

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

May 04, 2010

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:18 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

OPEN PUBLIC MEETINGS ACT

Director Mennen announced: "This meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been given by posting throughout the year a copy of the notice on Bulletin Boards on the First and Second Floor of the Main Street County Complex, Building #1, Flemington, New Jersey, a public place reserved for such announcements. A copy was mailed on or before January 21, 2010, to the Hunterdon County Democrat, Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review and Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

EXECUTIVE SESSION REQUESTS

Mr. Holt moved and Mr. Melick seconded this:

See Page 05/04/10-1A RESOLUTION

RESOLVED, Executive Session for the purpose of discussing a claim with Hunterdon Central Regional High School for a \$180,000 reimbursement in connection with the Vocational School.

See Page 05/04/10-1B RESOLUTION

RESOLVED, Executive Session for the purpose of discussing legal issues with the petition/claim which the Sheriff filed with the Assignment Judge to dispute her issues regarding her trust fund and the mediation which is scheduled later this week on that issue.

See Page 05/04/10-1C RESOLUTION

RESOLVED, Executive Session for the purpose of discussing negotiations with the Law Enforcement Bargaining Units.

See Page 05/04/10-1D RESOLUTION

RESOLVED, Executive Session for the purpose of discussion the status of the sellers meeting the closing conditions for property on Horseshoe Bend Road, in Kingwood Township.

See Page 05/04/10-1E RESOLUTION

RESOLVED, Executive Session for the purpose of discussing the status of the efforts of department heads and other unclassified personnel to establish a union.

See Page 05/04/10-1F RESOLUTION

RESOLVED, Executive Session for the purpose of reviewing the Executive Session minutes of April 06, 2010, April 13, 2010, and April 20, 2010, for the purpose of determining what portions will be released.

See Page 05/04/10-1G RESOLUTION

RESOLVED, Executive Session for the purpose of discussing a letter received from the Sheriff dated April 15, 2010 alleging the Freeholders are interfering with the operation of her office.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:22 p.m., recessed at 6:00 p.m. and reconvened in Open Session at 6:09 p.m.

PUBLIC COMMENT

Director Mennen opened the meeting to the public.

No one from the public or press wished to address the Board at this time.

PROCLAMATIONS

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/04/10-1H PROCLAMATION

RESOLVED, Declaring May 2010 as Bike to Work Month in Hunterdon County.

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

Mr. Melick moved and Mr. Sworen seconded these:

See Page 05/04/10-2A

PROCLAMATION

RESOLVED, Recognizing Phillip Barry for attaining the designation of Eagle Scout.

See Page 05/04/10-2B

PROCLAMATION

RESOLVED, Recognizing Kyle McNally for attaining the designation of Eagle Scout.

