

# HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, 2<sup>nd</sup> Floor, 71 Main Street

Flemington, New Jersey 08822

September 21, 2010

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 6:00 p.m. in accordance with the provisions of the Open Public Meetings Act.

**PRESENT: MR. MENNEN, MR. HOLT, MR. MELICK, 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 September 02, 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 09/21/10-1A**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the legal terms of a potential maintenance/management agreement for the Roerig, Reilly and Ahlemeyer properties in Bethlehem Township

**See Page 09/21/10-1B**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the pending litigation involving the Sheriff's Office in connection with salary raises and payment of various outstanding expense vouchers.

**See Page 09/21/10-1C**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss a report generated by the County's attorney regarding pending litigation against the Prosecutor's Office and certain employees in that office and related personnel issues concerning activities of employees in the department.

**See Page 09/21/10-1D**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss negotiations with the CWA regarding legal issues surrounding the health insurance opt-out plan for employees.

**See Page 09/21/10-1E**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the approval of previous 2010 Executive Session minutes as listed: July 6, July 20, August 3, August 17 and September 7.

**See Page 09/21/10-1F**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the County's contribution toward a land acquisition proposal referred to as the Urbach Property.

**See Page 09/21/10-1G**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss the process and pending applications for the designation of the Parks Director position.

**See Page 09/21/10-1H**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss contract interpretation issues with regard to collective bargaining agreements with various County employee units.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:15 p.m. and reconvened in Open Session at 6:10 p.m.

## **PLEDGE OF ALLEGIANCE**

### **PUBLIC COMMENT**

Director Mennen opened the meeting to the public.

At this time no one from the public wished to address the Board.



Ms. Browne announced that the Capital Budget packets will be sent out on September 15, 2010 and will be due back to the Finance Department on October 15, 2010. The Operating Budget packets will be sent out in December and due back in January.

#### **PURCHASING**

Mr. Melick moved and Mr. Holt seconded these:

**See Page 09/21/10-3A**

#### **RESOLUTION**

**RESOLVED**, Approving Req. #40025047, using State Contract No. A-75722, with Modern Equipment Sales & Rental Company, for snowplow parts, for Roads, Bridges and Engineering, in the amount of \$21,912.50.

**See Page 09/21/10-3B**

#### **RESOLUTION**

**RESOLVED**, Approving Req. #40025112, using Quote #0050-2010, with Modern Equipment Sales & Rental Company, for salt spreader parts, for Roads, Bridges and Engineering, in the amount of \$13,054.19.

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

Mr. Holt moved and Mr. Walton seconded these:

**See Page 09/21/10-3C**

#### **RESOLUTION**

**RESOLVED**, Approving Req. #40025114, using Quote #0055-2010, with Modern Equipment Sales & Rental Company, for snowplow shoes, for Roads, Bridges and Engineering, in the amount of \$23,952.00.

**See Page 09/21/10-3D**

#### **RESOLUTION**

**RESOLVED**, Approving Req. #40025116, using Quote #0056-2010, with Storr Tractor Company, for flail mower parts, for Roads, Bridges and Engineering, in the amount of \$12,288.44.

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

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 09/21/10-3D**

#### **RESOLUTION**

**RESOLVED**, Approving Req. #Parks.05238, with New Jersey Parks and Recreation Association, for theme park tickets, for the Parks and Recreation Department, in the amount of \$23,579.00.

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

Mr. Sworen moved and Mr. Walton seconded this:

**See Page 09/21/10-3E**

#### **RESOLUTION**

Discussion occurred on the need for a copier for the Central Printing and Mail Department as it relates to shared services print requests and how maintenance costs will likely increase on an older copier. This copier purchase was originally planned for the 2011 budget for a projected arrival of 2012.

**RESOLVED**, Approving Req. #40025142, using State Contract No. A:51144, with Cannon USA, for a high production copier, for Central Printing and Mail, in the amount of \$101,313.00.

