

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

January 19, 2010

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

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

OPEN PUBLIC MEETINGS ACT

Director Mennen announced: "This meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been given by posting throughout the year a copy of the notice on Bulletin Boards on the First and Second Floor of the Main Street County Complex, Building #1, Flemington, New Jersey, a public place reserved for such announcements. A copy was mailed on or before January 05, 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. Walton moved and Mr. Holt seconded these:

See Page 01/19/10-1A **RESOLUTION**

RESOLVED, Executive Session for the purpose of discussing legal issues in regard to a proposed joint project by the Township of Union to select a caretaker for the Hoffman Farm house.

See Page 01/19/10-1B **RESOLUTION**

RESOLVED, Executive Session for the purpose of discussing legal issues in regard to a contractual provision that existed in a contract with Hunterdon Central Regional High School when the Polytech building was purchased and in connection with Hunterdon Central's request for payment of \$180,000.

See Page 01/19/10-1C **RESOLUTION**

RESOLVED, Executive Session for the purpose of discussing negotiations in connection with the Polytech lease.

See Page 01/19/10-1D **RESOLUTION**

RESOLVED, Executive Session for the purpose of discussing an appointment to the Mental Health Board.

See Page 01/19/10-1E **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, and December 29, 2009, for the purpose of determining what portions will be released.

See Page 01/19/10-1F **RESOLUTION**

RESOLVED, Executive Session for the purpose of discussing negotiations with the Sheriff's Sergeants.

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

Director Mennen asked that the record reflect that he has spoken with County Counsel, Gaetano M. DeSapio, about the appearance of a conflict, although there never was an actual conflict, which resulted in him recusing himself in discussions with regarding to the condemnation of property in Tewksbury Township from the Melick LLC. That appearance is now concluded and therefore Director Mennen has received advice form County Counsel that he can now participate in the discussions/decisions going forward concerning property in Tewksbury Township.

Director Mennen advised he will reiterate this and check with Conflict Counsel, John Gallina, who will be present today at 4:00 p.m. to provide the Board with legal advice with regard to same.

Mr. Walton moved and Mr. Holt seconded this:

See Page 01/19/10-1G **RESOLUTION**

RESOLVED, Executive Session for the purpose of discussing the condemnation of property in Tewksbury Township from the Melick LLC.

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

The Hunterdon County Board of Chosen Freeholders recessed at 3:09 p.m., went into Executive Session at 3:14 p.m. and reconvened in Open Session at 4:45 p.m.

PLEDGE OF ALLEGIANCE

FLEMINGTON BOROUGH/Park Avenue realignment and improvements

Flemington Borough Councilwoman, Erica Edwards and Borough Engineer, Robert Clerico, came before the Board to make a presentation on the Park Avenue realignment and improvements.

Mr. Clerico brought the Board up-to-date on the Park Avenue improvements/realignment project in Flemington Borough. He explained when the project began in 1999, the cost was estimated at \$1.7 million and at the time the County entered into an agreement with the Borough to contribute up to \$600,000 toward the project. The Borough has looked into obtaining a federal government grant for the project in 2001 in the amount of \$1.1 million.

Mr. Clerico advised the Borough is talking with the New Jersey Department of Transportation about applying for additional funding for the project which is today estimated to cost \$3.1 million.

Director Mennen questioned Mr. Clerico concerning the cost of the project and the amount which it has increased since 1999. He stated that currently when the County puts a project out to bid, it comes in under the engineer's estimated project amount. Director Mennen stated he is curious to know the design expenditures and the costs for right of way acquisitions.

Director Mennen stated he talked with Ms. Edwards last week and asked for information on how the obligation was entered into with the Borough. Ms. Edwards advised she is still researching that.

Mr. Melick asked the Clerk of the Board to research any paperwork the County may have concerning this project, including minutes of meetings.

Director Mennen asked Mr. Clerico and Ms. Edwards to establish a date within the next two weeks to provide this information on the Park Avenue improvement/alignment to the Board for review.

