

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, 2nd Floor, 71 Main Street
Flemington, New Jersey 08822

February 02, 2010

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:30 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

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 21, 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."

EXECUTIVE SESSION REQUESTS

Mr. Holt moved and Mr. Melick seconded this:

See Page 02/02/10-1A

RESOLUTION

RESOLVED, Executive Session for the purpose of discussing the status of counsel for the Construction Board of Appeals.

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

Mr. Holt moved and Mr. Melick seconded these:

See Page 02/02/10-1B

RESOLUTION

RESOLVED, Executive Session for the purpose of discussing the release of digital data maintained by the GIS Division of the Information Technology Department, to a company that engages in profit making activity which that material would be bused.

See Page 02/02/10-1C

RESOLUTION

RESOLVED, Executive Session for the purpose of discussing an appointment to the Workforce Investment Board.

See Page 02/02/10-1D

RESOLUTION

RESOLVED, Executive Session for the purpose of discussing legal issues which have arisen in connection with a Farmland closing involving West Amwell Township, Toll Brothers and the Hunterdon Land Trust Alliance. .

See Page 02/02/10-1E

RESOLUTION

RESOLVED, Executive Session for the purpose of discussing an update on the status of two lawsuits, entitled: Garden State Growers vs. Franklin Township vs. Hunterdon County and Freeholder Sworen and the second is: State of New Jersey and Hunterdon County vs. Garden State Growers.

See Page 02/02/10-1F

RESOLUTION

RESOLVED, Executive Session for the purpose of reviewing the Executive Session minutes of October 06, 2009, October 20, 2009, November 04, 2009, November 10, 2009, November 17, 2009, December 01, 2009, December 15, 2009, December 29, 2009 and January 19, 2010, for the purpose of determining what portions will be released.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:36 p.m. and reconvened in Open Session at 6:03 p.m.

PLEDGE OF ALLEGIANCE

PROCLAMATION

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/02/10-1G

PROCLAMATION

RESOLVED, Declaring February 2010 as Career and Technical Education month in the County.

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

The Hunterdon county Board of Chosen Freeholders presented the proclamation to Kim Metz, Polytech Superintendent, Melissa Monaghan, Culinary student from North Hunterdon High School; Bryan Wiszniewski, Commercial Arts student from Hunterdon Central High School and Rachel Kismey, a Pre-Veterinary student from Delaware Valley High School.

PURCHASING

Mr. Melick moved and Mr. Walton seconded this:

See Page 02/02/10-2A

RESOLUTION

RESOLVED, Approving the award of County Bid #2009-14, for Refuse Disposal Services, to Republic Services of New Jersey, LLC, d/b/a Raritan Valley Disposal, in an amount not to exceed \$562,686.40 (five year contract).

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

Mr. Sworen moved and Mr. Walton seconded this:

See Page 02/02/10-2B

RESOLUTION

RESOLVED, Approving a professional services agreement for engineering services to assist with the restoration of critical load electrical services, as part of the Emergency Services Building renovation and additional project, with ElectroQuest, LLC, in an amount not to exceed \$16,400.

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

Mr. Walton moved and Mr. Melick seconded this:

See Page 02/02/10-2C

RESOLUTION

RESOLVED, Approving contracts for the provision of human services, in accordance with the 2009 Request for Proposals, (using County Quotes #0048-2009 and #0055-2009), in the total amount of \$1,596,591.

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

John Davenport, County Purchasing Agent came before the Board requesting permission to solicit bids for: (1) to furnish and deliver four International Dump Trucks with accessories; (2) to rebid a Hyster Lift Truck and (3) Heron Glen Golf Course bunker renovations (phase 1 and 2). After a brief discussion, Director Mennen confirmed with Mr. Davenport, that this is just to solicit bids and get prices, specifically for the dump trucks. Mr. Sworen moved and Mr. Holt seconded a motion authorizing the Purchasing Agent to advertise for bids.

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

ROADS and BRIDGES Update

John P. Glynn, Director, Roads, Bridges and Engineering came before the Board to provide an update of various County road and bridge projects. He advised that most of the projects are winterized.

- County Culvert D-329, on Pine Hill Road, in Delaware Township, has been opened. A scheme will be presented to Delaware Township concerning the approach guiderail for comments. This will also be sent to the State Historic Preservation Office.
- The County is trying to coordinate a meeting with the State Historic Preservation Office concerning the Frenchtown project from 7th Street up to Alexandria border.
- Bids have been received for the County Route 635 project. The County is coordinating the utilities for the project. The bids came in around \$300,000 below estimate.
- The County will be meeting with the property owner next week concerning County Bridge Q-168, on Pennsylvania Ave, in Raritan Township, to discuss the acquisition of right of way. The project has been activated again with respect to the developer. This is a common property with respect to Raritan Township, Black River Western Rail Road, and a couple of properties.
- County Bridge E-166 will be advertised next week, with construction bids due on February 04, 2010.
- A sidebar meeting was held with concerned people with regard to County Bridge E-174, last Wednesday. There are some issues to be addressed and a commitment was made to stake out the proposed centerline to provide a visual on the elevations of the finished centerline. Another meeting will be held out in the field in March once that has been done.
- A preconstruction meeting will be scheduled for Rockafellow Mills. This project came significantly under the estimate.

PUBLIC HEARING – County Bridge E-174 – right of way

Mr. Glynn informed the Board and those present that the public hearing is being held, as part of the ongoing process of a federal aid project. The project started with scoping and the design is about 75% complete; as part of the design element of the project, there is a right of way task that has to be acquired. There are 12 parcels which need to be acquired, from 9 property owners.

Mr. Glynn brought in drawings/sketches of the E-174 project and outlined the project. He noted that some properties to be acquired are slivers of property while others are slightly larger. There are also areas for temporary construction easements. There are takings for water quality/basin because during the developmental phase process new storm water regulations were adopted. There will be grading and filling done also.

Mr. Glynn reported that the appraisal reports have been done and are dated August 27, 2009. They will be forwarded to the affected property owners and the process of negotiations and acquisitions will begin. The acquisition of right of way can take 6 months to one year. County Counsel will be working with Mr. Glynn on any issues that may come up.

Mr. Glynn reported that tonight's meeting is to approve the right of way drawings and authorize appraisal reports be submitted to the property owners.

Director Mennen opened the public hearing on County Bridge E-174. Due to the number of residents present, he asked that those wishing to speak clearly state their name and address so that the Clerk can record it as part of the record.

Frances Gavigan, resident West Amwell Township, 123 Wertsville Road, Ringoes, believes the Board is aware of her request to scale back this project. She feels that the heights of the project have contributed to the detention basin, which is the primary impact on not just the 9 property owners but all the residents of East Amwell; plus the horse riders and businesses. Ms. Gavigan stated there is a drawing showing the proposed guiderail which will cut people off. This project will cause an economic, personal and otherwise loss to the residents and businesses in the Amwell Valley. A lot of tax dollars have been spent to preserve this area.

