

# HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Historic County Court House, 2<sup>nd</sup> Floor, 71 Main Street  
Flemington, New Jersey 08822

**November 17, 2009**

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 2:05 p.m. in accordance with the provisions of the Open Public Meetings Act.

**PRESENT: MR. MENNEN, MR. MELICK, MR. PETERSON.**  
**ABSENT: MR. HOLT, 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 November 06, 2009, to the Hunterdon County Democrat, Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review and Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

## **PLEDGE OF ALLEGIANCE**

### **VETERANS' RECOGNITION CEREMONY – Historic Court House**

Director Mennen introduced himself and his colleagues, Freeholders George B. Melick and Erik C. Peterson.

Director Mennen stated that today is a very special day. We are here today to recognize those amongst us who have given of themselves so that we can live here in the greatest democracy there is, and enjoy Freedom.

Director Mennen informed those present, that the Hunterdon County Veterans Recognition Medal was commissioned by the Board of Chosen Freeholders in 2002. The design for the medal was created by John N. Hatzikalfas of Team Graphics, located in Flemington, New Jersey. Mr. Hatzikalfas is a Hunterdon County resident and a Vietnam War Veteran.

Director Mennen advised that previous recognition ceremonies have been held on June 14, 2003, August 29, 2004 and August 26, 2005. With this year's fourth recognition ceremony, the total number of recipients of the Hunterdon County Veterans Medal exceeds 1,400. The Board of Chosen Freeholders and the citizens of Hunterdon County gratefully acknowledge each veteran's personal sacrifice in the protection of our freedom. The medal is appropriately emblazoned with "We Shall Never Forget".

Mr. Holt came into the meeting.

Veterans present to receive their recognition medals: Dana Blasberg, US Navy, Vietnam; Alan Brewer, US Marine Corps, Vietnam; William Brewer, US Navy, World War II/Korean War; Francesco Carnovale, US Army, Korean War; Randy Culberson, US Air Force, Vietnam; William Edward Donnelly, US Air Force, Vietnam; Robert Hall, US Army, World War II; Peter Kehayes, US Army, Korean War; Craig Proctor, US Air Force, Vietnam; Larry Schaarschmidt, US Air Force, Vietnam; Joseph Sima Jr., US Army, Korean War; Jeanette Stoy-Wasko, US Army, World War II.

Director Mennen advised that for the Veterans unable to be present today, their medals will be mailed to them. They are: John Beck, US Army, Vietnam; John Crilly, US Army, Korean War; Paul Dupre, US Army, World War II; Tammy Ferraiolo, US Army, Operation Enduring Freedom; Arthur Foran, US Air Force, World War II; Thomas Vincent Glynn, US Navy, Vietnam; Harold Holdbrook, US Navy, Korean War; Jay Hunter, US Marine Corps, Operation Iraqi Freedom; Robert J. Limardo, US Marine Corps, Vietnam; Theodore Long, US Army, Vietnam; Richard Matheis, US Navy, Lebanon/Grenada; Noah James McGifford, US Army, Iraq; Alexander Pasternak, US Army, Korean War; Salvatore Pepe, US Army, World War II; Anthony Pozilli, US Army, World War II; Howard Reigle, US Army, Vietnam; William Schadewald, US Air Force, Korean War; Frederick Swingle III, US Air Force, Operation Desert Storm; Raymond White, US Army, World War II; and Paul Woodward, US Navy, Vietnam.

Director Mennen invited everyone to the first floor of the historic Court House for refreshments.

The Hunterdon County Board of Chosen Freeholders recessed at 2:27 p.m. and reconvened in the Main Street County Complex, 2<sup>nd</sup> Floor, in the Freeholders' Meeting room at 3:11 p.m.

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

## **PLEDGE OF ALLEGIANCE**



**EXECUTIVE SESSION REQUESTS**

Mr. Peterson moved and Mr. Holt seconded these:

**See Page 11/17/09-2A**

**RESOLUTION**

**RESOLVED**, Executive Session to review the executive session minutes for October 06, 2009, October 20, 2009, November 04, 2009 and November 10, 2009.

