

**Special meeting**  
**HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS**

Main Street County Complex, Second Floor  
Flemington, New Jersey 08822

**December 28, 2010**

The special meeting of the Hunterdon County Board of Chosen Freeholders convened in open session at 3:10 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

**CONVENE**

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 December 09, 2010, 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**

**PUBLIC COMMENT**

Director Mennen opened the meeting to the public.

At this time no one from the public wished to address the Board.

**PRELIMINARY DISCUSSION OF TEMPORARY BUDGET**

**Sheriff Elect Brown/Budget Discussion**

Director Mennen explained today's preliminary discussion of a temporary budget is not meant to be the end all but only to start a discussion. He noted that Sheriff Elect, Frederick Brown is present today in order to provide a give and take with the Board.

Director Mennen asked Sheriff Elect Brown what the Freeholder Board could do to assist him in going forward. He confirmed the Sheriff is being sworn into office officially on January 01, 2011.

Director Mennen further stated one of the first things this Board is going to have to do is have prepared a temporary budget for 2011. Director Mennen has talked with Sheriff Elect Brown about this matter individually but the Sheriff Elect has not had the chance to talk with the entire Board on this yet.

Cynthia J. Yard, County Administrator, informed the Board that she did speak to County Counsel, Gaetano DeSapio, on whether this discussion should be open to the public or closed. It is County Counsel's recollection that if the Board were to discuss salaries in the Sheriff's Office it would be held in closed session. Mrs. Yard stated she has already had this discussion with the Sheriff Elect regarding his administrative staff.

Sheriff Elect Brown advised the Board that a discussion has taken place regarding salaries and he feels the matter is resolved.

Director Mennen asked the Sheriff Elect about his thoughts on the number of positions in the office and if it were subject to review at some point. If the need arises to talk about salaries then the Board could adopt a resolution to go into Executive Session but let us just talk general positions at this point.

Sheriff Elect Brown confirmed for Director Mennen that he will need one Undersheriff, Bob Smith and he will be keeping Ed Davis, who has a contract with the County until June 30, 2011. Bob Smith will be the number one Undersheriff and he will be assigned to the Justice Center, and there should be an office available for him shortly in the basement of the Justice Center. Mr. Smith will be in the Justice Center to make sure things are run smoothly at the Justice Center and that things are secure. Mr. Davis will be taking over the Civil end at 8 Court Street.

Sheriff Elect Brown is optimistic he will be able to run the office with Mr. Smith, Mr. Davis and himself, stating he is not afraid of work and he will work hard to make sure this happens. If there is a problem six months down the road he will come back before the Board to address it.

Sheriff Elect Brown informed the Board that Sheriff Trout has been cordial and allowed him see everything going on in the Office and he was able to speak with Sheriff Trout and all the Undersheriffs. He feels that he will be able to run the office with two people, Ed Davis who is the Chief Warrant Office and one Undersheriff, Bob Smith.

Sheriff Elect Brown stated he has met with all Sheriff's Officers, Sergeants and everyone in the office. He understands there are always the concerns from everyone that they are understaffed and overworked. His response is to get used to it because that is what will be dealt with and the people in the office will have to work harder. He wants to do a good job for the County. By doing a good job and sending the message back to the Freeholders, then the Freeholders will be able to change their opinions of the Sheriff's Office, and that this is a necessary department and they do a very important job. The goal is to get everyone cooperating and on the same page.

Mrs. Yard informed the Board that on today's agenda is an appointment of a Sheriff's Officer. This individual used to work in Hunterdon County Sheriff's Office and used to be president of the union but she publically challenged/criticized the Sheriff in the newspaper. This individual left Hunterdon County to get a job with Raritan Borough and a year later Raritan Borough had a choice between putting tires on their vehicles letting this individual go; so she was laid off. This person was then placed on a reemployment list, meaning before the Sheriff could hire anyone else; the Sheriff would have to rehire this individual. At that time, Judge Ciccone had the Court House Security Group meet and they were convinced Hunterdon County needed a 16<sup>th</sup> Officer. The 16<sup>th</sup> Officer would have been this individual. Mrs. Yard reported this individual wanted to return to the County but the Sheriff would not hire her. All the time that the County was told that 16 officers were needed, this person wanted to return to Hunterdon.

Mrs. Yard reported this is not a 16<sup>th</sup> officer coming into the Sheriff's Office, under Sheriff Elect Brown as one of the 15 officers left so this would be a backfill to 15 Sheriff's Officers. This individual should have been brought back because the Freeholders had give permission to hire a 16<sup>th</sup> officer.

