

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, 2nd Floor
Flemington, New Jersey 08822

March 17, 2009

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 3:00 p.m. in accordance with the provisions of the Open Public Meetings Act.

PRESENT: MR. MENNEN, MR. HOLT, MR. MELICK, 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. Holt seconded these:

See Page 03/17/09-1A

RESOLUTION

RESOLVED, Executive Session to discuss the status of the legal action before PERC to establish a bargaining unit for department heads.

See Page 03/17/09-1B

RESOLUTION

RESOLVED, Executive Session to discuss negotiations with four of the County's bargaining units and may discuss classified employees contracts.

See Page 03/17/09-1C

RESOLUTION

RESOLVED, Executive Session to discuss the executive session minutes of February 17, 2009 and March 03, 2009 to determine what portions can be released.

See Page 03/17/09-1D

RESOLUTION

RESOLVED, Executive Session to discuss a legal questions with regard to the renewal of the County Administrator's contract.

See Page 03/17/09-1E

RESOLUTION

RESOLVED, Executive Session to discuss the continuing review of the activities of the Hunterdon County Housing Corporation in regard to the Small Cities grant.

See Page 03/17/09-1F

RESOLUTION

RESOLVED, Executive Session to discuss appointments to the County's Agriculture Development Board and the Open Space Advisory Committee.

See Page 03/17/09-1G

RESOLUTION

RESOLVED, Executive Session to discuss negotiations and a perspective contract with a consultant to the Finance Department.

See Page 03/17/09-1H

RESOLUTION

RESOLVED, Executive Session to discuss land issues including the County's participation in the acquisition of properties on Horseshoe Bend Road in Kingwood Township.

See Page 03/17/09-1I

RESOLUTION

RESOLVED, Executive Session to discuss a request by Delaware Township for additional funding for the Grano/Keane Farm.

ROLL CALL: (AYES)

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 3:05 p.m. and reconvened in Open Session at 5:05 p.m.

PLEDGE OF ALLEGIANCE

PURCHASING

Mr. Melick moved and Mr. Holt seconded this:

See Page 03/17/09-2A

RESOLUTION

RESOLVED, Approving a professional services contract for medical examiner services, with Dr. Steven M. Diamond, in the amount of \$240,000.00.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-2B

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2009-01, for five (5) Kawasaki Mules 4010 Trans 4x4 Accessories and five (5) carry-on 7'x 14' Enclosed Trailers, to Xtreme Machines, LLC, for the Emergency Services Division of the Public Safety Department, in an amount not to exceed \$77,410.00, to be paid with Homeland Security Grant funds.

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

Mr. Sworen moved and Mr. Melick seconded this:

See Page 03/17/09-2C

RESOLUTION

RESOLVED, Approving requisition #24210, with Kimtek Corporation, for rescue skid units, for the Emergency Services Division of the Public Safety Department, in the amount of \$12,575.00, to be paid with Homeland Security Grant funds.

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

PROJECT UPDATE

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

- The County is waiting for the contractors for Deer Path Park project, the Route 12 Garage Headquarters, the Justice Center and the Everittstown Garage to provide the documents to close out these projects. Those documents should be received shortly, and the projects will be closed out.
- Areas which needed to be demolished at the Emergency Services building have been done. Blocking is now in place and doors and frames are being put into place; piping for the heating system is being installed; insulation is being placed on the heating system pipes, and rough electric is taking place. Sheetrock should be ready for installation in two weeks.
- Areas at the Emergency Services Renovation project were demolished that needed to be removed. Sizeable blocking has been put in place; doors and frames are being put in place; piping for the heating system is being installed with insulation is being placed on the heating system and rough electric is being done. This project should be ready to have sheetrock installed in the building within two weeks providing all inspections take place.
- Shutters are being reviewed at the Southard Building and one down spout has to be moved.
- After talking with the Buildings and Maintenance Department, the electrical contractor was asked to return regarding the lighting issue for the Hall of Records, Southard Building and the Main Street County Complex. That issue has been cleared up with the contractor and the Buildings and Maintenance Director is confident and his office needs to be trained on the light systems.
- The tower for the wireless project should be delivered sometime this week. The monopole will be started once the final inspection report is received from KeyTech.
- The Clinton Township Building Department is requiring a number of smoke detectors to be placed in the A-Frame building and the County's Buildings and Maintenance Department is working on that.
- Mr. Bell has met with the Parks and Recreation Department to review the budget that the Freeholders requested be done on the Greenhouse installation. A revised budget has been provided and Mr. Bell will review that with the Buildings and Maintenance Director in the next few days. Drawings will be completed within the next three weeks for the Arboretum/Greenhouse enclosure.
- A codes and ordinances section will be completed for Parks and Recreation and the Buildings and Maintenance Department by next week, as to what requires a permit and what does not require a permit.
- A grant application for the energy audit has been filed with the New Jersey Clean Energy Services program. It will take three to four weeks before this comes back to the County.
- Mr. Bell reported that he and the Planning Board Director attended a Sustainable Jersey Conference, which is more for the township level, not the County but when talking with township officials, the County can inform them that grants are available for the townships.
- On April 01, 2009, a 6 County Coalition meeting will be held and one of the topics concerns greenhouse gas emissions and Mr. Bell will attend that meeting.