**See Page 11/17/09-2B**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss personnel issues involved in the operation of the Youth Facility.

**See Page 11/17/09-2C**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss issues in regard to the acquisition of property on Horseshoe Bend Road, in Kingwood Township.

**See Page 11/17/09-2D**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the status of labor negotiations with law enforcement bargaining units.

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

Mr. Peterson moved and Mr. Holt seconded this:

**See Page 11/17/09-2E**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the condemnation involving Melick LLC in Tewksbury Township.

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

Mr. Holt moved and Mr. Melick seconded this:

**See Page 11/17/09-2F**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the legal issues in connection with the requirement that the County and the County Planning Board adopt certain resolutions by December 09, 2009 pursuant to Highlands regulations.

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

County Counsel DeSapio explained to those present that the Planning Director is going to make a public presentation on what the County Planning Board has to do today concerning the Highlands Act. There was a meeting on Friday, November 13, 2009, which Eileen Swan, Director of the Highlands' Council chaired to discuss concern principled by Morris County concerning issues involving what the Freeholders had to do or not do. After that meeting, there was a meeting of attorneys from six counties, some planning boards, some County Counsels and in a couple of instances, both the planning board and county counsel. Mr. DeSapio informed the Board that he wants to report back on that legal conversation between all those attorneys.

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 3:16 p.m. and reconvened in Open Session at 4:15 p.m.

**PURCHASING**

Mr. Holt moved and Mr. Melick seconded this:

**See Page 11/17/09-2G**

**RESOLUTION**

**RESOLVED**, Approving a professional consulting services agreement to provide a cost allocation plan for fiscal years ending December 31, 2008 and December 31, 2009, with Pino Consulting Group, Inc., in an amount not to exceed \$40,750.

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



Mr. Holt moved and Mr. Peterson seconded this:

**See Page 11/17/09-3A**

**RESOLUTION**

**RESOLVED**, Approving a professional consulting services agreement with Brinkerhoff Environmental Services, Inc., to engage an engineer to perform a review of the Phase I Environmental Site Assessment Update Report, in an amount not to exceed \$3,850.

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

John Davenport, III, County Purchasing Agent, came before the Board requesting approval to solicit for competitive bids for County Bid #2009-28, for Grant Funded Municipal Records Purging Reorganization and Inventory Project – Phase 2. Mr. Holt moved and Mr. Melick seconded a motion authorizing the Purchasing Agent to solicit for competitive bids for Grant Funded Records Purging Reorganization and Inventory, as set out in County Bid #2009-28.

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

Mr. Melick recused himself at 4:18 p.m.

**FARMLAND PRESERVATION**

Mr. Holt moved and Mr. Peterson seconded this:

**See Page 11/17/09-3B**

**RESOLUTION**

**RESOLVED**, Amending the final approval under the Planning Incentive Grant program, for acquisition of a development easement from Armand T. Christopher Jr., on Block 58, Lot 9, in Delaware Township, consisting of 56.188 acres, (SADC-\$353,984.40; County-\$117,994.80; Township-\$117,994.80), total amount of \$589,974.

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

Mr. Melick returned to the Board at 4:20 p.m.

**PLANNING BOARD/Highlands Plan Conformance**

Sue Dziamara, Planning Board Director came before the Board concerning a preliminary discussion on the Highlands Plan Conformance:

- Hunterdon County is one of seven counties that is part of the Highlands Region. The Highlands Region contains 7 counties and 88 municipalities.
- Plan Conformance in the Highlands Preservation Area is mandatory and Plan Conformance is voluntary in the Highlands Planning Area.
- For Preservation lands, all Highlands counties and municipalities are required to submit a Petition to Conform to the Regional Master Plan by December 08, 2009, which is 15 months after the adoption of the Regional Master Plan.
- Information included in the Petition for Plan Conformance includes:
  - Draft Cover Letter addressed to the Executive Director of the Highlands Council.
  - Draft Submission of Petition for Plan Conformance Resolution.
  - Submission Checklist.
  - Preservation Area Resolution.
  - Record of Public Involvement.
  - Draft Environmental Resource Inventory.
  - Draft Master Plan Highlands Element.
- Draft County Lands and Facilities Regulations (this has not been included and the County Planning Board is not recommending this be submitted as part of Hunterdon's Petition).