Sheriff Elect Brown has already agreed that the second Investigator's position, which has not been filled and the 16<sup>th</sup> Sheriff's Officers' position which is not filled, he has no intention of filling, at this time.

Mr. Melick asked if Sheriff Elect Brown has identified a need for this individual on today's agenda to do a specific job. The County is laying people off; and notices are being sent out today. He questioned if something won't get done if this individual isn't hired.

Mrs. Yard suggested the Board ask when someone leaves the Sheriff's office, for Sheriff Elect Brown to continuously look at the need to backfill.

Mrs. Yard advised the issue of 15 officers versus 16 or less; when County Counsel presented to Judge Ciccone, the Judge Ciccone advised more judges will be assigned to Hunterdon County.

Director Mennen advised Judge Reed will be in Hunterdon starting in January 2011.

Mrs. Yard stated that County Counsel DeSapio asked Judge Ciccone to allow the new Sheriff to figure out what his needs are before demanding the County have 16 officers.

Director Mennen feels the issue, which has been unspoken, is that discussions on the number of officers bogs up down but it isn't a true picture of the entire Sheriff's Office staff because whatever work isn't done by an officer is picked up by the hourly people (blue coats). The hourly people account for x-number of officers in terms of the number of hours they put in on the job. With the full compliment of 15 officers, he asked Sheriff Elect Brown, how does he envision utilizing the hourly people; would it be at the same level that has been down until present or a little less.

Sheriff Elect Brown advised there is currently one less blue coat as Bob Smith was one of them.

Director Mennen questioned the number of hours utilized, not number of available bodies.

Sheriff Elect Brown feels the hours maybe similar but he is going to review that matter. He plans on making a lot of changes and one will be actually having the Sergeants work and do walk-throughs at the Justice Center in order to make them visible. He has met with Judge Ciccone and the other staff and many people do not know the Sergeants and one has been with the County 20 plus years. Having the Sergeants working may ease up on the staffing requirements. If it is possible to ease up on staffing requirements he promised the Board he would. He understands what the County is facing and he wants to do his best to be able to save money and still do a good job.

Mrs. Yard advised Sheriff Elect Brown that he needs to be careful about the road jobs. The Freeholders became concerns, other than there needs to be a policy and insurance, is that if you have enough Sheriff Officers staffed to allow them to have vacation time or compensation time so they can do a road job, it is incongruent with them having hourly people doing work at the Justice Center.

Sheriff Elect Brown understands that with the contract, a lot of that goes back to the Freeholder Board stating his office has decent contracts.

Mrs. Yard explained the salary guides that the Freeholders approve each year, that only Hunterdon County is taken into consideration not what the other counties are making. Hunterdon's salaries are commensurate with what other County employees are paid.

Sheriff Elect Brown explained to the Board he can't make a decision to cut the hours of the blue coats until he gets into off and reviews things. He will attend the Freeholder meetings and he would be glad to report to the Freeholders on a monthly or a quarterly basis.

Mr. Melick informed Sheriff Elect Brown that once he gets acclimated to the position, he would be interested in his opinion concerning changes that might be recommended with regard to labor contracts. He has been told previously that sergeants are not needed in the Sheriff's Office. Mr. Melick isn't saying lay these people off but to make them a part of another area.

Sheriff Elect Brown stated he will be looking at everything once he gets into office.

Sheriff Elect Brown informed the Board that if a judge gets done early, that instead of officers just standing around, he would prefer to see them driving to another County building in order to get out into the public, not doing road jobs, but being seen. When an officer is seen, it does prevent people from doing stupid things.

Mr. Melick hopes that Sheriff Elect Brown will be able to schedule judges' vacations and such into the schedules of those who are working the Justice Center.

Mrs. Yard said a perfect example is yesterday when the State of New Jersey closed the courts. Typically that does not mean the people who work in the Justice Center get the day off. It would be interesting that if the courts are closed then the officers/staff at the Justice Center should be reassigned. Sheriff Elect Brown agreed.

Sheriff Elect Brown informed the Board that he has a lot of ideas; however, not all of them may be appreciated by the Board. He feels during a snow storm it would be beneficial to have a Sheriff's Officer in a 4-Wheel drive picking up key personnel for the Hunterdon Medical Center or for Public Safety/Emergency Management to get them into work when they are needed.

Mrs. Yard said the key with the Freeholders is to look at the core responsibilities and making sure those are done before anything else is considered. Sheriff Elect Brown agreed.

Mr. Sworen said the key is having a plan, an actual plan which has detail in writing that the Board can review, or a member of the Board can review when situations happen.

Sheriff Elect Brown informed the Board that there are some personnel issues that he would like to address with the Board in private.