Mrs. Gavigan thanked Freeholder Director Mennen and Freeholder Walton, and John Glynn, Director of Roads, Bridges and Engineering, and the others who were present at the meeting last week in East Amwell for listening and agreeing to meet in the field and directing Mr. Glynn to see what could be done to try and minimize the impact.

Ms. Gavigan feels the drive will be the degree to which the raising of the road and disturbing of soil drives the size of the retention basin, then cascades down to the impact on the residents. Something will have to be done to provide a place for horses and pedestrians to get on the other side of the guiderail. She asked the Board to considering lowering the bridge, in order to reduce the impact on the view shed, the horse community and the people who have shown up here this evening.

Ms. Gavigan asked for the County to give the Township permission to apply to the State for scenic byways designation within the Amwell Valley on County Road, Wertsville Road and someday, Manners Road because it connects the historic villages. This can't be done without County approval as it is a County road.

Fred Gardner, 46 North Hill Road, Ringoes, resident of East Amwell Township, stated he agrees with Ms. Gavigan. Mr. Gardner stated this project will make it easier for vehicles to illegally speed, which will endanger the lives of residents entering and leaving their driveways; horseback riders trying to cross Wertsville Road at the bridges, which is a critical high traffic network in the trail network which received a Hunterdon County Planning Board award, and of children playing in their front yards.

Gail Gardner, 46 North Hill Road, Ringoes, resident of East Amwell Township, advised after the last meeting on Wednesday, she looked at the area again, and it appears that instead of raising the bridge to 6'8", higher, if you could start at the top and lower the road coming into the turn by 2 or 3 feet, and fix the grade, then you would not have to raise the bridge as much plus you will have the fill of what is used to lower the road to fill in and save money. Mrs. Gardner advised she is one of the founders of the Trail Association and this one of the only connecting areas for the Trail Association from the south side to the north side. The trail as 75 miles balanced on either side of Wertsville Road.

Barbara Sageser, resident of East Amwell Township and a member of the East Amwell Historic Preservation Committee, advised she has done research into the areas which flooded during Hurricane Floyd which was the most recent, large water event. She found nothing on Wertsville

Road that flooded. Six feet raising the bridge would be overkill and it's an overreaction to the point of view of flooding.

Dave Harding, 71 Linvale Road and a member of the East Amwell Historic Preservation Committee said he is concerned about losing the sense of history that you can get from going down Wertsville Road or one of the other roads. Increased traffic is going to take that away. When projects like this are done, you need to step back and look at what is in the surroundings.

Residents sitting in the second row of the Freeholder Meeting room stated they all agree with what has been said. (names given were Joan Buckwalter and Joe Wolfgang, plus unnamed residents).

Susan Robishow, Delaware Township resident advised she used to live in the Amwell Valley back in 1990's, she had a place off of John Ringo Road and she was not on the trails but she did enjoy riding the area. She did purchase a place on the Amwell Valley Trails and it was a wonderful experience to live in that area. Ms. Robishow advised she is now a Delaware Township and rides on the Covered Bridge Trails and there is no comparison. This is a unique area. Please make every effort possible to keep the area beautiful for the people who ride and hike the area and keep it safe. She hopes some day to move back to the area in Amwell.

Mary Pat Parkhill, 187 Wertsville Road, Ringoes, a resident of East Amwell Township, explained she is agitated about people who have her money for their paycheck is using her money to do something to her road and its something she doesn't want. If you improve this road it will cause tractor trailers to use it. People from Pennsylvania are the ones who use the road and they do not elect anyone in the State of New Jersey but they are the ones that will profit by this, they will get a nice little, fast road to Princeton. This road will be used as a main route to Princeton. It seems that no one cares about the people paying the taxes and living on this road. She doesn't want to play chicken to get to her mailbox and she doesn't want to hear speeding cars and tractor trailers on the road. Straightening out the road will cause more accidents.

Jennifer Taylor, Unionville Vineyards at 9 Rocktown Road, Ringoes, New Jersey, agreed with the residents. This is a difficult project and Mr. Glynn is doing an exceptional in trying to please everyone and get the project done. There will be a financial impact to the businesses in the area, such as the winery and the Ridge at Back Brook. Ms. Taylor said the winery is estimating a loss of \$50,000 a month because of the impact of the Dutch Lane Bridge being closed and now this project will block the winery off from traffic in the other direction. This will cause another economic impact, not just to the winery but to other small businesses on the road; there are farms on the road and horse businesses. As a local business they would like to be able to help support the East Amwell community and offered services to all the small businesses if they can help while the bridges are being done. Ms. Taylor stated the Trail Association is very important to the winery and noted that the Trail Association has been using Unionville Vineyards for years and they are part of the trails being used.

Les Hamilton of Ringoes, East Amwell resident advised he rides Wertsville Road everyday, going on 25 years, and he feels the road is fine the way it is. Even though this is a County road, he suggested the scope of the project be scaled back. Also, he feels the project is a waste of money. Mr. Hamilton stated Mr. Glynn is good to work with; he's worked with him in the past.

Cindy Lax, Van Lieu's Road, Ringoes, East Amwell Township resident advised she is a horse farm owner and Trail Association member and she agrees with everything said here. This area is a little bit of heaven.

Nancy Cunningham, 14 Wertsville Road, Ringoes, agreed with all the comments which have already been made.

Paul Petrolino, 224 Wertsville Road, Ringoes advised he's a farmer, horse owner and member of the Trail Association advised is concerned about the safety of Wertsville Road on the straightaway. He feels this project will make the road more dangerous. Horses have to cross the road, and horse trailers need to be brought in and out of properties, and riding the road. There is also a concern with farm machinery and stated he was involved in an accident in front of his property because of the rate of speed vehicles go. This project will take away from the rural atmosphere which is Wertsville Road in East Amwell Township. Don't make this a speedway.

Lori Ann Robbi, 144 Lambertville-Hopewell Road, agreed with the previous speaker saying there is a safety issue and this is a historic area and it's the heart of East Amwell's agricultural district. This district was approved by the County Agriculture Development Board (CADB) and by the State. The area is also in Planning Area 4 of the Highlands, which received the approval of the County Planning Board and the State. There are preserved farms on either side of the road and there was a tremendous financial investment which went into the farms. If you follow Wertsville Road into Hillsborough Township, you will find that Somerset County has respected it for what it is. You will not find excessive width on the bridges and culverts.

Linda Lennox said she agrees with everyone. She said in these economic times she would like to see the project scaled back to just replace the bridge, as is, where it is without raising it up. The County can return the dollars back to the federal government for other projects. Ms. Lennox asked that the speed limit be lowered on Wertsville Road and paint a double line there.

Joe Wolfgang, 26 Zion Road, Ringoes, state that East Amwell does not have a police force, it relies on the State Police and now there is talk that the Township might have to pay for police services. Without police it makes it hard to control speeders in East Amwell. Roads like Wertsville Road tend to have a natural effect to reduce speeding because drivers realize they will go into trees or fields if they don't slow down. If the road is straightened out it will enable drivers to drive faster and abandon the natural thought process to slow down. If the County continues with the project, please put in a lot of money to fund a police force for East Amwell Township.

