received many applications and resumes as it has employees working. A couple hundred were received just for Corrections. When the County tried to introduce the modified freeze, it did not do as well as everyone had thought would be done.

Mr. Melick stated we can only go so far with 2008; as long as 2/3 of the County's budget is positions and salaries, we need to talk about positions. He is willing to talk about this and asked if the County needs all the positions that it has at this time.

Mrs. Yard explained when you talk about positions, there was a presentation concerning the past five years and it shows that the County's positions have not really fluctuated but over a five year period. The County has not been liberal in saying its needs ten more positions. Positions are carefully looked, they are discussed and considered by the whole Board.

After further discussion, Mrs. Yard will prepare for the Board a list of departments to come before the Board for budget hearings on Monday, February 09, 2009 starting at 2:00 p.m.

Director Mennen advised in the meantime, if there is any other department that the Board or Mrs. Yard feels strongly that the Board needs to hear from, they should be scheduled.

FLAG SALUTE

Pledge of Allegiance.

EXECUTIVE SESSION REQUESTS

Mr. Holt moved and Mr. Sworen seconded these:

See Page 02/03/09-4A

RESOLUTION

RESOLVED, Executive Session to discuss and evaluate proposals for the purpose of considering a bond counsel.

See Page 02/03/09-4B

RESOLUTION

RESOLVED, Executive Session to discuss negotiations with four of the County's bargaining units.

See Page 02/03/09-4C

RESOLUTION

RESOLVED, Executive Session to discuss Prosecutor's negotiations and the legal issues surrounding the assignment of cars and the involvement of the negotiations process.

See Page 02/03/09-4D

RESOLUTION

RESOLVED, Executive Session to discuss legal issues regarding the potential disqualification of an organization requesting non-profit funding.

See Page 02/03/09-4E

RESOLUTION

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

See Page 02/03/09-4F

RESOLUTION

RESOLVED, Executive Session to discuss a legal opinion regarding reallocating money from the Open Space, Farmland Preservation and Historic Structure trust fund.

See Page 02/03/09-4G

RESOLUTION

RESOLVED, Executive Session to discuss the legal background of the Choir School and the lease agreement and extension of the lease agreement with the County.

See Page 02/03/09-4H

RESOLUTION

RESOLVED, Executive Session to continue the discussion of a request by the County Clerk for Conflict Counsel.

See Page 02/03/09-5A

RESOLUTION

RESOLVED, Executive Session to discuss legal issues regarding the relationship between the County of Hunterdon and Holland Township regarding the Hoffman Farm property and the sale of the development rights and the eventual resale of the property.

See Page 02/03/09-5B

RESOLUTION

RESOLVED, Executive Session to discuss legal issues regarding the procurement process for maintenance contracts for County parkland/farmland for the Parks and Recreation Department.

See Page 02/03/09-5C

RESOLUTION

RESOLVED, Executive Session to discuss a personnel concerning the Sheriff's Office.

See Page 02/03/09-5D

RESOLUTION

RESOLVED, Executive Session to discuss continuing negotiations with the owner and other funding partners for the acquisition of property from Horseshoe Bend Partners.

See Page 02/03/09-5E

RESOLUTION

RESOLVED, Executive Session to discuss legal issues in connection with the lease of the Transfer Station property from the State of New Jersey.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 3:09 p.m. and returned to Open Session at 5:12 p.m.

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

Swearing In/Consent Agenda #5

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/03/09-5F

RESOLUTION

RESOLVED, Scott Nodes appointed unclassified, full time, Warden, for the Corrections Division, Public Safety Department for a five-year term.

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

Denise B. Doolan, Clerk of the Board, swore in Scott Nodes as Warden for the Division of Corrections while his wife, Michelle held the Bible.

Mr. Peterson left the meeting at 5:14 pm.

NEW JERSEY COUNCIL OF FARMERS AND COMMUNITIES

John Melick came before the Board representing the New Jersey Council of Farmers and Communities explaining to the Board that a few years ago he came before the Board asking if Hunterdon County would take part in an Agricultural Marketing grant through the New Jersey Highlands' Council. This used to be a two year grant but the terms have changed to now make it a three year grant; and the New Jersey Council of Farmers and Communities is requesting \$120,000. The County would again be used as a pass through for these funds. Mr. Melick explained the grant is more open ended this time and they would have fixed figures.

Mr. Melick advised the New Jersey Council of Farmers and Communities is an organization made of up twenty-six communities and 30 farming operations throughout Central and North Jersey. The organization provides supports for communities to get started and maintain markets on a day to day and year to year basis. They are being also getting support through Rutgers Cooperative Extension, the Farm Bureau and Highlands Council. This is a marketing grant to increase awareness through newspapers and it would permit towns to apply for many grants within this grant process. He is asking again if Hunterdon would be a pass through entity for the grant application.

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/03/09-5G

RESOLUTION

RESOLVED, Approving a grant with the Highlands' Council for the New Jersey Council of Farmers and Communities, for the County to serve as a pass through agency. Requested grant amount for 3 years to be \$120,000.