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

#### **ROADS AND BRIDGES UPDATE – John Glynn**

Mr. Glynn provided an update on the following various road and bridge projects:

**Road projects:** Routes 519 and 650; Route 635 in Hampton and Glen Gardner Boroughs.

**Resurfacing/Surface Treatments:** Routes 523, 579, 601, 602, 607, 620 & 639 in various townships.

**Bridges:** W-124, Alexauken Creek Road; T-116, Boulder Hill Road.

**Drainage Projects:** Routes 513 and 617 in High Bridge Borough & Raritan Township; Route 601 in Mt. Airy; Route 635, north of Mine Road; Route 519 in Alexandria and Delaware Townships; and Route 513 north of Lower Landsdown Road.

**Sidewalk/Drainage:** Community/Extension Services Building at Gauntt Place.

**Bridge Scoping Projects: w/Local Lead and/or NJTPA:** F-45, E-174, E-166, C-88, RQ-164 RQ-179.

**Intersection Development:** Routes 517 and 523.

**Demolition projects:** one recently completed and another is near completion.

**PLANNING**

Mr. Sworen moved and Mr. Walton seconded these:

**See Page 09/21/10-4A**

**RESOLUTION**

**RESOLVED**, Approving a Flemington Borough Municipal Grant application for a portion of County Open Space Trust Funds, for the historic preservation of the Case/Dvoor Farm, Block 49, Lot 2, Raritan Township, in an amount not-to-exceed \$25,000.00.

**See Page 09/21/10-4B**

**RESOLUTION**

**RESOLVED**, Approving a Readington Township Municipal Grant application for a portion of County Open Space Trust Funds, for a supplemental increase for the historic preservation of the Block 93, Lot 1, Readington Township, approved on June 1, 2010 for an allocation of \$164,747.19; the new total amount is \$211,073.49.

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

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 09/21/10-4C**

**RESOLUTION**

**RESOLVED**, Authorizing final approval, for an acquisition of development easement, for Block 14, Lot 15, Township of Alexandria, (F. Nemeth Farm), SADC-\$530,400.00; County-\$173,400.00, for approximately 102 acres for a total of \$703,800.00.

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

Mr. Sworen moved and Mr. Walton seconded this:

**See Page 09/21/10-4D**

**RESOLUTION**

**RESOLVED**, Authorizing final approval, for an acquisition of development easement, from owners, Louis I. III & Jeanne K. Zuegner, for Block 17, Lot 34, (Zuegner Farm) Township of East Amwell, (SADC - \$639,600.00; County - \$213,200.00; East Amwell, \$213,200.00), for approximately 82 acres, for a total amount of \$1,066,000.00.

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

**COUNTY ADMINISTRATOR**

**OPRA** update shall/may remind the Board they adopted last year this document speaks to OPRA copy machine separate from OPRA requests.

Freeholder Sworen can be sent electronically not only copy costs and faxed copies. Scanning can lend a problem as well. Do not have the inherent capabilities for all copiers. If someone wants can something via fax about retiring in and then that person comes in two weeks later and wants to see the fax, they sent OPRA requires you need to produce.

Freeholder Holt larger position take the multi-e program and have all our documents scanned electronically OPRA comes up with this stuff but we are not all already.

**Facility/Room Use Policy:** Mrs. Yard read from the minutes with regard to a request to utilize County facilities for an outside religious agency, the Facility/Room Use Policy was reviewed and it was determined movie shoots are allowable. Mr. DeSapio feels it was included in the draft which Shana Taylor of his office, obtained ordinances from both Clinton and Frenchtown. This policy, with modifications, the four threshold questions were addressed, is in Ms. Wieder's computer but was never adopted by the Board. Mrs. Yard will get copies of the draft, revised policy for the Board's review so that they can determine to adopt the revised policy at an upcoming meeting. The recent request to utilize County space for a movie shoot is consistent with the current policy.