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

ROADS AND BRIDGES UPDATE

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

- Final plans for County Route 519 and County Route 650 are being reviewed. Details have been worked out with Holland Township and the Holland Township School.
- Surface course for County Route 523, Raritan and Readington Township, will commence May 10, 2010.
- Curbs and sidewalks are complete on County Route 635 in Hampton Borough. The contractor will be moving to New Street shortly.
- On today's agenda for approval is the 2010 Resurfacing and Surface Treatment of County Routes 523, 579, 601, 602A, 602B, 607, 620 and 639, in various townships.
- The bearing pads have arrived for Inter-County Bridge B-26-W, on Valley Station Road, Bethlehem Township.
- The County is waiting for the consultant to get the final approval on Bridge L-97-W, on Stephensburg Road, in Lebanon Township.
- County Bridge Q-168, on Pennsylvania Ave, in Raritan Township will be removed and the road will be extended up to a road which is being constructed by a developer. There will be a new grade crossing with the railroad. The County has already been authorized to make an offer to the property owners and they have accepted the offer based on the appraisal report. Roads, Bridges and Engineering will be working with County Counsel's Office to perfect that agreement. There are minor additions regarding tree plantings, an agricultural fence which needs to be relocated, and a buffer is needed to make the slaughter house workable with access.
- Final plans and specifications have been received for County Bridge R-123, on Holland Brook Road, in Readington Township. This project will be bid the first week in June.
- A meeting with technical staff and stakeholders for County Bridge E-174, is scheduled for 4:00 p.m., on May 06, 2010, in the Planning Board Conference Room at Route 12.
- A construction schedule meeting will be held for County Bridge E-166, and it will be provided to East Amwell Township. The bridge will be closed June 28, 2010 and there is a four month construction project.
- A preconstruction meeting was held for Bridge C-88, this morning. The project will start on June 01, 2010. The contractor has a deadline of September 15, 2010 to be out of the water.
- The contractor has erected a temporary bridge in order to take out the old truss for Bridge RQ-164, on Rockafellow Mills Road. The old truss will be taken apart piece by piece and be fabricated off site.
- A preliminary design is will be held on May 19, 2010 for County Bridge D-300, on Raven Rock-Rosemont Road, in Delaware Township, to go over issues raised.
- The County is waiting to get a C.E. document approved for Exit 15, on Interstate 78.
- A set of documents have been received for the Frontage Road Improvements for information only; a copy was forwarded to Union Township.
- The contractor is back on site at the intersection of County Routes 517/523, the southbound shoulder is under construction and should be completed shortly. Then the contractor will work on the northbound side, do so the storm drainage and widening. The traffic will be split to do the center, islands and corrective work for the entrance in Oldwick; then it will be paved. A different bracket will be gotten for the signal head as it is mounted too low and mount it to the mast arm.
- Stimulus Projects: County Route 512/517 and a preconstruction meeting will be held on May 11, 2010 and County Route 623/625 will be done on the same day. One will be held at 9 a.m. and the other at 10 a.m.
- An award has been made to the contractor for the demolition. The County is having a project with a property in Holland Township; the County will have to find another way in because access is restricted on the Silva's property. The Director of Roads, Bridges and Engineering will be talking with County Counsel about access.

For Discussion Item

Alexandria Equestrian Association - Schick Trail Grant

Present from the Alexandria Equestrian Association (AEA: Dick Kimsey, Pete Tucker and Judy Tucker the AEA President).

John Trontis, Parks and Recreation Director, reported the Alexandria Equestrian Association attended the Freeholders Meeting of April 20, 2010 and proposed a project on the Schick Preserve, that was greater in scope than what is being considered this evening. At Director Mennen's recommendation all parties met on April 23, 2010, with Freeholder Walton, himself, William Clother and members of the Alexandria Equestrian Association to discuss options.

Mr. Trontis reported originally the AEA intended to have a contractor do the work to clear trails at the Schick Preserve but after talking John Glynn, Director, Roads, Bridges and Engineering and John Davenport, County Purchasing Agent, it was determined that the County's equipment operators could do the work and they would be paid through a grant received by the AEA, which would also pay for stone material for the parking area; plus AEA would pay for the long term maintenance of the trail facility.

Mr. Glynn informed the Board that the equipment operators would be paid overtime by the AEA, performing the work after normal working hours and on weekends.

Mr. Glynn that adjacent to the Holland Township substation is a flat area of County Route 631, and that is where the access for the horse trail will be cut; from there it is all open fields and the plan is to take a hydro-sickle to clear back the growth adjacent to the fields. The fields are starting to be closed in because they haven't been mowed back. The trails would follow the perimeter of the open fields, making a trail network which loops around. Mr. Glynn advised 80% of the trails can be done without having a bridge on site.

Mr. Trontis stated the trails don't have to be connected, that would be a luxury to connect them with a bridge but they are useable the way they are without the bridge. This park is a reserve; there are no recreational amenities within the park. This would be the only park with a trail, as long as 10 ½ miles in the entire County. The trail is not just for horse traffic but it would be a true multi-use trail to accommodate biking, hiking, running, cross country skiing and horses. Part of the maintenance for this park is the farmer on site. The farmer is mowing the perimeter of the field; the clearing would be done on the wooded areas.

Mr. Glynn advised the County will be doing the heavy brush clearing but the AEA will have their grounds crew behind them cleaning up. The parking area will be built without the assistance of the AEA.

