

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

June 01, 2010

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:20 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

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. Walton moved and Mr. Melick seconded these:

See Page 06/01/10-1A RESOLUTION

RESOLVED, Executive Session for the purpose of discussing negotiations with the Prosecutor's Units and other law enforcement units.

See Page 06/01/10-1B RESOLUTION

RESOLVED, Executive Session for the purpose of discussing the status of the Horseshoe Bend Road land transaction.

See Page 06/01/10-1C RESOLUTION

RESOLVED, Executive Session for the purpose of discussing the indictments against the Sheriff, Undersheriff and former employee in the Sheriff's Office.

See Page 06/01/10-1D RESOLUTION

RESOLVED, Executive Session for the purpose of discussing a dispute with the Sheriff over the use of her trust fund, discuss the position of the mediator and inform the mediator of the discussion.

See Page 06/01/10-1E RESOLUTION

RESOLVED, Executive Session for the purpose of discussing the present status of the agreement with the department head managers association and the timetable to make decisions about the wage and salary increases for the people formally in that unit.

See Page 06/01/10-1F RESOLUTION

RESOLVED, Executive Session for the purpose of discussing the status of the Kuhl/Kadezebach land acquisition.

See Page 06/01/10-1G RESOLUTION

RESOLVED, Executive Session for the purpose of discussing the review of a contractors' claim for payment.

See Page 06/01/10-1H RESOLUTION

RESOLVED, Executive Session for the purpose of reviewing the Executive Session minutes for May 04, 2010, May 11, 2010 and May 18, 2010.

See Page 06/01/10-1I RESOLUTION

RESOLVED, Executive Session for the purpose of discussing appointments/reappointments to the Human Services Advisory Council.

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

The Hunterdon County Board of Chosen Freeholders recessed at 6:00 p.m. and reconvened in Open Session at 6:01 p.m.

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Director Mennen opened the meeting to the public.

Dermit P. O'Grady came before the Board advising he has been asked by the New Jersey Attorney General to act as County Prosecutor for the County of Hunterdon for the next few weeks or months and he wanted to take this opportunity to introduce himself to the Freeholder Board.

Prosecutor O'Grady assured the Board he is doing his best to become acclimated to the Office and is getting up to speed on all issues. He informed the Board he can be reached at anytime; he has already met with the Freeholder Director, County Counsel and the County Administrator. If the Board has any concerns or issues, please feel free to contact him at anytime.

SUPERINTENDENT OF SCHOOLS

Dr. Gerald Vernotica, County Superintendent of Schools thanked the Freeholder Board and the County Administrator for inviting him to come this evening to provide an overview of what has been occurring since the passage of the CORE Reform legislation; and some of things that have materialized upon the recommendations that have been made in order to move in compliance with all the CORE Reforms.

Dr. Vernotica explained the powers and duties of Executive County Superintendent, which is under Title 18A Education, 7-8, General powers and duties.

Dr. Vernotica stated that Administrator Yard gave him some areas to go through that would be of interest to the Board.

Dr. Vernotica stated the responsibility of the Executive County Superintendent is to review and approve, according to standards adopted by the commissioner, all employment contracts for superintendents of schools, assistant superintendents of schools, and school business administrators in school districts within the County, prior to the execution of those contracts. Dr. Vernotica stated this is new legislation and these are new powers and abilities given to the Executive County Superintendent before any contract for same can be approved by a Board of Education, it first comes to his office, it is reviewed by a number of standards that were established in Trenton and then sent back to the Board of Education. There are a number of things that are no longer required, such as Disability Policies, Insurance Policies other than what the total population is getting. The comparability analysis requires that every Executive County Superintendent look at the contracts of administrators and either approve or disapprove of them based upon the comparability of the region. Superintendent salaries, Assistant Superintendent salaries, Business Administrator salaries that are comparable within a regional. He has used Hunterdon County as the regional benchmark, therefore if contracts come in with what would be considered excessive, it is basically disapproved or sent back or if contracts do not meet any of the criteria. There was a test case recently, of one contract being rejected on comparability for excessiveness which was appealed to the Commissioner and then was sent to the Office of Administrative Law (OAL). It was settled through the Attorney General's Office and that particular Board of Education. If contracts come in that are excessive or don't meet the criteria, they are disapproved or sent back to the Board of Education.

Mr. Sworen questioned if compatibility is across the county or is it a difference between a Raritan Township School and Hampton School.

Dr. Vernotica stated it is across the County; and he also looks at other counties in the central regional of New Jersey; other school districts within the central regional which would be Middlesex, Somerset. It has to do with the size of the schools, number of students and budget; and including what type of other assistance they get. There are a number of variables that are looked at when reviewing contracts.

