

**HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS**

Main Street County Complex, 2<sup>nd</sup> Floor  
Flemington, New Jersey 08822

**October 20, 2009**

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 3:03 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

**ABSENT: MR. HOLT, 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 02, 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."

**EXECUTIVE SESSION**

Mr. Sworen moved and Mr. Melick seconded these:

**See Page 10/20/09-1A**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss Sheriff's negotiations.

**See Page 10/20/09-1B**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss negotiations with the CWA for a new agreement.

**See Page 10/20/09-1C**

**RESOLUTION**

**RESOLVED**, Executive Session to discussions with the CWA regarding possible furloughs.

**See Page 10/20/09-1D**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss negotiations with the other bargaining units.

**See Page 10/20/09-1E**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the legal terms that the Freeholders wish to incorporate in a request by ACOME, an environmental fiber optic company to install fiber optic lines within the County's right of ways.

**See Page 10/20/09-1F**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the potential hiring of an attorney to perform an investigative review within the Prosecutor's Office.

**See Page 10/20/09-1G**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss review of the minutes from June 02, 2009, June 16, 2009, July 21, 2009, August 04, 2009, August 18, 2009, September 01, 2009 and September 15, 2009.

**See Page 10/20/09-1H**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss potential land acquisition in connection with the acquisition of property fro Horseshoe Bend Associates in Kingwood Township.

**See Page 10/20/09-1I**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss appointments to the Workforce Investment Board, the Mental Health Board and the Polytech Board.

**See Page 10/20/09-1J**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss personnel issues involving the Parks and Recreation Department.

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

The Hunterdon County Board of Chosen Freeholders recessed at 3:06 p.m., went into Executive Session at 3:12 p.m. and reconvened in Open Session at 5:31 p.m.

## **PLEDGE OF ALLEGIANCE**

### **FOR DISCUSSION**

#### **Presentation of PARIS Award by Bob Thurgarland and Michael Rasimowicz.**

Mr. Thurgarland informed the Board that on Tuesday, September 29, 2009, at a ceremony in Trenton, New Jersey, Hunterdon County received a PARIS Grant Award for Excellence for a Network Infrastructure project from program year 2007 and 2008.

Mr. Thurgarland thanked Freeholders Holt and Sworen for attending that ceremony.

Mr. Thurgarland advised that the new infrastructure funded by PARIS has vastly improved Hunterdon's disaster prevention and recovery efforts; consolidated equipment; reduced operational and capital costs and will continue to bring measurable improvements to the preservation, storage and administration of email and OPRA (Open Public Records Act) requests while ensuring continued compliance with all state regulations.

Mr. Thurgarland explained this project was a team effort, bringing together resources from the departments of Information Technology, Purchasing, Project Management and Records Administration. Now, in its fifth year, Hunterdon County has seen grant returns of \$4.9 million since the PARIS program's inception.

Mr. Thurgarland introduced to the Board, Carl Neiderer, Director of the State Division of Archives and Records Management (DARM); who oversees the New Jersey State Archives and Bureau of Records Management; Chairs the State's Records Committee and the New Jersey State Historical Records Advisory Board and oversees the PARIS Grant program.

Mr. Thurgarland also introduced Beth Colasimo who is the Administrator of the New Jersey State PARIS and direct grants program and liaisons to the counties of Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Somerset and Union.

Mr. Rasimowicz provided a quick history explaining Hunterdon County began the PARIS Grant application process in 2006; the first phase consisted of the implementation of a Microsoft exchange server as the email system, which allowed the County to move forward in order to eventually implement the County's email/archiving system which meet the OPRA and DARM requirements. The second phase was the most significant phase; being the completion of the network infrastructure project which allowed the County to replace and update the T1 circuit, which is 1,000 times faster and redundant connections to connect to all County facilities. Mr. Rasimowicz reported the cost per month is now substantially less which helps to reduce operating expenses. The infrastructure upgrades along with the data center project that is currently underway will allow the County to consolidate servers and streamline the data backup process which will further reduce costs and increasing efficiency in data management. The County will also be able to take steps in improving the County's disaster recovery process by taking advantage of the new network design.

Mr. Rasimowicz said it is hoped that the local municipalities will join with the County to explore utilizing this technology as a shared service.

Mr. Rasimowicz reported that by implementing the network upgrades the County will be able to focus on Information Technology projects at an enterprise level further reducing costs and insuring that the County is meeting its electronic records management responsibilities.

Mr. Sworen asked if it is known yet what the savings will be to the County. Mr. Rasimowicz advised the savings haven't been realized yet but it is anticipated that the County will be savings around \$3,000 to \$5,000 per month just in operating.

Mr. Neiderer explained that he started his career with the State of New Jersey over 31 years ago as a County Historical Records Surveyor for the state. His first survey was done in Hunterdon County working in the County Clerk's Office. He showed the Board pictures of himself working in the basement of the Hall of Records. Mr. Neiderer feels he can bring a historical perspective to this. He recalls that Freeholder, George B. Melick was on the Board at the time in 1978, and there were many things that needed attention at that time. He also showed the Board a copy of his report submitted to the County in 1978.

Mr. Neiderer informed the Board that it is heart warning to him and members of his staff to see the progress that has been made in addressing the issues that are outlined in a report he prepared over 30 years ago.

Mr. Neiderer stated in the five year since PARIS has begun, Hunterdon County has taken a leadership roll in the state with model projects. This is the second year that Hunterdon has been recognized with the PARIS award for Excellence. Last year, Hunterdon County received an award in the area of Preservation for work done with historical records in the County Clerk's Office.

Mr. Neiderer commended Mr. Thurgarland, Mr. Rasimowicz and the whole team in Hunterdon County for the excellent work done in the County; especially in the last five years. It is a pleasure to be partner working with County and local government and seeing how Hunterdon has shared services initiatives reaching out to municipalities.



Ms. Colasimo advised it took several years to get to this point, the County's project was well thought out, and when problems occurred, the County's team switched the scope and figured out the best way to solve the problem to make the project work. Ms. Colasimo is aware this Freeholder Board helped to get this project through and she thanked the Board. She is very proud of the work the County has done.

Ms. Colasimo informed the Board that Mr. Thurgarland has been an outstanding Project Manager and as Administrator of the program she is proud of the work that has been done. DARM looks forward to the future of many more years of good work and a good relationship.

Ms. Colasimo presented the Freeholder Director, William G. Mennen, with the PARIS award for Excellence.

Mr. Neiderer informed the Board that Hunterdon has a special place in his heart as an individual, his family roots in Hunterdon go back to the beginning of the County; his first ancestor was in what is now Hunterdon in 1703 and was a landholder in what is now Amwell and Hopewell Townships.