Flemington Borough/Union Hotel

Ms. Edwards informed the Board that she heads Economic Development for Flemington Borough for 2010 and would like to talk with a Freeholder concerning the future of the Union Hotel as a historic resource. The entire Flemington Borough Council is committee to the economic development to further economic development in Flemington Borough and Hunterdon County.

Mr. Melick volunteered to talk with Ms. Edwards as he is the Liaison to the Hunterdon County Cultural and Heritage Commission.

Ms. Edwards reported that Flemington Borough has approach the County Planning Board about engaging a dialog about Heritage Tourism and its value to the County as a whole. Each individual municipality in the County has the potential to benefit from a Heritage Tourism program that would be led on the County level. Ms. Edwards isn't asking for funding and she isn't suggesting that any money is necessary at this point; they are looking to initiate a dialog and get direction from the County Planning Board on the right way to do this.

FINANCE

Mr. Walton moved and Mr. Holt seconded this:

See Page 01/19/10-2A

RESOLUTION

RESOLVED, Authorizing the establishment of various petty cash funds.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 01/19/10-2B

RESOLUTION

RESOLVED, Adoption of a resolution to exceed the County Budget Appropriations Limits and to establish a CAP Bank.

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

Kim Browne, Finance Director introduced Steve Rogut, Bond Counsel and Brian Burke, of RBC.

Mr. Rogut informed the Board that today was the pricing of the refunding bond issue which they have been working on for the County, for several months. Today's sale was very successful. Mr. Burke handed out a two page summary of the pricing results on the transaction to the Board. RBC Capital Markets attended the bond market today and priced the \$10,385,000.00 worth of bonds at a net interest cost of 1.46% to refinance \$10,450,000.00 worth of the County's outstanding bonds for bonds issued in 1998, 2000 and 2002.

Mr. Rogut advised the annual savings, comparing the existing debt service, of \$10,450,000 versus the debt service on new bonds, the total savings to be obtained is \$517,000.00; on an annual basis the average is around \$103,000.00 savings. These savings are in line with the projects of a few months ago when the bond ordinance was introduced, it was sent to the Local Finance Board for their approval, and the ordinance was adopted in November, 2009. Since that time the County Auditor, the County Finance Department and Bond Counsel have been working on the offering statement for the bond issue and it was first presented to Moody's Rating Agency where Moody's confirmed the County's "Triple A" rating. This then went out to market and today was the successful pricing of the bonds.

Director Mennen confirmed with Mr. Rogut, for the record, that the resolution he is presenting is the same resolution, as to form, which the Board received in their agenda packets, with just the details filled in.

Mr. Sworen moved and Mr. Melick seconded this:

See Page 01/19/10-3A **RESOLUTION**

RESOLVED, Adoption of General Improvement Refunding Bonds issue.

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

Mr. Melick asked Mr. Rogut if he could provide any tips for the Board, in going forward, on how to maintain the "Triple A" rating.

Mr. Rogut advised they received a good report from Moody's, who did a very thorough review of the County's credit and they were very impressed with the many aspects of the County, both the demographics, the economics of the County and the conservative practices of the County. Moody's was happy that there are no plans for future debt issues and that the County's debt matures within a very short period of time. Moody's is focusing on the numbers so they have standards and the number they focus on is surplus. They have models for what they consider the surplus level of a "Triple A" credit to be and the County definitely meets those levels and actually exceeds those levels.

PURCHASING

Mr. Melick moved and Mr. Walton seconded this:

See Page 01/19/10-3B **RESOLUTION**

RESOLVED, Approving County Requisition #40023375, with Storr Tractor Company, for a flail mower cutter head, for Roads, Bridges and Engineering, in the amount of \$12,180.

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

Mr. Melick moved and Mr. Walton seconded this:

See Page 01/19/10-3C **RESOLUTION**

RESOLVED, Approving County Requisition #40023263, using County Quote #0085-2009, with Cherry Valley Tractor Sales, for flail mower cutter heads, for Roads, Bridges and Engineering, in the amount of \$14,590.