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

FARMLAND PRESERVATION

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/03/09-6A

RESOLUTION

RESOLVED, Approving a Grant Agreement from Karen and Oliver Elbert, on Block 84, Lot 29, consisting of 87.226 acres, (SADC-\$716,997.72, County-\$191,199.39, Township-\$286,799.09), total amount \$1,194,996.20.

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

Mr. Melick and Mr. Peterson returned to the meeting at 5:20pm.

PURCHASING

County Counsel DeSapio informed the Board those resolutions one through ten under Purchasing's agenda will first be discussed in Executive Session. While there are no illegal issues; there is a process issue and a few other issues that Mr. DeSapio feels the Board should discuss.

Mr. Peterson recommended Mr. DeSapio provide a statement as to why the Board is not discussing this in public at this time. Mr. DeSapio advised a Freeholder has a question about clarification of vendors. Mr. Peterson asked if that would not be dictated through the competitive process.

Mr. DeSapio explained it is not an issue of changing the criteria, the contracts need to be awarded to the lowest bidder and the question of responsibility is something you can review at anytime that circumstances comes forward before someone can do the work. Mr. DeSapio stated since the last meeting he has spoken with Freeholder Sworen and he had shared some concerns with some of the resolutions that he feels the whole Board should be made aware of to understand how this impacts the award process before the Board awards the bids. The dollar amounts may be an issue and Freeholder Sworen can discuss that with the Board.

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/03/09-6B

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-42, for a 2009 F-350 Super Duty XL Regular Cab 4 x 4 8' Single Rear Wheel Pickup, for the Roads and Bridges Department, to DFFLM, LLC, d/b/a/ Ditschman/Flemington Ford Lincoln Mercury, in an amount not to exceed \$25,000.00.

Mrs. Yard confirmed for the Board this bid is before the Board because it has been approved by the Fleet Management Committee and approved by the Board. There is a system in place and this matter has gone all the checks and balances.

Mr. Holt said that in the last two years the County has had to change its standards and there is a new process that insures the better use of vehicles. The Fleet Management Committee has agreed with the new standards and the number of vehicles being replaced has dropped dramatically in the last two years. Mrs. Yard said she can only insure that the process has taken place as it is prescribed.

Mr. Peterson said he understands the process but maybe he just does not agree with the criteria.

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

PROJECT UPDATE

Frank J. Bell, AIA, County Project Administrator came before the Board to provide an update on various County projects and facilities:

- Four projects being closed out are the Deer Path Park Restroom, the Route 12 Garage addition, the Justice Center (Justice Veniero space) and the Everittstown Garage addition.
- There is a meeting tomorrow regarding the Emergency Services building, as two items need to be cleared up. Also tomorrow, a meeting will be held with George Wagner, Public Safety Director, to discuss how to move staff from the old section of the building into the new section. Once that has been done, renovations can begin on the older part of the building.
- Waiting on punch list items for the Hall of Records and Southard Building, then they can be closed out.
- A meeting is being scheduled with Roger Everitt, 4-H Group, for the South County Park. The County is still finalizing plans for that facility.
- The County is waiting on an agreement concerning the Warehouse/Records Retention Center, to get the architect to get that project moving.
- Information Technology Point to Point Wireless, the County is waiting for the resolution of permits. Mr. Bell believes documents have been submitted to the Construction Board of Appeals.

- The County is waiting for the wiring installation to be completed for the A-frame building adjacent to the County's Arboretum. Once that is complete, Buildings and Maintenance will bring in the rest of the furniture.
- A resolution for an Energy Audit Grant application is on tonight's agenda for discussion.
- The Greenhouse project in the Parks and Recreation Department will be utilizing a balance of ordinance funds.

Mrs. Yard informed the Board that this is something not normally seen on an agenda but in speaking with the Finance Department, it was found that there was \$54,000 left in a funded ordinance that could be utilized by the County for the Greenhouse project. An in-service for the administration staff will be done this week to talk about the difference between funded ordinances or partially funded ordinances. Also, a while ago, Polytech gave the Parks and Recreation Department a Green House which they had dismantled. For a long time, Parks had considered not using it; but they have reconsidered and are thinking about using those panels to supplement a Green House at the Arboretum. Regarding the \$54,000; this is a funded ordinance which was set aside to do a funded Green House so what it is recommended using the pieces that Polytech has given the County and just supplementing it to make a Green House, through the ordinance. Mrs. Yard advised they wanted to alert the Board about spending because of the Board's concerns about ordinances being active or not active. This is a funded ordinance which was approved for this project and they want to move forward on it. Mrs. Yard advised that the project will not use the entire \$54,000 and whatever is not used will be cancelled.

Mr. Bell said there are items in here that are not needed and he just received it right now and has not had a chance to fully evaluate it for the Board so he apologizes for that.

Mr. Holt asked if this number can be revised and if Mr. Bell can estimate the amount that maybe used for the project.

Mr. Melick questioned how big the Green House from Polytech is. Mr. Trontis stated that it is a 26 x 54 and that it has been in storage. Mr. Melick thinks that the cost will run more than estimated because when you take buildings down and put them back up there is a lot of things that need to be done. He asked if building permits have been pulled for the project. Mr. Trontis stated they have not as this is just an estimate.