The Board thanked Mr. Neiderer and Ms. Colasimo for the PARIS award and being able to come to the meeting today.

#### Forestry Management Plan

Present: John Davenport, III, County Purchasing Agent and Donald Donally of the Parks and Recreation Department.

Director Mennen reported the Hunterdon County Board of Chosen Freeholders approved an initiative, which raised the concept in terms of analysis and study, on August 04, 2009, known as the Forest Management Plan for County property.

Mr. Davenport explained that Mr. Donally came up with an idea, an initiative to provide a Forestry Management harvesting program which would be multi-beneficial to the County in ways where the County may see some economic revenues but at the same time, it will increase park health; it will increase the ability for the County not to have to maintain certain areas as it would if the property were not harvested. When Mr. Donally met with the management group, he outlined how this would take place and provided a management plan tool.

Mr. Donally explained when the management committee met a number of items were outlined that would be necessary in order to get started with a pilot site for a Forestry Management Program. The Department of Parks and Recreation was charged with recommending a pilot site for this program and there were parameters agreed to be used in determining what the site was. The parameters used were the site would be less than 100 acres in order to get the program started quickly; the site would have low public visitation in order not to disrupt park use or it would minimize the disruption; the site needed to have good access existing; it should have a minimum amount of vegetation in order to complete the inventory work in a timely manner in the middle of the growing season; it should have relatively mature trees; low hazard of erosion on the soils with gentle slopes and no extensive wetlands or streams and no threat to endangered species. After going through the criteria, the management committee selected Round Mountain North as the site that best fit into a lot of the parameters. The next step was to complete a natural inventory of the property; then development of a written plan was done and submitted to the Hunterdon County Board of Chosen Freeholders for approval. Should the Freeholder Board approve the plan it would then be submitted to the State Forest Service for their approval. All those steps must be taken in order to have an allowable timber harvest.

Mr. Donally advised the Board that it takes two to four weeks to get approval from the State Forest Services but once it is received, the County would implement the recommendations in the plan which would consist of physically making trees removal, then the tally of trees would be put together and turned over to the Purchasing Agent in order to put a bid out.

Mr. Davenport informed the Board that Mr. Donally has gone through this process more than once, so there was documentation to work off of as a starting point for a bid. The bids will be different that what the County is used to, where the County would be looking for the highest bidders now as opposed to the lowest bidder, as the bidder will pay the County.

Mr. Davenport stated the value of the lot depends on the type of wood within the lot. An example would be the County may have a 90 acre lot to be harvested but part of the harvest would not be money producing wood for the harvester. As a pilot program, the Round Mountain North lot was chosen to let the County go through the process and to not be overwhelmed with the size and be able to manage it, so it can be evaluated when the process is done, so the County will know how to tweak it and make it better the next time around. Mr. Davenport advised there are around 39 or 40 different lots throughout the County that may be looked at for potential harvesting in the future. Mr. Donally added that every County property could use some form of management to keep them healthy.

Mr. Peterson stated he read the Forestry Management Report last night and said it was very well done. He learned things about Forestry Management as what is left after cutting down the trees and how the logs will enhance the habitat for various animals and bugs. That is definitely something he had not considered. Also, he was not aware the harvesting would take place in the winter when the ground is frozen so there is less damage to the forest.

Mr. Melick said he has thought for a long time that something should be done in the Forests on County property but he does have one fear, and that is the public's perception of this. Mr. Melick feels the County should provide some education regarding harvesting of the parks trees. Trees are a renewable source and there is a time when they need to be harvested. The growth of trees during his 30+ years at the County is tremendous. The County's policy is when a tree is taken down that two are planted.

Mr. Davenport stated the management committee did discuss the public perception of what is being done. It has to be shown that this is for the health of the property. Mr. Donally recommended signage at the entrance to the park to explain what is being done.

Mr. Peterson recommended the County's Forestry Management Plan be placed on the County's webpage and refer to it so that people can read it. He agreed with Mr. Melick that harvesting makes the forests in the parks healthier.

After further discussion, Mr. Sworen moved and Mr. Melick seconded a motion to approve the Forestry Management Plan for the County and directed Mr. Donally to submit the plan to the State Forest Service for their approval. Mr. Donally was also directed to supply a copy of the Forestry Management Plan to the Information Technology Department so it can be placed on the County's webpage.

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

Director Mennen informed those present that the genesis of this discussion was from the County's cost saving and revenue generating exercise, input was solicited from employees of Hunterdon County and from members of the public and Mr. Donally answered that call and came up with this suggestion. As Mr. Melick said this is a very timely, well thought out suggestion. Director Mennen feels this will be help both economically and as stewards of the land.

John Trontis, Director of Parks and Recreation stated that Mr. Donally's plan is truly a timber stand improvement and it is something that was shared with Green Acres and already have their approval to move forward for it to be discussed and get the Department of Environmental Protection's stamp of approval as a Forestry Management Plan. This is a great improvement to the timber stand at Round Mountain North.

#### Vacancy in the Human Services Department

Cheryl A. Wieder, Human Resources Director, came before the Board concerning a request from the Human Services Department to fill a vacancy created by someone who resigned to go work for a fire company in Cherry Hill, New Jersey.

Ms. Wieder reported Human Services indicates that the average caseload in the Social Services Division of the Human Services Department is usually 135 but this particular individual's caseload is 237 clients. Human Services is concerned that if they can't refill the position that they will fall further behind with the cases because most of Social Services people are averaging 200 to 300 cases per worker.

Mr. Melick asked if there is another way to handle this situation. Ms. Wieder is aware that more people are applying for Social Services at this time. She doesn't know if the answer is to refill the position permanently or temporarily.

Ms. Wieder advised Social Services did get approved for some overtime and they did receive additional funding from the State for overtime but the amount of people coming into that office to open cases seems to be very high and with the economy at this time, that isn't unusual. Eventually, sooner or later, things will even out and the caseload may go down again; then the Board will have to make another decision on whether to cut the staff.

Ms. Wieder confirmed for Mr. Peterson that a person needs a Bachelor's Degree to hold a Social Service Worker position.

Mr. Holt advised at last count there were around 6,000 Hunterdon County residents that were going to lose their unemployment benefits. Mr. Holt feels this is one area which in a downward economy where work increases.

Ms. Wieder advised the money to fund the salary for this position does not come out of the County budget, it comes from the state.

Mr. Holt said the quality of time a worker spends on a case determines if they are getting the correct benefits or not getting enough or that they aren't getting too many benefits they don't quality for.