Mrs. Dziamara explained that the County Planning Board will review the policies and the regulations and they will be submitted at a later date.

- The Hunterdon County Highlands Preservation Area Zone and Subzone Maps shows how much Hunterdon County lands area in which of the Highlands Preservation zones and subzones.
  - The protection zone contains 34,343 acres of County lands which is the highest quality natural resource values which maintains water quality and quantity.
  - The Wildlife Management Subzone contains 4,737.6 acres.
  - The Conservation Environmentally Constrained Subzone contains 9,416 acres, which is significant agriculture land.
  - The Existing Community Zone Environmentally Constrained Subzone contains 2,037.3 acres.
  - The Lake Community Subzone contains 137.6 acres.
- Hunterdon County has 383 bridges and culverts and 53 miles of County roads located in the Highlands Region.
- Approximately 2,749 acres of County-owned Parks and Open Space would be affected.

Mrs. Dziamara reported that the Board of Freeholders will be asked to approve the submission of the Petition for Highlands Plan Conformance at the December 01, 2009 meeting.

The Board discussed accepting a for basic plan conformance as part of the Highlands Council Plan Conformance. Mr. Melick questioned that if the County accepts these grant funds, what is

the real cost to the County. Mrs. Dziamara explained at this time the County is using the Planning Board staff to fulfill the grant. The County's cost is basically staff time.

County Administrator, Cynthia J. Yard, advised if this project becomes labor intensive or the Planning Board staff is unable to take care of their regular County duties/business, when the grants come up for application the County does not have to apply for the grant the County, also, does not have to accept the award.

Mrs. Yard explained when this grant became available it was with the understanding that it was only for the life of the grant. At that time, Mrs. Dziamara went on record as saying there would be no additional staff and the staff would fit this in with the rest of their regular duties.

Mr. Melick moved and Mr. Holt seconded this:

**See Page 11/17/09-3A**

## **RESOLUTION**

**RESOLVED**, Accepting the Highlands Council Plan Conformance Grant, in the amount of \$20,000 for basic plan conformance

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

### **ROADS and BRIDGES Update**

John P. Glynn, Director, of Roads, Bridges and Engineering came before the Board to provide an update of various County road and bridge projects:

- County Route 523, Raritan and Readington Township, the intermediate course should begin next week.
- Retaining Walls on County Route 579 in Pittstown and County Route 523 in Whitehouse, railing to be installed the week of December 7, 2009.
- 2009 Resurfacing of Various County Roads, in Various Townships is almost completed but there are a couple of storm inlets that need to be done.

Mr. Glynn reported the resurfacing project is coming in under estimate and Mr. Glynn would like to add two small sections of road, the Flatwoods on Route 523 which could cost \$95,000 for milling and resurfacing; the other section is on Route 579 from the Pittstown Inn running up to Bloomsbury which would cost around \$87,000. Mr. Glynn recommended a contract modification be made to the current contractor to get those two sections of roads completed. These roads definitely need to be patched before winter.

The Board discussed a contract modification to the contractor for resurfacing roads and bridges. It was pointed out by Freeholder Peterson that if those roads are patched and put off for two years, the County would have funds in the Motor Vehicle Trust account in case of a road or bridge emergency. The Board agreed to not add these two sections of road to the current contract and that those two sections will be patched for the winter, in-house.