Joel Moore, owner of the Ridge at Back Brook, said most of the people to be impacted by this project are local residents. Just like the Unionville Vineyard, the Ridge at Back Brook is a very large ongoing business. Mr. Moore shared his concerns (1) the Ridge needs 7 day access to its entryway in order to get members and employees in and out at their leisure; (2) the grade and elevation change, when the Ridge was getting its approvals it was a 2 year process and he spent a considerable amount of time and money on the entryway and they arrived at an entryway that included certain set backs, certain stonewalls with signage, electrical underground wiring for lighting and now the plan is to raise the road considerably, as well as putting in a large detention basin on one wide of his entry road off of Wertsville. Mr. Moore is concerned that the detention basin will include a 5' burn around the circle and that may have an impact as people are driving coming down the hill being able to see far enough in advance the signage for the entry road to the Ridge. This could become an unsafe situation. Mr. Moore is also concerned about the maintenance of the basin because of the vegetation growing in the basin which could block the view of the signage for the entry road. This project may be creating problems while solving other problems. Mr. Moore said lifting the road 5 or 6 feels will cause problems.

Mr. Moore said the Ridge has split rail fences on each side of the entry stone walls; and the plan calls to take the split rail fence out because of the detention basin. The stone walls are 15 to 20 feet long with large granite recessed signage cannot be moved. He is concerned that the plan is not tying together the area to make it look natural and clean and keep the look that East Amwell wants to keep. The biggest disturbance of the project per property is at the Ridge because that is where the proposed basin will go.

Mr. Moore met with one of the engineers last fall, who gave him a plan and that plan did not call for any guiderails on the Ridge side and now a metal guiderails is called for at the entryway. Mr. Moore requested the guiderail at the entryway be looked at and eliminated and if it can't be eliminated he requests the guiderail be wood and not metal.

Mr. Moore informed the Board that during the construction phase the Ridge is going to request to have a considerable amount of signage put up regarding the detours and that that the signage actually says Ridge of Back Brook Golf Course. He would like input on the design of the signage and where it gets located. His business is based on accessibility and if the members and guests can't get to the Ridge, that means a direct drop in the ability to do business.

Mr. Moore advised when the Ridge was granted its approvals; he spent a considerable amount of time dealing with an easement for the Amwell Valley Trail Association, which goes from Wertsville Road up more than 50 feet and side to side. He asked more time be spent on discussions on the design and making sure it is esthetically pleasing to everyone and also factoring in the costs. Costs are significant because most people are business owners or employees and everyone is concerned about costs.

Lois Steward, Flemington Borough residents asked the basis on which the decision was made to do this project. Why is this being done.

Mr. Glynn explained the project was commenced by a Freeholder Board back in 2001. It started with an issue about a bridge and whenever a bridge is done, you have to look at the approaches. This is a federal aid project which changes the scale and the process, which is a planning phase then it goes into a design phase, and part of the design is the acquisition of right of way and from there the project goes into construction. In 2002, the County took this on as a project and this is the way a project is done with federal aid funding.

Mrs. Stewart stated on Main Street in Flemington Borough, there is a project being done with federal money and it's a waste of federal funds because that circle never flooded and now it has a gigantic whole in the middle with a huge sidewalk that isn't a sidewalk, it is for trucks to drive on, at the inside of the circle and its all because it is federal money.

Director Mennen informed those present that the purpose of this discussion is related exclusively to the right of way acquisition. There is a tangential relationship to the design. He asked Mr. Glynn to briefly discuss the issue/requirements/restrictions that the County is under with regard to federal standards and what obligates the project to look like in terms of scope.

Mr. Glynn advised in 2002, the then Freeholder Board entered into an agreement to design a project in accordance with AASTO (American Association of State Transportation Highway Officials) standards. Those standards are the standard by which everyone designs to. Mr. Glynn stated as part of the project, you have to consider the bridge and the approach to the bridge. That is part of the process to design a bridge replacement. There were incidents of accidents because of the cross section on the approach to the bridge. He knows of one fatality, a motorcycle, and there have been several run off accidents on the ridge side; there used to be cable guiderail around the bridge. Factor that in, and look at the approach, the design speed is 45 MPH. A project is usually designed, of either 5 to 10 miles above the posted speed limit. The consultant designed this project based on the posted speed. There will be need for warning signs on the curves; the curves are still deficient. The County tried to take everything into consideration, as to how the project was developed. The County has listened to the residents and the County will continue to listen to the issues which were raised tonight. To come and ask for the project to be scaled back, the Board has to decide how that will happen, if it is and from there, you are looking at a financial recourse. The County has taken federal aid money and that agreement says you must design to their standards and if that isn't done or the project is abandoned, then the federal government must be reimbursed.

John Kelly, East Amwell Township resident stated he's a construction engineer and project manager. Mr. Kelly asked if it was mandatory for the County to take the federal money to do the project. Mr. Glynn said no. Mr. Kelly asked why the County took the money without having a meeting with the people who are affected by the project. Mr. Glynn explained there is around \$35 million worth of bridge needs in Hunterdon County and the County cannot fund that so the Freeholder Board at the time was looking aggressively for ways to offset the County's maintenance costs and replacement cost for County bridges.

Mr. Kelly said if only one bridge needed a repair, the second bridge doesn't need repairs, the County is doing that on its own. What repairs did the Dutch Lane Bridge need. Mr. Glynn explained the Dutch Lane Bridge was structurally deficient also; there is a deck problem and the original stringers that were put in, in 1932 are insufficient in cross section to support the loads. In New Jersey you are allowed to carry 86,000 GVW and that bridge would not support that weight. Mr. Kelly doesn't understand since it was support the weight all these years. People are going to be inconvenienced by this work. How long will the project take to complete for the Dutch Lane Bridge. Mr. Glynn advised the bridge will be closed in early July 2010 and it will open before the end of the year between November/December.

Mr. Kelly said when the County did the Manners Road bridges, they gave a time to do the project and it overran. It took so long to do those two little bridges.

Mr. Kelly asked if the federal funding has to be taken for both bridges, can you just take it for one bridge. Mr. Glynn explained applications are made for the different projects in the Capital Improvement and then it is weighted with respect to other projects within the North Jersey Planning Authority group. There is a multitude of entities that compete for that money. It is a very competitive process and the County is very fortunate to receive the funding.

Director Mennen advised those questions are inappropriate to ask of Mr. Glynn. Those decisions were made by a previous Freeholder Board and four of the five current members of the Board of Freeholders were not on the Board at that time when the decision was made to move forward in that direction. Mr. Glynn is faced with a set of facts, as are four of the five Freeholders that were put in motion before they were elected to the Board. To ask Mr. Glynn how or why the decision was made, is an inappropriate question of Mr. Glynn and it isn't germane to the discussion.