Paris Grant Update

Bob Thurgarland, PARIS Grant Coordinator came before the Board to provide an update on the 2009/20010 PARIS grant application. The Board will be asked to adopt a resolution authorizing this grant application be submitted to the State, later on in the agenda under grants.

Mr. Thurgarland advised the PARIS grant application for 2009 consists of two projects, for a total of \$1,049,000. Project one seeks additional monies for the completion of the expansion of the Records Center vault. Last year the Board asked Mr. Thurgarland and Mr. Bell to re-cost the vault, and bring that dollar amount down, they received estimates and it was realized that they needed to apply for \$675,000 to complete the total construction. Project two is the continuation of the municipal needs assessment project that was approved last year by the state but was not funded and it was suggested the County reapply for PARIS funds to offer assistance to municipalities for records management and data infrastructure. The application has been structured to get the grant funds, as it is considered a shared service leverage project. A majority of municipalities have leveraged their eligible funding of \$40,000 to the County; giving \$940,000; of that \$566,000 was used for the expansion of the Records Retention Center. All municipalities have adopted resolutions leveraging their money with their governing bodies.

Mr. Thurgarland reported that Hunterdon County, to date, since the inception of the PARIS program, the County has received \$4,313,000. If this year's application is successful, Hunterdon County will have over \$5,250,000 returned back to the County through the PARIS grant. The notice of award from the State for the PARIS applications will be on June 18, 2009.

FINANCE

Mr. Holt moved and Mr. Sworen seconded this:

See Page 03/17/09-3A

RESOLUTION

RESOLVED, Authorizing the adoption of a 2009 Emergency Temporary Budget in the amount of \$5,778,750.00.

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

Mr. Melick moved and Mr. Holt seconded this:

See Page 03/17/09-3B

RESOLUTION

RESOLVED, Authorizing the transfer of excess funds from certain 2008 Appropriation Accounts that may develop deficits.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-3C

RESOLUTION

RESOLVED, Authorizing the cancellation of a grant receivable for the 2007-2008 Sexual Assault Nurse Examiner/ Response Team, in the amount of \$13,131.10.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-3D

RESOLUTION

RESOLVED, Approving the cancellation of a grant receivable for the 2007-2008 Kids Are Riding Safe Program, in the amount of \$3,252.33.

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

Mr. Melick moved and Mr. Peterson seconded these:

See Page 03/17/09-3D

RESOLUTION

RESOLVED, Approving the cancellation of a grant receivable for the 2007 Countywide DWI Enforcement, in the amount of \$9,546.00.

See Page 03/17/09-3D

RESOLUTION

RESOLVED, Approving the cancellation of a grant receivable for the Attorney Identification Program, in the amount of \$20.00.

RESOLVED, Approving the cancellation of a grant receivable for the 2007 County Environmental Health Act, in the amount of \$2,556.00 and a reserve receivable, in the amount of \$2,597.34.

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

COUNTY UPDATE

Policies

Cynthia J. Yard, County Administrator advised for those present that the following policy resolutions came about as a result of the Board's 2009 Budget discussions.

Mr. Melick moved and Mr. Sworen seconded this:

RESOLVED, Authorizing the establishment of a hiring freeze for 2009.

Mrs. Yard noted there are exceptions, such as employees who retire, resign or otherwise leave employment shall not be replaced except in the case of Public Safety and Law Enforcement positions absolutely necessary in public interest. In order to obtain authorization to fill such a position, the requester must present written justification with the request, simultaneous to the Public Safety Director and Human Resource Director who shall evaluate the material and discuss the request with the County Administrator who will then make a presentation to the Board of Chosen Freeholders for consideration.