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

Mr. Sworen moved and Mr. Melick seconded this:

See Page 01/19/10-3D **RESOLUTION**

RESOLVED, Approving County Requisition #IT.3146, using State Contract #A-72727, with Dell, for software licenses, for Information Technology, in the amount of \$110,286.98.

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

Mr. Walton moved and Mr. Sworen seconded this:

See Page 01/19/10-3E **RESOLUTION**

RESOLVED, Approving County Requisition #24795, with Queues Enforth Development, for software maintenance, for the Communications Division of Public Safety, in the amount of \$32,613.

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

Mr. Sworen moved and Mr. Walton seconded this:

See Page 01/19/10-4A

RESOLUTION

RESOLVED, Authorizing the rejection of the bid received for County Bid #2009-23, from Modern Handling Equipment of New Jersey, for failure to submit required documentation and requesting permission to rebid.

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

Mr. Walton moved and Mr. Sworen seconded this:

See Page 01/19/10-4B

RESOLUTION

RESOLVED, Approving a professional auditing services agreement for Fiscal Year ending December 31, 2009, for the Housing Agency, to Suplee, Clooney & Company, in an amount not to exceed \$7,200.

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

ROADS and BRIDGES Update

John P. Glynn, Director, Roads, Bridges and Engineering updated the Board on various County roads and bridges.

- A public information meeting was held for the Intersection of County Route 612 and the road for the Hunterdon Medical Center, last Wednesday, January 13, 2010. This project is replacing a culvert and widening on the west bound side of Route 612 to create a left hand turning lane, into the hospital road. There have been issues with emergency vehicles not being able to get into the back side of the emergency room. Mr. Glynn noted that no one attended the public information meeting. He will be sending the plans to the Raritan Township Planning Board and the Raritan Township Engineer for comments.
- A S.A.G.E. application has been submitted and accepted for the County Route 519 and County Route 650 project, by the State Department of Transportation for funding.
- The County has not heard back from the State Historic Preservation Office (SHPO) concerning County Route 619 in Frenchtown. The County will be contacting SHPO to see where that application stands.
- Warren County is the lead on Inter-County Bridge B-26-W, on Valley Station Road, Bethlehem Township. The contractor has to be out of the water by March 15, 2010, as it is a trout maintenance stream. The project fell behind on pouring the pier abutment but it should be poured out by January 22, 2010 and the abutment footing on Hunterdon's side should be completed by January 25, 2010. The contractor will then do the veneer.
- A meeting was held with the utility company concerning the Alexauken Creek Road project. A meeting was also held for right of way, where the farmer agreed to sign.
- There is a drainage project on County Route 513, in High Bridge where it floods on 513 by Rocky's Garage. The County will be forwarded the plans and specifications for this project to High Bridge Borough for comment because the drainage structure falls across the High Bridge property.
- The drainage project at Gauntt Place, Route 31 County Complex, is now complete. The County should be able to get positive grade out of the building. Mr. Glynn recommended not discarding the sump pumps but this should be handled through a gravity drain.
- Authorization has not been received to go to bid on the resurfacing projects for County Route 512, 517, 623 and 625. These projects need to be advertised in order to take advantage of the current construction pricing.
- A date has been set to meet with the citizens of East Amwell Township concerning Bridge E-174 on Wertsville Road. It will be held at the County Engineering Department and Freeholder Walton will be attending the meeting as Freeholder Holt has a scheduling conflict.

Mr. Walton moved and Mr. Holt seconded this:

See Page 01/19/10-4C

RESOLUTION

RESOLVED, Setting a public hearing date for the replacement of County Bridge E-174, on County Route 602 (Wertsville Road), over a tributary of the Back Brook, in East Amwell Township, for Tuesday, February 02, 2010, at 6:00 p.m., in the Freeholders' Meeting Room.

Frances Gavigan of East Amwell Township asked if the public hearing could be scheduled to be held in East Amwell Township instead of at the Freeholders' Meeting Room in Flemington.

Director Mennen explained that ordinarily, the Board likes to the public hearings in the County buildings where information/data/maps are available to the Board should questions arise. There is also an access to Finance should funding come into question.