Mr. Kelly questioned what brought federal money to the bridge in East Amwell. Mr. Glynn explained it is the rating of the bridge; the structural integrity of the bridge falls in a rating that requires rehabilitation. A bridge must qualify in order to get federal funds.

Mr. Glynn offered to meet with Mr. Kelly to further discuss his concerns. Mr. Kelly stated he's going to do some research and get back to Mr. Glynn.

Carol Johnson 16 County Lane, Flemington, stated she rides her horse and her car in that area in East Amwell Township on Wertsville Road. Cars don't need to go faster in that area. She has followed her coworkers who are from Pennsylvania down Wertsville Road from Hillsborough in Somerset into Hunterdon. Also, there aren't signs along Wertsville Road yet that tell people about the 25 MPH speed limit when a horse and rider are present.

Jaime Atkinson, 201 Wertsville Road, Ringoes, informed the Board that he lives adjacent to the bridge and he has attended a number of meetings and he appreciates the open forum. He's been in the house for 7 years, built in 1742. He's come to learn that East Amwell is a beautiful area because of its tenacious way that the residents protect it. He is encourage by this group and he hopes that the Freeholders would meet their very legitimate opposition to the project with some creative thinking to modify what is being recommended.

Betty Vogel, 5 Manners Road, Ringoes advised she and her husband moved to Hunterdon 20 years ago and built on a property sold to them by the Manners and they have come to love this community. It is beautiful. She came from the Shenandoah Valley in Virginia and her friends in Virginia feel this piece in New Jersey is more beautiful than some places in Virginia. She saw what happened with the improvements on Manner Road, which caused additional traffic and speeding.

Ms. Gavigan said the reason she has been pushing and advocating for County approval to pursue scenic byway designation is that once granted it allows the use of alternative standards to AASTO. The Blue Ridge Mountains and Skyline Drive haven't been flattened because they were declared scenic byways.

Ms. Gavigan feels this issue is very advanced and she is hoping it can be tweaked to minimize and address the expressed concerns but long term, there are other bridges and culverts on Amwell Road, Wertsville Road, Manners Road, Reillyville Road and Rainbow Hill Road and there are bridges and structures that are seriously compromised. The bridge on Van Lieu's Road, which will be an unofficial get around, is structurally deficient and listed that way. Is there a plan or is anything going to be done to preserve that bridge which is historical. There is also another project on Cider Mill Road. If there is access to alternative standards there will be, hopefully, other money sources and less intrusive design standards.

Susan Roebishow, 9 Lindberg Road, Ringoes, learned about the meeting just today and she came because she's curious. From what she's heard, the idea of accepting federal funds to overdo a correction and she's not sure what the problem is with this particular roadway, because she does drive Wertsville Road on a regular basis, and she admits she takes it over the speed limit. If the County straightens out the turn, she's not sure it will slow her down or not. It sounds that there is federal funding available and the County is reaching for it quick. It sounds like the only way to get the money is to over engineer the project, and to over do the project in order to meet federal guidelines when it isn't necessary.

Mr. Gardner feels that most of the people here are very willing to accept and admire the goodwill and ethics of the Freeholders and Mr. Glynn. He doesn't think the residents need to question the sense of the project and the hope that it has a different outcome.

Mr. Gardner wanted to backup what Joel Moore said, stating he went through substantial expenses to meet standards, which East Amwell Township worked with him on. Mr. Moore did a superb job on the golf course. Mr. Gardner said he would disagree with Mr. Moore who feels it is all about access because Mr. Gardner feels it is also about esthetics. This is a high priced golf course and a very fine one and the approach to the entryway is very important to Mr. Moore and he would back up Mr. Moore's plea that the County not destroy the entry to the Ridge.

Mary Pat Parkhill feels she heard Mr. Glynn say that the project has to do with a speed limit approaching the curve and that is why this work has to be done. Why not just lower the speed limit and not as much work. Mr. Glynn explained the reality is you can post any speed limit sign you want on a roadway. Tonight we had someone admit to speeding. The road won't be driven by what is posted on the sign. The curvature of the road is designed to meet the posted speed limit. In this case, the radii has been reduced, the turning movement has been reduced to a point where it is at the minimum standard that AASTO will accept. AASTO is not a draconian group that develops these standards. These design standards have been studied and developed over time, which is why the County designs with AASTO standards. There will be speeders; there will be people who disregard the farmers and the residents along the road. This is a collective roadway which has competing interests; it takes residential access traffic, as well as traffic that goes to Hopewell and Princeton in Mercer County. That traffic is not going to go away and the County is trying to manage it safely through this section. The County did not design the road for a 50 mph speed even though from an engineering standpoint, it should be 50 but it is to be 45 mph, reduce the curve radii and the bridge width has been kept to a minimum so the County has minimized the impact to the surrounding area given the confines of the AASTO standards which the County has to design to.

The following residents again spoke to the Board opposing the project as designed: Barbara Sagesor, Les Hamilton and Gail Gardner.

Mr. Glynn reported to those present that there will be another public meeting; a field meeting will take place in March 2010, and at that time, he hopes to have a better understanding on where the County is with the issues that have been raised. Then the project has to be approved after the changes have been made.

Director Mennen advised there will be a meeting in the field, so we can have an actual discussion in the field looking at what is actually going to be done. The County has agreed to meet in the field with anyone who wants to be there and it will be walked from the one end to the other, from the golf course, up the hill and around the curve. Everyone will see what it looks like in the field and where the lines are going to fall. Some people maybe pleasantly surprised and maybe some people will be more disappointed. Director Mennen explained that he and Freeholder Walton also walked into this. It is beneficial for the Freeholders to also go and walk the project in the field to see how it is staked. Moves are being made to go and talk and listen. An issue was raised about a berm and where a driveway would fall. This will be discussed in the field. Stakes will be laid and we can talk about it. The Freeholders committed to listen and the Board is committed to do that.

There being no further comments from the public, Mr. Walton moved and Mr. Melick seconded a motion to close the public hearing.

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

Director Mennen asked County Counsel DeSapio and Mr. Glynn that since the Board had extensive discussion last week, and did commit to meet in the field; to what degree is there flexibility in terms of field changes. Can things be moved is there any amount of flexibility. Director Mennen stated he doesn't want to move forward on this and have it be so rigid that it negates any purpose that might be accomplished in the field.

Mr. Glynn confirmed for Director Mennen that there is room to make adjustments to the plans.

Mr. Glynn confirmed for Mr. Walton that the County is looking at the vertical issue to see if it can be lowered. He will also be looking at the crossing for the trail system; the guiderail by the Ridge at Back Brook and the detention basin. The detention basin was not part of the original scheme, but because of the new storm water regulations, which everyone is appreciative of, but again a linear project with the storm water regulations, makes it difficult to honor those regulations. He is trying to see if the detention basin is needed or if the County can get a waiver on it. These are things that came about from the meeting last Wednesday.