Mrs. Yard explained Social Services programming staff are both state and county funded, and the number of positions have been funded for 2009. This staff is necessary to continue to provide services during this difficult time for the public who qualify for public assistance. Justification for the request shall be presented in writing to the County Administrator and Human Resources Director who will evaluate the request and make a presentation to the Board of Chosen Freeholders for consideration.

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

County Policy #2003-02

Mr. Melick moved and Mr. Peterson seconded this:

RESOLVED, Approving the revision to County Policy #2003-02, Use and Oversight of Cellular Phone Use.

Mr. Peterson questioned using prepaid phones instead of having plans on the phones. Mrs. Yard explained once they have looked at all the different plans, it will be easier to figure out what would be the most cost effective for the County.

Mr. Peterson asked if the phones are only supposed to be used in the course of an emergent situation.

Mrs. Yard advised the use of cell phones is being reviewed and it appears that everyone has a whole host of plans and features; which is why this is being reviewed in order to determine what would be the most realistic and what a person's responsibility is in their job.

Director Mennen confirmed the initiations Mrs. Yard is undertaking is separate and apart from the modification to this policy.

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

County Policy #2005-02

The Hunterdon County Board of Chosen Freeholders discussed the County's Vehicle policy. Mrs. Yard explained when reviewing the mileage reimbursement in the different budgets for the various department, it was seen that even though one department may seem inconsequential, when you multiply that by 24 departments, the amount increases.

Mrs. Yard explained originally the thought was to have all mileage preapproved by the County Administrator in order to make sure if a County vehicle was available, it makes sense to have a person use a County vehicle. In talking with people in the State and JCP&L, they deal with mileage in a different way, which Mrs. Yard found interesting and it has been included in the draft vehicle policy, saying that any employee that utilizes their personal vehicle for official county business shall keep accurate records of the mileage involved, the date, time and reason for use, and shall be compensated by the County at a rate established by the Board of Chosen Freeholders. Only those miles which exceed an individual's regular daily commute shall be eligible for reimbursement.

Mrs. Yard explained if she drives 10 miles to work, 20 miles round trip, and she has to attend a meeting and uses her personal vehicle, the expectation is she will pay for her own commute to work, and if you have to go to another location for a meeting or such, it will not be reimbursed

unless she exceeds what the daily commute would be. The County does not pay employees to commute to work.

Mrs. Yard advised in talking with the department heads about this, she's received three different emails from managers which said they are going to a meeting and coming back through Flemington, which is why they aren't picking up the County vehicle. After talking with colleagues in the State and JCP&L, this makes sense. Mr. Peterson said this is actually the IRS regulations.

Director Mennen confirmed the Board's position was that the employees would use a County vehicle as opposed to a personal vehicle unless there is some reason why it can't be done and this policy is saying it only needs to be considered and authorized. Mrs. Yard confirmed with the Board that the stated preference is that employees use a County vehicle when available and practical.

Mr. Melick moved and Mr. Peterson seconded this:

See Page 03/17/09-5A

RESOLUTION

RESOLVED, Approving the revision to County Policy #2005-02, Vehicle Policy.

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

County Policy #2005-03

Mrs. Yard reported the Board discussed County Policy #2005-03 for Fringe Benefits for Constitutional Officers, Department Heads, Unclassified Employees and Non-Contractual Employees two weeks ago, and at that time, Freeholder Sworen had some suggestions concerning the hierarchy of how the requests for consideration would be handles. The policy reads that: "Employees covered under this policy are not entitled to receive overtime or compensatory time unless authorized by the governing body. Requests for compensatory time for unclassified and non-contractual employees other than department managers and division managers must be justified by the department manager and forwarded to the Human Resource Director for consideration and recommendation to the Board of Chosen Freeholders. In the event a department manager or division manager requests to earn compensatory time, a justification must be provided to the County Administrator for consideration and recommendation to the Board of Chosen Freeholders." Mrs. Yard explained that Freeholder Sworen had suggested that instead of just putting in the policy "by the governing body" that an additional step be placed in the policy outlining how that would be actualized". Anyone who is not a department manager or division manager would go through the Human Resource Director who will make a recommendation to the Board and if a department manager or division manager, that request would come through the County Administrator for a recommendation to the Board.

The Board tabled the revisions to County Policy #2005-02, the Fringe Benefits for Constitutional Officers, Department Heads, Unclassified Employees and Non-Contractual Employees until the next meeting on April 07, 2009.