Director Mennen asked Ms. Wieder the easiest way to fill the position but so that the office can be trimmed down when the economy turns around. Ms. Wieder recommended hiring a temporary person because a temporary person can be held for 12 months and then the Board can make a decision based on how the economy is at that time. Director Mennen confirmed with Ms. Wieder that this is a totally state funded position.

Mr. Melick said this is a reasonable request to provide for the County's residents.



Mr. Holt moved and Mr. Melick seconded a motion to post to fill the position on a temporary basis in Social Services for 12 months and the Board can review this 6 or 9 months from now to see what the demand level is.

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

Mr. Melick recused himself at 6:00 p.m.

**FARMLAND PRESERVATION**

Mr. Holt moved and Mr. Sworen seconded this:

**See Page 10/20/09-5A RESOLUTION**

**RESOLVED**, Approving an application for a Municipal Cost Sharing Agreement for the acquisition of Development Easement on the Saqa/Ghattas Farm, Block 75, Lot 33, in Readington Township.

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

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 10/20/09-5B RESOLUTION**

**RESOLVED**, Approving a Contract for Sale of Development Easement from Readington Township, (Saqa/Ghattas Farm), Block 75, Lot 33, consisting of 116 acres, (SADC-\$1,168,860.99, County-\$510,400, Township-\$872,739.01), total amount of \$2,552,000.

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

Mr. Melick returned to the meeting at 6:05 p.m.

**FINANCE**

Mr. Holt moved and Mr. Melick seconded this:

**See Page 10/20/09-5C REFUNDING BOND ORDINANCE 1R09**

**INTRODUCTION**, Refunding Bond Ordinance providing for the refunding of \$10,450,000 aggregate principal amount of outstanding bonds.

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

Margaret Pasqua, County Treasurer confirmed for the Board that the Refunding Bond Ordinance will save the County \$100,000 per year for five years.

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 10/20/09-5D RESOLUTION**

**RESOLVED**, Approving an application to the Local Finance Board for its review and/or approval of the proposed Refunding Bond Ordinance.

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

Mr. Peterson moved and Mr. Sworen seconded this:

**See Page 10/20/09-5E RESOLUTION**

**RESOLVED**, Approving the cancellation of a grant receivable for the 2008 CEHA Grant, in the amount of \$7,950 and the grant reserve in the amount of \$7,950.36.

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

Mr. Peterson moved and Mr. Melick seconded this:

**See Page 10/20/09-5F RESOLUTION**

**RESOLVED**, Approving the cancellation of a grant receivable for the 2008 Comprehensive Alcohol Grant, in the amount of \$7,786 and the grant reserve in the amount of \$7,786.06.

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



Mr. Peterson moved and Mr. Holt seconded these:

**See Page 10/20/09-6A** **RESOLUTION**

**RESOLVED**, Approving the cancellation of a grant receivable for the 2008 HIV Testing and Counseling Grant, in the amount of \$54,113 and the grant reserve in the amount of \$54,114.

**See Page 10/20/09-6B** **RESOLUTION**

**RESOLVED**, Approving the cancellation of a grant receivable for the 2008 Human Services Advisory Council Grant, in the amount of \$817.85.

**See Page 10/20/09-6C** **RESOLUTION**

**RESOLVED**, Approving the cancellation of a grant receivable for the 2008-09 Special Initiatives/Transportation grant, in the amount of \$327.

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

Mr. Sworen moved and Mr. Melick seconded this:

**See Page 10/20/09-6D** **RESOLUTION**

**RESOLVED**, Requesting the Division of Local Government Services to insert an item of revenue in the 2009 Budget for the COPS Technical Program, in the amount of \$250,000.

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

Mr. Sworen moved and Mr. Peterson seconded this:

**See Page 10/20/09-6E** **RESOLUTION**

**RESOLVED**, Requesting the Division of Local Government Services to insert an item of revenue in the 2009 Budget for the Homeland Security Grant program, in the amount of \$49,913.09.

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

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 10/20/09-6F** **RESOLUTION**

**RESOLVED**, Requesting the Division of Local Government Services to insert an item of revenue in the 2009 Budget for the Hunterdon County Area Plan Grants, in the amount of \$303,753.

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

Mr. Sworen moved and Mr. Melick seconded this:

**See Page 10/20/09-6G** **RESOLUTION**

**RESOLVED**, Requesting the Division of Local Government Services to insert an item of revenue in the 2009 Budget for the Kids are Riding Safe program, in the amount of \$27,455

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

Mr. Holt moved and Mr. Melick seconded this:

**See Page 10/20/09-5D** **RESOLUTION**

**RESOLVED**, Requesting the Division of Local Government Services to insert an item of revenue in the 2009 Budget for the Sexual Assault Nurse Examiner, in the amount of \$67,655.

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

Annual Treasurer's Report - Open Space and Preservation Policy

Director Mennen advised the Annual Treasurer's Report is a somewhat new dynamic which flows from the Open Space and Preservation Policy which the Freeholder Board enacted last year which stipulates that the County Treasurer will, on an annual basis, with regard to the Open Space and Preservation programs in terms of where the County is, what is pending, what will go forward with revenue and expenses.

Mrs. Pasqua informed the Board that the 2009 tax is based on everything that will be brought in this year, even though the fourth quarter hasn't been collected yet; the total tax coming in for 2009 for Open Space will be \$7,264,000 of which \$4,358,000 will go towards farmland and open space.

Mrs. Pasqua provided the Board with a print out showing what the County has spent so far through October 15, 2009; she's projected parkland funding of \$1.5 million; she's projected farmland funding, at this point as this number will change when the County closes on more farms this year but it will offset the contracted farm closings lower; there is \$51,000 in Planning Incentive Grant (PIG) payments for 2009; which leaves a balance in the Farmland and Open Space of \$5.6 million.

Mrs. Pasqua advised the County has roughly \$2.7 million in contracted farmland. The County has future parkland closings, which she has been made aware of, of another \$1 million. There are future PIG payments for the next 5 years in the amount of roughly \$1 million. That leaves a balance of under \$1 million in Farmland and Open Space. The County has \$3.5 million in municipal grants, \$3 million in non-profit and \$3.6 in historic preservation.

Mrs. Pasqua informed the Board that the County has roughly \$2.5 million for farms in existing ordinances but they are still listed as open. At anytime these farms could be contracted and they have to be considered. The County has not adopted the 2009 Farmland Bond Ordinance for \$3.6 million. The County did agree that \$1.6 million of the historic preservation funds could go towards funding that ordinance; so that is not included in the final figures.