- InterCounty Bridge B-26-W, Valley Station Road, Bethlehem Township, the steel beams were delivered and the truss is being removed and will be taken to the contractor's shop in Warren County for rehabilitation repairs. The truss will be returned in the spring.
- Bridge D-345 on County Route 523, in Delaware Township, the storm drainage is near complete and the backfilling of the precast unit is continuing. The curb and pylons are being formed up for the railing system. It is anticipated the completion date will be December 7, 2009.
- Bridge M-110, on County Route 519, in Milford Borough, punch list items should be completed this week.
- Bridge T-88, on Guinea Hollow Road, in Tewksbury Township, the stone veneer is going on nicely. The rail should be put in place on Tuesday, and it anticipated the bridge will be open to the public by November 25, 2009.
- Bridge T-102, on Water Street, in Tewksbury Township, is a little behind schedule; the contractor is starting to excavate the second footing today, and it should be completed quicker than the first phase.
- The County is trying to schedule a meeting with the State Historic Preservation Office and Delaware Township concerning County Culvert D-329, on Pine Hill Road, in Delaware Township.
- County Bridge P-169, on Kingwood Ave., in Frenchtown Borough is complete.
- The storm drainage in County Route 601, is a historic district and the County needs to get authorization before storm drainage can be put in place.
- The sidewalk and Sump Drain Project is ongoing at the Route 31, Extension Service Building. The design is being finalizing the drain.
- County Route 519 (Warren Glen Hill) Safety Improvement project has been ongoing since 1992; the project started in 1988 with the Township officials requesting the County review the area. The County looked at many alternatives for this project including climbing lanes for trucks and truck runoff ramps. Mr. Glynn explained there have been fatalities in the area of the bridge and down the hill. Two major truck accidents since he's been with the County and one of those was a fatality. Holland Township petitioned the County back in 1988 to do something with the road; it has been reviewed; and in 1996 when Paul Sauerland was Freeholder and became director of the North Jersey Transportation Planning Authority, money was provided to start the study. This is a complicated project and involves parkland, highlands, and green acres issues. A Green Acres meeting was held on May 27, 2009; and a preliminary centerline stakeout was

completed; there was a field meeting held with property owners and issues were satisfied. The County will be meeting with Holland Township on December 09, 2009, from 6:00 p.m. until 7:30 p.m., to hold a public information meeting concerning Green Acres Taking, at the Holland Township Municipal Building.

- Correspondence has been received from Frances Gavigan of East Amwell Township concerning County Bridge E-174.

Mr. Glynn reported it is requested that the County delay the public hearing scheduled for December 01, 2009 for the right of way. The bridge will be 6.5 feet higher than the current profile of the road. Mr. Glynn advised there is no problem in delaying the public hearing until the first meeting in February. Mr. Holt requested that a working a subcommittee meet prior to the public hearing. Director Mennen confirmed there will be no loss of funding if the public hearing is pushed out another month and a half. County Counsel DeSapio will check the statutes to see if this needs to be re-advertised.

- County Bridge RQ-164, on Rockafellows Mill Road, will be advertised this week.
- County Route 517/523, the contractor will start paving this week; then he will do the box out and widening. Also planned is grading the bank and finishing the storm drainage. Signal foundations are in place, the conduits are in; but all the signal may not be up and running by the end of the year. The project will be winterized and finished in the spring.
- The preliminary plans for County Route 512/517 have been reviewed. This is a striping project through the center of Califon where 513 and 512 come together.
- A public meeting will be scheduled for County Route 612, the intersection of the rear side of the hospital. It doesn't warrant a signal but there is talk about a left hand turn lane.

#### Stimulus projects

Mr. Holt advised the County put in an application 6 or 8 months ago for 1% of stimulus money, \$1.24 million to be used for offsetting costs of overtime, for engineering work required for the stimulus projects. The County was approved, last Monday, by the federal government. Mr. Holt stated Mr. Glynn is documenting all the extra time put into the County's stimulus projects.

#### COUNTY ADMINISTRATOR, UPDATE, Cynthia J. Yard

No report.

#### Thomas Branch, Military Unit Liaison, New Jersey Committee for Employer Support of the Guard and Reserve

Mr. Branch called to cancel.

#### FINANCE

Mr. Holt moved and Mr. Peterson seconded this:

**See Page 11/17/09-5A**

#### **RESOLUTION**

**RESOLVED**, Request Division of Local Government Services approve the insertion of an item of revenue in the 2009 Budget for the Highlands Sustainable Agriculture Grant, in the amount of \$41,281.37.