Mrs. Yard reported two weeks ago, there was discussion with the Board concerning the creation of a policy placing limitations/steps in a policy concerning funding for food and beverage. Mrs. Yard advised the County spends \$22,000 a year at Shop Rite for food. While some of that is for the Youth Facility, who augments a contract with Sisco Foods. That total does not include all of the reimbursements by departments and the Finance Department speculates it's 50/50.

Mrs. Yard advised the policy says that the immediately the County will no longer pay for food, food stuffs, beverages and/or other refreshments either to be served or provided at County meetings or County sponsored events or within departments or work units for employees or guests, this includes individualized bottles of water as many departments have a water cooler. All department heads and supervisors are to ensure that this determination is applied effectively and immediately. The County will no longer reimburse employees for expenditures incurred for foodstuffs or beverages, except meal allowances authorized by the Collective Bargaining Agreements.

Mr. Peterson moved and Mr. Melick seconded this:

See Page 03/17/09-5B

RESOLUTION

RESOLVED, Authorizing the establishment of a County policy concerning funding for goods and beverages.

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

Mr. Peterson moved and Mr. Melick seconded this:

See Page 03/17/09-5C

RESOLUTION

RESOLVED, Approving the suspension of portions of County Policy #2003-01 entitled "Memberships, Affiliations and Participation and Meetings Trips and Conferences".

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

Hunterdon County Parks and Recreation Master Plan 2000

Mrs. Yard reported that at the Board's direction, she met on Monday, March 16, 2009, with Kevin Richardson, Open Space Trust Fund Coordinator, John Trontis, Director of Parks and Recreation and the Planning Board Director, Sue Dziamara to discuss the Parks and Recreation Master Plan which was prepared in 2000 but was never formally adopted by the Hunterdon County Board of Chosen Freeholders, it was accepted. They discussed how to either incorporate the Master Plan into an existing plan or minimally update it. They discussed the requirement for the County to have all these plans (the Open Space Trust Plan, the Farmland Preservation Plan and the Parks and Recreation Master Plan). Mrs. Yard stated the only plan that is statutorily prescribed is if the county collects Open Space Tax money a plan has to be developed. It doesn't state what the plan has to have or what it is supposed to do, it just says there has to be a plan. Mrs. Yard advised Mr. Trontis will met with Mr. Richardson and Mrs. Dziamara will be involved, to look at the 2000 Master Plan for Parks and Recreation to figure out what can be incorporated into the Open Space Tax Trust plan.

Mrs. Yard advised Director Mennen that the parameters of any maintenance and development of parks (now authorized under the new ballot question) will be incorporated as part of the Open Space Trust plan. Director Mennen noted that there were questions on the interpretation of "maintenance and development". In this exercise the parameters of what that means will be laid out. Mrs. Yard stated the County has also determined in the last year, that some parts of this plan need to be updated, such as the process for allocating money for historic preservation. There are items that Mr. Richardson was already starting to update, policies and procedures and now Mr. Richardson, Mrs. Dziamara, Mr. Trontis and Mrs. Yard will work together to go through the 2000 Parks and Recreation Plan.

Delaware Valley Bead Association – request to use Senior Center

Mrs. Yard reported a request was received and discussed at a prior meeting regarding the Delaware Valley Bead Society asking to use the Senior Center, at the Route 31 County Complex, on a Saturday and Sunday, June 12 and 13, 2009. They are asking that the fees be waived for opening and closing the building, as well as the insurance requirement.

Mrs. Yard explained as directed by the Board, she called around to see what County buildings might be open on those days, so they would not have to pay to have a building opened and closed. Mrs. Yard reported there is an open room on Sunday, June 13, 2009, at the Library Headquarters and that is also the last Sunday the Library will be open before the libraries close on Sundays for the summer hours. Mrs. Yard volunteered to contact the Delaware Valley Bead Association to find out if that will work for them. This will only take care of one of their requested days.

Mrs. Yard informed the Board that the cost to bring someone in to open and close the Route 31 building is \$35 per hour, times 2 hours, with a cost of \$70 per day, for a total of \$140, if the Delaware Bead Association wanted to use the Senior Center.