Director Mennen asked County Counsel DeSapio to expand a little more on the level of flexibility. He realizes the County has benchmarks that have to be hit and that there are procedures that must be followed but he wants to make sure that if we are going to meet in the field, that it won't be a fool's errand. He's positive there are going to be tweaks and changes once we meet in the field, that will be mutually agreeable to everyone.

Mr. DeSapio explained what the Board is doing is saying to the engineering department and the legal department, that the rights of way acquisitions are being approved which are shown on the drawings. Then Mr. Glynn will start to negotiate with the property owners to acquire the rights of way that are shown on the drawings, particularly since the appraisals are done for what the rights of way are worth. If the Board were to complete the negotiations for the right of way and acquire it, the County has flexibility with what to do with it. It does not have to be used to the full extent that is projected on the drawing; you can come in with another plan for this bridge and the approaches, and you don't have to use all the right of way. The County is not binding itself once it acquires the rights of way, to use them.

Mr. DeSapio explained any actions taken this evening will bring the County to the next step of approaching the property owners to provide them with the appraisals and negotiate. Mr. DeSapio advised there are items not seen on the plans such as issues where there were discussions about buffering, trees, landscaping and the resetting of fences. All those issues are worked out with individual property owners.

Mr. Holt said the discussions on the easements and acquisitions could possibly take six to twelve months or longer. This design/adaptation is going to be concluded before the acquisitions are in place. Mr. DeSapio agreed, saying the acquisition process has to start now.

Mr. Holt stated tonight's resolution will put in place the ability to begin to discuss with the property owners what their needs might be. The County is not going to close on any easement designs until the design is completed. The County will not spend more money than it needs so, it is not going to purchase more than is needed.

Director Mennen stated if in the course of the site visit, the field changes proposed involves a realignment which involves less of a right of way required on one side but results in a nominal increase in a right of way on the other side of the road. What will that cause to happen. Mr. DeSapio stated the drawings would have to be redone and another public hearing has to be held and those affected by the change will have to have new appraisals.

Mr. Sworen said if someone doesn't want to provide a certain amount of right of way, will that involve another public hearing. Once negotiated does it come back for a public hearing. Mr. DeSapio explained it does not have to come back for another public hearing if the County is going to accept less but a public action would be necessary. The Board would have to vote on the contract to acquire less rights of way.

Mr. DeSapio confirmed for the Board and those present that all acquisitions are done by a vote by the Board in public.

Mr. Melick advised Hunterdon County has had a terrible deficiency in bridges. Hunterdon has worked on a little over 90 bridges in the past 30 years. He noted that both he and Mr. Glynn have been with the County that long and have seen this happen. Mr. Melick said the County has had controversies for bridge projects in many municipalities. The County tries to work with people to get the projects done. There have been a lot of negotiations and the County is very sensitive to historical character. He's aware this is an emotional project but in 2001 the then Freeholder Board adopted a resolution for the scoping of the project. The County has needed state and federal funding in order to cope with those 90 bridges that have been worked on. The County

has been criticized over the years for using AASTO standards but the County has worked to balance the needs with historic Hunterdon County and to try and do what is right. He understands what this project means a lot to the residents because it's in your front yard.

Mr. Melick said Hunterdon is very fortunate to have in the County employee, someone of John Glynn's integrity and he feels those who have worked with Mr. Glynn, one on one, knows that Mr. Glynn is very fair and he listens and if something can be done, it will be done. This project is still ongoing and Mr. Melick asked the residents to bear with the County because they won't try to shove something on anyone. The County is trying to be reasonable but Hunterdon has had a bridge deficiency and it isn't going away. The County has 243 bridges that are over 40 feet.

Mr. Holt advised that he has a position on the North Jersey Transportation Planning Authority, (NJTPA) and that is the entity that approves and prioritizes projects which involves federal funding. Today Hunterdon County and HART met to begin working on the 2010 and beyond focus that Hunterdon County will be promoting. They discussed the primary area which has been discussed for a number of years and is the grand scale primary problem and that is Route 78, Route 31 and Route 202 have exceeded their capacities. In the past 40 years the capacity for those roads have been exceeded both by traffic from within the region and outside of the region. The implementation of GPS systems have caused the County roads to become what the state roads were intended to be and the municipal roads become what the County were intended. In the greatest push, that he will be fighting diligently for, is to get attention paid to the western side of the state, not just Hunterdon County in finding ways to alleviate traffic on Route 202, Route 31 and Route 78; both north and south in the County because when you can alleviate the traffic and begin the process of moving vehicles back to the main arteries. Also, it is also finding alternate forms of transportation. That is the focus and that is what NJTPA will be working towards, finding alternate forms of transportation.

Mr. Holt moved and Mr. Melick seconded this:

See Page 02/02/10-9A

RESOLUTION

RESOLVED, Approving the acquisition of land and easement interests with regard to the replacement of Bridge E-174, in the Township of East Amwell, County of Hunterdon.

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

Director Mennen asked Mr. Glynn that when the field meeting is held, that the trail easement which has been mentioned is also staked out in order to figure out where it is. Also, he suggested the County notify the affected landowners are aware of the meeting. He asked Ms. Gavigan to assist in the notification of the property owners.

Director Mennen added that if more than the subcommittee of Freeholders will be attending the meeting, it will be noticed.

The Hunterdon County Board of Chosen Freeholders recessed at 7:42 p.m. and reconvened in Open Session at 7:50 p.m.

ALLOCATION OF OPEN SPACE TAX LEVY/PUBLIC HEARING

Director Mennen recognized Sue Dziamara, Planning Board Director and Kevin Richardson, Open Space Trust Fund Coordinator who are present this evening for the public hearing on the allocation of the Open Space Tax Levy. The notice for public hearing contained a proposed allocation to be considered this evening. The proposed allocation is the result of recommendation made by the Planning Board Department.

Director Mennen opened the public hearing for the allocation of Open Space Tax Levy.

Brian Mulany of Old Clinton Road, in Clinton Township asked about the availability of funds that are being allocated to the nonprofits. Is that restricted to open space or can the funds be used for historic purposes as well.

Mr. Richardson said the third Ballot Question for Open Space was approved by referendum in 2008. The funds being collected this year, 2010 will be allocated next year, 2011; it is anticipated that nonprofits will be able to use the County's allocation and distribution of funds for traditional open space preservation and for historic preservation in 2011.

Director Mennen added that the County is working on policies and procedures that will be in place, in advance of that time, which will dictate how that is done.

Margaret Waldo, Hunterdon Land Trust Alliance Director and resident of Frenchtown Borough, thanked the Freeholder Board and the Planning Board for their effort on this plan and asked the Board to support the allocation. She especially appreciates the County's naming 15% to nonprofit grant programs. That program leverages millions of dollars in state and federal funding with the County matching those grants.