After further discussion, Mr. Sworen moved and Mr. Melick seconded a motion for support for the cooperative effort subject to the receipt of insurance and the signing of an agreement with the Alexandria Equestrian Association. Mr. Melick further confirmed that the grant received by the Alexandria Equestrian Association will be paying overtime for members of the County's Road Division to perform work on the trail, after normal working hours and on weekends.

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

FARMLAND PRESERVATION/PLANNING

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/04/10-3A RESOLUTION

RESOLVED, Approving a Municipal/County Cost Share Agreement with Tewksbury Township, for the acquisition of a development easement on the Koebel/Simmons Farm, Block 38, Lot 4.01.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/04/10-3B RESOLUTION

RESOLVED, Approving the acquisition of a right-of-way and/or easement, from Robert A. LeCompte, on Block 29, Lot 4.01, for a bridge easement for Bridge C-24, in the amount of \$570 and Bridge C-23, in the amount of \$600.

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

OPEN SPACE

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/04/10-3C RESOLUTION

RESOLVED, Approving a Municipal Grant Program Application with High Bridge Borough, for the acquisition of "Lake Solitude", Block 4.07, Lot 1; Block 40, Lot 2; Block 40, Lot 11.01 and Block 37, Lot 1, (128 +/- acres), in the amount of \$19,367.08.

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

COUNTY UPDATE

Vacant Position

Cynthia J. Yard, County Administrator, came before the Board to discuss a position vacancy in the Office of Human Services, for the Human Services Administrator, who will be retiring on July 01, 2010.

Mrs. Yard stated the County is currently in a hiring freeze but she wanted to talk about the need to fill this vacancy. Human Services is one of the County's largest budgets, it is multi-million dollars because there is over \$1.5 million for provider service contract; the number is equaled in grant funding received; and Human Services has a large operating budget with 75 people in that consolidated model.

Mrs. Yard explained that in 1990 the then Freeholder Board decided to deliver Human Services in a consolidated Human Service model; instead of having separate divisions for Social Services and Housing and Senior Services, which now has expanded to veteran services; that this would be under the umbrella of a Human Services Administrator. Human Services provides all the Adult Protective Services which is a critical service delivered to vulnerable citizens, mostly elderly. The grants and statutes which govern the activities in Human Services call for certain credentials and many of the areas call for an Administrator type of person, who is responsible for the delivery of those services.

Mrs. Yard advised Human Services and the divisions under it are very good at "where eligible" where administrative costs can be covered by certain grants; they take advantage of that on almost everyone of the positions they have.

Mrs. Yard stated that \$53,000 of the current Human Services Administrator's salary comes from grants, which is well over 50% of what this individual makes now.

Mrs. Yard advised at the March 17, 2009 meeting when the Board reaffirmed the County hiring freeze, it was mentioned that there are certain situations which the Freeholders would have to consider and approve filling a position.

Mrs. Yard reported she and the Human Resources Director would like to post the position of Human Services Administrator internally to see who is interested. The Freeholder Board would participate in the selection process. Mrs. Yard added that no salary would be listed, it would be determined at a later date.

Mrs. Yard further stated that the current Human Services Administrator will be leaving July 01, 2010 but she has offered to avail herself should the County need assistance in training someone.

Mr. Sworen is concerned because he does not know what the qualifications are for this position. He would like to see what the qualifications would be before this position is posted because it is a somewhat complex position and if certain titles or training is necessary it should be known. He feels that some of the training could be done within a certain time period.

Mr. Sworen stated this is a rare opportunity and the Board needs to consider if this should be one or two people to do this work. This is a unique position to fill.

After further discussion, Mr. Walton moved and Mr. Melick seconded a motion authorizing the internal posting for the position of Human Services Administrator through the Human Resources Department.

The Board further directed that Mrs. Yard and Cheryl A. Wieder, Human Resources Director, report back to the Board on this matter in two weeks.

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

FOR DISCUSSION

Status – "Friends of" project.

Mr. Sworen reported he worked with County Counsel's original plus worked with some other models for the "Friends of" project. He has worked with Shana Taylor, Esquire, from County Counsel's Office for the initial set up. What is needed is the Certificate of Incorporation, a Set of Bylaws, and the agreement. He is not looking for the Board to vote on this tonight; he handed the Board a package for review to be discussed at the next meeting.