Director Mennen recommended Mr. Bell comes back with more information in two weeks.

COUNTY UPDATE

Bring your child to work day

Cynthia J. Yard, County Administrator, came before the Board advising that the County is planning to participate in the "Bring Your Child to Work" day in April. A program will be planned so that parents, the County's employees, can bring their children to work. There will be a tour of the jail and historic court house.

Recording of public meetings

Mike Rasimowicz, Information Technology Department Head came before the Board to show what he has developed regarding the recording of public meetings. He was asked to investigate some other Counties and towns that do this and he provided information on the four different scenarios he came across: Some plug in a camera to a lab-top and others get vendors involved. He put all the information together for the Board and asked the Board to review it to determine if they want to move forward on this matter.

Mrs. Yard stated Director Mennen questioned if there were any grants or grant funds available to assist in setting up recording of public meetings. She had Bob Thurgarland, the PARIS Grant Coordinator look into that, and at this time, he does not feel funds are available. Mrs. Yard also spoke with the County Clerk and the Clerk of Flemington Borough who reached out to Comcast and Hunterdon Central Regional High School. More guidance is needed from the Board as to how they want to handle this and a determination has to be made if there is a budget for this.

Mr. Melick thinks that recording the meetings could prolong the meetings with people wanting to make statements and also people wanting to retrieve information for their personal use. A policy would have to be put in place that the Board should not get involved in this personally.

Mr. Peterson said he has no doubt that the public should be able to see what is going on and how the government is being run and how the County's money is being spent. It is important that the public have access to the government; the people should be able to watch what is going on. He does not feel it needs to be an over the top issue or expensive to do. Mr. Peterson said if it comes down to a money issue and it is a \$75 camera, he would put the money towards it.

Director Mennen advised as the Board started to look at this, one answer yielded two more questions. Is this something that someone can see live; or are there tapes; and what can be posted to the internet and for what amount of time will it be available. All these factors determine the cost and the quality. There is the issue of quality, sound recordings or microphones. Municipalities that already have these things in place are tapping into their resources that they already have. If the County were to purchase a \$75 camera, which he does not think is the case, it would be a no brainer but anything more expensive than that, he would need to see costs and figures and estimates.

Mr. Rasimowicz explained there are other questions that come into play such as records retention, storing of the data and will it be on-site or off site and will it be by a third party vendor. When Mr. Thurgarland and he read through the information, it looked as though it was not something that governments could do easily.

Mr. Peterson said the County maintains minutes, so there is a permanent records and added that the County does not need to maintain multi forms of meetings. The County just needs to maintain the original form. Mr. Peterson recommended seeing what municipalities are doing and bring that information back to the Board. Mrs. Yard stated that Mr. Rasimowicz already had a conversation with Flemington Borough about their process and resources on this issue and asked if the Board wants to invite the Borough to come and explain what they are doing. Director Mennen stated it sounds as if one person is using their personal computer to record the meetings and that it is blessed by the Council. He is curious if that is what is the case. Mr. Rasimowicz will ask these questions of Flemington Borough.

Mr. Peterson said if we try to make this so complex then we are never going to see it happen. The County needs to think about simplicity as he feels people may want to see things but more importantly they want to hear what is going on. This does not need to be a grand production where everyone is going to come in their finest clothing, all he wants is for the public to have an idea as to what is going on. He is for simplicity.

Director Mennen said there is no intent on not doing this and in fact he asked to have a list put together to figure out what would be the best way to figure out this situation and then move forward.

Mr. Holt stated the County has a sound system that could be utilized. He is sure there is a simple plan and asked Mr. Rasimowicz to come up with some base costs.

Mr. Melick questioned if a legal opinion will be needed should someone want copies of video and what that charge will be. Mr. DeSapio said under the Records Retention schedule the County is required to keep the recordings for 80 days and after the Clerk has completed the minutes and then they can be destroyed or erased. There is also the issue of obtaining a copy by paying for them. The County would need someone in the Records Retention Center to be able to make copies when they are requested; or alternatively, with technology this could be webcast to them without making a copy.

Mr. Rasimowicz advised the Board that this can be streamed live and not recorded it at all.

Mr. Sworen stated the League of Municipalities is meeting next week and they are going to be discussing records retention for emails, videos, audio and other things along those lines. He recommended someone attend the meeting and bring back information.

Mr. Rasimowicz informed the Board that if the County is not going to do video then it can just do an audio recording. He informed the Board that he is going to need more direction on what the process should be.

Director Mennen thanked Mr. Rasimowicz for coming before the Board and that Mrs. Yard will contact him.

Policy for food/refreshment expenses for staff and volunteer meetings and functions

Mrs. Yard reported that in 2008, she brought to the Board's attention the way certain departments have food at their meetings and drafted a policy to cover such expenses. Mrs. Yard asked the Board to review the draft policy. She explained that last year \$2,100.00 was paid to Shop Rite for food items. She met with Finance, Human Resources and Public Safety to draft a policy as there are departments who obtain small items for a meeting, to others who have a catered affair.