Amy Green, Chair of the Open Space Committee in Raritan Township stated she was asked by Raritan Township Mayor Tom Antosiewicz and Committee members to appear tonight because they have a conflicting meeting. Ms. Green stated that Raritan Township strongly supports Hunterdon's efforts to expend funds to preserve open space in the County. Raritan has a concern because proposed is a 1/3rd reduction in the municipal funding from 15% to 10%. She asked if that could be clarified. Raritan Township relies on those funds each year. Raritan Township now has an aggressive program for preserving open space and the Township needs a reliable source of funds to leverage other funding from Green Acres or other categories of open space funding. Ms. Green urged the Freeholder Board to maintain the current level of municipal funding if at all possible.

Ms. Green said everything possible has to be done to preserve open space now because the time is right, development has temporarily been slowed in Hunterdon. There is now a great opportunity to preserve farmland and conservation lands. The prices for land has been dropping and they will begin to go up again.

Ms. Green suggested a way to maintain the municipal allocation would be to reduce some of the County categories of funding and to reconsider a concept which was talked about when the open space tax was proposed to no longer have a sunset period, which is bonding. There is money available for bonding at no cost or very low cost. The County could use the funds it will receive each year to allow the increase of acquisition land now by stretching those dollars with bonding. If you wait, there won't be land available to preserve.

Ms. Green applauded the Board's efforts to maintain the open space funds and distributing it allowing municipalities to do larger projects.

Beth Styler, Musconetcong Watershed Association thanked the Board on behalf of the river for the Board's strong efforts for open space preservation, which is one of the more effective tools for water quality. Hunterdon County has a great program and it has a lot of hardworking nonprofits and land trusts.

Ms. Gavigan a member of the East Amwell Historic Preservation advised there will be a newly formed Historic Preservation Society in East Amwell, a Friend of Clawson Park. Ms. Gavigan realizes the percentage for historic was reduced but she hoped that there are ways for dedicated funding to trickle down to municipalities that are dedicated and maybe somewhat restricted that the funds could be used to preserve the properties that are boarded up that someday could be a museum and could be used to encourage other aspects of the positive that is Hunterdon County. East Amwell does not want to lose the Clawson Park House which is at a park which is actively used.

Jan Holms, Trustee with the Hunterdon Land Trust and a resident of Lambertville City, stated she supports the efforts of preserving open space and the allocations as presented especially the 15% for the nonprofits.

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

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

Mr. Walton informed those present that he will be voting no because he believes in keeping government as close to the people as possible and for that reason he opposes cutting the municipal grant portion. Mr. Walton also believes that historic preservation is open space preservation and this cuts the historic percentage.

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/02/10-12A

RESOLUTION

RESOLVED, approving the proposed allocation of the Open Space Tax Levy to be Farmland Preservation – 30%, County Land Preservation Uses – 15%, Cooperative Open Space Acquisition Assistance – 25%, Nonprofit Grants – 15%, Municipal Grants – 10%, and County Historic Uses – 5%.

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

Mr. Melick recused himself from the meeting.

FARMLAND PRESERVATION

Mr. Sworen moved and Mr. Walton seconded this:

See Page 02/02/10-12B

RESOLUTION

RESOLVED, Approving a contract for sale of development easement, from Anna O. Felix, Philip Felix and Mary Felix, on Block 14, Lot 23, in Kingwood Township, consisting of 171 acres, (SADC-\$750,000, Federal Funds-\$289,000, County-\$250,000, Township-\$250,000), total amount of \$1,539,000.

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

Mr. Melick returned to the meeting.

OPEN SPACE

Mr. Sworen moved and Mr. Walton seconded this:

See Page 02/02/10-12C

RESOLUTION

RESOLVED, Approving, upon the recommendation of the Open Space Advisory Committee, a Municipal Grant Program application to Delaware Township, in the amount of \$117,061.54.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 02/02/10-12D

RESOLUTION

RESOLVED, Approving, upon the recommendation of the Open Space Advisory Committee, a Municipal Grant Program application to Flemington Borough, in the amount of \$33,100.

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

Mr. Walton moved and Mr. Holt seconded this:

See Page 02/02/10-13A

RESOLUTION

RESOLVED, Approving, upon the recommendation of the Open Space Advisory Committee, a request by the New Jersey Audubon Society to assign and convey its real property interest, in Block 38, Lot 6 (n/f Hendershot Parcel), in Bethlehem Township, after closing settlement to the Township of Bethlehem.

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

PRESENTATIONS

Presentation by the Planning Department regarding the Franklin Township (Warren County) proposed Truck Depot.

Director Mennen advised the County has received a lot of input from County residents and the County Planning Board has done a fair amount of research on this issue. Recognizing the limitations under which Hunterdon is operating, noting that Hunterdon has no jurisdiction over this issue but it doesn't mean if the Board feels there is a negative or detrimental effect to Hunterdon's residents that the Board is without a voice and it should be expressed.

Director Mennen advised Sue Dziamara, County Planning Board Director has prepared a draft resolution for the Board to consider. He is aware one of the Freeholders will be attending the Warren County Planning Board meeting tomorrow in Franklin Township. If it is the pleasure of the Board to adopt this resolution, it could be read into the record at Franklin Township's meeting or at the very least be made a part of the record of those proceedings.

Ms. Dziamara stated her office received a lot of information from the residents of Bethlehem and Bloomsbury Townships who are concerned about the development in Franklin Township, Warren County. This is a 191 acre site, a 7 lot subdivision and there is a site plan for 6 warehouse office buildings. This would be 1.44 million square feet of warehouse space; it's a 24/7 operation; the developer estimates there are 700 trucks per day; there are onsite septic system – less than 2,000 gallons per day for each lot; it is supposed to be consistent with the Upper Delaware Water Quality Management Plan; there are individual onsite wells on each of the 7 lots; the site does have Karsts topography which is limestone, and subject to sink holes so all of the storm water management facilities will be lined to prevent infiltration. This is in Planning Area 4-B which is environmentally sensitive based on the State Plan designation. This is in the Highlands Planning Area conservation zone. The Highlands may weigh in on this development application but it is considered advisory at this point.

Mrs. Dziamara advised the reports she has read cite the principal impact is the change in land use from agriculture to industrial warehouse. Some of the temporary impacts will be soil loss, increase noise and dust during construction. Long term impacts: there is an increase in impervious surface; the application proposes a 70% impervious cover on the site. There is also the loss of woodland, vegetation and wildlife habitat and an increase in constituent in storm water run off discharge.

Ms. Dziamara advised there are several variances and design waiver requests that are included as part of the application: such as the disturbance of the buffer from a residential district of 50 feet; the proposed application requests 20 feet; a front yard set back of 100 feet and they proposed 65 feet; side yard of 50 feet and they propose 40 feet; the maximum building coverage of 25% where 35% is proposed and a maximum lot coverage of 50% to be 70% proposed.

Mrs. Dziamara stated there are environmental concerns: air pollution from diesel and exhaust fumes; noise pollution; light pollution and there is a concern about water pollution to the Musconetcong River which is a Scene I water and it is a nationally designated wild and scenic river. There are concerns about the loss of the view shed and habitat the way it currently exists.