Dr. Vernotica stated when there are concerning regarding budgeting, he is able to order a forensic audit and to select an auditor for any school district in the County according to standards adopted by the Commissioner. That has not been done in Hunterdon County yet.

Dr. Vernotica stated his office is saving the County hundreds of thousands of dollars, if not millions, in 2009/2010 just by reviewing budgets at mid-term. Every school budget under this authority must come to the Executive County Superintendent who reviews the budgets and according to standards and the efficiency standards outlined in the regulations, the line items are reviewed and then recommendations are made for either reallocation or reductions for those budgets. He has the ability to review line items to determine if there is too much or too little when it comes to the instructional line. They have to look at all operational and administrative efficiencies and administrative accounts. He is able to red line items that are over the median or can ask the District to reduce that particular line item.

Dr. Vernotica announced that in the 2009/2010 totals, his office reduced/reallocated \$7,669,000 by the mid-year review and the final review of budgets. This does not include any of the dollar amounts in reductions in or types of terms and conditions that are in administrative contracts. Dr. Vernotica stated that is also a savings of million of dollars over the last two-three years by either reducing or not allowing certain conditions and/or terms.

Dr. Vernotica advised Hunterdon County was the third county with the highest percentage of defeated budgets this school year. All municipalities which dealt with the budgets recommended reductions to almost all of the school budgets. The only budget that did not meet the requirements of all the municipalities certifying the tax rate was the North Hunterdon-Voorhees

Regional School District and that budget came to him as the representative of the Department of Education. Dr. Vernotica stated he and his business administrator just finalized the recommendation to the Commission today, given the fact there was not an agreement as to what to certify or there was a failure to agree from one of the municipalities and two other municipalities decided they wanted further reductions. Dr. Vernotica stated his recommendation went to the Commissioner to certify the tax rate for those particular municipalities and will be made public tomorrow.

Dr. Vernotica stated even prior to the new regulations redefining the position of Executive County Superintendent, that Hunterdon County has been working on shared services, cooperative purchasing, shared administrative positions and Dr. Vernotica provided the Board with the Hunterdon County Shared Services Report for all the school districts in Hunterdon County, as of April 2010. (see attached).

Dr. Vernotica stated he is also working on a statewide/Countywide database to identify special education placements and to identify exactly where special education students are "out of districts" and where appropriate, if they can be brought back to the least restrictive environment. Districts are being encouraged, on an ongoing basis to bring students with special needs back to their school district in order to reduce those particular expenditures. He noted there has been some success with that; a number of children have come back to their home schools; or there are a number of cooperatives being developed within the County particularly when it comes to pre-school handicapped classes so that other districts can now share.

Dr. Vernotica reported there are a number of different shared administrative positions within the County which are shared such as superintendants; currently there are two administrators who have taken on more than one school district as a shared superintendant; there are shared business administrators; there is one business administrator who is taking on three school districts. Dr. Vernotica stated he is on the phone, almost everyday, because of the attrition of superintendents leaving, encouraging Board of Education to share those particular positions.

Dr. Vernotica stated Executive County Superintendents have the authority to recommend to the Commissioner that the administrative position be taken over by one person, if appropriate, if practical and if there is a cost savings but there are statutes that basically are conflicting within Title 18A. He recently put together a recommendation to the Commissioner and Governor that statutory changes would be needed so that Executive County Executive Superintendents would have more authority to recommend sharing of superintendants by school districts. Currently the Boards of Educations have to agree and come to an interlocal agreement for a particular shared service. This can be done where it is practical and where there will be a cost savings but there are a number of things that would have to change and that was the recommendation he put to the Commissioner. The board representation would have to change from committee structure to a board as a whole. He is also asking for the flexibility of school boards to be able to submit one plan if it is a professional development plan; if it is a technology plan; if it is the equity plan, that they not be separate plans. If districts are sharing a superintendent, he wants articulation between the districts and the high school, so overtime they would only do one plan. This would create a situation where the superintendent could work with the two separate boards in order to come to instructional improvements.

Dr. Vernotica advised that annually an Annual Report to the Commissioner is prepared, which goes through all the statutory requirements and what has been accomplished.

Dr. Vernotica stated that by March 2010, every Executive County Superintendent was to make a recommendation to the Commissioner for the consolidation of school districts within the County. Those particular school districts would be any of the constituent districts that were K to 6 and K to 8 Districts that feed into a regional school district that were not K to 12.

Dr. Vernotica informed the Board that was is given advice from advisory committees, which were established within Hunterdon County, and the County Superintendent did make a recommendation to the Commissioner a few weeks ago and he has received an email that the Commissioner has review the consolidation plans and they are a matter of public records. (see attached). Unfortunately the recommendations could not be made for K to 12 systems because statutorily it would require feasibility studies and all the feasibility studies that were going to be funded through DCA (the State Department of Community Affairs) and the Department of Education; the \$3.5 to \$4 million dollars that was allocated to conduct these studies was cut with the State budget cut so there was no money to do the actual feasibility studies.