Mr. Sworen advised there overall process is that there would be a "Friends of Hunterdon" with a minimum of five trustees and up to eleven trustees; one person from every subgroup would sit on the "Friends of" board. A permanent member would be either the Chief Financial Officer or the Treasurer of the County because all monies will be handled through Finance. All people on the initial board will be nominated by the sub-boards and approved by the Freeholder Board to sit on the master board. There is always a control of who will be there and direction will be provided by the ex-officio members on what may or may not be a proper plan for money.

Mr. Sworen advised each small group has to come up with a plan, what they are raising money for and how they attempt to do that and what state what the money will be spent for. That plan has to be approved on an annual basis by the "Friends of Hunterdon County".

Director Mennen asked Freeholder Sworen if he has a black line version that lays out the changes from the original paperwork? Mr. Sworen stated the original version had the County running everything and after talking with a lot of groups, the Freeholder Board will still have the control over it but these "friends of" groups work better when they can work out of the County structure. Mr. Sworen advised that Ms. Taylor has the original version.

Director Mennen asked County Counsel DeSapio to have Ms. Taylor email the black line version to the members of the Freeholder Board for reference as to where this started and how it is evolving now.

First June meeting date.

The Hunterdon County Board of Chosen Freeholders discussed moving the meeting date for the first meeting in June back to the June 01, 2010 date since the primary is not until June 08, 2010. The Board agreed to return back to the June 01, 2010 date and the Clerk of the Board, Denise Doolan was directed to notice the 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."

Item #1 was held at this time.

Mr. Sworen moved and Mr. Holt seconded a motion to approve the regular minutes of April 20, 2010 and the special minutes of April 15, 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 March 2010.

See Page 05/04/10-5A 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 05/04/10-5B RESOLUTION

RESOLVED, William Powell appointed permanent, full time Public Safety Telecommunicator, Division of Emergency Services in the Public Safety Department.

See Page 05/04/10-5C RESOLUTION

RESOLVED, Daniel Waisempacher appointed permanent, full time Mechanic, Roads, Bridges and Engineering.

See Page 05/04/10-5D RESOLUTION

RESOLVED, Matthew Tamburro, Public Safety Telecommunicator, Division of Emergency Services, Public Safety Department, adjusted from part time to full time.

See Page 05/04/10-5E RESOLUTION

RESOLVED, Jonathon Webb appointed temporary, when and as needed seasonal Laborer, Roads, Bridges and Engineering.

See Page 05/04/10-5F RESOLUTION

RESOLVED, Christopher Bush appointed temporary, when and as needed seasonal Laborer, Roads, Bridges and Engineering.

See Page 05/04/10-5G RESOLUTION

RESOLVED, Melissa Troutman appointed temporary, when and as needed Student Assistant, Library.

See Page 05/04/10-5H RESOLUTION

RESOLVED, Kristin Cupido and David Clapp appointed temporary, when and as needed seasonal Recreation Leaders, Parks and Recreation.

See Page 05/04/10-5I RESOLUTION

RESOLVED, Erik Apffel appointed permanent, full time Public Safety Telecommunicator, Division of Emergency Services of the Public Safety Department.

See Page 05/04/10-5J RESOLUTION

RESOLVED, Patricia Benedetto appointed permanent, full time Public Safety Telecommunicator, Division of Emergency Services of the Public Safety Department.

See Page 05/04/10-5K RESOLUTION

RESOLVED, Approving plans and specifications for the Resurfacing and Surface Treatment of County Routes 523, 579, 601, 602A, 602B, 607, 620 and 639, in various municipalities.

See Page 05/04/10-5L RESOLUTION

RESOLVED, Approving Art Show Waiver Agreements for the 36th Annual Hunterdon County Art Show with various senior artists.

See Page 05/04/10-6A

RESOLUTION

RESOLVED, Approving an agreement with the Hunterdon Medical Center to administer the County's Dental Health Program, in the amount of \$10,158.

See Page 05/04/10-6B

RESOLUTION

RESOLVED, Ratifying an agreement with the Communications Workers of America, AFL-CIO, covering the period of January 01, 2009 through December 31, 2011.