Mrs. Pasqua recommended to the Board that the County only budget what it brings in. There is no extra money and she doesn't foresee anytime in the future that there will be extra money in the operating budget towards these items.

Mr. Holt confirmed Mrs. Pasqua put in the full amounts for the PIG to remind the Board that there is still an obligation for them.

Director Mennen stated Mrs. Pasqua raised an issue that presents a challenge in terms of the ability to properly assess what is real, not real, what is pending and not pending out of the aging, open ordinances. Mrs. Pasqua stated some of the ordinance date back to 2002. She has six farms from 2002 that are still under contract. Director Mennen asked if there is any provision for a time limitation on these ordinances and whether they need to start over again at some point, so they can be dropped off the rolls. County Counsel DeSapio suggested he meet with the Planning Board Director and the County's Agriculture Development Board staff to look at each of the farms to determine what the problems are. There are a couple lingering around due to title problems which owners had to resolve or they need to get corrected deeds. Mr. DeSapio will analyze the farms and report back to the Board.

#### **PURCHASING**

Mr. Peterson moved and Mr. Holt seconded this:

**See Page 10/20/09-7A**

#### **RESOLUTION**

**RESOLVED**, Approving County Requisition #CountyClerk.1171, with Progress Printing Company, for ballots, in the amount of \$63,568.

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

Mr. Peterson moved and Mr. Melick seconded this:

**See Page 10/20/09-7B**

#### **RESOLUTION**

**RESOLVED**, Authorizing the award of County Bid #2009-13, to furnish and deliver Prescription Services for the Adult Correctional Facility, to Diamond Drugs, Inc., in an amount not to exceed \$150,000, for a two (2) year period.

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

Mr. Peterson moved and Mr. Melick seconded this:

**See Page 10/20/09-7C**

#### **RESOLUTION**

**RESOLVED**, Authorizing the award of County Bid #2009-19, for Snow and Ice Control Materials, (Rock Salt), to Atlantic Salt, Inc., in an amount not to exceed \$468,000; pending review by County Counsel.

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

Mr. Peterson moved and Mr. Melick seconded this:

**See Page 10/20/09-7D**

#### **RESOLUTION**

**RESOLVED**, Authorizing the award of County Bid #2009-19, for Snow and Ice Control Materials, (Calcium Chloride Solution), to Vestal Asphalt, Inc., in an amount not to exceed \$29,248; pending review by County Counsel.

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

Mr. Peterson moved and Mr. Sworen seconded this:

**See Page 10/20/09-8A**

**RESOLUTION**

**RESOLVED**, Approving a professional surveying agreement with Carroll Engineering, for the Farmland Preservation Program, for Block 31, Lots 4 and 10, (Harrison Family Trust Farm), in East Amwell Township, in the amount of \$7,460.

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

Mr. Peterson moved and Mr. Sworen seconded these:

**See Page 10/20/09-8B**

**RESOLUTION**

**RESOLVED**, Approving a professional appraisal agreement with Norman J. Goldberg, for the Farmland Preservation Program, for Block 14, Lot 15, in Alexandria Township (F. Nemeth Farm); Block 23, Lot 1, in Alexandria Township (Runge 1 Farm); Block 19, Lot 13, in Alexandria Township (Runge 2 Farm); Block 15, Lot 13, in Alexandria Township (Frick/Levick Farm); Block 38, Lot 8, in Delaware Township (Emmons Farm); Block 21, Lots 3, 3.03 and 12.03 in Delaware Township (Smith Farm); Block 6, Lot 48, in Holland Township (Gardner Farm); and Block 30, Lot 28, in Union Township (Roerig Farm), in the amount of \$15,200.

**See Page 10/20/09-8C**

**RESOLUTION**

**RESOLVED**, Approving a professional appraisal agreement with Robert F. Heffernan, for the Farmland Preservation Program, for Block 6, Lot 48, (Gardner Farm), in Holland Township, in the amount of \$2,449.

**See Page 10/20/09-8D**

**RESOLUTION**

**RESOLVED**, Approving a professional appraisal agreement with MGM Associates, for the Farmland Preservation Program, for Block 14, Lot 33.05, (Gulick III Farm), in West Amwell Township, in the amount of \$1,750.

**See Page 10/20/09-8E**

**RESOLUTION**

**RESOLVED**, Approving a professional appraisal agreement with C.L. Orbaker and Associates, for the Farmland Preservation Program, for Block 23, Lot 1, (Runge I Farm), in Alexandria Township; Block 19, Lot 13, (Runge II Farm), in Alexandria Township; Block 14, Lot 15, (F. Nemeth Farm), in Alexandria Township; and Block 15, Lot 13, (Frick/Levick Farm), in Alexandria Township, in the amount of \$8,200.

**See Page 10/20/09-8F**

**RESOLUTION**

**RESOLVED**, Approving a professional appraisal agreement with Thomas Rodriguez Associates, for the Farmland Preservation Program, for Block 30, Lot 8, (Roerig Farm), in Union Township; Block 14, Lot 33.05, (Gulick III Farm), in West Amwell Township; Block 38, Lot 8, (Emmons Farm), in Delaware Township, and Block 21, Lots 3, 3.03 and 12.03, in Delaware Township, in the amount of \$8,800.

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

**ROADS and BRIDGES Update**

John P. Glynn, Director, Director of Roads, Bridges and Engineering provided an update to the Board on various County road and bridge projects.

- County Route 523, Raritan and Readington Township, Lipton Tea Railroad Bridge to a point north of County Route 629, project began October 5, 2009, contractor is clearing the site and grading. Tree trimming is complete. At Junction Road section, the earthwork and widening is completed.
- Retaining Walls on County Route 579 in Pittstown, resurfacing should be completed today and railing to be installed the week of October 26, 2009
- County Route 619, Seventh Street to Alexandria Township Limit, a letter of support from the Historic Preservation Office and the issues raised in that letter are being addressed. The project will be coordinated with improvements for 12th Street. The documents will be prepared to go to bid in the spring.
- Final plans and specifications for County Route 635 are on this evening's agenda.
- 2009 Resurfacing of Various County Roads, in Various Townships, work has begun in Reaville working out to Three Bridges. Milling has been done and patching will commence tomorrow and paving will begin on November 02, 2009.
- Bridge B-26-W, Valley Station Road, Bethlehem Township is being held up due to utility work which has not been done.
- Bridge D-345, County Route 523, Delaware Township, is moving forward nicely. There are still some issues with traffic. Precast units are set to be set on October 26, 2009.
- Bridge M-110, County Route 519, Milford Township, the project is coming to a conclusions. The guide rail will be installed on October 22, 2009, with pavement markings being completed on Thursday. This project should be open by early next week.
- Bridge R-123 on Holland Brook Road in Readington, the County is waiting for final approval from the New Jersey Department of Transportation, so the project can be bid.