Director Mennen asked if Sheriff Elect Brown has any thoughts or is looking for help in any areas. He offered up the County Administrator, Mrs. Yard and the Human Resources Director, Ms. Wieder to assist the Sheriff Elect.

Director Mennen asked if Sheriff Elect Brown has anything else he would like to bring to the Freeholder Board's attention or is there something the Board can assist the Sheriff Elect in getting started.

Sheriff Elect Brown expressed concern about vehicles and advised he is willing to wait and see where things are at. He has already discussed with Mrs. Yard getting rid of two marked units. He stressed that the Officers need the marked units to pick up prisoners. He will also meet with the Prosecutor about doing more on the transportation of prisoners and if pool vehicles can be used to do transports.

Mrs. Yard explained to the Sheriff, that the County is developing a law enforcement pool with the marked vehicles with the Sheriff's Office, Prosecutor's Office or Corrections. Since two of the Sheriff's Office's vehicles were deemed not road worthy but instead of taking them off the road it was agreed the Sheriff would keep them but he wants to work through how that would happen. Mrs. Yard has informed Sheriff Elect Brown that those two vehicles would not be replaced.

Mrs. Yard advised there are no new vehicles listed in the Capital Budget requests.

Mrs. Yard reported that both the Sheriff and the Prosecutor, next week, will be meeting with the Finance Department (County Treasurer, Margaret Pasqua and Kim Browne, Finance Director), as well as Ms. Wieder and herself to discuss the budget and explain how to craft a budget.

#### Retirement

Mrs. Yard updated the Board concerning the Retirement Incentive as the deadline was December 31, 2010. 19 people have expressed interest in the retirement incentive; the total salary and fringe is \$1.088 million but 21% of that has to be paid for fringe for those retiring. Mrs. Yard confirmed there are individuals who have over 20 years in the pension have until January 15, 2011. The County is proceeding in accordance with the Department of Community Affairs of New Jersey (DCA) and Pensions, as far as filling out the application. The application can not be submitted until January 15, 2011.

Director Mennen confirmed the amount of \$1.08 million and 21% comes out of that, bringing the amount down to \$800,000. That amount is only if every single one of those jobs remains unfilled, which is very optimistic because there maybe mandatory services that may cause some positions to be refilled. There is the potential that DCA could come back with a current cost number to the County so the County does not know what the full savings impact will be. All that is known, is that 19 people have expressed interest and over the next few years the County will be able to compute what type of savings that could generate.

#### Temporary Budget

Mrs. Yard informed the Board that the agenda packet contains information on the Constitutional Officers and the Prosecutor, concerning the 2010 Budget for Salary & Wage, Overtime, and Operating and the amount that would be put in the temporary budget. Except for the Sheriff, the other three areas have not had any reductions in their salary. The Freeholders needs to think about this before doing a temporary budget.

#### Prosecutor

Director Mennen recognized County Prosecutor, Anthony Kearns and stated there has been an ongoing dialog with regard to the positions in his office.

Director Mennen explained to those present that the County needs to introduce a temporary budget by the end of January 2011. He asked Prosecutor Kearns that at some point, through discussions with the County Administrator or Human Resources Director, if he will have a handle or thoughts on the positions in his office that are vacant at this time in terms of whether he will seek to fill them and if so, the timeline for that.

Prosecutor Kearns explained he took office on December 10, 2010 and it has been an awkward time as many of the staff was out due to the Holidays. He is becoming familiar with what the needs are in the office. He is trying to figure out what can be done without and what is needed. The office is in somewhat of a crisis as it has been decimated in terms of Assistant Prosecutors. The Office is limited in that regard. Prosecutor Kearns reported to the Board that statistics show that some of the Assistant Prosecutor vacancies do need to be filled.

Prosecutor Kearns is looking at the investigative side of the office to determine what can be done.

Prosecutor Kearns is very interested in talking with Mrs. Yard to see if any of the 19 who have expressed interest in retiring are from his office. Mrs. Yard confirmed there are people from his office interested.

Prosecutor Kearns stated he is very cognizant of what needs to be done in the office in order to keep the public safe and that is his primary concern and his second concern, as a taxpayer, to do that in the most efficient way possible. He hopes to understand what is needed in the office by the middle of January and report that to the Board.

Director Mennen stated it does not sound like the County will be ready to introduce a temporary budget by January 04, 2011 for Reorganization and suggested just waiting until January 18, 2011 to introduce a temporary budget.