Mrs. Dziamara advised the traffic report shows that 50% of the truck traffic will be using Exit 7 off of Route 78, which comes through Bloomsbury and Bethlehem Townships. Mrs. Dziamara reached out to Warren County on this issue and was told that their conversation with the New Jersey Department of Transportation was that Route 173 has a 10 ton weight limit on the road

and they thought it would force most of the trucks down Route 78 into Warren County using Exits 3 and 4 and turn around and come back using Exit 6, half interchange to access the site. Mrs. Dziamara suggested to the Warren County Planning Director that is probably an issue they want to work out.

Mrs. Dziamara stated from a regional perspective the North Jersey Transportation Planning Authority recently adopted the Regional Transportation Plan 2035 which recommends that this type of truck distribution facility be located near the ports and on existing brownfields as opposed to using agricultural lands which have never been developed.

Mrs. Dziamara advised what is included in the resolution she prepared is recognizing that Hunterdon County has no jurisdiction, however, it has an obligation to its citizenry to point out the concerns which have been voiced by the residents.

Mrs. Dziamara read the resolution. Mr. Sworen and Mr. Holt made a recommendation to change the resolution. The Board discussed the recommendations and agreed to a change. Mrs. Dziamara will make those changes and the Board will vote on the resolution with the proposed changes.

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/02/10-14A

RESOLUTION

RESOLVED, Opposing the proposed Truck Depot to be built in Franklin Township in Warren County.

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

Presentation by Environmental Capital regarding the Sale of Carbon Credits.
CANCELLED FOR THIS EVENING.

Director Mennen advised the presentation by Environmental Capital regarding the Sale of Carbon Credits is a program which was presented to the Freeholders by the Hunterdon Land Trust Alliance and after research by the County Planning Department it appears at this juncture with the stake of the program at its infancy, it isn't viable for Hunterdon County at this point in time. The County now has a baseline of information now which may or may not become viable in the future. Mrs. Yard added that the Parks and Recreation employee who did the County's Forestry Management Plan has reviewed this material also.

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 was held at this time.

Mr. Sworen moved and Mr. Walton seconded a motion to approve the regular session minutes of January 19, 2010.

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

Mr. Sworen moved and Mr. Walton seconded a motion to approve the Social Services Funds Register, December 2009.

See Page 02/02/10-14B

SOCIAL SERVICES FUNDS REPORT

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

Mr. Sworen moved and Mr. Walton seconded these:

See Page 02/02/10-15A **RESOLUTION**

RESOLVED, Approving contractual longevity pay for Sergeants in the Sheriff's Office.

See Page 02/02/10-15B **RESOLUTION**

RESOLVED, Approving the appointment of Deputy Coordinators to the Office of Emergency Management Council.

See Page 02/02/10-15C **RESOLUTION**

RESOLVED, Approving the appointment of Bambi Kuhl to the Mental Health Board.

See Page 02/02/10-15D **RESOLUTION**

RESOLVED, Approving a fixed weight limit on County Bridge W-27, on Barry Road, in West Amwell Township.

See Page 02/02/10-15E **RESOLUTION**

RESOLVED, Authorizing the release of a performance bond, in the amount of \$18,000, to Rolling Meadows of Readington, LLC.

See Page 02/02/10-15F **RESOLUTION**

RESOLVED, Authorizing the release of a cash Performance Bond, in the amount of \$1,000, to Teresa Carfagnini.

See Page 02/02/10-15G **RESOLUTION**

RESOLVED, Authorizing the release of a cash Road Opening Deposit to Richard E. Yard Plumbing & Heating, Inc., for permit #06-0021, in the amount of \$500.

See Page 02/02/10-15H **RESOLUTION**

RESOLVED, Authorizing the release of a cash Road Opening Deposit to Richard E. Yard Plumbing & Heating, Inc., for permit #07-0027, in the amount of \$500.

See Page 02/02/10-15I **RESOLUTION**

RESOLVED, Approving the acquisition of a right of way and/or easement from Anna O. Felix, Philip Felix and Mary Felix, in Kingwood Township, in connection with Bridge Maintenance Easements for County Structures K093 and K093A, in the amount of \$756.

See Page 02/02/10-15J **RESOLUTION**

RESOLVED, Approving a contract with the New Jersey Department of Human Services, for Homeless funds, in the amount of \$151,384.

See Page 02/02/10-15K **RESOLUTION**

RESOLVED, Approving a modification to a contract with Catholic Charities, Diocese of Metuchen, increase of \$6,031, to provide juvenile evaluations.

See Page 02/02/10-15L **RESOLUTION**

RESOLVED, Opposing the new cost-sharing arrangement from the State with regard to maintenance of patients in state psychiatric facilities (87.5% / 12.5%).

See Page 02/02/10-16A

RESOLUTION

RESOLVED, Approving the appointment of Christopher Phalen to the Workforce Investment Board.

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

Mr. Sworen moved and Mr. Walton seconded a motion to pay claims in accordance with the Claims Register dated February 02, 2010, minus check #5977.

See Page 02/02/10-16B

CLAIMS REGISTER

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

Mr. Sworen moved and Mr. Walton seconded a motion approving check #5977 for disbursement.

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

Mr. Walton recused himself from the meeting at 8:25 p.m.

Director Mennen reported there is one additional resolution to be added, which is for a 60 day temporary appointment of John Caleca III, Esquire, as an attorney to the Construction Board of Appeals. This is under the same terms as the existing and retiring attorney, George Walton.

Mr. Melick moved and Mr. Holt second this:

See Page 02/02/10-16C

RESOLUTION

RESOLVED, Appointing John Caleca III as the temporary, attorney for the Construction Board of Appeals.

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

Mr. Walton returned to the meeting at 8:26 p.m.

GRANTS

Mr. Sworen moved and Mr. Holt seconded this:

See Page 02/02/10-16D

RESOLUTION

RESOLVED, Approving a grant agreement for the Multi-Jurisdictional County Gang, Gun and Narcotics Task Force, in the amount of \$40,272.

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

Director Mennen announced the Health Department has requested the extension of the County Environmental Health Act (CEHA) grant, through June 30, 2010.

Mrs. Yard explained during the Hunterdon County Utilities Authority meeting prior to the Freeholder Meeting, there was a request that when the County gets its Solid Waste Management Plan approved for the recycling plan, there was a paragraph which talked about the CEHA grant and it says the Department of Environmental Protection is concerned that recycling compliance inspections and enforcement may not occur at the level needed to achieve satisfactory improvements in the County's recycling rate. The Hunterdon County Utilities Authority asked that this be brought before the full Board to follow up on the request to the County Health Director who was asked to find out the grant award for the 2010 CEHA grant because it has been one of the stipulations of this Freeholder Board for the last two years, for the CEHA Grant that the Health

Department would work harmoniously with the County's recycling plan and they would continue to do what they normally do when they are out on restaurant inspections which is to do a little check list of the recycling efforts of certain restaurant establishments.