- Bridge T-88, Guinea Hollow Road, Tewksbury Township, the contractor is finally on site; a pour should be made on Thursday or Friday of this week for the footing for the wing wall that failed. The bridge is expected to be open to the public by November 25, 2009.
- Bridge T-102, Water Street, Tewksbury Township, also suffered damage during the flood, one-third of the footing for the wing wall has been poured. The wing wall should be poured tomorrow.
- Bridge W-124, Alexauken Creek Road, West Amwell Township, plans were forwarded to the Township and the project is being advanced to acquire the right of way.
- Culvert D-329, Pine Hill Road, Delaware Township, the road is closed. The arch barrel is being re-pointed.
- Bridge P-169, Kingwood Ave., Frenchtown, the pedestrian railing should be completed today on the downstream side.
- Drainage Projects (1) County Route 513, in High Bridge, there has been significant flooding in the area by the repair shop; that issue will be corrected. Also, there is a small drainage issue on County Route 601, Mount Airy Road.
- As part of a joint project with Buildings and Maintenance, they are working on the sidewalks and sump drain issue at the Route 31 County Complex, Extension Services Building. The plans and specifications should be ready to bid with a spring startup.
- Authorization has been received to go to construction on Bridge RQ-164, Rockafellows Mill Design. Specifications should be received October 21, 2009 and the project will be bid.
- The utility work has commenced for Bridge E-166.
- Bridge RQ-179, on Stanton Station Road over the South Branch Raritan River, this truss should be received shortly, then the County should receive final approval on the scoping and authorization to go to final design.

#### Hunterdon County South County Park – electrical work.

Mr. Glynn informed the Board that a request was received from the 4-H Fair Association is asking to extend the power at the South County Park, up to the vendor area, at their cost. The County has access to electrical power during the fair. There are currently vendors without power during the fair and this 200 AMP service could service another “bank” of vendors because the fair has grown. The Director of Buildings and Maintenance, Pete Maddalena, has reviewed the drawing for the additional electric and did not see any problems.

After a brief discussion, the Board confirmed this would be at no cost to the County. Mr. Peterson moved and Mr. Holt seconded a motion to approve placement of additional electric lines to be placed underground at the South County Park to service vendor areas during the fair.

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

#### SHERIFF

Sheriff Deborah Trout and Undersheriff’s George Muller and Michael Russo came before the Board to discuss a proposed agreement with the New Jersey Motor Vehicle Commission.

Undersheriff Muller confirmed the Board did receive the information sent to them as requested. He asked if the Board would consider signing an agreement with the State of New Jersey for the Motor Vehicle Commission for the Sheriff’s Office to provide security at their facility in Raritan Township. The contract would be in the amount of \$112,000 to be received for these services, to be paid in monthly amounts. He feels the net income to the County would be around \$32,000 after paying for the Sheriff’s Officers’ salary and if Security Guards were not needed to fill in slots at the Justice Center when and if necessary. Mr. Muller advised this contract has a 30 day written cancellation clause if the Board decides the agreement won’t work out. He feels this is a chance to make income for the County on a monthly basis.

Director Mennen asked if any members of the Board had comments concerning the written submission from the Sheriff’s Office was received on October 05, 2009 concerning this agreement.

Mr. Melick confirmed with Mr. Muller that the salary of the Sheriff’s Officer is \$36,000 and the benefits for that officer would be \$18,000. He asked about the benefits for the overtime and the Security Guard’s additional hours. Mr. Muller stated the overtime is projected at \$14,000. Mr. Melick stated benefits have to be paid for the overtime hours also. Mr. Muller offered to put those figures in the outline but stated if the cost was a couple of thousand dollars, he’s talking about a net of \$32,000, so the County could still have \$30,000. He also pointed out the additional time for the Security Guard is, if and when needed.

Mr. Muller said if the Board disputes the numbers, he would recommend trying this agreement to determine and be able to analyze the actual numbers against the expense incurred. If the Board feels the expenses are excessive, then the contract can be terminated. He feels this is an opportunity to bring funds into the County.

Mr. Melick questioned if the officer assigned to the Motor Vehicle Agency will have a vehicle at the location. Mr. Muller advised a vehicle is not required by the Motor Vehicle Commission. An officer can be dropped off and picked up. Mr. Melick stated when Raritan Township Police had the contract; they had assigned an officer with a vehicle.



Mr. Melick stated the Sheriff's Office has an overhead error of \$500,000, if all the salaries were added up for three Undersheriffs and a Sheriff. Mr. Muller stated the Sheriff's Office brings in \$350,000 of income a year and it is noted in the Sheriff's Annual Report. Income is brought in from serving papers, Sheriff's Sales, Writs, and from Title IVD.

Mr. Muller said if there is no chance of opportunity to secure income on behalf of the taxpayers, he would like to know why. There is a 30 day window of opportunity to get out of the contract if the Board does not like it.

Mr. Melick explained last summer the Sheriff shut down the Justice Center a couple of times. An agreement was signed that no more officers would be hired. Mr. Muller stated the Freeholder Board agreed to hire a 16<sup>th</sup> Sheriff's Officer and that position hasn't been filled yet. That agreement was signed by the Assignment Judge.

Mr. Melick explained the County is in a hiring freeze. Mr. Muller stated the Freeholders agreed to hire a 16<sup>th</sup> officer. Mr. Melick questioned if that officer is needed since they haven't been hired yet. The County has a more than \$2 million short fall on the budget for next year and he's working to find money for that, without exposure to any liability. Mr. Melick feels this venture will end up costing the County money.

Mr. Peterson asked Mr. Muller why the County should spend \$80,000 to make \$32,000 when the County could cut the position and save \$80,000 which is more than \$32,000 so the County would be ahead \$50,000. Mr. Muller responded by saying it would not be \$80,000 and \$12,000 of the \$80,000 is if necessary. Mr. Peterson added there is overtime included in that figure so there would not be overtime, so there would be a savings.

Mr. Peterson informed Mr. Muller that he just stated that the Justice Center is being run with 15 officers. The reason the Freeholders agreed to a 16<sup>th</sup> officer was because the Board was told 16 officers are needed to run the Justice Center and now you are saying you only need 15. Mr. Peterson said the County is saving money by only having 15 officers because \$36,000 plus \$18,000 is not spent so \$54,000 is saved and not spent. Mr. Peterson explained there are other matters that aren't accounted for.