See Page 05/04/10-6C

RESOLUTION

RESOLVED, Approving the acquisition of an easement over a portion of Block 21, Lot 23, in Tewksbury Township, from Elizabeth Wattles Wilkes, in connection with the reconstruction of County Bridge E-2, on Black River Road, in the amount of \$1,625.

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve claims in accordance with the Claims Register dated May 04, 2010, minus Check Number 128173 and 6089.

See Page 05/04/10-6D

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 Check Number 128173 and 6089.

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

The Hunterdon County Board of Chosen Freeholders recessed at 6:55 p.m. to go to the Historic Court House for the unveiling of a law office portraying the time period during the Lindbergh Trail of Bruno Hauptmann, 1935, as donated by the Hunterdon County Bar Association.

The Hunterdon County Board of Chosen Freeholders reconvened in Open Session at 7:30 p.m.

FOR DISCUSSION

Policy for the Use of County Facilities and Meeting Rooms

Director Mennen reported County Counsel has provided four threshold questions for the Board to consider with regard to the use of County facilities and meeting rooms which should be considered on a broad sense and the Board can work from there.

Question #1:

Does the Board wish to allow religious worship services to be conducted on County property.

Mr. Walton advised he would vote yes, because you have to allow organization with religious affiliation to use the space, if anyone is allowed to use it. The Freeholders should not try to define what is a service or a mass, and what is not. There should be no boundary or limitation with regard to religious groups.

Mr. Melick agreed.

Mr. Sworen agreed with part of what Mr. Walton said but stated that the subtext is a problem. People should be able to do that but there should be strict rules on how long someone can use the room. The County doesn't want a religious group to come in and they have a right to use our facilities every Sunday for the rest of their lives. He has a problem with that. He said if there is an agreement that states you have to sign up for the room; that is the piece the County needs to protect itself. If the County chooses to close the Library on a Sunday and the group has the right to have their worship service on Sunday, then the County has to open the building.

Director Mennen feels that is a micro issue and this Board needs to deal with the macro issue. He feels Mr. Sworen agrees with the macro issue but feels there is work to be done to effectuate this ultimately.

Mr. Melick said he has thought about the issue of worship service and his experience has been that a church might be just starting up and is using a school room for a period of time; it is usually to get established and they would pay rent. He has no problem with any religious group, whatever denomination it may be, to use the County's facilities because it is usually on a short term basis and they would have to pay the established rates.

Mr. Holt stated on the macro level, he agrees.

Mr. DeSapio stated the Board has raised a question, which is rent. Presently the County's policy does not include rent; people pay for janitorial coverage. He asked if that is sufficient.

Mr. Melick feels that only the County's expenses should be paid. Director Mennen agreed this should be cost neutral.

Question #2:

Does the Board wish to continue to allow nonprofit groups using County property to charge an admission fee.

Director Mennen noted that allowing nonprofits to charge for admission will make it difficult to prohibit commercial entities from doing the same.

The Board discussed the use of the Historic Court House by the group that does the Lindbergh reenactment (Henry Kazman - Trial of the Century). Mr. DeSapio feels currently the County charges for janitorial services. Mrs. Yard reported they are charged \$75 per hour. Mr. DeSapio stated Mr. Kazman charges an admission fee for a ticket to those attending. The County has never addressed this because it was known this policy was going to be discussed. He questioned if the Board wants to charge for more than just janitorial services or if the Board wants to consider charging a percentage off the top of what is collected.

Mr. DeSapio recommended if the Board wanted to charge something for the use of the Historic Court by the Trail of the Century group, you could ask them for an accounting each year, to see how much they are making off the County's space because maybe the next year, if it is found that are making \$50,000 or such, or if it is found they aren't making anything and it is a public service and their expenses are being covered, the County would weave that into the agreement and the County can decide from year to year.

Mr. Holt and Mr. Melick agreed the County should know what the finances are that they are bringing in.

Mrs. Yard suggested Mr. DeSapio look at the County's policy as she recalls the County added something such as 10% of the take in or a flat fee. Mr. DeSapio will review the policy.