Director Mennen stated the public hearing is open to the public, so anyone can attend. The County is meeting with people from the municipality prior to the public hearing. There is plenty of opportunity for people to be involved in this process.

Gary Hines of the Delaware Township Planning Board stated they have been having meetings with representatives of the County Engineering Department about bridge, road and culvert projects in Delaware Township. The County has been courteous to schedule the meetings at their municipal building and at an evening hour. He asked if Mrs. Gavigan's request could be granted to hold the public hearing in the Township.

Director Mennen confirmed with Mr. Glynn that the purpose of the public hearing being contemplated is only in regard to the rights of way. There is what the discussion will be about. The public hearing is not with regard to design or with regard to anything other than the rights of way for County Bridge E-174.

Mr. Glynn advised the County never had any right of way acquisition meetings held outside of the realm of the Freeholder Board's meeting area. There are meetings with engineering staff and the working group to discuss the project but right of way has always been with the Freeholders.

Mr. Glynn explained after action is taken to authorize the acquisition of the right of way and proceed, then offers will be made to the individual property owners and then there would be a give and take of negotiations.

Director Mennen confirmed with Mr. Glynn that this does not consummate the transaction with the individual property owners.

Mrs. Gavigan noted that the Higgins/Prall House is an historic structure located on the road, as is the Fisher House.

Mr. Glynn advised that the County has received all approval from the State Historic Preservation Office on this project to acquire the property in accordance with the plans.

Freeholder Holt interrupted saying the topic here is whether the meeting will be held at the County or the municipality; it isn't to go into a dialog on the plans.

Barbara Sigesor of East Amwell Township asked the Board to consider holding the meeting in the East Amwell Township hall at an evening hour.

Director Mennen informed those present that there is not a protocol in place for holding hearings related to specific right of way acquisitions in the municipality. He confirmed this with County Counsel DeSapio and Mr. Glynn. He further stated meetings held in municipalities were for substantive discussions with regard to design, and things of that nature.

Freeholder Holt pointed out that the public hearing is a part of the Freeholders' standard meeting on February 02, 2010.

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

OPEN SPACE

Kevin Richardson, Open Space Trust Fund Coordinator came before the Board concerning the continuation of the discussion regarding the interpretation of language on the Open Space 2010 Ballot Question.

Director Mennen asked if the Board desires to keep the definition has is for the Open Space 2010 Ballot Question; or is there a desire to change it; then it needs to move along.

Director Mennen noted the expenses excluded include labor, professional services and such. He feels there was unanimity among the Board that the funds should not be used for dumps trucks and expenditures of like kind.

Mr. Sworen confirmed that language such as major equipment, including but not limited to dump trucks, construction equipment and lawn attending equipment.

Director Mennen asked Mr. Richardson to capture the sentiment of the Board for the policy.

Mr. Richardson confirmed that would be included in the policy and procedures, the allowable costs and eligible costs, what would and would not be permitted. Examples would be very appropriate in that section of the policies and procedures.

Mr. Sworen confirmed that funds collected in 2010 won't be expended until January 01, 2011. He asked when someone would be allowed to request spending those funds.

Mr. Richardson said requests could be sent in the beginning of 2011 because the County won't have the allocations or the distribution amounts; nor will municipalities know what those amounts are until the later part of January/February 2011.

Mr. Sworen feels there is a need for additional clarification but he would like to see something put in place today as a starting point, outlining a majority of what needs to be done to give everyone an idea of what the major rules are and the rest can be addressed later in the year, to fine tune the policy. This Board needs to start the budget process and once that is completed, we can return to this issue for fine tuning.

Director Mennen agreed this is a good starting point, as he has said in previous meeting, he would like to find the areas of commonality and have the Board move forward on those items.

If there is no concern with regard to establishing a sense of expectation on the part of any municipality for an application, subsequent to this change, then there is still time to work through those other definitional changes that are needed. He feels this is a starting point, not an end point. He does not feel the language is strong enough but it is a starting point.

Mr. Melick doesn't feel this the language is strong enough and said the Board really needs to discuss this before putting the budget to bed.