Dr. Vernotica advised the South Hunterdon Regional District is interested in consolidating and he has been working with them over the last two years and he will be putting together data that will be required by a feasibility study for the communities to vote and see if they would like to merge. South Hunterdon has showed great interest in combining the districts; unfortunately given the statutory requirements each of the constituent districts would all have to agree, and all vote yes in order for this to occur unless there are statutory changes.

Dr. Vernotica stated also in the South Hunterdon area, due to the high per pupil cost there have been municipal representatives/community representatives for the last year meeting monthly/bi-monthly with the school board identifying cost drivers and looking at what can be done to reduce administrative and operational efficiencies and possibly move towards consolidation and regionalization of those school districts. Dr. Vernotica stated this will be a model he will be recommending to the other school districts which failed this year; so there is open communication between the municipality and the school boards so that when budgets come up next year, there will be a better understanding of the budgetary process and the cost drivers in those communities.

Dr. Vernotica advised with the consolidation and regionalization recommendations, no recommendations could be made at this time to the Commissioner. That was a generic statement made by all Executive County Superintendents given the fact that the \$4 million in feasibility funding was cut due to the budget crisis.

Cynthia J. Yard, County Administrator, suggested to the Board that Dr. Vernotica provide the reports which were presented this evening to the Board of Chosen Freeholders as they are done annually by the County Superintendent of Schools Office. The Freeholders should be copied on all reports so the Board can see the fruits of Dr. Vernotica's labor. Dr. Vernotica stated he would be more than happy to do that.

FINANCE

Director Mennen opened the public hearing on Capital Ordinance No. 1-10, for furniture, fixtures and equipment.

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

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

Mr. Walton moved and Mr. Sworen seconded this:

See Page 06/01/10-4A

CAPITAL ORDINANCE NO. 1-10

ADOPTION, Capital Ordinance No. 1-10, authorizing the acquisition of office furniture, fixtures and business equipment, in the amount of \$110,000.

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

Director Mennen opened the public hearing on Capital Ordinance No. 2-10, for heavy public works machinery, equipment and trucks.

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

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

Mr. Melick moved and Mr. Holt seconded this:

See Page 06/01/10-4B

CAPITAL ORDINANCE NO. 2-10

ADOPTION, Capital Ordinance No. 2-10, authorizing the acquisition of heavy public works machinery, equipment and trucks for Roads and Bridges and vehicle services departments, in the amount of \$465,000.

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

Director Mennen opened the public hearing on Capital Ordinance No. 3-10, for the acquisition of computer equipment.

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

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 06/01/10-4C

CAPITAL ORDINANCE NO. 3-10

ADOPTION, Capital Ordinance No. 3-10, authorizing the acquisition of computer equipment, in the amount of \$75,000.

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

Director Mennen opened the public hearing on Capital Ordinance No. 4-10, for the acquisition of vehicles.

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

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

Mr. Walton moved and Mr. Holt seconded this:

See Page 06/01/10-4D

CAPITAL ORDINANCE NO. 3-10

ADOPTION, Capital Ordinance No. 4-10, authorizing the acquisition of vehicles, in the amount of \$50,000.

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

Mr. Sworen moved and Mr. Walton seconded this:

See Page 06/01/10-5A

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the 2010 budget for the Clean Communities Entitlement, in the amount of \$63,590.59.

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

Mr. Sworen moved and Mr. Walton seconded this:

See Page 06/01/10-5B

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the 2010 budget for the Body Armor Replacement Fund, in the amount of \$3,697.61.

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

Mr. Melick moved and Mr. Sworen seconded this:

See Page 06/01/10-5C

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the 2010 budget for the HIV Counseling and Testing Grant, in the amount of \$59,800.

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

Mr. Walton moved and Mr. Melick seconded this:

See Page 06/01/10-5D

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the 2010 budget for the Right to Know Program, in the amount of \$9,618.

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

Mr. Holt moved and Mr. Walton seconded this:

See Page 06/01/10-5E

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the 2010 budget for the Special Initiatives/Transportation grant, in the amount of \$33,768.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 06/01/10-5F

RESOLUTION

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the 2010 budget for the Multi-Jurisdictional Narcotics Task Force Grant, in the amount of \$40,272.

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

ROADS and BRIDGES Update

John P. Glynn, Director, Roads, Bridges and Engineering updated the Board on various County road and bridge projects.