Mr. Holt suggested an accounting be provided for the use of the Historic Court House to the County by the Trial of the Century group.

Mr. DeSapio stated the policy could be amended to say if there is particular County facility that has a history where performances related to the history would benefit the public and help to reinforce the history of Hunterdon County that the County will authorize performances with an admission charge under the following circumstances and whether that will be 10% of whatever or an annual fee but the burden will be on the applicant to provide an accounting.

Question #3.

Does the Board wish to allow partisan political meetings to take place on County property.

Mr. Melick said no.

Mr. Walton agreed there should be no partisan political meetings. He and Mr. Melick discussed this today, and he agrees in principal but there are organizations that are issue advocacy groups.

The Board discussed this issue at length and agreed no partisan political groups should be using County facilities. They discussed the use of the Historic Court House steps and the use of the facility.

Mr. DeSapio explained the steps are called space #1, where traditional First Amendment activities, whether it is in the parking lot, on the court house steps, in a park, it is allowable. Being discussed is Library meeting rooms, the rooms at the Main Street County Complex and the Route 12 Building. There was a request from the Hunterdon County Democrat Committee to use the Route 12 Assembly Room area. There is a difference between a group meeting to discuss public issues and their right to invite someone to speak who maybe a candidate and the Committee to re-elect someone having a meeting. If the County wants to ban partisan political meetings then that is how the definition would be explained.

Mr. DeSapio feels the Freeholders should shy away from having meetings that are not sanctioned by the Freeholder Board.

The Board discussed fundraising, candidate committees, political party inside the building and agreed there should be no political activity in any County building.

Director Mennen said the constitutional test is if you preclude someone you have to provide them with another venue and the Court House steps satisfy that requirement.

Question #4.

Allowing use of County buildings for movie shoots.

Mr. Sworen feels there should be a fee for those wanting to use County buildings and facilities to shoot movies.

Director Mennen reported that County Counsel will review the County's current policy.

Director Mennen asked if Mr. Holt could get a copy of Clinton Town's policy and if Mr. Sworen would provide a copy of Frenchtown's as they have already established such a policy.

GRANTS

Mr. Walton moved and Mr. Sworen seconded this:

See Page 05/04/10-3B

RESOLUTION

RESOLVED, Approving an agreement with the New Jersey Department of Community Affairs for \$1,100 to support the County Welfare Agency's administration of the Low Income Heating and Energy Assistance Program.

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

Mr. Walton moved and Mr. Sworen seconded this:

See Page 05/04/10-3B

RESOLUTION

RESOLVED, Approving an Area Plan Grant, #10-016, for telephone reassurance for homebound seniors, in the amount of \$5,890 in federal funds and \$5,330 in local funds.

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

Mr. Sworen moved and Mr. Walton seconded this:

See Page 05/04/10-3B

RESOLUTION

RESOLVED, Approving an Area Plan Grant, \$10-052, for friendly visiting services to homebound seniors, in the amount of \$9,295 in federal funds and \$8,640 in local funds.

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

Mr. Sworen moved and Mr. Walton seconded this:

See Page 05/04/10-3B

RESOLUTION

RESOLVED, Approving an agreement for the Multi-Jurisdictional County Gang, Gun and Narcotics Task Forces Grant, in the amount of \$40,272.

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

Mr. Sworen moved and Mr. Holt seconded this:

See Page 05/04/10-3B

RESOLUTION

RESOLVED, Approving an application for a 2009 Business Stimulus Fund Grant, in the amount of \$7,000, as a pass through for the Shade Tree Commission.

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

FREEHOLDERS COMMENTS/REPORTS

Phone Report

Freeholder Sworen will report on the County Phone Committee's review at the next meeting.

Consumer Affairs Director

Mr. Sworen publically recognized Jeanne Ferrari, the County's Consumer Affairs' Director explaining there was an incident with a person who had a tax re-evaluation in Raritan Township because of a road charge and Ms. Ferrari assisted in providing information to her and her son and explained what needed to be done step by step.

Mr. Sworen recognizes Ms. Ferrari does this on a regular basis, but he wanted to publically note this because she does her job well.