Mr. Sworen recommended Mrs. Yard contact the Planning Board Director because they have breakfast meetings at a reasonable cost. Mrs. Yard stated she has talked with the Planning Director about their Planning Board meetings. She point out that the draft policy concerns exceeding \$50.00 and if that is to occur, they need to speak with the Director of Finance to provide justification.

Mr. Sworen recommended that the policy take into consideration things that happen once a year. Mrs. Yard agreed that could certainly be included in the policy and pointed out that a department can provide justification to the Director of Finance as to why it is needed and it will not be rejected. They are interested in getting more information for the Board and to justify such an expense.

Handicapped Hunt

Mrs. Yard informed the Board that the County has received many emails regarding the Handicapped Hunt, the final tally was 17 and this event was a huge success. Seventeen deer were killed and there were 13 participants. Mrs. Yard advised the father of one particular participant who was born with a rare disease, wrote a heart felt email to the Parks and Recreation Department. Many positive responses have been received for holding this hunt and the participants are very appreciative that the Board allows this hunt go to on every January.

Mr. Trontis reported that a local game butcher voluntarily butchers the meat for the participants and if they decide that they do not want the meat then it is given to local charities. The breakfast and lunch provided is donated, the volunteers all donate their time, and even heaters for the blinds are donated to the Parks and Recreation Department for this event. It is amazing on how the community comes together to help make this event possible.

Open Space Trust Tax – Historic Preservation appropriation for Cultural and Heritage Sites of Historic Interest

Mrs. Yard informed the Board that the Cultural and Heritage Commission has asked to update their book about historic sites. They are asking for between \$5,000 and \$10,000 to update this book, which will complete their Historic Sites Register. The question is whether this funding could be provided from their Historic Preservation monies. County Counsel DeSapio's office has looked at the statute to see if this was an allowable expense and because the Historic Sites booklet is part of the County's master plan, this is absolutely and appropriate expense from that fund. We did the homework we found out that it is in part of the master plan. Mrs. Yard said the Cultural and Heritage Commission has to determine exactly how much will be needed for this project prior to getting Board approval.

Township Request for a Surplus vehicle body

Mrs. Yard reported that John Glynn, Director of Roads, Bridges and Engineering had come before the Board advising that Alexandria Township is interested in purchasing the body of Truck #67 which has been declared surplus. The body had been appraised at \$1,000 and Mr. Glynn agreed this was a fair price and recommended selling the body to Alexandria.

Mr. Peterson asked how it is determined or how a municipality is chosen that can purchase these vehicles or parts. Mrs. Yard advised that municipalities reach out to the County if they are looking for a particular piece of equipment. The County normally has a surplus sale where this is done.

Mrs. Doolan stated she has reached out to the Garage Supervisor asking if there were enough vehicles to notice a County Surplus Sale/Auction.

Mr. Melick confirmed information on a surplus sale is placed on the County's website. He suggested that be done and then people can bid on the vehicles. He feels that may be the cleanest way to do this type of thing.

Director Mennen confirmed that Mr. Glynn obtains emails for all of the municipalities that are interested in surplus equipment. It seem as though timing is everything and if someone calls or happens to see something then it is their lucky day. It does not seem unreasonable to put an email out about this.

Mrs. Yard volunteered to pass this information along to Mr. Glynn and have him contact the twenty-six municipalities to see if anyone else would be interested in a truck body.

GRANTS

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/03/09-9A

RESOLUTION

RESOLVED, Authorizing a grant agreement for the Medical Reserve Corp Grant #MRC-090240, with the National Association of County and City Health Officials, in the amount of \$5,000.00.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/03/09-9B

RESOLUTION

RESOLVED, Authorizing 2009 C.E.H.A. (County Environmental Health Act) grant application.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/03/09-9C

RESOLUTION

RESOLVED, Authorizing a grant agreement with the New Jersey Department of Human Services for the provision of Social Services, funds in the amount of \$57,378.00, for various Homeless Related Services.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/03/09-9D

RESOLUTION

RESOLVED, Authorizing a grant agreement with the New Jersey Council on the Arts for the "Local Arts Program", for FY 2009-2011 funding to provide County Arts Agency Support and Re-granting Support, through the Cultural & Heritage Commission, in the amount of \$74,134.00.

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

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."

Mr. Holt moved and Mr. Sworen seconded a motion to approve the Social Services Funds report for December 2008.

See Page 02/03/09-10A

SOCIAL SERVICES FUNDS REPORT

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

Mr. Holt moved and Mr. Sworen seconded these:

See Page 02/03/09-10B

RESOLUTION

RESOLVED, Eric Faulstich appointed permanent, full time Senior Registered Environmental Specialist, for the Health Department.

See Page 02/03/09-10C

RESOLUTION

RESOLVED, Jaren Sucigan appointed permanent, full time Road Repairer, for the Roads and Bridges Department.

See Page 02/03/09-10D

RESOLUTION

RESOLVED, James Mackin appointed permanent, full time Road Repairer, for the Roads and Bridges Department.