**NJ SMART START:** Frank Bell briefed the Board on the NJ Smart Start grant, (as explained to him by the HC Lyons Company) which is a direct install program whereby funding comes from BPU. Funding is derived from JCP&L and other power companies that go into a common fund to be awarded to organizations, such as the County. Allocation of funds are 60% BPU and 40% EECBG (Energy Efficiency Conservation Block Grant) through ARRA (American Recovery Re-investment Act); the County pays nothing at this point.

Projects identified for use of these potential funds are: boilers, furnaces, smaller HVAC condensing units, lighting and VSFD's at the Justice Center, as well as potential use for the complete heat/hvac system at the Route 31 Complex. The County can choose from a list of projects provided in the grant as to what they can be funded by the grant. Use of funds is not restricted to new projects.

Mr. Bell will promptly meet with the grant review committee to determine any ongoing County obligations/liabilities but, due to time constraints for this grant, he requested Board authorization today to apply for the grant through NJ Clean Energy. Mr. Bell will verify the County's application

eligibility to apply for both sources of funding, that one does not depend on the other. If approved, the County can choose not to accept the award. It was noted that applying this year puts the County in line for next year's funding if it becomes available.

Due to the time sensitivity to apply for this grant, Freeholder Walton moved and Freeholder Holt seconded a motion that Mr. Bell meet with the grant review committee, and then apply for the grant; and to return to the Board if and when the grant is awarded so that the Board can choose to accept/not accept the award.

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

**CONSENT AGENDA**

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve claims in accordance with the Claims Register dated September 21, 2010 with the removal of item #2.

**See Page 09/21/10-5A CLAIMS REGISTER**

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

Mr. Sworen moved and Mr. Walton seconded a motion to approve item #2 from Claims Register dated September 21, 2010.

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve the Open Session minutes from August 17, 2010.

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

Mr. Sworen moved and Mr. Walton seconded these:

**See Page 09/21/10-5B RESOLUTION**

**RESOLVED**, Approving appointment of Toni Hansen to the Professional Advisory Committee on Alcoholism and Drug Abuse.

**See Page 09/21/10-5C RESOLUTION**

**RESOLVED**, Approving appointment of Maria Duncan to the Workforce Investment Board.

**See Page 09/21/10-5D RESOLUTION**

**RESOLVED**, Authorizing the Freeholder Director to sign the CWA Local #1036 Supervisors contract.

**See Page 09/21/10-5E RESOLUTION**

**RESOLVED**, Approving an Interlocal Health Services Agreement with the Borough of Califon for certain public health activities and services.

**See Page 09/21/10-5F RESOLUTION**

**RESOLVED**, Authorizing a contract modification #2, to change ownership from ResCare HomeCare, Inc., to new ownership by All Quality Care, Inc.

**See Page 09/21/10-5G RESOLUTION**

**RESOLVED**, John A. Hrebella appointed temporary, as needed Student Assistant, Library.

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

**HEALTH DEPARTMENT – Rose Puelle**

**Flu Vaccines:** The Board is in receipt of a report from Ms. Puelle which proposes a list, consistent with prior years, of under 200 persons who should receive free flu vaccines through the PHN group (except last year which was outsourced). The proposal targets individuals not able to pay for and/or not having transportation to/from vaccine clinic sites.

It was strongly noted that in past years, excess vaccines have been thrown away that could have been provided to indigent individuals and the Board cannot abide throwing out doses.

Good record-keeping at the Fall clinic will show how many and to what groups are receiving doses, which will ultimately determine if the County is reaching its target audience of those unable to pay for or be transported to receive the vaccine; if not, delivery of this service should be rethought.

Ms. Puelle explained that delivering vaccine to more difficult-to-reach populations has a higher cost; she needs the Board to advise her what the parameters are in order to calculate the cost.

As of October 9, it is anticipated there will be 1,150 vaccines on hand, less than expected due to a manufacturing issue. The charge for the vaccine is \$20. 350 does will need to be delivered after October 9; a tentative clinic is set for November at Route 12.

If the initial 1,150 doses of vaccine are not used in the first clinic, the subsequent 350 vaccines will not be drawn on and the order will be cancelled.