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

Mr. Holt moved and Mr. Peterson seconded this:

**See Page 11/17/09-5B**

#### **RESOLUTION**

**RESOLVED**, Request Division of Local Government Services approve the insertion of an item of revenue in the 2009 Budget for the Homeland Security Grant Program, in the amount of \$548,702.46.

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

Mr. Melick moved and Mr. Holt seconded this:

**See Page 11/17/09-5C**

#### **RESOLUTION**

**RESOLVED**, Authorizing the cancellation of a grant reserve in the amount of \$2,486.60 and a grant receivable in the amount of \$2,486.71, for the 2008-2009 Comprehensive Cancer Control Grant.

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

Mr. Melick moved and Mr. Holt seconded this:

**See Page 11/17/09-5D**

#### **RESOLUTION**

**RESOLVED**, Authorizing the cancellation of a grant receivable in the amount of \$25,000, for the 2007-2008 County 911 Coordinator Grant.

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

**Public Hearings/Finance**

Director Mennen opened the public hearing for the Refunding Bond Ordinance.

There being no comments or questions from the press or public, Mr. Melick moved and Mr. Holt seconded a motion to close the public hearing.

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

Mr. Holt moved and Mr. Melick seconded this:

**See Page 11/17/09-6A**

**REFUNDING BOND ORDINANCE**

**ADOPTION**, REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF \$10,450,000 AGGREGATE PRINCIPAL AMOUNT OF OUTSTANDING BONDS OF THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, APPROPRIATING A SUM NOT EXCEEDING \$10,890,000 TO PAY THE COST THEREOF AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$10,890,000 AGGREGATE PRINCIPAL AMOUNT OF REFUNDING BONDS OF SAID COUNTY TO FINANCE SUCH APPROPRIATION.

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

Director Mennen opened the public hearing for Bond Ordinance No. 11-09.

There being no comments or questions from the press or public, Mr. Holt moved and Mr. Peterson seconded a motion to close the public hearing.

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

Mr. Melick moved and Mr. Holt seconded this:

**See Page 11/17/09-6B**

**BOND ORDINANCE NO. 11-09**

**ADOPTION**, BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF DEVELOPMENT EASEMENTS ON AGRICULTURAL LAND FOR THE FARMLAND PRESERVATION PROGRAM IN, BY AND FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$3,600,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

**PUBLIC SAFETY**

George F. Wagner, Public Safety Director, came before the Board to discuss a vacancy in the Division of Emergency Management. Mr. Wagner explained that both the position of County Coordinator and Deputy has been vacant in the Division of Emergency Management since the early part of September 2009. Since that time, Mr. Wagner has assumed and/or delegated the duties and analyzed the positions pursuant to the County's budgetary constraints.

Mr. Wagner is confident that the County could probably delegate and designate the duties of the Deputy, however, due to the nature and requirements of the County Coordinator position, he is requesting permission to fill this Public Safety position. Mr. Wagner would like to fill the County Coordinator position and create deputies from existing County employees who can be assigned based on the nature of the emergency on an as needed basis, and utilized if and only when needed during an emergency. If approved this plan will result in saving the County half of the Deputy Coordinator salary and all of the fringe benefits, pension benefits and associated fringe benefits for that Deputy.

Mr. Wagner explained the County Coordinator position is required by Executive Directive 100 under the State, meaning that every County has to have a County Coordinator. In response to that mandate, the State gives the County \$50,000 each year to offset the salary, plus the County can obtain 5% maintenance and administrative costs from the Homeland Security Grant, which for 2010 would be approximately \$27,000.

Mr. Wagner asked for Freeholder permission and approval to get into a dialog with the County Administrator and the Human Resources Director to establish a starting salary, find a person who best suits the County's needs based on their knowledge, skills and experience with the County's requirements and fill the position. Mr. Wagner advised he did answer the four questions from Human Resources that is required to be completed by department heads seeking to fill a vacancy.

Director Mennen confirmed with Mr. Wagner that this County Coordinator is a mandated position in accordance with state regulations. He also confirmed the County would not receive the grant funding without filling the position.

After a brief discussion, the Board directed Mr. Wagner to start the process to find a County Coordinator for the Division of Emergency Services and report back to the Board.