See Page 02/03/09-10E

RESOLUTION

RESOLVED, Michael Adams appointed permanent, full time Road Repairer, for the Roads and Bridges Department.

See Page 02/03/09-10F

RESOLUTION

RESOLVED, Kathryn Ragno appointed permanent, full time Supervising Clerk Transcriber, for the Social Services Division, in the Human Services Department.

See Page 02/03/09-10G

RESOLUTION

RESOLVED, Patrick Masterson, Roads and Bridges Department, adjusting salary for performing supervisory duties in the absence of supervisor for period of 20 days or more.

See Page 02/03/09-10H

RESOLUTION

RESOLVED, Approving a license renewal application, for a clinical on-site laboratory for HIV counseling, for the Health Department.

See Page 02/03/09-10I

RESOLUTION

RESOLVED, Authorizing the release of a cash maintenance bond, #6053597-1, for Roadway Improvements, CR514, to Centex Homes, LLC, in the amount of \$16,037.00.

See Page 02/03/09-10J

RESOLUTION

RESOLVED, Approving the acceptance of \$16,600.00 from the New Jersey Historical Commission and authorizing re-granting.

See Page 02/03/09-10K

RESOLUTION

RESOLVED, Approving Change Order #9, for Bid #2005-39, Alterations and Addition to the Route 12 County Garage, for elimination of water well abandonment, with APS Contracting, Inc., decrease of \$3,000.00.

See Page 02/03/09-10L

RESOLUTION

RESOLVED, Approving Change Order #10, for Bid #2005-39, Alterations and Addition to the Route 12 County Garage, for elimination of lavatory ceramic tile work, with APS Contracting, Inc., decrease of \$920.00.

See Page 02/03/09-10M

RESOLUTION

RESOLVED, Approving Change Order #11, for Bid #2005-39, Alterations and Addition to the Route 12 County Garage, for elimination of two rubber floor mats, with APS Contracting, Inc., decrease of \$260.00.

See Page 02/03/09-11A

RESOLUTION

RESOLVED, Approving Change Order #12, for Bid #2005-39, Alterations and Addition to the Route 12 County Garage, reimbursement for engineer for additional time beyond the scope of the engineers' contract due to project completion delay, with APS Contracting, Inc., decrease of \$23,456.00.

See Page 02/03/09-11B

RESOLUTION

RESOLVED, Approving a contract modification, for additional professional services, provided by Richard Monacchio, increasing the ceiling amount to \$2,000.00, to reflect a new not-to-exceed amount of \$14,000.00.

See Page 02/03/09-11C

RESOLUTION

RESOLVED, Approval, subject to receipt and view of contract by County Counsel, that Rogut McCarthy LLC be approved to serve as Bond Counsel for the County.

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

Mr. Holt moved and Mr. Sworen seconded these:

See Page 02/03/09-11D

RESOLUTION

RESOLVED, Bryan Hanley appointed unclassified, full time, County Investigator (trainee), for the Prosecutor's Department.

See Page 02/03/09-11E

RESOLUTION

RESOLVED, Kenneth Saunders appointed unclassified, full time, County Investigator (trainee), for the Prosecutor's Department.

Mr. Melick questioned if these were new employees. Mrs. Yard stated they are and they were approved by the Board as part of the three year plan when the Prosecutor came in August 2007 and made a presentation to the Board. This is part of continuing with that three year plan.

Mr. Melick stressed that the County is in budget discussions and suggested placing this action on hold. The County does not know where it is going financially and may have to come up with a new plan on how to finance this budget. He can appreciate that the Prosecutor made a presentation but much has changed since 2007. He is unsure as to how the County is going to finance the budget and what it is going to take to do that. Director Mennen said the Prosecutor's three year plan is something that is partnered with Criminal Justice Department.

Mrs. Yard stated that for years the County has not approved positions for the Prosecutors Office because the Board did not feel they had measureable objective data as far as what their staffing needs were. That staffing analysis was performed by Criminal Justice Department and they determined that a certain number of positions were needed and the Prosecutor had agreed to do it through a three year plan to make it easier on the County; the Prosecutor did not want to stress the County's budget at one time.

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

Mr. Sworen moved and Mr. Peterson seconded this:

See Page 02/03/09-11F

RESOLUTION

RESOLVED, Approving an acquisition of a portion of property, in fee simple, from the Dewey Girls, L.L.C., Block 45, Lot 46, in the Township of Tewksbury, County of Hunterdon, in an amount not to exceed \$1,700.00.

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

Mr. Holt moved and Mr. Melick seconded this:

See Page 02/03/09-11G

RESOLUTION

RESOLVED, Approving an InterLocal Health Services Agreement with Frenchtown Borough, for public health activities and services.

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

FOR DISCUSSION

Planning Incentive Grant/Authorized signer

The Board discussed authorizing a member of the governing body to sign a Planning Incentive Agreement with Tewksbury Associates, as both Director Mennen and Freeholder Melick recused themselves from voting on the agreement at the last meeting. Mr. Holt volunteered to sign said document.