- Final plans and specifications are being revised for County Route 519 and County Route 650. The reports have been forwarded to Raritan and Holland Townships, as well as Milford Borough for comments.
- County Route 523, in Raritan and Readington Township should be completed by June 4th 2010. There will be patching of the top soil and seeding due to the recent rains.
- County Route 635, in Hampton and Glen Gardner Borough, should be completed by June 11, 2010.
- Punch list items should be completed for the 2009 Resurfacing of various County roads in various townships by tomorrow.
- Bids are due on June 3, 2010 for the 2010 Resurfacing and Surface Treatment on County Routes 523, 579, 601, 602A, 602B, 607, 620 and 639, in various townships.
- The concrete deck for InterCounty Bridge B-26-W will be pulled shortly. The completion date for the project is June 30, 2010.
- Final details with property owners are being worked out for Bridge Q-168, on Pennsylvania Avenue in Raritan Township.
- The permit for Bridge W-124, on Alexauken Creek Road in West Amwell Township, has been posted on DEP's website for wetlands and stream encroachment.
- The County has not received authorization from NJDEP for Culvert D-329, on Pine Hill Road, in Delaware Township.
- The plans were forwarded to Tewksbury Township for Bridge T-166, on Boulder Hill Road, in Tewksbury Township. This is a deck replacement.

- Bids are due on June 17, 2010 for Sidewalks and Drainage at Gauntt Place, the Route 31 Community/Extension Services Buildings, in Raritan Township.
- County Bridge E-166 on Wertsville Road, in East Amwell Township will be closed on June 28, 2010.
- The contractor on the Bridge C-88 project will start in mid-June.
- A temporary bridge is in place for Bridge RQ-164, on Rockafellows Mills Road. The total structure has been dismantled and taken for repairs.
- The driveways and intermediate leveling layer will be started for County Routes 517/523 and the surface course will start on June 14, 2010.
- The County is waiting for a utility pole to be relocated by JCP&L, for the County Routes 512/513 project.
- The County is still waiting to hear from DEP on County Routes 600/612.
- A preconstruction meetings have not been scheduled for the federal stimulus projects (County Route 517 and County Route 625) as the County needs to provide the assessment of the bids and the feds will then schedule the preconstruction meetings within fifteen days.

Route 579

Mr. Glynn reported that Freeholder Sworen asked him to review the County Route 579 issue. He stated the project was resurfaced in 2004 by Renda Roads and the material was supplied by Welden materials out of Watchung. The project is six years old and there are areas of significant, premature failure. Mr. Glynn has reviewed the laboratory results. He noted the cores were taken from the areas where it failed. Mr. Glynn believes this is from the recycled asphalt material product being put into the surface course. He does not feel there is enough asphalt cement within the mix. He looked at the results and everything passed; the density and the composition. He did agree it is prematurely failing.

Bridge E-174

Mr. Glynn reported the County has received some schemes for the County Bridge E-174 project this past Friday and they are being reviewed with respect to the improvement to the issues raised at the public outreach. Mr. Glynn stated he will be working with the group from East Amwell on this.

FARMLAND PRESERVATION

Mr. Sworen moved and Mr. Holt seconded this:

See Page 06/01/10-6A

RESOLUTION

RESOLVED, Approving a grant agreement with Delaware Township, on Block 58, Lot 9, for a development easement (Armand Christopher), consisting of 56.188 acres, (SADC-\$353,984.40, County-\$117,994.80, Township-\$117,994.80), total amount of \$589,974.

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

OPEN SPACE PRESERVATION

Mr. Sworen moved and Mr. Holt seconded this:

See Page 06/01/10-6B

RESOLUTION

RESOLVED, Approving, upon the recommendation of the Open Space Advisory Committee, a Municipal Grant Program application with Bethlehem Township, for Block 33, a portion of Lot 40, (Roerig), consisting of approximately 40 acres, proposed new Lot 40.01, in the amount of \$14,250. (in cooperation with NJ Audubon Society and the NJ Water Supply Authority).

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

Mr. Walton moved and Mr. Melick seconded this:

See Page 06/01/10-6C

RESOLUTION

RESOLVED, Approving, upon the recommendation of the Open Space Advisory Committee, a Municipal Grant Program application with the Town of Clinton, for Block 16, Lot 21, for the historic reconstruction of the Gebhardt Field Grandstands, in the amount of \$77,744.77.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 06/01/10-6D

RESOLUTION

RESOLVED, Approving, upon the recommendation of the Open Space Advisory Committee, a Municipal Grant Program application with East Amwell Township, for Block 27, Lots 46 and 46.08, consisting of 28.987 acres, in the amount of \$36,780, (Harrison Living Trust), (in conjunction with the SADC and the CADB).