Director Mennen asked Mr. Richardson the costs to modify the policy and procedures manual.

Mr. Richardson said it is more the expenditure of time than the actual expenditure of money. Most of the policies and procedures are done through his office and it is time intensive. He was hoping by having this discussion to get some framework and discussion about the overall "develop, improve, and maintain". After tonight, he will embark upon updating the Policies and Procedures Manual, dealing with this section only so that it will identify the eligible projects, projects that aren't eligible, allowable costs, disallowed costs, what can be submitted subject to the review, evaluation, approval of the Open Space Advisory Committee; as well as the Freeholder Board and what will not be considered in terms of an application. Mr. Richardson anticipates the process will take between six to eight weeks before it is presented to the Board for review, once the Board provides direction.

Mr. Richardson said from what he is hearing from the Board, he can elaborate on the administrative/operational costs. He would consider the purchase of a dump trucks as an operational cost. He could hone in on the types of equipment, construction equipment that would not be eligible.

Mr. Holt said regarding the definition to the development of public parks, playgrounds and other recreational facilities. He doesn't want to see open space dollars spent for ball fields.

The Board further discussed the types of equipment/construction equipment which would be excluded or disallowed, Director Mennen thinks that all types of construction equipment will be excluded. Mr. Sworen added that includes maintenance equipment.

Cynthia J. Yard, County Administrator, asked the process applications will take and if they are reviewed by the Open Space Advisory Committee.

Mr. Richardson advised that traditionally the municipal allocations are all central to submitting applications that are eligible. It has been the general policy that these are funds that are allocated to municipalities for their respective use and is subject to them submitting an application; if it is an eligible application then the request would not be denied.

Mr. Richardson confirmed for Mrs. Yard that all municipal application requests are reviewed.

Director Mennen confirmed with Mr. Richardson that setting these parameters is very important in terms of giving clear guidance to the Open Space Advisory Committee (OSAC) for when they review these applications so they can make an appropriate decision because they will have gotten clear direction. Director Mennen stated that OSAC is only in the position of rendering advice to the Freeholder Board which has the ultimate authority to approve/disapprove applications.

Director Mennen confirmed with Mr. Richardson that it is important that this Board gives clear guidance on what is allowed and not allowed.

Director Mennen asked Mr. Richardson if there are elements of the Policies and Procedures manual that is being amended at this time. Mr. Richardson said this is the substantive component of the manual.

After further discussion, Mr. Walton moved and Mr. Sworen seconded a motion directing the Open Space Trust Fund Coordinator to get started on the Policy and Procedures Manual with regards to Item "C", in his memorandum dated January 12, 2010 (see attached), the bullet point, the italicized section on page 2, with the additional exclusions of construction and maintenance equipment.

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

Director Mennen advised the Board will further discussion this issue at a later meeting.

COUNTY Update **County Policies**

Cynthia J. Yard, County Administrator informed the Board there are three different policies on the agenda this evening. The first to be discussed is the Leave Time for Volunteer Firefighters, First Aid and Rescue Squad members. Mrs. Yard explained the County has not had a formal policy concerning leave time for its volunteer firefighters, first aid and rescue squad members but it does have a practice for these individuals and they are protected under New Jersey State Statute N.J.S.A. 40A:9-160.1.

Cheryl A. Wieder, Human Resources Director came before the Board to outline this policy and its provisions. She answered questions for the Board.

Mr. Walton moved and Mr. Sworen seconded this:

See Page 01/19/10-7A

RESOLUTION

RESOLVED, Approving County Policy #10-01, Leave Time for Volunteer Firefighters, First Aid and Rescue Squad members.

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

Mrs. Yard reported the County currently does not have a policy for adults working with Children in the County.

Mrs. Yard reported that Ms. Wieder worked with the Public Safety Director, George Wagner and County Counsel's office on this policy. This policy is modeled from the policy used at the Youth facility. This policy would put in place background checks for individuals working with children, as is currently done for individuals working at the Youth Shelter. All departments who deal with children will receive training on boundaries and what is acceptable.