The difference between the Health Department's vaccine clinics and pharmacy clinics is that pharmacies can only vaccinate under age 18; the County's clinics vaccinate persons aged two years and older and offers two forms of the vaccine.

Mr. Walton indicated that if salaried teachers are on the proposed list to receive free vaccines he wants first responders and EMT's to be included on the list.

Freeholder Walton moved and Freeholder Sworen second a motion to approve the waiver policy with the addition of active volunteer firefighters and EMT's to include that, at the end of this process, there will be an accurate account of what persons received which vaccine.

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

Ms. Puelle is to get a one-page notice/flyer together out to the Chief's Association, OEM Coordinators.

**NACCHO dues:** The Health Department is requesting the payment of the National Association of City Health Officials. Discussion occurred. It was noted that, although these memberships may be valuable to the County professionals but some then there comes the question of the conferences, which can be costly. This has previously been expressed to Mr. Beckley.

Freeholder Holt moved and Freeholder Sworen seconded a motion to approve payment of NACCHO dues.

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

Freeholder Holt thanked everyone for their time at the recent Health Department Committee meetings; Ms. Puelle thanked the Board for the attention on the Health Department.

#### **GRANTS**

Mr. Sworen moved and Mr. Walton seconded these:

**See Page 09/21/10-6A**

#### **RESOLUTION**

**RESOLVED**, Approving a Title IV-D Reimbursement agreement for Title IV-D, pertaining to child support and/or paternity matters, with NJ Department of Human Services, Division of Family Development, in the amount of \$275,520.05.

**See Page 09/21/10-6B**

#### **RESOLUTION**

**RESOLVED**, Approving a subgrant award for Victim Witness Advocacy, with the New Jersey Department of Law and Public Safety, Division of Criminal Justice, (matching funds - \$20,422.00; federal funds- \$81,688.00), for a total amount of \$102,110.00.

**See Page 09/21/10-6C**

#### **RESOLUTION**

**RESOLVED**, Approving a grant application for the Comprehensive County Youth Services Grant, with the Juvenile Justice Commission funding in the amount of \$191,117.00 – "State/Community Partnership"; \$97,157.00 – "Family Court"; \$8,961.00 – "Juvenile Accountability Block Grant".

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

#### **PROCLAMATIONS**

Mr. Melick moved and Mr. Holt seconded this:

**See Page 09/21/10-6D**

#### **PROCLAMATION**

**RESOLVED**, Joining Round Valley Youth Center to honor and recognize Jay Langley for his service to Hunterdon County and its citizens.

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

Mr. Sworen moved and Mr. Walton seconded this:

**See Page 09/21/10-7A**

#### **PROCLAMATION**

**RESOLVED**, Recognizing the Center for Educational Advancement on its 40th Anniversary in October 2010.

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

## **CORRESPONDENCE**

Permission was granted for a request from High Bridge Emergency Squad to hold a coin toss fund drive on Route 513 on October 2, 2010; Mr. Sworen moved and Mr. Holt seconded a motion to grant permission provided the event is coordinated through the County's Department of Roads, Bridges and Engineering.

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

Permission was granted for a request from The Search and Rescue Council of New Jersey's to accept their proposal on the state-wide dispatch of volunteer SAR team system in connection with the Hunterdon County Dispatch and Communications system, which was previously discussed with the Director of Public Safety, George Wagner. Mr. Sworen moved and Mr. Holt seconded a motion to grant permission of this request.

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

Permission was granted for a request from Fairmount Fire Company No. 1 to hold a coin toss fund drive on Routes 517 and 512 on September 25, 2010. Mr. Sworen moved and Mr. Holt seconded a motion to grant permission provided the event is coordinated through the County's Department of Roads, Bridges and Engineering.

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

Permission was granted for a request from Union Fire Company to hold a coin toss at intersection of Route 12 and Race Street, Frenchtown on October 10 and October 11, 2010. Mr. Sworen amended their request to change the dates to Saturday and Sunday, October 9 and 10 respectively. Mr. Walton moved and Mr. Holt seconded a motion to grant permission provided the event is coordinated through the County's Department of Roads, Bridges and Engineering.