Hagedorn Psychiatric Hospital

Mr. Walton advised he attended a meeting at the Hagedorn Psychiatric Hospital Board to express his personal dismay that the state may be closing that facility. Senator Doherty has taken the lead on fighting the closing of this facility. The state has cited Hagedorn to close despite the fact that per patient costs at Hagedorn are below those of Graystone or Anchora or Trenton Psychiatric. The staffing is better at Hagedorn and the annual revenue the staff at Hagedorn brings in to care for its patients is \$19 million and that is with the average patient population of 289 residents; Anchora brings in \$13 million annually. Hagedorn brings in more money for the quality of their staff and they have lower costs but still the facility is cited to close. It seems to be an arbitrary decision and no one can track down who it was that made this recommendation or what the criteria was. It will be a shame if this facility closes.

Mr. Walton suggested having the Human Services Administrator talk on this issue to get the all the facts and asked that she be invited to the first meeting in June.

Director Mennen stated he would like to understand the impact of the closing of this facility to the residents, the patients and the businesses.

County Badges

Mr. Walton understands that certain Freeholders have been issued badges and it is his opinion that should not be since the Freeholders are issued County Identification Cards.

Mr. Walton advised there was discussion on this matter with George Wagner, the Office of Emergency Services Director and he would like to know the status.

Mr. Sworen reported he hasn't turned his in yet as he hasn't been to Emergency Services yet to turn it over to Lauren Fleming.

Mr. Walton understands that two former Freeholders still have their badges, Frank Fuzo and George Muller.

Director Mennen asked the County Administrator to write to these individuals asking for them to return these badges as they are County property.

Mr. Walton does not feel that any County Freeholder should be getting a badge in the future because the Freeholders are not law enforcement.

Director Mennen confirmed the Board knows there are at least two badges somewhere and there could be more.

Mr. Sworen stated there is a County policy that hasn't been enforced that when you leave office the accoutrements of office must be returned, such as the keycard, the badge and the key.

Mr. Walton stated there are two issues here, one should be that badges are no longer distributed other than to Corrections and the Sheriff's Office. The other issue is that when an elected official leaves office, certain things must be returned.

Mrs. Yard stated there is a policy to that effect.

Director Mennen stated as to the two, known of, pre-existing badges, there will be an attempt made to secure their return. As for any other badges, current or future, it is the Board's opinion that no Freeholder should be in the position to carry a badge.

Mr. Holt stated the Board can ask the two individuals to voluntarily turn their badges in, but he isn't sure what can be done if they don't.

Mr. Walton moved and Mr. Melick seconded a motion to send a letter to the two known individuals who have a badge to ask them to voluntarily return them to the County.

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

NJDOT Funding

Mr. Holt reported a few years ago 37 projects were moved out of the federal funding category to make room for the Pulaski Skyway project. This year the total transportation budget was cut by \$200 million; it went from \$1.6 billion down to \$1.4 billion. That is the total New Jersey Transportation budget and that is not divided evenly between NJDOT and the MPO's (Metropolitan Planning Organization).

Mr. Holt stated of the \$200 million, the North Jersey Transportation Planning Authority (NJTPA) was asked to shoulder \$100 million of that figure. One reason was because north Jersey only has a one year TIP (Transportation Improvement Plan) and construction must be funded because it is not known when the Transportation Trust Fund will be reenacted or be funded, so projects can only go out for one year. There is a \$100 million project in South Jersey that DOT decided to fund in one year.

Mr. Holt advised the local aid to municipalities (\$10 million) and local aid to counties (\$12.8 million) of which each county in the north Jersey sector received \$1 million a year for bridges. The local aid and future needs were deferred out.

Mr. Holt reported the Executive Committee of NJTPA has met with NJDOT and a letter has been drafted looking for \$44 million of those funds be put back into the budget. The bulk of the funding being asked to be returned is the local aid money. The rationale behind this is simple, that is that cutting money out of what municipalities and counties for road and bridge projects will not save tax dollars. It may solve the state's budget problem but it puts the burden on the local municipalities and counties. NJTPA has been told there is still some wiggle room on this and the NJTPA Executive Committee will be meeting with the Executive Director and the NJDOT Commissioner in the next couple of weeks to discuss this matter.