Cheryl A. Wieder, Human Resources Director came before the Board to outline this policy and its provisions. She answered questions for the Board.

Mr. Walton moved and Mr. Melick seconded this:

See Page 01/19/10-7B

RESOLUTION

RESOLVED, Approving County Policy #10-02, Standards of Conduct for Adults Working with Children in the County.

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

Mrs. Yard informed the Board that at the direction of the Board, she has met with Administrative staff to discuss County Policy #2005-03, regarding the fringe benefits for Constitutional Officers, Department Heads, Unclassified Employees and Non-Contractual Employees. Mrs. Yard explained Roman Number X in the policy talks about overtime. In the original policy, it said that department heads may provide compensatory time for unclassified employees working under them at the discretion and in lieu of overtime pay. This has become an issue/problematic because there were managers approving compensatory time for unclassified employees.

Mrs. Yard advised the changes to this policy would say that employees covered under this policy are not entitled to receive overtime or compensatory time unless it is authorized by the governing body. It is not a department manager who can say you can have two hours of compensation time because you are writing a report which could wait until another day. It also says that requests for compensatory time for unclassified and non-contractual employees, other than department managers and division managers must be justified by the department manager and forwarded to the Human Resource Director and a recommendation come to the Board of Chosen Freeholders. If it is a department manager or a division manager it has to come to the County Administrator and she would consider the justification and make a recommendation to the Board.

After further discussion, it was noted if your are an unclassified employee you do not receive overtime pay or compensatory time.

Mr. Walton moved and Mr. Melick seconded this:

See Page 01/19/10-7C

RESOLUTION

RESOLVED, Approved as amended County Policy #2005-03, for Fringe Benefits for Constitutional Officers, Department Heads, Unclassified Employees and Non-Contractual Employees.

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

Small Cities Community Development Block Grant

Mrs. Yard reported to the Board that the County has been awarded by the New Jersey Department of Community Affairs, a Small Cities Grant for 2010, in the amount of \$200,000 and the County will match that amount by \$100,000.

FOR DISCUSSION

Union Township/RFP/Hoffman House

Tabled - Request from Union Township to issue a RFP (Request for Proposals) to select a nonprofit agency to utilize the Hoffman Farm house.

Freeholder Meeting Times

The Board discussed meeting times with Mr. Sworen recommending the Board try meeting later to be more accessible to the public. He suggested executive session start around 4:30 or 5:00 p.m. with open session beginning around 7:00 or 7:30 p.m.

Mr. Melick said the Board needs to consider its department heads. He appreciates them and the time they put in to attend these meetings.

Mr. Sworen personally feels if a department head has to stay late for a meeting they should be allowed to come in late the next meeting. Mrs. Yard stated that is not the County's policy, but the Board can change the policy.

Mr. Holt said a 3:00 p.m. starting time allows him to leave his office for awhile. He recalls in 2007 when the Board's meetings started at 2:00 pm. and went through to 11:00 p.m. and later. He stated the efficiency of the meetings has improved. He is supportive of a 3:00 p.m. start time and he is supportive of a 5:00 p.m. public time. Mr. Holt said any issue that anticipates public is moved to the later portion of the agenda.

Mr. Holt stated he would support a later start time, only after he sees that this Board has attained enough efficiency that the meetings aren't going through to 11:00 p.m.

After further discussion, the Board agreed to a trial period for changing the meeting times.

Mr. Sworen moved and Mr. Walton seconded a motion approving the Board to meet in executive session starting at 4:00 p.m. with open session starting at 6:00 p.m. and the meetings are not to go past 9:00 p.m. for a three month trial period starting on February 02, 2010 through April, 2010.

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

CONSENT AGENDA

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

Items 2 and 15, held at this time.

Mr. Sworen moved and Mr. Walton seconded a motion to approve the claims in accordance with the Claims Register dated January 19, 2010.

See Page 01/19/10-8A CLAIMS REGISTER

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

Mr. Sworen moved and Mr. Holt seconded these:

See Page 01/19/10-8B RESOLUTION

RESOLVED, Patricia Davino appointed permanent, full time Principal Clerk Typist, Rutgers' Cooperative Extension.