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

## **FREEHOLDER COMMENTS/REPORTS**

**FREEHOLDER DIRECTOR MENNEN:** Last week's Star Ledger and Courier News reported that Raritan Valley Community College gave a presentation to the Somerset County Board of Chosen Freeholders on their proposed building project (similar to their presentation to Hunterdon's Freeholders). Director Mennen stated that during conversation with Dr. Craybill and some of Somerset's Freeholders, that Somerset indicated their \$2 million dollar commitment comes with some reservations; foremost, impressions from media and some of Hunterdon's Freeholders, that Hunterdon is not currently desirous to go forward on this project.

Minutes from last month's Board of Chosen Freeholders meeting indicates that during President Craybill's presentation, Hunterdon indicated it has no intention to move forward at this time on the building project. Director Mennen expressed that, out of fairness to its colleagues and partners at the college and to the Somerset Freeholders, that Hunterdon will clearly delineate its stand, which is particularly relevant at this point given the Board of School Estimate meets next week to address the Capital Budget that includes this building project.

Freeholder Sworen, although in total support of RVCC and its future, stated that Hunterdon does not have available funds this year for this project, therefore it will not bond for it either.

Mr. Sworen moved and Mr. Walton seconded this:

**See Page 09/21/10-7B**

## **RESOLUTION**

**RESOLVED,** that Hunterdon County Board of Chosen Freeholders will not support the building project for 2010. The Board agreed to speak with clarity on this issue to RVCC.

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

This Board action will be transmitted to Somerset County tomorrow.

Freeholder Director Mennen addressed correspondence received at the Chamber of Commerce from Councilman Peck of Clinton Township who has a valid request to have a county-wide study of consolidated services be performed. Director Mennen indicated that perhaps Freeholders Sworen and Walton do some fact-finding to begin to respond to Councilman Peck's request; and additionally to determine how \$300,000.00 of State taxpayer money was used in furtherance of consolidation of shared services.

Freeholder Director Mennen also reported that he and Freeholder Walton have developed a job description for the position, generically speaking, 'gatekeeper' of legal services. This job description will be the topic of a meeting to be held this Thursday and is similar to the operations review for transportation and is most currently being undertaken in the Health Department. Director Mennen hopes to take the input from this review, put it into the draft job description and have it available for discussion as early as the next Freeholder meeting in two weeks.

Freeholder Melick asked if there will be consideration at the special meeting to talk about the outcome. County Administrator Yard indicated that she has had conversations with Ms. Browne with regard to the numbers. They can start working on the numbers as early as tomorrow, but

there are a lot of moving parts in determining numbers to be considered before they are ready to have discussions with the Board; they will be looking at projected ratables; increases in health care, workman's comp, etc, and being able to come up with the numbers.

Director Mennen stated that at a minimum, discussions should begin in two weeks, Tuesday, October 5 at 3:00 p.m.; if, in fact, Administration/Finance can start prior to two weeks, Director Mennen will poll the Freeholders and determine an earlier special meeting time.

**FREEHOLDER WALTON** reported that the Polytech Board received \$34,000.00 in additional grant monies from the State that helps pay for teachers' salaries, but there are strings attached.

Freeholder Walton also conveyed that he spoke with Council Peck and about getting the municipalities together to determine the level of interest in shared services and a shared police force. To move forward, Freeholder Walton would like to forward the list of the shared opportunities (previously provided by Department Managers) to municipalities with a letter conveying the County's desire to share.

County Administrator Yard conveyed that Department Managers have always been told that County work first, County obligations to the County's citizens must be filled first; and the Department Managers are also asked if overtime or staff re-assignments are involved to perform a shared service.

**OPEN TO THE PUBLIC**

There were no members of the public who spoke.

There being no further business to come before the Board, Director Mennen adjourned the meeting at 9:35 p.m.

Respectfully submitted,

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Rhonda Kelly  
Deputy Clerk of the Board