Mrs. Yard informed the Board that over \$100,000 was spent in 2010 from accounts 0805, 0810 and 0815 to send people to meetings, conferences, trips and memberships. Last year the Freeholders were able to cut a lot from accounts 0805, 0810 and 0815. If people belong to more than one association, they are being asked to pick one, to prioritize, because taxpayers should not have to pay thousands of dollars for people to belong to an association and get magazines. The Freeholders are looking to cut this expense again by 50%.

Mr. Melick said at today's meeting we have 2 Constitutional Officers and he likes what they are saying but there are still two that haven't been spoken with. The County's rank and files officers are cutting back 6%. The County Clerk and the Surrogate are their own appointing authorities and he is anxious to hear from the County Clerk and the County Surrogate on how they will restructure their budgets to be conformance with the rest of the County is doing. It is mandatory and the public expects everyone to cut back. Mr. Melick said the government has become bloated but the amount of money available to the County through taxes is a thing of the past. Property values are down and government has to be cut back and this Board is working hard. It isn't easy for the County Administrator and the County Finance Department is working hard on crunching numbers. He feels the County is in this together and he wants to see everyone share in the pain.

#### Surrogate/Temporary help

Director Mennen reported within the past 24 hours, the Surrogate has made an inquiring about the possibility of hiring some temporary help. He suggested asking the Surrogate to provide more information and address the Freeholders as a group, after the first of the new year.

Mr. Holt recommended the Board be brought up on what is spent on current staffing in the Surrogate's Office and what the needs are. He feels there are dynamics the Board needs to be made aware of.

After further discussion, the Board agreed that Freeholders Holt and Director Mennen should set up a meeting with the Surrogate shortly after the first of the year, 2011.

Mr. Melick asked if someone would volunteer to talk with the County Clerk about cutting costs. Mr. Walton volunteered.

Mr. Melick stated that the State of New Jersey's budget is being cut. Hunterdon County needs to be proactive in cutting expenses.

#### **CONSENT AGENDA**

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

Mr. Walton moved and Mr. Sworen seconded a motion to approve claims in accordance with the Claims Register dated December 28, 2010.

**See Page 12/28/10-4A**

**CLAIMS REGISTER**

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

Mr. Walton moved and Mr. Sworen seconded a motion to approve Purchase Orders #1090969 in the amount of \$4,238.94; #1090720 in the amount of \$11,764.95; and #1091831 in the amount of \$7,786.08, for County Counsel.

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

Mr. Walton moved and Mr. Sworen seconded these:

**See Page 12/28/10-5A** **RESOLUTION**

**RESOLVED**, Approving the Change Custodian of Petty Cash for Prosecutor's Office.

**See Page 12/28/10-5B** **RESOLUTION**

**RESOLVED**, Approving transfers in certain 2010 Appropriation Accounts.

**See Page 12/28/10-5C** **RESOLUTION**

**RESOLVED**, Maria Dulmer appointed permanent, full time Sheriff's Officer, Sheriff's Office.

**See Page 12/28/10-5D** **RESOLUTION**

**RESOLVED**, Sandra Ford, Sheriff's Officer, Sheriff's Office, salary adjustment in accordance with Article 29, of the collective bargaining agreement.

**See Page 12/28/10-5E** **RESOLUTION**

**RESOLVED**, John Kuczynski appointed unclassified, full time Chief of County Investigators, Prosecutor's Office.

**See Page 12/28/10-5F** **RESOLUTION**

**RESOLVED**, Craig Evans, Supervising Ranger, Parks and Recreation, salary adjustment. (reorganization of the department).

**See Page 12/28/10-5G** **RESOLUTION**

**RESOLVED**, Approving final payment for Bid #2010-10, for the Resurfacing of County Routes 623 and 625, in Clinton Township, with Della Pello Paving, Inc., in the amount of \$104,630.68.

**See Page 12/28/10-5H** **RESOLUTION**

**RESOLVED**, Approving final payment for Bid #2010-13, for the 2010 Resurfacing and Surface Treatment of various County Roads, in various municipalities, with Mannon Excavating & Paving, Co., in the amount of \$74,623.95.

**See Page 12/28/10-5I** **RESOLUTION**

**RESOLVED**, Approving a contract with the New Jersey Department of Human Services for the provision of \$57,378 in Social Services for the Homeless funds for 2011, to provide shelter assistance and rent, utility and security deposits to homeless and at-risk families and individuals who are ineligible for Work First New Jersey (TANF, SSI or GA) Emergency Assistance.

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

**FREEHOLDERS COMMENTS/REPORTS**

The Freeholder Board wished everyone a Happy and Safe New Year.

**OPEN TO THE PUBLIC**

There being no further business to come before the Board, Director Mennen adjourned the meeting at 3:50 p.m.

Respectfully submitted,

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Denise B. Doolan  
Clerk of the Board