Mrs. Yard brought to the Board's attention that the reason this grant is being extended is because the money has not been expended from the 2009 grant. There may be more of a reason to make sure the County has the Health Department hold up their end of the bargain as far as recycling and compliance of the Solid Waste Management Plan. This Freeholder Board was going to direct to send a memorandum to the Health Director to find out the status of 2009 CEHA Award and the impetus of this notation in the correspondence from the State Department of Environmental Protection (DEP).

Director Mennen advised a question was raised on how did DEP get that impression. Was it an impression they received third hand or was it because someone in the County notified them.

Director Mennen advised it was the determination of the Hunterdon County Utilities Authority that the Health Director is not the Utilities Authority's employee but rather a County employee so that direction should come from this body.

Mr. Melick said if the Health Department is out investigating restaurants, which they must do, there is no reason they can't look at the recycling. Mr. Melick would like to see that the Health Director is directed to have this done. Mrs. Yard offered to find out the status from Mr. Beckley.

Mr. Holt stated a year or so ago, he and Alan Johnson, Solid Waste/Recycling Director met and talked about it being intelligent to look at the Health Department and the places they already inspect and putting the education component on the Health Department. He has no problem in doing that. This can be done by simply informing the Health Director.

Mrs. Yard will get the information for the Board.

Director Mennen asked Mrs. Yard to find out if this is a misunderstanding on the part of DEP. He wants to make sure that everyone understands what they are supposed to do.

Lois Stewart asked if the Health Department also inspects the long term care facilities in the County to check on their recycling. Mr. Holt stated they are state facilities.

Mrs. Yard advised part of the Solid Waste Management Plan makes the County the enforcer of making sure municipalities are recycling. Untapped resources are the schools, the developmental center, the prisons and long term care facilities because there is a lot that can be recycled and they don't do it.

Director Mennen recognized Veronica Slack, reporter, asked if there are bottle and can receptacles in the Main Street County Complex.

Mrs. Yard advised the recycling receptacles are in the office suits. She will make sure they are placed in public places also.

Mr. Holt moved and Mr. Melick seconded this:

See Page 02/02/10-17A

RESOLUTION

RESOLVED, Approving the extension of the County Environmental Health Act (CEHA) grant, through June 30, 2010.

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

CORRESPONDENCE

A request was received from Linda Castner of Up, Up Away in Hunterdon, Inc., asking for a letter of support to obtain federal funding through the "Garrett A. Morgan Technology and Transportation Education Program" (GAMTTEP), to develop the Central New Jersey GAMTTEP Collaborative. Mr. Sworen moved and Mr. Walton seconded a motion approving this request.

Director Mennen will sign this letter of support on behalf of the entire Freeholder Board.

Director Mennen recognized Carol Hoffman, representative of Up, Up Away in Hunterdon, Inc.

Ms. Hoffman provided the Board with information on the grant being sought from the United States Department of Transportation which promote the STEM Program (Science Technology Engineering and Mathematics for minorities and females). They have been working with the Delaware Valley Regional High School, Hunterdon Central Regional High School and the airport to put together programs, scholarships and internships in aviation to promote aviation using the airport as a learning center. They also have Raritan Valley Community College (RVCC) involved, as well as Rutgers University. Mrs. Hoffman went quickly through the programs provided.

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

FREEHOLDERS COMMENTS/REPORTS

Due to the late hour, the Board kept its comments to a minimum.

Fire Chief

Mr. Walton recognized Mark Strauss in the audience, who is the Chief of the Hunterdon County Chiefs' Association, as well as the Deputy Fire Chief in Annandale.

Hermia Lechner/Echo Hill Lodge

Mr. Melick asked the County Administrator, Cynthia Yard to elaborate on the meeting they attended today of the Hunterdon County Historical Society.

Mrs. Yard advised when Hermia Lechner passed away she left in a trust \$15,000 solely for the use of maintaining the structure on the Echo Hill property. This was known to the County for awhile and the County has been asking the Legal Department to assist with this and it is now to the point where Legal provided an outline of what would be the most logical to do and that is to ask the Historical Society if the \$15,000 which was solely earmarked for the maintenance of that structure be accepted by the Historical Society but passed on to the County to be placed in a dedicated account just for the maintenance of the building at Echo Hill. The Historical Society agreed so County Counsel's office was put in touch with Donald Schull, the attorney for the Historical Society and this will be handled quickly and the County will have the money in a special account. Mrs. Yard advised the County has been maintaining that building and this will assist in offsetting some of the maintenance.

Choir School

Mr. Melick reported also discussed with the Historical Society was the Choir School. He asked County Counsel DeSapio if there is any information on that deed. Mr. DeSapio reported it has been prepared and sent to the Choir School to sign, they are ready to vacate the building and dissolve themselves. Mr. DeSapio is waiting for the title search to be finished.

Mr. Melick advised he has had conversations with Erica Edwards of the Flemington Borough Council about the Choir School and possibly this could be considered surplus County property. There is a process to dispose of surplus that must be followed. The Borough of Flemington maybe interested in the Choir School or the Hunterdon County Historical Society could be interested.

Mr. Melick said he doesn't see the County selling the Choir School for a high dollar but he is confident the County doesn't want to spend money on the building. A nonprofit or the Borough maybe interested in the Choir School and could use it. Mr. Sworen feels this is a good start.

Mrs. Yard advised the Historical society asked Mr. Melick about the extent of the maintenance and if a list were available. The County Architect has prepared a list either last year or the year before and the maintenance is around \$400,000 to \$500,000.

Doric House

Mr. Melick reported that Richard Stothoff asked him about the small building the County acquired when it purchased the Hawke property. The building has no electricity. Mr. Melick told Mr. Stothoff to approach the County with a business plan if he was interested in the building.

OPEN TO THE PUBLIC

Refunding Bond

Mrs. Stewart thanked the Freeholders for saving the County money by adopting the Refunding Bond which she read about in the Hunterdon County Democrat.

Mrs. Stewart asked when the County will be discussing the definition of the terms that apply to the use of the land "Develop and Maintain".

Director Mennen stated the Freeholders are waiting for a redraft of certain areas where there was agreement when this was last discussed; such as no use of the funds for engineers or attorneys or professionals. That discussion will be reopened sometime in March 2010.

Mrs. Yard reported that the Open Space Trust Fund Coordinator is due to report on the "Develop and Maintain" language at the second meeting in March.

Mrs. Yard volunteered to inform Mrs. Stewart when this matter will be discussed.

Dvoor Farm

Margaret Waldock, Hunterdon Land Trust Alliance informed the Board that the Dvoor Farm has been accepted on the National Register of Historic Places.

Fire Chief

Mr. Strauss thanked the Board for keeping the lines of communication open with the Hunterdon County Fire Chiefs' Association. The Fire Chiefs' Association will be working hard efficiently and safely throughout the County.

Mr. Strauss invited the Board to attend the Fire Chiefs' Association meetings. If there are any questions or issues, he will gladly have communication on that.

There being no further business to come before the Board, Director Mennen adjourned the meeting at 8:50 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board