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

Mr. Walton moved and Mr. Sworen seconded this:

See Page 06/01/10-7A

RESOLUTION

RESOLVED, Approving, upon the recommendation of the Open Space Advisory Committee, Municipal Grant Program application for Readington Township, in the amount of \$263,495.40, for Block 22, part of Lot 6, (Jensen), consisting of 25.279 acres.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 06/01/10-7B

RESOLUTION

RESOLVED, Approving, upon the recommendation of the Open Space Advisory Committee, Municipal Grant Program application for Readington Township, in the amount of \$164,747.19, for Block 93, Lot 1, consisting of 23.261 acres (Amawalk Nurseries).

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

PURCHASING

Mr. Melick moved and Mr. Walton seconded this:

See Page 06/01/10-7C

RESOLUTION

RESOLVED, Approving Requisition No. 40024398, with Modern Precast, for a precast concrete frame culvert (E-163), on Route 602, in East Amwell Township, for the Roads, Bridges and Engineering Department, in the amount of 24,902.34.

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

Mr. Melick moved and Mr. Walton seconded this:

See Page 06/01/10-7D

RESOLUTION

RESOLVED, Rescinding a resolution adopted on February 16, 2010, for Bid #2009-28, for purging, reorganization and inventory of municipal records as part of Phase 2, of a project using PARIS grant funds, with File Bank, Inc.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 06/01/10-7E

RESOLUTION

RESOLVED, Approving a professional services agreement with the New Jersey Institute of Technology, a body corporate and politic of the State of New Jersey, for services in connection with municipal records purging, reorganization and inventory, for Phase 2, of the PARIS grant, in an amount not to exceed \$131,310.

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

Mr. Melick moved and Mr. Holt seconded this:

See Page 06/01/10-7F

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2010-06, for furnishing and delivering Long Life Traffic Stripe Epoxy, to Epoplex, Division of Stoncor Group, Inc., not to exceed \$47,250.

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

Mr. Melick moved and Mr. Holt seconded this:

See Page 06/01/10-7G

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2010-09, for furnishing and delivering Ultra Low Sulfur Diesel Fuel, to Rachles/Michele's Oil Co., Inc., amount not to exceed \$1,218,311.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 06/01/10-7H

RESOLUTION

RESOLVED, Approving Requisition #CountyClerk.1233, with Progress Printing, for primary ballots, for the County Clerk's Office, in the amount of \$70,710.

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

COUNTY Update

In-Kind print request – Clinton Town

Cynthia J. Yard, County Administrator, informed the Board that an In-Kind Printing request from Clinton Town. She advised that the Director of Central Printing and Mail has provided the numbers for the Board's consideration and stated that no overtime will be necessary to complete this request. Mr. Walton moved and Mr. Sworen seconded a motion to approve this request from Clinton Town for In-Kind services for printing.

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

Vacancies

Mrs. Yard reported to the Board that the County does have personnel vacancies and being taken into consideration is the transition plan for the Youth Facility. Mrs. Yard stated they are trying to look, in creative ways, to fill vacancies which have not been filled because there is a commitment to the CWA that the County will attempt to find these employees for which they are eligible or have the credentials to be absorbed. She assured the Board that the grand plan is being looked at.

Mrs. Yard reported she, George Wagner, Public Safety Director and Cheryl Wieder, Human Resources Director met today to go through the credentials of the ten people involved in the closing of the Youth Facility. It is felt there are places in the County where these people can be absorbed because of the full hiring freeze.

FOR DISCUSSION

"Friends of" project

Director Mennen explained the Board only received the comparison copies of the "Friends of" project this afternoon, and there hasn't been time to digest the information. Director Mennen asked Denise Doolan, Clerk of the Board to list this item on the agenda for the June 15, 2010 meeting.

Status – Room Policy.

Director Mennen confirmed the Board has answered the threshold questions for the County Room Policy and he confirmed with County Counsel DeSapio, that the revised update will be ready for the Board at the next meeting.

CONSENT AGENDA

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve claims in accordance with the Claims Register dated June 01, 2010, minus Check #128519 and Check #6130..

See Page 06/01/10-8A

CLAIMS REGISTER

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve the regular minutes of May 18, 2010.

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve the Social Services Funds Report for April 2010.

See Page 06/01/10-8B

SOCIAL SERVICES FUNDS REPORT

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

Mr. Sworen moved and Mr. Holt seconded these:

See Page 06/01/10-8C

RESOLUTION

RESOLVED, Christian Weisenbacher and Alysia Pinkerton appointed temporary, as needed seasonal Clerk, Rutgers' Cooperative Extension of Hunterdon, for the 4-H Fair.

See Page 06/01/10-8C

RESOLUTION

RESOLVED, Appointing temporary, as needed seasonal Recreation Leaders, Parks and Recreation.

See Page 06/01/10-8D

RESOLUTION

RESOLVED, Alana Staszkeski appointed permanent, full time Public Safety Telecommunicator, Emergency Services Division, Public Safety Department. (completed training).