Mr. Peterson feels the County would be saving money by not contracting with the Motor Vehicle Agency to provide an officer for security and eliminating one officer, thus only have 15. Mr. Muller stated the Sheriff will respond to that.

Mr. Peterson confirmed Mr. Muller is saying the County needs 16 officers and one is going to be assigned to the Motor Vehicle Agency; but it would be more than one officer because there would be overtime and training time. The real time it takes to have someone assigned to the Motor Vehicle Agency is around 1.6 officers, since it would be 49.5 hours. He stated the Sheriff's Office needs 1.6 less people because if someone isn't doing the Motor Vehicle Agency, then 1.6 people aren't needed. If the Freeholders were to eliminate from 16 down to 15 officers, the County would save \$54,000 versus bringing in \$32,000; plus the ancillary costs that are tied into this.

After further discussion, Sheriff Trout came before the Board and advised that the Sheriff's Office needs 16 officers, the office has always needed 16 officers. The additional monies to be made from the Motor Vehicle Agency would pay for that 16<sup>th</sup> officer, so the funds don't have to come out of the County budget. It doesn't have to directly come out of the taxpayers' money. Sheriff Trout stated by having the 16<sup>th</sup> officer at the Motor Vehicle Agency protecting Hunterdon's residents; that is where the additional Security Guard hours would come in because they would assist by taking the place of the 16<sup>th</sup> officer at the Justice Center.

Mr. Peterson informed the Sheriff if that is so, then her numbers do not add up because you are saying there is 1.6 people difference and at 1.6 people the Security Guards would be a cheaper way to go. Mr. Peterson stated the County can save \$22,000 at the least by no doing this and by limiting the number of staff to 15. He said the Motor Vehicle Agency will be able to find another way to provide security at their facility and the way he calculates this, the County can save at least one person.

Sheriff Trout informed the Board that more money is being spent by her office not doing this. The Freeholders asked everyone in the County including the employees to find ways to bring money into the County. The Freeholders just commended another department on bringing in money by cutting down trees. Sheriff Trout does not feel that the Freeholders want hear what her office is saying. She has been trying to discuss this with the Freeholders for over a year. Her office doesn't need to do this; she was trying to help the County.

Director Mennen confirmed with Sheriff Trout that currently there are 15 Sheriff's Office and they are being supplemented with 196 hours a week of Security Guard time. If this contract with Motor Vehicles were to be approved the Sheriff would hire a 16<sup>th</sup> Sheriff's Officer who was essentially be assigned exclusively to the Motor Vehicle Agency. Mr. Muller advised an officer would be placed there each week; it would not be the same officer each week. Sheriff Trout stated it would be on a rotating basis. Mr. Muller added that the person assigned would be a lower entry person. Director Mennen stated a 16<sup>th</sup> officer that would be on shift, 40 hours a week and the entirety of the 40 hours would be to the Motor Vehicle contract and there would be a 9.5 hour a week shortfall. He asked the Sheriff what the hours of the Security Guards be if this were in place, would it continue to be 196 hours? Mr. Muller said the funds would go towards that. Director Mennen asked the number of hours. Mr. Muller stated as needed.

Director Mennen asked if the Sheriff is saying, if needed; does that mean if someone is on sick time or vacation time. Mr. Muller said yes, in the Justice Center. Director Mennen stated that



would be an additional 8 hours per day that would have to be made up someplace. The Sheriff and Mr. Muller agreed by saying yes.

Director Mennen confirmed that the Sheriff would still man the security of the Justice Center and the other missions of the Sheriff's Department with 15 officers plus 196 Security Guard hours. Mr. Muller agreed.

Director Mennen feels Mr. Peterson was saying that the Sheriff is defacto admitting that 16 officers aren't needed plus 196 Security Guard hours to protect the Justice Center and do the other missions of the office. Mr. Muller said no because the additional money for security guards, \$12,000, would give 12 hours per week for security guards at a rate of \$19.23 an hour which will be paid for out of the grant. The Sheriff needs the security guards that are being paid for now and the officers at the Justice Center. Director Mennen confirmed with Mr. Muller the need for 15 officers and the security guards currently used. Mr. Muller said the County could get funding out of the \$112,000 for the security guards.

Mr. Peterson feels the reason there is a need to offset the security guards increases is because of the 1.6 person needed to be at the Motor Vehicle Agency; the security guard time is needed to cover that.

Mr. Holt confirmed with the Sheriff that there is no way her office could provide security at the Motor Vehicle Agency with the current staff of 15 officers. Undersheriff Russo stated no, the office needs 16 officers.

Mr. Muller stated this Board signed an agreement with the courts approving 16 officers and the Sheriff is trying to find income to underwrite the cost, 100% of the 16<sup>th</sup> officer and get additional funds to underwrite the backfill of security guards and have a surplus left over for the County and that cost could be \$10,000 or more but he feels it could be \$32,000. Mr. Muller feels this is a positive and the County has control of this contract since there is a 30 day cancellation.

Mr. Muller said if the Freeholders don't want to enter into an agreement with the Motor Vehicle Agency that is fine but the Sheriff's Office is going to get the 16<sup>th</sup> officer and the County is going to have to fund it after November 01, 2009 and said the Freeholders did not give the Sheriff enough in her budget to fund the 16<sup>th</sup> officer.

Mr. Peterson stated it was just said that the 16<sup>th</sup> officer isn't needed to perform the constitutional duties of the Sheriff's Office. Mr. Muller said 16 officers are needed and here is the chance to underwrite the cost.

Director Mennen confirmed with Mr. Muller that he was in the audience of the Freeholders' August 04, 2009 meeting where the Board approved a resolution, unanimously, appealing to the Sheriff to refrain from authorizing the use of County resources to perform exclusively discretionary law enforcement functions. He confirmed with Mr. Muller that this is an exclusively discretionary law enforcement function, meaning it isn't a mandated service to be provided by the Sheriff's Office. Mr. Muller stated it isn't mandated.

Mr. Melick said that Raritan Township terminated this agreement to provide security at the Motor Vehicle Agency because they were not making any money on it. Sheriff Trout stated it was because their officer was making \$86,000 as a base salary plus overtime.

Mr. Melick moved and Mr. Peterson seconded a motion to deny the Sheriff's request enter into, on behalf of the County of Hunterdon, a Memorandum of Understanding with the New Jersey Motor Vehicle Commission, for security at the New Jersey Motor Vehicle Agency.

Mr. Russo stated that the 16<sup>th</sup> officer has been authorized. Mr. Peterson agreed it is authorized but through today's conversation, it isn't needed. The Sheriff said that has not been said.

