

Special meeting

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, Second Floor
Flemington, New Jersey 08822
March 31, 2010

The special meeting of the Hunterdon County Board of Chosen Freeholders convened in open session at 10:00 a.m. in accordance with the provisions of the Open Public Meetings Act.

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

CONVENE

Director Mennen announced: "This meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been given by posting throughout the year a copy of the notice on Bulletin Boards on the First and Second Floor of the Main Street County Complex, Building #1, Flemington, New Jersey, a public place reserved for such announcements. A copy was faxed on or before March 04, 2010, to the Hunterdon County Democrat, Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review and Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

PLEDGE OF ALLEGIANCE

FINANCE

Mr. Melick moved and Mr. Walton seconded this:

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RESOLUTION

RESOLVED, Rescinding a resolution adopted on January 19, 2010 to establish a CAP Bank.

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

Mr. Walton moved and Mr. Melick seconded this:

See Page 03/31/10-1B

RESOLUTION

INTRODUCTION, Resolution authorizing the establishment of a CAP Bank and setting a public hearing on Tuesday, April 20, 2010 at 6:00 p.m.

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

NEW BUSINESS

Mr. Walton moved and Mr. Holt seconded this:

See Page 03/31/10-1C

RESOLUTION

RESOLVED, Authorizing the Department of Roads, Bridges and Engineering to perform emergency work on County Bridge Q-86, on Old Clinton Road, over the Assiscong Creek, in Raritan Township; the Lower Landsdown and Hamden Road, in Franklin Township, roadside erosion along the South Branch Raritan River; and County Route 612 and Tulip Drive, in Raritan Township, roadside erosion along the Assiscong Creek. Estimated costs for work in Raritan Township to be between \$130,000 to \$150,000 and estimate work for Franklin Township to be around \$70,000.

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

Continuation of the Budget Work Session

During the budget work session the situation with the Polytech budget arose and Polytech's request for an increase in their budget to be adopted on April 05, 2010 by the Board of School Estimate.

Director Mennen offered a draft resolution which was shared with the Board of Chosen Freeholders on March 30, 2010 via email which would direct the three Freeholder members of the Board of School Estimate to vote against this increase in keeping with the Freeholder Board's philosophy and resolve not to increase taxes in 2010. The resolution also included the Freeholders call to reduce spending which would not impact the quality of education and that Polytech's budget should not increase but rather be flat or decrease incorporating the Governor's cut to state aid.

Mr. Melick moved and Mr. Walton seconded this:

See Page 03/31/10-1D

RESOLUTION

RESOLVED, Emergency Policy addressing Hunterdon County's fiscal and budgetary crisis.

After the resolution was moved and seconded, Mr. Holt expressed concern that a majority of the Board of Freeholders could direct a vote of one of its members. While he understands the Freeholder Board is a majority of the Board of School Estimate (3-2) he is "troubled" that this resolution is offered.

Mr. Walton explained the rationale that New Jersey Statute (Title 18A) and case law support that as the Board is the only legislative authority to set the tax rate the Board of School Estimate Freeholder compliment (3 majority) must represent the majority voice of the Board of Freeholders.

Director Mennen stated that the vote in the Board of School Estimate is the only recognized vote and is the only opportunity for the Freeholders to be heard. The Freeholder Board has no right to appeal because the Board of School Estimate is purposely established with a majority vote so that the Freeholder majority voice is presumed to represent the Board of Freeholders. The Freeholders are obligated to determine the amount of taxation to be raised in their budget.

Mr. Melick stated the Freeholder Board is represented as a majority on the Board of School Estimate and this must be dealt with.

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

The Hunterdon County Board of Chosen Freeholders will hold a special meeting with the Vocational School District, (Polytech), on Monday, April 05, 2010 at 7:30 p.m., to take place in the Freeholders' Meeting Room.

The Hunterdon County Board of Chosen Freeholders recessed at 4:08 p.m. and reconvened in open session at 4:37 p.m. at the site of County Bridge E-174, on Wertsville Road, in East Amwell Township.

TOUR OF PROPERTIES STAKED REGARDING COUNTY BRIDGE E-174

The Hunterdon County Board of Chosen Freeholders joined John P. Glynn, Director of Roads, Bridges and Engineering, Jim Martin, County Engineer, Kenneth Miller, County Surveyor and residents of East Amwell at the site of County Bridge E-174 which is a current project in the County.

Mr. Glynn and Mr. Miller explained the project at the various staked out areas of the project to the Board and the residents. They also responded to questions by the residents and the Freeholder Board on the project.

Director Mennen explained the plans for this project is 10 years old. Today has been a learning experience for the Board of Freeholders. Please understand that this Freeholder Board has heard the residents' concerns. The Freeholders needed to see this project staked out and meet with the residents, which is why today's meeting is being held at the project site.

Director Mennen recommended a special meeting be coordinated with the residents at Route 12 to further discuss this project and modifications to the plans. He suggested the residents submit questions in advance in order for Roads, Bridges and Engineering to prepare responses.

Director Mennen asked the residents if they would like to see this area have a Scenic By-Way designation and all the residents raised their hands.

There being no further business to come before the Board, Director Mennen adjourned the meeting at 5:37 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board