See Page 01/19/10-8C RESOLUTION

RESOLVED, Laura Kroon appointed permanent, full time Park Naturalist, Parks and Recreation.

See Page 01/19/10-8D RESOLUTION

RESOLVED, Guadalupe Fowler appointed permanent, full time Program Coordinator Senior Citizens Transportation, Human Services Department.

See Page 01/19/10-8E RESOLUTION

RESOLVED, Keith Monahan appointed permanent, full time Park Maintenance Worker, Parks and Recreation.

See Page 01/19/10-8F RESOLUTION

RESOLVED, Judith Richterman appointed temporary, as needed Instructor, Senior Services Division of Human Services. (Salary paid by fees obtained for classes).

See Page 01/19/10-8G RESOLUTION

RESOLVED, Brayden Fahey appointed temporary, as needed Instructor, Emergency Management Division of Public Safety.

See Page 01/19/10-8H RESOLUTION

RESOLVED, Setting longevity payments for employees under the CWA Supervisory Contract.

See Page 01/19/10-8I RESOLUTION

RESOLVED, Setting longevity payments for employees under the CWA Non-Supervisory Contract.

See Page 01/19/10-9A

RESOLUTION

RESOLVED, Setting longevity payments for unclassified employees in accordance with the Fringe Benefit Policy.

See Page 01/19/10-9B

RESOLUTION

RESOLVED, Appointing various individuals (employees) to serve temporary, as needed, hourly, to provide support to the Health Department and the H1N1 Vaccination Clinics.

See Page 01/19/10-9C

RESOLUTION

RESOLVED, Approving State Change Order #1, for County Bid #2009-05, for the Reconstruction of Bridge M-110, on Water Street (County Route 519), over the Quequacommissacong Creek, in Milford Borough, with Kalogridis Contracting, increase of \$64,582.92.

See Page 01/19/10-9D

RESOLUTION

RESOLVED, Approving the final payment for County Bid #2009-05, for the Reconstruction of Bridge M-110, on Water Street (County Route 519), over the Quequacommissacong Creek, in Milford Borough, to Kalogridis Contracting, in the amount of \$158,009.40.

See Page 01/19/10-9E

RESOLUTION

RESOLVED, Approving a Change Order #1, Final, for County Bid #2009-10, for the 2009 Resurfacing and Surface Treatment of various County Roads, with Mannon Excavating and Paving Co., Inc., in the decreased amount of \$8,719.18.

See Page 01/19/10-9F

RESOLUTION

RESOLVED, Approving a professional services agreement for medical examiner services, to Steven M. Diamond, D.O., in an amount not to exceed \$250,000.

See Page 01/19/10-9G

RESOLUTION

RESOLVED, Approving the "Federal Fiscal Year 2010 Certifications and Assurances" for the Federal Transit Administration Assistance Program.

See Page 01/19/10-9H

RESOLUTION

RESOLVED, Approving the appointment of Elizabeth Rice to the Cultural and Heritage Commission.

See Page 01/19/10-9I

RESOLUTION

RESOLVED, Approving the reappointment of Cynthia J. Yard to the Hunterdon County Utilities Authority.

See Page 01/19/10-9J

RESOLUTION

RESOLVED, Approving the appointment of Rosa Yoo to the Shade Tree Commission.

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

Minutes

Director Mennen made minor changes to clarify the minutes of December 29, 2009, concerning the allocations for 2010 Open Space Trust Fund Revenue, in order outline the specific allocations to reduce confusion.

Mr. DeSapio informed the Board that a public hearing on this issue is necessary because of what is being done with the municipal allocation.

Director Mennen questioned how the Board got this far on December 29, 2009 when it kicked this around for two hours, discussing different number. Why wasn't a notice done then.

County Counsel DeSapio was not aware the Board was discussion anything other than cutting up the allocations, until he received an email from the Planning Director, Sue Dziamara, who asked if a public hearing is necessary.