Director Mennen asked about the insurance requirement. Mrs. Yard confirmed the policy allows the Board of Chosen Freeholders to consider waiving that requirement. County Counsel DeSapio explained the insurance requirement is to make sure that the County's carrier is not the primary carrier on a loss which would generally increase the costs of insurance. Built into the use policy is the fact that there maybe small organizations with 4 to a dozen people, and the Board may want to waive the insurance requirement for them, so they don't have to purchase an insurance policy to use the County Library or a room. The Board would consider these requests on a case by case basis. Mr. DeSapio advised the County would be protected but requiring various requesters to have insurance provides the County with extra protections and the County's premium would remain low.

Mr. Sworen questioned if there might be an opportunity for the Delaware Bead Association to utilization a building at the South County Park during the annual Craft Fair Event. This maybe something the Bead Association is unaware of.

John Trontis, Parks and Recreation Director informed the Board that the 4-H uses all four of the large barns at the South County Park during their Craft Fair and the closed building is used for storage during the event. Mrs. Yard will check into this further, and report back to the Board.

Culvert/Headquarters Road/Delaware Township

John P. Glynn, Director, Roads, Bridges and Engineering came before the Board advising the barrel on a masonry arch culvert has failed. The bridge has been closed since Friday, March 13, 2009 and it will be closed until a solution is found to this situation. Mr. Glynn reported the bridge is 14' wide and he would recommend making this one lane bridge a two lane bridge and bring it up to today's standards. Mr. Glynn advised he will be meeting with Delaware Township on an issue in Rosemont tomorrow night, and he will bring this up for discussion. The bridge can be designed in-house and materials from the bridge could be utilized. Mr. Glynn will report back to the Board after discussing this with Delaware Township.

FOR DISCUSSION

Shares Services Council

Director Mennen report that on Friday there was a breakfast sponsored by the Hunterdon County Chamber of Commerce and the focus of the discussion was shared services and several Freeholders attended the event, as well as a number of municipal officials, school board officials, and representatives from Raritan Valley Community College.

Director Mennen stated that the Hunterdon County Chamber of Commerce has a new Shared Services Director. The Chamber is asking the Freeholders to appoint two representatives to serve on their Shared Services Council. Director Mennen noted Mr. Sworen already serves in this capacity as the Mayor of Frenchtown and has agreed to be a Freeholder representative also and Freeholder Melick has expressed interest in being the Board's second representative. Director Mennen asked Freeholders' Melick and Sworen to consider themselves representatives to the Chamber of Commerce Shared Services Council on behalf of the Board of Chosen Freeholders.

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, 2, 5 and 11 were held at this time.

Mr. Sworen moved and Mr. Holt seconded a motion to approve the Social Services Funds Report dated February, 2009.

See Page 03/17/09-7A

SOCIAL SERVICES FUNDS REPORT

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve the regular session minutes of February 17, 2009.

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

Mr. Sworen moved and Mr. Holt seconded these:

See Page 03/17/09-7B

RESOLUTION

RESOLVED, Approving an employment and reimbursement agreement with Rafaella M. Tozzi, Sheriff's Investigator.

See Page 03/17/09-7C

RESOLUTION

RESOLVED, Authorizing Charles Balogh, Jr. to perform services as a financial advisor for the Finance Department, for a period not to exceed 15 hours.

See Page 03/17/09-7D

RESOLUTION

RESOLVED, Authorizing the release of a Maintenance Bond, to Centex Homes, LLC, New Jersey Division, in the amount of \$64,810.00.

See Page 03/17/09-7E

RESOLUTION

RESOLVED, Authorizing the release of a Performance Bond, to Mr. James Babey, of the Van Holten Group VI, LLC, Land Developers and Builders, in the amount of \$39,965.00.

See Page 03/17/09-7F

RESOLUTION

RESOLVED, Approving the re-appointment of Cynthia J. Yard as County Administrator for a five year term.

See Page 03/17/09-7G

RESOLUTION

RESOLVED, Authorizing the establishment of a public hearing on April 7, 2009, at 6 pm, to consider the acquisition of a Fee Interest and Easement concerning Block 27, Lot 36, in connection with the re-alignment of Pennsylvania Avenue in Raritan Township.

See Page 03/17/09-7H

RESOLUTION

RESOLVED, Authorizing the establishment of a public hearing on April 7, 2009, at 6 pm, to consider the acquisition of land and easements for the replacement of the County Bridge E-166 in East Amwell Township, County of Hunterdon.

See Page 03/17/09-7I

RESOLUTION

RESOLVED, Supporting Assembly Bill #139 to reimburse Counties for housing state-sentenced inmates each day they are housed in a County correctional facility.