Mr. Russo advised this program is successfully run at 40 plus other locations with officers making more money; this person would probably be the lowest paid in the state. The Hunterdon County Sheriff did not invent this program; this program is in effect throughout the entire state. Mr. Muller added that 4 County Sheriff's Offices participate. Mr. Russo said if you want to be disingenuous about saving money or bringing money into the County, then vote no.

Mr. Melick confirmed with County Counsel DeSapio that negotiations are or will be taking place shortly Sheriff's Officers union contract.

Mr. Holt doesn't doubt that other Sheriffs' Offices are participating in a similar contract in other Motor Vehicle Agencies. He asked if the Sheriff had their cost and revenue figures because it would provide a clear vision of what the return on investment would be. He feels the return would be roughly 20% and if there is overtime or benefit costs added to the overtime plus the cost for security guards. From a business perspective 20% is on the low scale of what he would look for as a return on an investment. He would like to see the County use 15 officers and not put in place a 16<sup>th</sup> officer. He understands the Sheriff has said it can't be done; but he thinks it would provide real data in terms of what the actual costs are and what the overhead would be; then the majority of the money coming in would truly offset this contract. Mr. Holt said if this is being done in four other Sheriff's Offices; is there data to show figures.

Mr. Sworen advised he still has questions on this issue.

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

**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."

Item #1, Claims were held at this time.

Mr. Sworen moved and Mr. Holt seconded a motion to approve the Social Services Funds Report for September 2009.

**See Page 10/20/09-12A** **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 August 04, 2009 and September 01, 2009.

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

Mr. Sworen moved and Mr. Holt seconded these:

**See Page 10/20/09-12B** **RESOLUTION**

**RESOLVED**, JoAnn Herson appointed temporary, as needed Instructor, Division of Senior Services, Human Services Department.

**See Page 10/20/09-12C** **RESOLUTION**

**RESOLVED**, Eric Apfel, Patricia Benedetto, Jonathan Currie, Michael Gibson and Alana Strzeski appointed permanent, full time Public Safety Telecommunicator Trainees, Division of Emergency Services, Public Safety Department.

**See Page 10/20/09-12D** **RESOLUTION**

**RESOLVED**, Approving the plans and specifications for the Resurfacing and Sidewalk Improvements for County Route 635, in Glen Gardner and Hampton Boroughs.

**See Page 10/20/09-12E** **RESOLUTION**

**RESOLVED**, Approving an agreement with Somerset County for Juvenile Home Detention Services, \$88 per juvenile.

**See Page 10/20/09-12F** **RESOLUTION**

**RESOLVED**, Approving Change Order #1, Final, for Bid #2007-39, for Safety Improvements to County Route 523 (River Road) and County Route 612 (Bartles Corner Road) and County Route 523 (Flemington Junction Road), Raritan Township, with Marvec Construction Corp., increase of \$149,552.35.

**See Page 10/20/09-12G** **RESOLUTION**

**RESOLVED**, Approving Art Show Waiver agreements for various artists displaying work at The Real, The Abstract, The Art of Hunterdon art show at Prallsville Mills Sawmill Gallery, in Stockton Borough.

**See Page 10/20/09-12H** **RESOLUTION**

**RESOLVED**, Approving a state contract with the New Jersey Department of Children and Families, DYFS, approving a shelter rate at the Hunterdon Youth Facility.

**See Page 10/20/09-12I** **RESOLUTION**

**RESOLVED**, Approving an agreement with the Communications Workers of America, Supervisory Unit, for the period January 01, 2007 through December 31, 2009.

**See Page 10/20/09-12J** **RESOLUTION**

**RESOLVED**, Approving the reappointment of Rhonda Paradis to the Polytech Board.

**See Page 10/20/09-12K** **RESOLUTION**

**RESOLVED**, Approving the appointment of Karen Widico to the Mental Health Board.

**See Page 10/20/09-12L** **RESOLUTION**

**RESOLVED**, Approving the appointment of Donna Gaps to the Workforce Investment Board.

See Page 10/20/09-13A

## RESOLUTION

**RESOLVED**, Approving the appointment of George Ditzler to the Workforce Investment Board.

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

Mr. Holt moved and Mr. Sworen seconded a motion to approve the claims in accordance with the Claims Register dated October 20, 2009, minus Purchase Order 125690 and all invoices for County Counsel.

See Page 10/20/09-13B

## CLAIMS REGISTER

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

Mr. Holt moved and Mr. Sworen seconded a motion to approve Purchase Order #125690 and all invoices for County Counsel.

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

## PROCLAMATION

Mr. Peterson moved and Mr. Holt seconded these:

See Page 10/20/09-13C

## PROCLAMATION

**RESOLVED**, Declaring November as Pancreatic Cancer Awareness Month.

See Page 10/20/09-13D

## PROCLAMATION

**RESOLVED**, Recognizing the Hunterdon Harmonizers on their 25<sup>th</sup> Anniversary.

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

## GRANTS

Mr. Sworen moved and Mr. Holt seconded this:

See Page 10/20/09-13D

## RESOLUTION

**RESOLVED**, Approving a grant agreement with the United States Department of Justice for a Community Oriented Policing Services (COPS) Technology Program Grant, in the amount of \$250,000.

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

## FREEHOLDERS COMMENTS/REPORTS

### Director's Summit/Recycling

Director Mennen reported the Director's Summit on Recycling was held at the Route 12 County Complex last week. It was well attended. Municipalities were presented with a draft uniform ordinance; also presented and discussed further was the potential shared services position of a Certified Recycling Professional, who must be credentialed through the 21 day state mandated program. This would be a shared service between the County and participating municipalities. At this time, the County is waiting for further statements of interest from municipalities; plus the County has information it needs to provide to the municipalities.

### OPEN TO THE PUBLIC

Director Mennen opened the meeting to the public.

### Hunterdon Youth Services

Chan Leung, President of the Hunterdon Youth Services, Inc. and a Raritan Township resident. Mr. Leung advised approximately a month ago, he sent the Freeholders and the County Administrator a letter regarding youth services. It is his understanding that the County's Youth Shelter is not fully occupied and they also have capacities available at their facility which is state certified. The letter suggested cooperating these services, using his facility to save the residents money.

Mr. Leung stated there has been no replay from the County but he did talk to Freeholder Holt and Sworen on one occasion about how to proceed with the Hunterdon Youth Services proposal and they suggested this request be placed on a Freeholder Agenda and his Executive Director, Judy Fredericks did forward a request.