**FOR DISCUSSION**

**Request to store the ZuFall Medical Van in a County structure**

Director Mennen reported ZuFall is requesting the County store its medical van in a County structure, within a County garage. Several pieces of correspondence had been received relating to this request.

Freeholder Holt advised that he did discuss this with County Counsel DeSapio briefly. There has to be some service rendered to the County for public space to be utilized. He recommended he and Mr. DeSapio talk to the Health Director about that and inform ZuFall also. ZuFall may wish to make a proposal to the County.

Mr. DeSapio reported he talked with the Health Director today, which maybe why he isn't here this evening and the Health Director has said he would work on this.

Mr. Glynn informed the Board that the van would not be placed in a garage, but it needs to be kept at a certain temperature because of what is in the van, so it needs electricity to it.

The Board will discuss this issue further at a later date after ZuFall makes a proposal.

**Request by the County Clerk for an International Membership.**

Director Mennen advised the County Clerk is requesting to join and hold an International membership.

Mr. Holt stated that this issue is not only concerning the County's policy on Memberships, Training and Conferences but it is also budgetary and should be discussed during the County's budget sessions. The County Clerk should be asked to bring this to the Board during the 2009/2010 budget discussions. The Board agreed.

**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 #11 and 12 were held at this time.

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

**See Page 11/17/09-7A**

**CLAIMS REGISTER**

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

Mr. Holt moved and Mr. Melick seconded a motion to approve the regular session minutes of October 06, 2009, October 20, 2009, November 04, 2009 and the special session minutes of November 10, 2009.

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

Mr. Holt moved and Mr. Melick seconded these:

**See Page 11/17/09-7B**

**RESOLUTION**

**RESOLVED**, Appointment John Sabel as a temporary, when and as needed Instructor, Division of Emergency Management, Public Safety Department.

**See Page 11/17/09-7C**

**RESOLUTION**

**RESOLVED**, Albert Strunk Jr., Mechanic's Helper, Roads and Bridges, salary adjustment.

**See Page 11/17/09-7D**

**RESOLUTION**

**RESOLVED**, Dante Faraone, Equipment Operator, Roads and Bridges, salary adjustment. (contractual increase for Acting Supervisory duties).

**See Page 11/17/09-7E**

**RESOLUTION**

**RESOLVED**, Bryan Manning, Equipment Operator, Roads and Bridges, salary adjustment.

**See Page 11/17/09-7F**

**RESOLUTION**

**RESOLVED**, Authorizing No Passing Zones be established along Mt. Pleasant-Milford-Mt. Pleasant Road, part of County Road #15, County Route 519), in Milford Borough and Holland Township.



**See Page 11/17/09-8A**

**RESOLUTION**

**RESOLVED**, Approving speed limits in both directions along County Route 519 (Mount Pleasant Road), in Milford Borough and Alexandria Township.

**See Page 11/17/09-8B**

**RESOLUTION**

**RESOLVED**, Approving a subcontract for the 2010 Subregional Transportation Program with the New Jersey Institute of Technology and the North Jersey Transportation Planning Authority, Inc., in the amount of \$64,880. (federal funds-\$51,904; County Match -\$12,976).

**See Page 11/17/09-8C**

**RESOLUTION**

**RESOLVED**, Approving the release of the redacted executive session minutes of July 21, 2009, August 04, 2009, August 18, 2009, September 01, 2009 and September 15, 2009. There was no executive session on July 07, 2009.

**See Page 11/17/09-8D**

**RESOLUTION**

**RESOLVED**, Approving the acquisition of a right-of-way and/or easement from Evelyn K. Melick, Doris A. Lisi-Craig, Robert Melick and Audrey Melick, owners of fee simple title to Block 27, Lot 151, in Tewksbury Township, totaling \$24,420 for the right of way, bridge easement, and sight easement.