See Page 03/17/09-7J

RESOLUTION

RESOLVED, Approving Plans and Specifications for Roadway Improvements to County Route 579, in Pittstown, Franklin Township, County of Hunterdon.

See Page 03/17/09-8A

RESOLUTION

RESOLVED, Approving appointments to the County's Agriculture Development Board of Marc Phillips, Gerry Lyness and John Perehinys.

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve the claims in accordance with the Claims Register dated March 17, 2009.

See Page 03/17/09-8B

CLAIMS REGISTER

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-8C

RESOLUTION

RESOLVED, Approving application for payment #26, for Bid #2005-47, for the Addition and Alteration to the Communications/Emergency Services Center, for the County of Hunterdon, with DeSapio Construction, Inc., in the amount of \$20,731.30.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 03/17/09-8D

RESOLUTION

RESOLVED, Approving a change order for Bid #2008-36, to provide and erect one (1) 220' tower and one (1) 120' monopole, with JBL Electric, Inc., increase of \$6,267. (Work is part of the original PARIS Grant Budget. It was unsure of the location and parameters of the scope of work required).

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

Mr. Melick recused himself from the meeting.

FARMLAND PRESERVATION

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-8E

RESOLUTION

RESOLVED, Approving a Grant Agreement for the acquisition of a Development Easement, from Charles Glashoff, Jr., for Block 17, Lot 36, in the Township of Delaware, 25.041 acres, (SADC - \$150,246.00, County - \$50,082.00, Township - \$50,082.00, for a total of \$250,410.00.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-8F

RESOLUTION

RESOLVED, Approving a Grant Agreement for the acquisition of a Development Easement, from the Township of Readington, for Block 56, Lot 5, consisting of 18.863 acres, (SADC - \$233,146.68, County - \$77,715.56, Township - \$77,715.56, for a total of \$388,577.80.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-8G

RESOLUTION

RESOLVED, Approving a Grant Agreement for the acquisition of a Development Easement, from the Township of Delaware, for Block 39, Lot 1, consisting of 43.426 acres, (SADC - \$521,112.00, County - \$173,704.00, Township - \$173,704.00, for a total of \$868,520.00.

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

GRANTS

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-9A

RESOLUTION

RESOLVED, Authorizing a Subgrant Award for the Office of Victim Witness Advocacy, from the New Jersey Division of Criminal Justice, for the Hunterdon County Prosecutor's Office, in the amount of \$11,040.00.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-9B

RESOLUTION

RESOLVED, Approving a grant application for a PARIS grant, from the New Jersey Division of Archives and Records Management, to assist Hunterdon County and its municipalities, to preserve, conserve and improve the electronic/technological and physical management and accessibility of public records, in the amount of \$1,049,274.00.

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

Mr. Melick returned to the meeting.

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-9C

RESOLUTION

RESOLVED, Authorizing a grant agreement, with the New Jersey Department of Environmental Protection, for the Hunterdon County Wastewater Management Plan project, in amount not less than, nor more than \$100,000.00.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-9D

RESOLUTION

RESOLVED, Authorizing a Letter of Agreement, with the Governor's Council on Alcoholism and Drug Abuse, for State funding, through the County's Municipal Alliances, for Substance Abuse Prevention and Education programming, in the amount of \$161,502.00.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-9E

RESOLUTION

RESOLVED, Authorizing a Municipal Alliance Subgrant Agreement, with the Central Hunterdon Cluster, represented by the Township of Delaware, to implement substance abuse prevention services, in the amount of \$31,400.00.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-9F

RESOLUTION

RESOLVED, Authorizing a Municipal Alliance Subgrant Agreement, with the South Hunterdon Cluster, represented by the Township of West Amwell, to implement substance abuse prevention services, in the amount of \$14,700.00.

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

PROCLAMATIONS

Mr. Sworen moved and Mr. Holt seconded this:

See Page 03/17/09-9G

PROCLAMATION

RESOLVED, Recognizing the South Branch Watershed Association, on its 50th Anniversary, and is one of the oldest and largest watershed associations in the State of New Jersey.

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

CORRESPONDENCE

A letter was received from Lucy Bush requesting to use the Historic Courthouse steps on Thursday, May 7, 2009, from 5:00 p.m. until 7:00 p.m., for the 58th Annual National Day of Prayer. Mr. Sworen moved and Mr. Melick seconded a motion granting permission.