Denise Doolan, Clerk of the Board, informed Mr. Leung and the Freeholder Board that she did speak with Mrs. Fredericks' and informed her that the proper step would be to prepare a written proposal and forward that to the County's Director of Public Safety, George Wagner who oversees the County's Youth Facility. I informed Mrs. Fredericks that Mr. Wagner would review that written proposal for consideration and he would bring his recommendations on the proposal to the Freeholder Board.

Mr. Leung said he needs a sense whether this is valuable before proceeding with submitting a full proposal and information would be needed from the County's facility as to how they can help. He asked if the Board is interested.

Director Mennen advised Mr. Leung that the County is always interested in saving money. He agrees with Mrs. Doolan suggestion and it is the same suggestion he would make, that you reach out to Mr. Wagner and start there as an initial point for information flow from you to him and Mr. Wagner to you, so that you are able to make an initial judgement on whether or not you wish to go forward with a full proposal. The Freeholder Board would defer to Mr. Wagner's recommendation and seek that before doing anything. If an agreement is reached, Director Mennen does not see why Mr. Leung and Mr. Wagner could not present something to this body moving forward.

#### Library Vacancy

Thomas Valasek, Library Commission Chairman and resident of Clinton Town, came before the Board to advise that he and the Library Commissioners are here this evening to follow up on a letter sent to the Freeholder Board on September 25, 2009, which was signed by the entire Library Commission and Library Director, was to alert the Freeholders on a concern about the hiring freeze. The Commission is concerned about the replacement of the manager of the North County Branch Library and the second concerns the impact of the hiring freeze on the operation and security of the Library system.

Mr. Valasek is aware that the County appointed the Library Commission members in order to fulfill the requirements of New Jersey State Law, and as the Board's appointees they have been empowered to oversee all operations of the Hunterdon County Library. Under New Jersey State Law it is the Library Commission's responsibility to adopt rules and regulations for the establishment and maintenance of the County Library. Regarding personnel, this responsibility includes not only the hiring of the Library Director but also, any other employees deemed necessary for the performance of the County Library's functions.

Since a reply has not been received from the Freeholders regarding the September 25, 2009 letter, and since time is short, the Library Commission is present this evening to ask the Freeholders to replace the manager of the North County Branch Library who will be retiring on December 31, 2009. This is a supervising library position which is essential to the operation of the branch and is responsible for a staff of 25 employees. Mr. Valasek explained the duties of a supervising librarian. Mr. Valasek stated the Library Director submitted his justification as requested by Human Resources, last Friday for filling this position. The Library Commission agrees with the Library Director's assessment of the urgency of filling this position in order to maintain an orderly, efficient and effective transition in the management of the North County Branch Library. The Commission expects the Freeholder Board will cooperate with the Library Commission and this endeavor.

Mr. Valasek advised also addressed in the Commission's letter is the detrimental impact the hiring freeze has had on the operation and security of the Library System. The Headquarters Library in Flemington has 6 vacancies (3 librarians and 3 library assistants), totally 139 hours a week. This represents a 15% reduction in staff hours. Library staff has done all it can to minimize the effect of these impact of these losses; the Library Commission is concerned that the current staffing levels have compromised the Library's ability to guarantee adequate service, security and safety for the public and the staff in the Headquarter's three story, 55,000 square foot building. It is expected the Freeholder Board will cooperate with the Library Commission to address this concern also.

Mr. Valasek asked the Freeholder Board to recognize and support, for the record, the Library Commission's decision to hire a replacement for the North County Branch manager.

Director Mennen pointed out to Mr. Valasek that the Freeholder Board did receive the September 25, 2009 correspondence and the response that came from this Board was to request answers to the four questions provided by Human Resources to the Library Commission, which have been used in similar situations throughout the term of the hiring freeze. Director Mennen said the Freeholder Board did respond and the response was to ask for more information. That information is consistent with what has been done across the Board and the entire County.

Director Mennen advised that unfortunately, as Mr. Valasek pointed out correctly, the answers to the four questions were only received Friday afternoon and the deadline for the agenda is significantly in advance of that. He explained that the Freeholders' agenda books are prepared in advance of that. Director Mennen is not sure that his colleagues have had the benefit of receiving the Library Commission's response to the four questions prior to attending today's meeting. He is not sure this Board can provide an answer today.

After a brief discussion, Mr. Holt confirmed this matter will be placed on the Freeholders' November 04, 2009 agenda, based on the information only being received last Friday. Mr. Holt stated this Board is aware of the needs of the Library and the challenge is only how to deal with this situation.

Director Mennen advised the information was not received timely enough to place this issue on today's agenda but will be listed for the next meeting.

Director Mennen asked if there is any other information this Board would like to request from the Library Director or the Library Commission.

Mr. Holt questioned if the process would be fill the vacancy internally in the County system or will it require an external search.

Mr. Valasek would like to replace the position with the best qualified candidate.

Library Director, Mark Titus, said the standard procedure is to post the position, which would be done and after reviewing internal interest the Library Commission would make the determination and from there a decision would be made if they were to go outside of the Library to fill the position. Mr. Titus explained this is an administrative position and that person runs the North Branch facility. This is the County's second biggest facility who needs a manager.

Mr. Titus informed the Freeholder Board that he isn't sure what the Board is looking for?

Director Mennen explained that usually the four questions provided to the Library Commission to answer are often done after the employee has gone; so question two "How are these duties being performed now, have they been reassigned to other staff members and if so, who is performing these duties and what is their title?" Director Mennen stated the answer provided is that the branch manager is currently performing these duties and won't retire until January 01, 2009 and the duties have not been reassigned.

Director Mennen stated question two contemplates the ability or poses the questions, do you have the ability with existing resources in-house to perform the function. Director Mennen asked Mr. Titus to think of this question with the mindset that the position is vacant and someone has to fill in. He directed Mr. Titus to be prepared to discuss that at the next meeting. County Counsel DeSapio also suggested Mr. Titus be able to address why someone can't perform those duties.

After much discussion regarding security, safety, supervision and the County's 2010 budget, Mr. Titus was asked to come to the November 04, 2009 meeting and be prepared to talk on this issue.

**RECONVENE EXECUTIVE SESSION**

The Hunterdon County Board of Chosen Freeholders returned to Executive Session at 7:24 p.m. and reconvened in Open Session at 7:30 p.m.

**RECONVENE OPEN SESSION**

The Board announced that it will hold a special Executive Session on Monday, October 26, 2009, at 2:00 p.m. for the purpose of discussing the prospect of furloughs and CWA negotiations and any other matters that may come before the board.

There being no further business to come before the Board, Director Mennen adjourned the meeting at 7:31 p.m.

Respectfully submitted,

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Denise B. Doolan  
Clerk of the Board