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

Director Mennen advised regarding Items 11 and 12, approving the ratification of a Memorandum of Agreement for the CWA Supervisory and Non-Supervisory contracts, he wanted to offer a statement of appreciation. He explained these are result of many hours of discussion, negotiations and most importantly, cooperation with the County's employees and their representatives, in an effort to come to a collaborative result which would yield the same result as a temporary layoff/furlough, and instead do something that was collaborative and agreed upon. This memorandum of agreement accomplishes no additional compensation for the employees governed by these memorandums for calendar year 2009 and in 2010, a 3.85% reduction in take home pay for those employees. At the end of the day, this achieves the \$1 million savings that was sought to accomplish by means of a furlough. A furlough would have required legal expenditures and time; furloughs which would have lead to the reduction in service to the citizens. Director Mennen commended everyone who took part in this because it was his own personal pleasure to see the collaborative effort resulting in what will amount to a savings that the County needs going into 2010. Director Mennen is pleased this is being done together as opposed to an adversarial nature.

Mrs. Yard stated 2009 has been a difficult year with rejecting requests but most, 99%, of the County's staff has rallied around the Freeholders and the County Administrator, and she appreciates it. She feels the employees are going to stick with the Freeholders and the County will be able to get through 2010 also.

Mr. Holt moved and Mr. Melick seconded these:

**See Page 11/17/09-8E**

**RESOLUTION**

**RESOLVED**, Approving the ratification of a Memorandum of Agreement for CWA Non-Supervisory contract, Local 1034.

**See Page 11/17/09-8F**

**RESOLUTION**

**RESOLVED**, Approving the ratification of a Memorandum of Agreement for the CWA Supervisory contract, Local 1034.

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

**PROCLAMATIONS**

Mr. Melick moved and Mr. Holt seconded these:

**See Page 11/17/09-8G**

**PROCLAMATION**

**RESOLVED**, Recognizing Brendan Lederach for attaining the designation of Eagle Scout.

**See Page 11/17/09-8H**

**PROCLAMATION**

**RESOLVED**, Recognizing Travis Rainey for attaining the designation of Eagle Scout.

**See Page 11/17/09-8I**

**PROCLAMATION**

**RESOLVED**, Recognizing Matthew Sheneman for attaining the designation of Eagle Scout.

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

## **GRANTS**

Mr. Holt moved and Mr. Melick seconded this:

**See Page 11/17/09-9A**

### **RESOLUTION**

**RESOLVED**, Approving a grant agreement with the New Jersey Historical Commission in the amount of \$11,952 and authorizing the Cultural and Heritage Commission to re-grant these funds.

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

Mr. Holt moved and Mr. Peterson seconded this:

**See Page 11/17/09-9B**

### **RESOLUTION**

**RESOVLED**, Approving a modification to the County's Wastewater Management grant, increasing the state funding by \$9,091.00, revising the total to be received to \$109,091.00.

Mr. Melick asked the cost for the County to do the wastewater management work.

Sue Dziamara, Planning Board Director, advised that her staff is doing the work, in-house. They are working with the New Jersey Department of Environmental Protection on this project.

Mr. Melick feels that 2010 may be the year to cut back on the mandates that are not funded.

Mr. Holt said he doesn't disagree with Mr. Melick but the issue to remember is that wastewater management is a municipal issue. In regard to planning, this Freeholder Board agreed earlier this year that wastewater management is a municipal plan that must be submitted and the County had the option to obtain \$100,000 in grant funds and there maybe another grant for further funding. This isn't necessarily a savings to the County; it maybe a savings to the County down the road because all this data ends up in the County's database and is usable by the County and by municipalities at a later date for free. It is important to remember that when a taxpayer in this County gets a tax bill they don't care whether it is County or municipal or state, it is one bill that they pay and the savings here is to the taxpayers by having the County oversee this plan as opposed to 26 individual municipalities preparing plans. There is a cost to the County; it isn't known what it will be right now; there is another grant cycling to go but the reality is that the County can do this work more efficiently than 26 municipalities and the County will be able to help 26 municipalities.

Mrs. Yard confirmed with Mrs. Dziamara that there is a start and a finish to this plan. The plan has a deadline.

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

## **FREEHOLDERS COMMENTS/REPORTS**

### **H1N1 Clinics**

Mr. Peterson asked for an update on the H1N1 Vaccine.