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

FREEHOLDERS COMMENTS/REPORTS

Planning Board Award Ceremony

Mr. Holt reminded those present that the Planning Board's awards ceremony will take place on Tuesday, March 31, 2009, at the Clinton Holiday Inn. Director and her staff

County Budget

Mr. Melick acknowledged the hard work being done the past two weeks by Kim Browne, Finance Director, Margaret Pasqua, County Treasurer, Cynthia J. Yard, County Administrator and Cheryl A. Wieder, Human Resources Director in reviewing the different items in the budget and trying to break things down. This is not an easy job and they have been subjected to criticism. It is not easy to bring the budget down. The country as a whole and Hunterdon County are in serious circumstances and there is no relieve from the State of New Jersey regarding property taxes. The Freeholders can only try to do their very best. He feels many people will come to tomorrow budget hearing because they do not like the initiatives that will be suggested. Mr. Melick said while the budget has a ways to go and he noted that personnel have not yet been considered. He feels next year the County could be facing a 5% drop in rateables in the Fall.

Mr. Peterson agreed the Freeholders have a difficult budget process ahead and the Board needs to be prudent and think about the future whether it is going to be flat or down, he feels the Board needs to put in place the necessary policies so that the Board doesn't face an extreme budget problem next year. The Board needs to insure that the services provided are the services that the County needs to provide while not pricing out the taxpayer from being able to resident in the County. Mr. Peterson said it appears that the state budget is going to add to the school's tax burdens. He hopes to be able to find more places to cut tomorrow because property taxes will rise. He has run into people this past year who have taken pay cuts just to keep their jobs. It is important to keep cognizant of the people trying to pay their property taxes.

Mr. Sworen agreed with Mr. Melick that not only the Finance people, but all County employees have done a great job to assist the Freeholders in finding items in the budget to cut. It is helpful to have extra sets of eyes looking at this. He noted there has been a reduction in rateables and some municipalities have had re-evaluations on properties and that has affected the County's budget. In the Governor's message, he said the lowest cuts were 2.5% and to the highest were 4%. This is basically over \$700,000 in cuts to municipalities which averages out to around \$5 for every resident in Hunterdon County in aid cut to municipalities from the state. Hunterdon County was hit hard. Mr. Sworen stated the State has moved its waivers for a number/majority of the schools, where they are recommending pieces be added to school budgets increasing them by around a 7.5% increase.

Director Mennen advised he will reserve his comments concerning the budget until tomorrow's meeting but he will echo that while he thought that the Freeholders were putting a lot of work into the budget, he commends everyone for the time and effort and creativity in trying to get this budget ready. The diligence pales in comparison to efforts put forth by staff, most notably Mrs. Yard, Ms. Wieder, Mrs. Browne and Mrs. Pasqua.

Polytech

Director Mennen advised last week he and Mr. Sworen met with two members of the Polytech Board, as had been discussed at the joint meeting with Polytech on February 28, 2009 where a subcommittee was assigned to come up with parameters for the discussion that will be had jointly, going forward between the two Boards, specifically, the first charge give by both Boards was to deal with the issue of leased space versus the discontinuance of leased space and to briefly describe three parameters that are a good starting point. Director Mennen stressed that the issue of the policy regarding programming, continuance or initiating new programs/thresholds will be an overarching part of the discussions.

Director Mennen advised to be looked at, is what will the current lease payment buy, if it is determined to use those funds for something other than lease payments; either construction or purchase of something that already exists. Also, what is the maximum yield if Polytech is limited to the footprint that exists at the Central Campus. It is felt an analysis could be provided by the first part of April 2009.

OPEN TO THE PUBLIC

County Bridge on Wertsville Road, East Amwell Township

Rich Spiegl, a resident from East Amwell Township came before the Board and provided his lifetime projects/background in construction, so that the Board would understand his comments. He is for preservation and preserving the ethnic outlook but safety is the one issue that everyone overlooks. East Amwell Township has bridges that their farmers have a hard time getting over with their equipment, especially the bridges on Dutch Lane and Wertsville Road and the one near the County's Golf Course. The line of site coming out of Dutch Lane is an issue. He's talked with the farmers who come from Dutch Lane turning onto Wertsville Road and they have to come to a complete site because there is not a direct line of site, and cars travel Wertsville Road at very high speeds. If you look at the drawings for this road there are bends before each of the bridges and working on the bridges will not increase vehicle speed. In his experience, he can see what the finished project will be by looking at the drawings and the only issue he has is the money that