See Page 06/01/10-8E

RESOLUTION

RESOLVED, Elisa Petrigliano appointed permanent, full time Advocate Victim Witness Program, Prosecutor's Office. (passed Civil Service Exam).

See Page 06/01/10-9A

RESOLUTION

RESOLVED, Holly Hoff appointed permanent, full time Advocate Victim Witness Program, Prosecutor's Office. (passed Civil Service Exam).

See Page 06/01/10-9B

RESOLUTION

RESOLVED, Robby Bennett appointed unclassified, full time Assistant County Superintendent of Bridges, Roads, Bridges and Engineering.

See Page 06/01/10-9C

RESOLUTION

RESOLVED, Kristin Sloyer appointed temporary, as needed Laboratory Assistant, Health Department.

See Page 06/01/10-9D

RESOLUTION

RESOLVED, Approving the release of a Road Opening Bond, to The Williams Co./Transcontinental Gas Pipeline, in the amount of \$5,000.

See Page 06/01/10-9E

RESOLUTION

RESOLVED, Approving the release of a Road Opening Bond, to The Williams Co./Transcontinental Gas Pipeline, in the amount of \$690.

See Page 06/01/10-8C

RESOLUTION

RESOLVED, Approving the release of a Road Opening Bond, to The Williams Co./Transcontinental Gas Pipeline, in the amount of \$530.

See Page 06/01/10-9F

RESOLUTION

RESOLVED, Approving the establishment of a No Passing Zone, along Stockton-Flemington Road, in Stockton Borough and Delaware and Raritan Townships.

See Page 06/01/10-9G

RESOLUTION

RESOLVED, Approving plans for the Construction of a Safety Island on County Route 523, in Raritan Township.

See Page 06/01/10-9H

RESOLUTION

RESOLVED, Approving Main Street (County Route 517) be designated as restricted parking spaces (Westerly side-Beginning at a point 55' south of the southerly curb line of King Street and extending to a point 22' south.

See Page 06/01/10-9I

RESOLUTION

RESOLVED, Approving a Senior Citizen and Disabled Resident Transportation Assistance Agreement, , with New Jersey Transit Corporation, in the amount of \$499,630.

See Page 06/01/10-9J

RESOLUTION

RESOLVED, Approving an InterLocal Health Services Agreement with Bethlehem Township, for certain public health activities and services, through December 31, 2010.

See Page 06/01/10-9K

RESOLUTION

RESOLVED, Approving an InterLocal Health Services Agreement with Clinton Township, for certain public health activities and services, through December 31, 2010.

See Page 06/01/10-9L

RESOLUTION

RESOLVED, Approving plans and specifications for Drainage Improvements for County Route 513, in High Bridge Borough and County Route 617, in Raritan Township.

See Page 06/01/10-9M

RESOLUTION

RESOLVED, Approving a modification to the agreement with Samuel Klein and Company to perform a forensic audit, in the increased amount of \$10,000.

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

Mr. Sworn moved and Mr. Holt seconded a motion to approve Check #128519 in accordance with the Claims Register.

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve Check #6130 in accordance with the Claims Register.

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

PROCLAMATIONS

Mr. Holt moved and Mr. Sworen seconded these:

See Page 06/01/10-10A PROCLAMATION

RESOLVED, Recognizing Marc Steven Gliozzi for attaining the designation of Eagle Scout.

See Page 06/01/10-10B PROCLAMATION

RESOLVED, Recognizing Robert A. Fraebel for attaining the designation of Eagle Scout.

See Page 06/01/10-10C PROCLAMATION

RESOLVED, Recognizing Henry Y. Kuhl & Family for receiving the Community Leadership Award from CHABAD of Hunterdon County.

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

GRANTS

Mr. Melick moved and Mr. Walton seconded this:

See Page 06/01/10-10D RESOLUTION

RESOLVED, for Individuals with Disabilities grant, in the amount of \$3,100 (State-\$2,583.33, County Match-\$516.67).

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

Mr. Sworen moved and Mr. Melick seconded this:

See Page 06/01/10-10E RESOLUTION

RESOLVED, Approving a grant agreement with the USDA 533 Preservation Housing program, to rehabilitate houses for low income County residents, in an amount up to \$55,000 in state funding. (no County Match).

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

Mr. Walton moved and Mr. Sworen seconded this:

See Page 06/01/10-10F RESOLUTION

RESOLVED, Approving an application for a J&J Somerset County Companies Healthcare and Basic Needs Fund grant, for 2011, from the Community Foundation of New Jersey, to expand major health screenings through the Senior, Disabilities and Veterans Services Division of Human Services, in the amount of \$19,500. (no County Match).