Mr. Holt reported he has a June 04, 2010 meeting set up with the NJDOT Commissioner to talk about the overall needs of the northwestern section of the State of New Jersey.

Cell Towers

Mr. Melick recommended leasing out the high points in the County for cell towers to bring money into the County.

OPEN TO THE PUBLIC

Director Mennen opened the meeting to the public.

Hagedorn

Frances Gavigan, East Amwell Township resident, said there is something unique about Hagedorn that she hasn't heard addressed in the press, in that it is uniquely situated within easy access for the bulk of the population in New Jersey being right off of Interstate 78. She recommended Hunterdon reach out to the northern New Jersey Counties for support.

Mrs. Gavigan advised a leading aspect of dealing with the mentally ill, especially dementia, is to maintain a connection to the community. Hagedorn's unique location facilitates connection as there are buses, trains and transportation to maintain family relationships with a minimal amount of disruption.

County Bridge E-174

Mrs. Gavigan thanked the Freeholder Board and reported positive activities from John Glynn, Director, Roads, Bridges and Engineering in terms of being open minded, willing to work with people and to manage frustration better than anyone else can in dealing with the residents and elected officials of East Amwell in connection with Bridge E-174. Mr. Glynn is outstanding and works well with people.

Mrs. Gavigan stated the Amwell Valley Trail Association and the horse community is unique in East Amwell. As someone who is about to get back on a horse, she will be using these trails and there is a very short section, between her farm, the vineyards and E-174 where there are a half dozen trail crossings on Wertsville Road. There have been requests in the past by the trail association to have posted those signs that point out the state law that you are required to slow to 25 MPH and there has been reluctance because other places have asked for those signs and been refused. East Amwell is willing to pay for the signs if Hunterdon will allow them to be posted on the County road. This would be cost neutral to the taxpayer and it enhances the education of people moving from point A to point B.

Mrs. Gavigan offered the services of Dr. Shinota and his students to assist the County, also cost neutral, to come together with a holistic approach to County roads.

Mr. Holt feels the County is in good shade and feels there is wiggle room at DOT. He feels East Amwell has a strong case.

Mrs. Yard asked Mrs. Gavigan to put her request for the trail signs in writing and submit it to the Board.

FOR DISCUSSION

Horseshoe Bend Partnership, LLC, Kingwood Township

County Counsel - Status of pre-closing conditions, Horseshoe Bend Partnership, LLC, Kingwood Township.

Mr. DeSapio read a resolution to the Board concerning the closing of Horseshoe Bend Road property, the requirements of the seller to make that happen and an extension of the date to 4:00 p.m., Friday, May 7, 2010 as long as a letter for this to be completed, provide a date for completion and an RAO statement, which is a covenant not to sue and an LSRP opinion letter to the County which would be accompanied by an indemnification agreement that would include insurance to protect the County for a three year period.

Mr. Walton moved and Mr. Mennen seconded this:

See Page 05/04/10-10A

RESOLUTION

RESOLVED, Authorizing the Board of Chosen Freeholders has the right to terminate the contract dated April 17, 2009, effective immediately provided that if the seller agrees to furnish all documents required under the New Jersey DEP LSRP program, including an unconditional acknowledgement by the LSRP and remains liable to the County for a period of three years after closing for all the actions, representations and statements made in the LSRP documents, the County will withdraw its termination notice and proceed to closing under the conditions listed. The seller will have until 4:00 p.m., Friday, May 07, 2010 to acknowledge in writing that it will furnish such an acknowledgement and all documents. Also, if the seller confirms that it will meet the requirements then the County agrees to close provided all conditions set forth in this resolution are met.

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

The Board directed Mr. DeSapio to email this resolution to the seller's attorney this evening and send it formally tomorrow via mail.

Public Employee Luncheon

Mrs. Yard reminded the Board of the public employees luncheon to be held on Friday, May 07, 2010 between the hours of 11:30 a.m. until 2:00 p.m.

There being no further business to come before the Board, Director Mennen adjourned the meeting at 8:53 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board

Deleted: ¶