is involved. The bridge by the Totten Farm on Dutch Lane, the scope work alone is going to cost \$162,000; the design is listed as \$269,000 and that has been billed and received; so the County has received the \$431,000 in federal funds for that project. The bridge by the Back Brook, the scope work is listed as \$154,000 and that has already been spent; \$210,000 in design money, which is a total of \$364,000. In federally funded projects, if a project is abandoned at any point, the federal funds have to be returned. Mr. Spiegl asked if the project is not continued; where is the County going to get the money in the budget to pay these funds back. The resident said at the meeting held in East Amwell, he brought this statement up and Freeholder Holt made a statement that he would make sure that the money stayed in Hunterdon County. He listened to the take of the meeting in East Amwell because he did not want to get that statement wrong. Mr. Holt advised the statement was, if the project was changed in any fashion and there was money left over on the table, he's job would be to keep that money in Hunterdon County, if at all possible, such as if the jobs were to be downscaled and the County did not spend all the federal funds.

Mr. Holt confirmed he is asking where in the budget the County would find the money to repay the federal funds and the Board is not at that dialog yet. Mr. Spiegl stated he is entering into that dialog.

Mr. Spiegl stated East Amwell is 28 square miles, with 18,000 acres containing 4,500 people; that represent 1,500 families. There are people who attend meetings and there are only 60 chairs in East Amwell Township's meeting room. At that meeting, each of those chairs was occupied, and there were another 18 people standing; so 78 people attended the meeting and out of that 78 there were 5 that he knows, and they live up on the mountain, not in the area to be worked on, and it was those 5 people who spoke against this project. Mr. Spiegl confirmed the federal calendar works from October to September. This project goes back to 1996 and the County needs to award the bids for the projects prior to the end of the federal calendar. September is coming up quick.

Mr. Spiegl advised in these economic times, and we need to mention safety, these projects needs to be done. He brought this up at the Township meeting and asked Mr. Glynn, the County's Director of Roads, Bridges and Engineering if those bridges were inspected by the federal government and those bridges made the federal government's list for being in need of repair. We should not play against the law of average because it builds up against you. He urged the Board not to stall these projects because it is an accident waiting to happen, he is concerned about the school buses and the possibility of them going off the road.

Mr. Spiegl asked the Board to consider the safety factor when considering these bridges and getting the work done because no one can put a price on a life.

Mr. Spiegl stated he sees nothing wrong with the aesthetics of the drawings for the bridges. The current line of site is bad and the bridges need repair. He thanked the Board for allowing him to speak.

Director Mennen recognized Sheriff Trout and asked if she wanted to address the Board. The Sheriff stated she was just observing.

Francis Gavigan, resident of East Amwell Township wished the Board a Happy St. Patrick's Day. Mrs. Gavigan thanked Director Mennen and Freeholder Holt for reaching out to East Amwell Township to try and have discussions on the projects that Mr. Spiegl just spoke about. East Amwell Township has appointed a group of people to look at the project and she feels everyone is taking an open and even handed approach to the projects. She looks forward to meeting with Director Mennen and Freeholder Holt next Wednesday. She hopes everyone will come to a mutual agreement. Regarding contracts and such, she will leave that in the hands of the County officers and County Counsel DeSapio who knows how to save a penny.

Mrs. Gavigan stated regarding safety, she has been hearing from people on Wertsville Road who are concerned about the speeding. She knows her live is at risk to go to the mailbox because of the speeding that is going on.

Mrs. Gavigan advised at the Township meeting, a farmer who was born and raised in the area, Mr. Petrolino and the farmer across the road from the second project, came and asked about striping of the roadway to the bridge project because they can't get out of their driveways.

Mrs. Gavigan feels moderation in all things, including moderation. Federal money means prevailing wage. She hopes everyone can come to some mutually beneficial agreement that will support the safety issues to replace the bridges but to balance the impact on the businesses and communities who are struggling. The safety issues with wide load trucks or fire engines, there is a member of the fire company who is on the group the Township Committee appointed. There is a member from the Rescue Squad and there are two residents on the group who are affected by the Dutch Lane Bridge. There is also a business owner who is also a significant property holder. Mrs. Gavigan is positive a mutual agreement and she thanked the Board of Freeholders for having an open mind and hearing the residents that attended that East Amwell Township meeting.

EXECUTIVE SESSION

reconvene

The Hunterdon County Board of Chosen Freeholders returned to Executive Session at 6:50 p.m. and reconvened in Open Session at 7:15 p.m.

There being no further business to come before the Board, Director Mennen adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board