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

CORRESPONDENCE

A request was received from the Cherryville Repeater Association II, asking permission to again use an area close to the entrance road at the Route 12 County Complex, to set up portable/emergency radio stations and operate for a 24 hour period, for the period of June 25 through 27, 2010. Mr. Walton moved and Mr. Sworen seconded a motion granting permission provided this event is coordinated through the County Department of Buildings and Maintenance and the Department of Roads, Bridges and Engineering.

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

Correspondence was received from the Milford Merchants Association, requesting permission to hold a Coin Toss, on Saturday, June 19, 2010, at the intersection of County Route 519 (Milford Mt. Pleasant Road) and County Route 619 (Frenchtown Road), and in front of the Milford Fire House from 8:00 a.m. until 2:00 p.m. Mr. Sworen moved and Mr. Walton seconded a motion granting permission provided this event is coordinated through the County's Department of Roads, Bridges and Engineering and that the Clerk of the Board confirms this is a charitable organization holding a 501 (c) 3 as Mr. Walton indicated is a 501 (c) 4, which is also a nonprofit.

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

A request was received from the Intelligencer and Bucks County Courier Times, requesting permission to provide information to market Hunterdon County on-line. The Board asked Mrs. Doolan to get further information on this request and to find out if this will cost the County any funds. This will be brought back to the Board at the June 15, 2010 meeting.

A memorandum was received from the Prosecutor's Office, requesting permission to transfer a forfeited vehicle to Clinton Township Police Department. Mr. Melick moved and Mr. Sworen seconded a motion granting permission for this transfer.

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

The Rotary Club of Flemington is requesting permission to place two port-a-johns in the parking area behind the County Clerk's Office during the Second Annual Bark in the Park Dog Walk, on Saturday, June 06, 2010. To be placed on Friday, June 04, 2010 and removed Monday, June 07, 2010. Mr. Sworen moved and Mr. Holt seconded a motion granting permission. It was noted this was a very successful event last year.

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

FREEHOLDERS COMMENTS/REPORTS

Hagedorn Psychiatric Facility

Mr. Walton informed the Board that he will be attending another meeting of the Board of Hagedorn to discuss the closing of the Hagedorn facility in Glen Gardner by the State of New Jersey. Mr. Walton stated he is opposed to closing this facility and that Senator Doherty's office is putting together a resolution to oppose the closing and he hopes this Board will support such a resolution at the next meeting on June 15, 2010. There are many people in Hunterdon County that depend on that facility for work and for business.

Mr. Sworen added that Hagedorn is the only active geriatric center that Hunterdon County has.

Polytech

Mr. Walton reported that Freeholder Sworen is to be congratulated as he was made an honorary member of the National Polytech Technical Honor Society at Polytech's award ceremony held on May 25, 2010. Mr. Walton further stated that Mr. Sworen is a good advocate for Polytech.

Planning Board Morning Meeting (breakfast/Roundtable)

Mr. Holt congratulated Sue Dziamara, Planning Board Director for another successful Planning Board outreach/Roundtable meeting.

New Jersey Association of Counties (NJAC)

Mr. Holt recently had the opportunity to talk with John Carbone, Esq., NJAC, and there will be information coming from NJAC on the copier litigation case. Mr. Carbone will be sending information to the counties for review. This will have ramifications to all New Jersey's counties.

Governor

Mr. Melick reported that the Governor has been vetoing minutes of various Authorities that he has jurisdiction over. The New Jersey Urban Enterprise Authority purchased a property costing \$1.3 million and the Governor thought the appraised value was overpriced by more than \$165,000.

Mr. Melick said if the Governor is concerned, they may be up to speed on assessing appraisals of properties that Authorities are purchasing then Hunterdon County should consider asking the Governor's Office and the State Treasury Department to look at some of Hunterdon's appraisals that are ancient. Some of Hunterdon's appraisals go back almost 10 years. Mr. Melick said the appraisals are one issue but the comparables appraisers are using, and he cited one that is almost 10 years old and it is being used as a valid figure to purchase property, in 2010, after going through a retraction in real estate values. If the Governor is concerned about this then Hunterdon County should also be concerned.

Mr. Melick asked if Hunterdon could send a letter to the Governor's Office to look at Hunterdon's situation and provide an opinion. He further suggested representatives from the Governor's Office, the Treasury, the State Department of Environmental Protection and Hunterdon County review the appraisals being used in Hunterdon and provide comments to the Board. The Governor is concerned about the age of appraisals being used to purchase land and Mr. Melick stated he is concerned about what is going on in Hunterdon County. Mr. Melick stated there are not real estate transactions being done unless the County is doing the buying. It does not seem to be developers wanting to purchase any property at this time. He does not feel the County's transactions are based upon sale and values.

Mr. Sworen said the Governor has vetoed all the minutes for all the Authorities, because he has a right to stop what they are doing, as Governor, by vetoing the bills. He has been vetoing the Authorities because they have been over spending.