Mr. Melick moved and Mr. Sworen seconded this:

See Page 02/03/09-12A

RESOLUTION

RESOLVED, Authorizing Freeholder, J. Matthew Holt, to sign the Planning Incentive Grant Agreement with the Tewksbury Associates, Inc., Block 16, Lots 23, 23.01 and 23.02.

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

Energy Audit

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/03/09-12B

RESOLUTION

RESOLVED, Authorizing the County to apply for a grant incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures.

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

Review ranking criteria for the Open Space Cooperative Program

Director Mennen stated that the Board has the form in their books as it exists now when the policy was adopted back in October but there was a section left open for discussion. He asked for the Board's thoughts and concerns on this and stated if a decision can't be made this evening, than the Board can act on it at the next meeting.

Mr. Sworen reported he asked Kevin Richardson, Open Space Trust Fund Coordinator to review the criteria and asked Mr. Richardson to report the differences from the older policy. Mr. Richardson advised the scoring would change and it would change the contents to other applications and rankings. There are some additional criteria coming from the program, as well as other outreaches that were received back in January of 2008.

Mr. Sworen asked if anyone gave negative comments back on this. Mr. Richardson stated no negative comments were made and there was nothing further he felt needed to be added. The copy that the Board was supplied with for tonight's meeting is the final draft.

Mr. Peterson advised he did not see any criteria in the ranking for Open Space, if more than one municipality joined in on a particular application that credit would be given and it would receive a higher score. This would encourage regional planning. Mr. Peterson questioned if that is in the plan. Mr. Richardson believes it is and it may be included in certain criteria and evaluations. It may be in with funding support and whether the application includes more than one municipality. If a municipality is going to join another municipality in an application he feels that there should be specific criteria for that which would give that application a bonus depending on the number of participants, and if there is regional planning. Mr. Peterson thinks there needs to be something in the criteria that gives an incentive for municipalities to want to join other municipalities and there has to be a benefit if they do. Mr. Richardson said he would look into that and figure out some modifications to bring back for the Board's consideration.

Mrs. Yard asked if Mr. Richardson had included in the criteria if a municipality wanted to use some of their Open Space Tax, in other words they may get weighted accordingly if they wanted to use some of their dedication municipal reserve towards an application. Mr. Richardson said that is included in the different financial sources. There are several presumptions, first and foremost this needs to be included in the revision and there will be a very clear presumption that if a municipality is getting the County to give X amount of money then there will be a portion that they could use that is not included in the portion that the County already allocates to them. There are municipalities that have not used any of their money over the last eight years and there is no record if they have projects. There needs to be some presumption that they are using the money the County has already allocated.

After further discussion, Director Mennen requested this item be placed before the Board again at the February 17, 2009 meeting for consideration.

Review open items from the Comprehensive Open Space Policy adopted October 7, 2008

Director Mennen brought up open items from the Comprehensive Open Space Policy adopted by the Board in October 2008. He reported that at the Directors Summit, the main topic was the discussion of the Open Space, Farmland, Parkland and Historic Preservation Trust Fund and its current health, its future and its past.

Director Mennen stated it was the intention of this Board to not send any State money back to the State; that the County would match it so it would not have to be sent back to the State. With that in mind, he asked the Finance Department to work with Mr. Richardson and Ms. Dziarama to put together for this year an analysis of where all the potential State funds and grants to get a total number on what they could be this year. To be included in that would be Green Acres funds and the SADC funds (State Agriculture Development Committee funds), so Hunterdon could analyze it and work towards the formal maximize use of those grants and the County's match. The idea is that Hunterdon does not want to send a single dollar back to the State but we still need to live within the bounds of that three cent tax.

Director Mennen advised that earlier today, at the 3:00 p.m. meeting with Finance, the Board said it would get advice from County Counsel, concerning the potential for re-allocation of funds currently sitting in the Open Space Trust Fund.

Mr. DeSapio explained when the referendum was purposed the Freeholders had one of two choices, one was to indicate the specific percentages that would go for each of the four categories; the Freeholders did not use that alternative and the statute says if you do not use that alternative in the referendum that the Freeholders could then set the percentages that will be used for those purposes. Most recently, those percentages have been 60%, 15%, 15% and 10%. Finance allocates the revenues as they come in, in those percentages for accounting purposes for those uses. The statute also provides the Freeholders the opportunity to change those percentages from time to time, after a public hearing. The mechanism that the legislature gave the public regarding the percentages was the opportunity to come and voice their opinions during a public hearing. The legal determination is that the County can't alter the percentages where there is reliance on them. In the case of the municipal reserve where they know that 15% is being used for their use, they have probably been doing planning for a certain amount of years but if they wait a few years then they will and when the time is needed they know the money is there and they can count on it. The Freeholders could not alter the reserves that are there for municipalities because the municipalities have relied on them. Regarding Historic Preservation however, that use is governed by the Freeholders' determination. The Freeholders are the ones who are deciding to alter it, so they do not have to alter it so the issue of reliance is not there from a legal perspective so they have the authority to change it and if after looking at the situation they say we do not have a reasonable or current need for that much money for Historic Preservation they could alter that and redistribute that money to or any portion of it retroactively.