The Clerk of the Board was directed to work with County Counsel to get a notice in the paper to reflect a public hearing on February 02, 2010 for this issue.

Mr. Sworen moved and Mr. Holt seconded a motion to approve the regular session minutes of December 15, 2009, the special session minutes of December 29, 2009 and the reorganization minutes of January 05, 2010.

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

Mr. Holt moved and Mr. Sworen seconded this:

See Page 01/19/10-10A

RESOLUTION

RESOLVED, Approving plans and specifications for the Replacement of Hunterdon County Bridge E-166, on County Route 602 (Wertsville Road), over the Back Brook, in East Amwell Township.

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

PROCLAMATION - to be rescheduled for February 02, 2010

GRANTS

Mr. Sworen moved and Mr. Walton seconded this:

See Page 01/19/10-10B

RESOLUTION

RESOLVED, Approving a grant, as a result of an antitrust class action lawsuit against recording companies, to receive \$575, from the New Jersey State Library and approving a Memorandum of Understanding with the State Library, to receive these funds.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 01/19/10-10C

RESOLUTION

RESOLVED, Approving a Federal Aid grant with the New Jersey Department of Transportation, for the Reformatory Road Bridge C-88 project, in Clinton Township.

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

Mr. Holt moved and Mr. Walton seconded this:

See Page 01/19/10-10D

RESOLUTION

RESOLVED, Approving a Federal Aid grant with the New Jersey Department of Transportation, for the Wertsville Road Bridge E-166 project, in East Amwell Township.

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

Mr. Walton moved and Mr. Holt seconded this:

See Page 01/19/10-10E

RESOLUTION

RESOLVED, Approving a Federal Aid grant with the New Jersey Department of Transportation, for the Wertsville Road Bridge E-174 right of way project, in East Amwell Township.

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

CORRESPONDENCE

A request was received from Somerset Wheelman for permission to conduct the Readington Time Trial, on County Route 629 (Pleasant Run Road), on Sunday, April 17, 2010, from 8:00 a.m. until 9:45 p.m. Mr. Melick moved and Mr. Walton seconded a motion granting permission provided this event is coordinated through the County's Department of Roads, Bridges and Engineering.

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

FREEHOLDERS COMMENTS/REPORTS

Swearing in of the Governor, New Jersey

Mr. Sworen reported the Freeholders were able to participate in a great event today, the orderly and peaceful transition of power in the State of New Jersey. He wishes the new governor, Chris Christie all the best.

OPEN TO THE PUBLIC

Historical Alliance Meeting

Mrs. Gavigan thanked the Planning Director, Mrs. Dziamara who spent four hours at a Hunterdon County Historical Alliance meeting at the Raritan Township municipal building last Saturday. Mrs. Gavigan also thanked Freeholders Holt and Sworen for attending the meeting. The discussions were proactive and she learned much from the meeting.

OPRA/5 year plans

Mrs. Gavigan informed the Board she has placed an Open Public Request for the County's Five year plans for the past ten years. She is hoping to find out how projects get from point A to point B. She learned Friday that in 1999 the State of New Jersey bonded \$250,000,000 per County for County bridge projects.

Freeholders' Meetings/Agendas

Mrs. Gavigan thanked the Board for changing the meeting times so that the public has more access. She suggested the Board consider following East Amwell Township's model for meetings, so there is a set time to open with an initial open to the public where people can say what they want and leave.

Road Department Projects

Mrs. Gavigan asked County Counsel DeSapio when the County road department project requires a detention basin and it ends up on private property, who is obligated to do the storm water management. Is it the property owner and who pays the cost of maintenance.

Mr. DeSapio told Mrs. Gavigan that he did not want to answer that question before checking with the Director of Roads, Bridges and Engineering to see what is being planned. He asked Mrs. Gavigan to check with him later.

Press

Various questions were answered for the press.

EXECUTIVE SESSION

The Hunterdon County Board of Chosen Freeholders reconvened in Executive Session at 7:45 p.m. and reconvened in Open Session at 8:20 p.m.

There being no further business to come before the Board, Director Mennen adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board