Director Mennen advised the newspaper article states they were vetoes specifically for the reason of the appraisals. He suggested that this Freeholder Board request from the Governor's Office the criteria that was used so Hunterdon can see if its criteria meshes with that criteria. If the answer that come back shows that there is some sort of a dichotomy in process or procedure, then Hunterdon can take the step of asking the Governor's office to step in and review but first Hunterdon should ask what criteria the Governor used to determine the property purchased was overpriced. Director Mennen recommenced that letter to the Governor's Office for information could come from the County Administrator's Office.

Director Mennen further advised that based upon the answer from the Governor's Office on what criteria was used, this Board can make a decision as to what recourse should be taken or whether any recourse should be taken.

Mr. Holt agreed saying, once Hunterdon knows what the criteria is, we can determine how it would affect Hunterdon's purchases.

Mr. Melick asked the County hold all land transactions until an opinion comes from the State.

The Board will wait for the response from the Governor's Office before making a decision.

OPEN TO THE PUBLIC

County Bridge E-174, East Amwell Township

Frances Gavigan, East Amwell Township resident thanked the Board and recognized the County Director of Roads, Bridges and Engineering, John Glynn, for working with the residents/concerned group of East Amwell Township.

Mr. Melick's Comments/spending

Ms. Gavigan stated she has seen \$250,000 spent on rock and bog in the Sourlands because someone decided it was a good keyhole place for an eventual park. Sometimes the decisions on what to purchase and what to piece together are dependent on what someone's goal might be.

Sewer/Septic problems/Whitehead property/East Amwell Township

Mrs. Gavigan introduced George "Russ" Whitehead, who is her neighbor, who is having a water problem. Mrs. Gavigan stated that Mr. Glynn has been responsive to the water problem that Mr. Whitehead is having as a result of action that occurred up hill from his property. A sewer/septic system was installed on a slope and as a result of that, the swills that have been in the area for the past 30 years were disrupted, damaged curbs and caused the downhill neighbor, Russ Whitehead, ended up with a couple of feet of water in his basement and could not get anywhere. Mr. Whitehead has been very frustrated in dealing with Soil Conservation and at times with the County, in wanting things to be done the way they are supposed to be. The unintended consequences is that East Amwell Township insists on a 5 to 1 ratio in terms of pitch versus a 3 to 1 but they don't have a corresponding imposition on whoever the applicant is to control the water when it goes downhill. People are dealing with septic issues, the water and the environment but the human environment gets lost.

Mrs. Gavigan stated she has been to Mr. Whitehead's house and has seen the amount of water he has been living with and a bog being created and there is now a 50 something refugee circus pony mule that is being evacuated and is currently being housed in her barn.

Mrs. Gavigan noted it is not any one person's fault that this occurred; it is that the system does not work as well as it should. She applauds the Freeholders' willingness to find solutions. Mr. Glynn has come forward with solutions. After the County Inspector viewed the property, she got her backhoe and put the berm back in place within three hours. People should not have to fix things because the system doesn't work.

Mr. Whitehead addressed the Board explaining he has contacted everyone regarding his problem and finally someone came and put plastic in the area but it flew away. He can't keep his mule in the corral because the water come up and even goes onto the adjacent land.

Mr. Whitehead informed the Board that he is thankful that John Glynn, the Road Department Director, is going to put the property in its previous condition. Mr. Whitehead has had problems with water in the past and the County placed a curb in front of his house to prevent the water coming into his house. He stated that in the past he gave permission to the County to remove a bridge, the County put in a berm to catch the water and it helped him but now with the work being done, when the water comes down the hill on the road, it is like a river. He was told the water would not run down the road.

Mr. Whitehead explained he had to raise up the oil tank in his basement because of the water coming into the basement. The oil tank is brand new but it is made of sheet metal and it won't last long being surrounded by water. He used to make furniture in his basement but he had to move his equipment/tools out because of the water coming into his house. Mr. Whitehead explained that water is also coming onto the back portion of this property causing problems.

Mr. Glynn informed the Board and Mr. Whitehead that he will be in his area within the next week or two weeks to take care of the water coming off the road. He questioned if the berm is deep enough to keep the water off of the septic system.

Mrs. Gavigan feels the contractor should have reached out to Mr. Whitehouse on the septic and offered to work with the property owner. The contractor, by driving over the curb that the County put in, so he could park broke down the old asphalt that was placed there as curb. Mrs. Gavigan feels the contractor should be sent the bill for the County to fix this curb since he broke it by driving over it with trucks full of stone and equipment.

Director Mennen assured Mr. Whitehead that Mr. Glynn will personally look at all the situation and do what the County can to help solve this water issue.

There being no further business to come before the Board, Director Mennen adjourned the meeting at 7:28 p.m.

Respectfully submitted,

Denise B. Doolan, CLERK