Director Mennen said another component would be the 10% piece of Historic Preservation where as it has not created reliance so essentially the County would be reallocating funds from the County to another group of initiatives.

Director Mennen said the Freeholder Board should be aware of what abilities it has and if it desires, any action to be considered will be discussed. This report/analysis, to be done by Finance along with the Open Space Coordinator, should be the initiator of that discussion. He feels the County is going to see exactly what is potential maximum funding for matching grants could be. So should the Board need to make a determination to reallocate and still live within the bounds of that Open Space Trust Fund but again not to send money back to the State of New Jersey, it will be placed on an agenda for consideration.

Director Mennen said he has been assured this report/analysis should be in place by the next meeting so the Board can be more informed and better educated on where the County's funds stand for Open Space. Also, given Mr. DeSapio's legal analysis, there is more than enough funding currently for the County to meet what the State may throw at us. There are also some other Open Space issues that need to be discussed, the 2000 Master Plan with Parks and Recreation which predates this Board; which was prepared but never approved. Director Mennen feels the Board needs to take a second look at the plan, see what is in it and why. The Board may want to relook at it to see if there is anything needed to be changed.

Director Mennen confirmed with the Board that the information he provided at the Director's Summit can be placed on the County's webpage.

Director Mennen said he would like to discuss the criteria again in two weeks, with the analysis on how the County can maximize any State grants and to again a discussion reallocation, retroactive and current.

FREEHOLDERS COMMENTS/REPORTS

Director Mennen asked if the Board has had the opportunity to look at the rates for the golf course.

Mr. Holt stated that normally the Board would discuss the golf course rates at a budget session. Mr. Trontis explained the rates are still competitive but the cost of everything is going up and he can only assume that the County's competition will increase their rates for the Spring. He is unsure as to what other counties are doing for the Spring because they have not posted their rates yet, however, all of Hunterdon's costs are up for the year.

Mr. Holt confirmed Hunterdon made an adjustment last year but there is a necessity to do minor adjustments for a dollar. Mr. Trontis believes this is a fair request for the course. Mr. Holt stated Parks is looking for a direction as to where to go from here and recommended the Board make a proposal to adopt the rates as recommended.

Mr. Peterson asked if these rate increases recapture the 10% reduction.

Mr. Trontis said the golf course budget that was put in does reflect a 10% deduction as requested by the Board and that the Board should be receiving that information within the next few days.

Mr. Holt noted that Budget Sessions begin on Monday, and asked if it would be possible for Mr. Trontis to have an updated proposal for the Board to take a look at.

The Board agreed to hold action until after its February 09, 2009 budget hearing.

Director Mennen advised a resolution was received from Morris County speaking against the Pension Holiday and said he would like to have Hunterdon adopt a similar resolution.

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/03/09-14A

RESOLUTION

RESOLVED, Opposing proposed legislation that would require deferral of half a billion dollars in pension payments.

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

Polytech

Director Mennen informed the Board that he would like to hold a joint meeting with Polytech for an off site strategy meeting. He recommended February 28, 2009 and the Board agreed. The Clerk will notice the meeting.

OPEN TO THE PUBLIC

Director Mennen opened the meeting to the public.

Open Space/Farmland/Historic Preservation funds

Warren Cooper, reporter, from the Hunterdon County Democrat came before the Board asking questions concerning farms and why it would be acceptable for the Board to change their policy retroactivity on the percentages to use funds that had not yet been spent or promised. An example would be to stop purchasing Open Space or Parkland, or to stop any deals that were in process and not yet signed and use all of that money to go to the municipality for their projects.

Mr. DeSapio explained that after a public hearing changes could be made but the limits would have to be within reason. If after a public hearing there would have to be a reasonable basis for the Board's decision. If a public hearing is held, any member of the public has 45 days under the law to file a legal challenge so if the Freeholders are going to say they are going to take some of the Historic Preservation money and use it for another purpose they have to describe at the beginning of the hearing what the money will be allocated for, why they do not have a use for it in the category it is supposed to be used for and why it would be used better somewhere else.

Mr. DeSapio answered several questions for Mr. Cooper.

Director's Summit

Julie Allen of Readington Township thanked the Board for having the Summit meeting and for that all the information provided to those in attendance. She stated that Readington Township was very happy to have the opportunity to be a part of that meeting and that the Township discussed it last night at the Committee meeting and will be sending the Board a letter that they are in agreement with them and that the County makes every effort to utilize the State Funding. Also, Readington Township is in agreement for reallocating the Historic Preservation funds that have not been allocated yet. Readington is happy to hear that the County is making this effort and showing a full commitment to making an effort in moving forward with the money to save as much Open Space and Farmland in Hunterdon as possible.

Mrs. Allen stated there is a tremendous time lag with the Open Space/Farmland programs. Applications for the 2007 Round are made the beginning of 2006. The Board really needs to be aware of that in the planning as long as the fund is in place with voter approval and the fund is accruing money then applications can be accepted and processed when the funds are there.

Mrs. Allen asked the Board's assistance in making closing happen in a reasonable time.