Mrs. Yard advised that Vaccine Clinics are being scheduled through December 16, 2009.

Mr. Holt advised that several counties did not get any portion of their original orders for the vaccine originally but since that time there have been some shipments to the County. The County isn't only the County; it could be the healthcare systems. The vaccines are still backlogged but some vaccine was received and the first clinic was held this past Sunday. It is anticipated there will be continued shipments of the vaccine.

### **County Planning Board meeting on Transportation**

Mr. Holt thanked the County Planning Board staff for another successful Planning Board meeting on Transportation; close to 60 people attended. There was representation from the North Jersey Transportation Planning Authority (NJTPA); from HART (Hunterdon Area Rural Transit) and the Flemington Rail Project made a presentation.

Mr. Holt reported that the NJTPA Board adopted the TIP modification for 2010 which included the Flemington Rail project. The Flemington Rail project now has two sources of funding; first from New Jersey Transit and the second from the NJTPA.

### **Choir School**

Director Mennen advised the County has received a memorandum from County Counsel's Office concerning correspondence from Daniel Lyons, Esquire, on behalf of the Choir School. In that correspondence, Mr. Lyons indicates that the Choir School is no longer interested in the Choir School and are amenable to releasing the restrictions that were placed upon the County in the original deed dated January 02, 1981; in the interest of providing the County with full flexibility; whether it be decided to be declared surplus or otherwise.

Director Mennen suggested that County Counsel be chosen to facilitate the removal of those restrictions.

Mr. DeSapio advised the Choir School is asking for at least two months to vacate the premise. Director Mennen is aware they would want to remove historical and personal items.

Mr. Peterson recommended, before the County takes the building over, that a title search be done. Mr. DeSapio feels that should be done. He will see if there is a file on it. The Clerk of the Board, Denise Doolan, was asked to pull the Choir School to see if there is anything in the file.

Mr. DeSapio confirmed there is no rush for the Choir School to leave the building and suggested asking the Choir School for a date when they will be out of the building.

Mr. DeSapio informed the Board that someone has expressed interest in purchasing the Choir School. He asked the Board if they wanted to sell the building.

Director Mennen said the first step is to remove the title restrictions if there are any that way the County has the flexibility to think about what to do with the building.

Mr. Melick feels the first consideration should be if someone has a community based service for the community.

Mrs. Yard advised the Facilities Evaluation Committee has considered the Choir School Building and discussed what would need to be done to make the building ADA accessible. It was decided it was something that wasn't needed in the County's inventory to be responsible to maintain. Mr. Glynn added that the front façade of that building is in need of repairs.

Mr. DeSapio confirmed the Choir School can use the building until the Board makes a decision and once a decision is made, they will be provided two months notice to leave the building. The Board agreed.

#### Subpoenas

Mr. Peterson reported on the November 06, 2009 memorandum from the Sheriff regarding Guaranteed Subpoenas being able to handle this service for the County. He feels this is a good idea.

Mrs. Yard reported she asked for the true total costs for how many subpoenas are delivered. That memorandum is in response to her memorandum which the Board directed her to send.

Mr. Peterson said with the calculations the County can save \$16,000 a year based on their numbers by going this route and using an outside vendor.

Director Mennen advised the initial outreach from Guaranteed Subpoenas was to County Counsel, it was not from the Sheriff's Office. It peaked the County's interest and the Sheriff was asked for her opinion; which has been received.

Director Mennen confirmed the Board is interested in getting information form Guaranteed Subpoenas. Director Mennen confirmed also that the Board is directing County Counsel to respond to Guaranteed Subpoenas. Mr. DeSapio will look to determine if the County has the ability to make that decision and report back to the Board.

#### **OPEN TO THE PUBLIC**

Frances Gavigan, East Amwell Township, was informed that the Board discussed earlier today pushing the public hearing for County Bridge E-174 out until the first meeting in February 2010. The County is interested in having the bridge subcommittee meet prior to the public hearing.

There being no further business to come before the Board, Director Mennen adjourned the meeting at 5:35 p.m.

Respectfully submitted,

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Denise B. Doolan  
Clerk of the Board