County Truck use

Greg Badini of Raritan Township/CWA Union President, came before the Board and stated that four department managers have access to using County trucks during the day and he questioned if this has been analyzed and if there is a more appropriate use for the vehicles during this time because of tight budgets.

Mr. Peterson said the Board has discussed this issue and although improvements have been made; he feels the County can go much further regarding using County vehicles. He added that this depends on who is taking home the vehicle and stated there are some instances that we can not get away from but there are others that should be reduced further, and the Board is currently working on that.

Mrs. Yard stated the Board adopted a policy last October, which modified the vehicle policy and calls for department managers to come before the Board on an annual basis to justify taking a vehicle home.

East Amwell Township – Clausen House

Francis Gavigan, resident of East Amwell Township came before the Board stating she is a member of the East Amwell Township Historic Preservation and said if the County has money for historic preservation, East Amwell has a lovely old house called Clausen House that has been boarded up. They would like to fix it up and use it as a museum, for public education and a place to hold meetings. She feels East Amwell would be interested in applying for historic preservation funds.

Director Mennen explained he needed to clarify what was said, because that was one of the sources of confusion that came up with the other night at the Director's Summit. In the allocations currently in place is a 10% piece limited to historic preservation of County owned structures. With that being said, there is 15% set aside for the municipalities which could be used for that type of historical use.

Ms. Gavigan asked if it would be possible to parcel off the house and sell it to the County for \$1.

East Amwell Township – Road Project – Wertsville Road

Ms. Gavigan stated she has spoken to some of the members of the Freeholder Board and would like to extend an invitation to attend a meeting on the update for the road project in East Amwell. There is going to be a briefing of the Township and she understands that the meeting will be attended by a lot of people and she would like the Freeholders to hear the residents' comments.

Ms. Gavigan met last night with members of the Historic Board and they have issues concerning Wertsville Road as part of their long term plan.

Ms. Gavigan advised that the residents of East Amwell want the County to scale back the project on Wertsville Road and to back off on any construction on Wertsville Road for the next eight to ten months while working on the bridges.

Ms. Gavigan said at a previous meeting, she was told this project would cost around \$3.1 million, and when she went online yesterday, she found State documents saying that two of these projects cost around \$6.3 million that the County of Hunterdon would be fronting the money and being reimbursed. Also the description of the projects on the State paperwork is different than the statements that are on the plans. She said they are functionally obsolete. They do not talk about the realignment in the roads and the details. This is a big chunk of money and not something that the locals and other people who use Wertsville Road are happy about. She hopes that the Board comes and hears the other people speak on their concerns at the Township meeting.

Director Mennen confirmed with Mrs. Gavigan that the Township meeting will be at 7:30 p.m.

EXECUTIVE SESSION

The Hunterdon County Board of Chosen Freeholders recessed at 7:16 p.m., returned to Executive Session at 7:25 p.m. and reconvened in Open Session at 8:30 p.m.

PURCHASING

Mr. Sworen moved and Mr. Holt seconded these:

See Page 02/03/09-15A

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at the Clover Hill Park, for one-year, renewable for four additional one-year terms, with Laine Farms.

See Page 02/03/09-15B

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at the Cold Brook Preserve, for one-year, renewable for four additional one-year terms, with Clucas Farms, LLC, in an amount to be received of \$2,100.00.

See Page 02/03/09-15C

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at the Crystal Spring Reserve, for one-year, renewable for four additional one-year terms, with Ed Behre.

See Page 02/03/09-15D

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at the Hoffman Park, for one-year, renewable for four additional one-year terms, with Kocsis Farm LLC, in an amount to be received of \$1,806.00.

See Page 02/03/09-15E

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at the Musconetcong Gorge Preserve, for one-year, renewable for four additional one-year terms, with Gregory Culberson, in an amount to be received of \$300.00.

See Page 02/03/09-15F

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at Point Mountain Reservation, for a one-year, renewable for four additional one-year terms, with Ed Behre.

See Page 02/03/09-16A

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at the Schick Preserve, for one-year, renewable for four additional one-year terms, with Kocsis Farm LLC, in an amount to be received of \$7,434.00.

See Page 02/03/09-16B

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at the Three Bridges, North Section of the South Branch River, for one-year, renewable for four additional one-year terms, with Derwood Farms, in an amount to be received of \$108.00.

See Page 02/03/09-16C

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at the Van Leight Management Area, for one-year, renewable for four additional one-year terms, with Thomas Grochowicz.

See Page 02/03/09-16D

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at the Westcott Nature Preserve, for one-year, renewable for four additional one-year terms, with Wesley Pandy, in an amount to be received of \$300.00.

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RESOLUTION

RESOLVED, Authorizing the award of County Bid #2008-38, for the Department of Parks and Recreation Parkland Maintenance Agreement, at the South Branch Wildlife Management Area, Raritan and Hillsborough Townships for one-year, renewable for four additional one-year terms, with Laine Farms.

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

There being no further business to come before the Board, Director Mennen adjourned the meeting at 8:35 p.m.

Respectfully submitted,

**Denise B. Doolan
Clerk of the Board**