

# HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

71 Main Street, Freeholder's Meeting Room, 2<sup>nd</sup> Floor  
Flemington, New Jersey 08822

**July 05, 2011**

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:00 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

## **OPEN PUBLIC MEETINGS ACT**

Director Holt 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 June 30, 2011, to the Hunterdon County Democrat, The Express, Courier News, Trenton Times, and Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

## **EXECUTIVE SESSION**

Mr. Walton moved and Mr. Sworen seconded these:

**See Page 07/05/11-1A RESOLUTION**

**RESOLVED**, Executive Session to discuss an appeal of a personnel issue.

**See Page 07/05/11-1B RESOLUTION**

**RESOLVED**, Executive Session to discuss to discuss a committee appointment.

**See Page 07/05/11-1C RESOLUTION**

**RESOLVED**, Executive Session to discuss litigation involving the Prosecutor's Office.

**See Page 07/05/11-1D RESOLUTION**

**RESOLVED**, Executive Session to discuss to discuss litigation involving a bridge issue.

**See Page 07/05/11-1B RESOLUTION**

**RESOLVED**, Executive Session for continued discussion of a contract.

**See Page 07/05/11-1C RESOLUTION**

**RESOLVED**, Executive Session to discuss a legal issue regarding property.

**See Page 07/05/11-1D RESOLUTION**

**RESOLVED**, Executive Session to approve previous Freeholder meeting minutes.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:05 p.m. and reconvened in Open Session at 5:30 p.m.

## **PLEDGE OF ALLEGIANCE**

### **PUBLIC COMMENT**

Director Holt opened the meeting to the public. No public comments were made at this time.

### **POLYTECH – Kim Metz**

Ms. Metz reported that one of Polytech's students in the automotive program won seventh place at Nationals. Information was provided about Polytech's on-line programs.

Ms. Metz also presented a check for \$15,000 to the Board of unused funds from their construction project.

Administrator Yard indicated that NJAC has awarded scholarships to three of Polytech's students, which will be presented at the next Freeholder meeting.

### **HEALTH DEPARTMENT – Rose Puelle**

Ms. Puelle thanked the Board for their support of the flu clinics and provided handouts as she summarized statistical data on two flu vaccine clinics held in October 2011. She reported approximately 100 unused doses of the nasal mist flu vaccine were discarded as this vaccine is prepared without preservatives and has a short expiration period. The cost of the two flu clinics is factored into the total \$17,830.99 cost of health preparedness exercises. There was no cost for syringes by utilizing the surplus from the H1N1 event.

The \$16,379.44 cost recovery was realized by the \$20 per dose administration fee and Medicare reimbursements; as the clinics are part of the pandemic exercises, personnel and food costs of \$8,253.69, were allowed to be charged to the supplemental grant funds from the H1N1 exercise. Without accessing the grant funds, the County would have fallen short in its cost recovery.

Ms. Puelle asked the Board to consider two flu clinics (pre-registration) in November at a maximum cost of \$12,500 (using an estimated \$25 per dose cost). The cost of the clinics would not be fully recovered using the \$20 per dose administration fee, as there are no grant funds available this year. She addressed the outreach methods used in response to a question from the public.

Mr. Holt requested Ms. Puelle to provide a more detail with regard to the County's financial exposure; which Mr. Holt feels would be around several thousand dollars.

Mr. Mennen suggested an RFP to allow the County to make an informed decision before committing to an in-house model. He expressed concern about outreach efforts falling short with regard to the availability of last year's appointment-call in was only one day per week for an hour and a half; he pointed out the public's easy access to the flu vaccine at local pharmacies and retail stores. Mr. Mennen is adamantly against throwing out vaccines.

Ms. Puelle was instructed to contact John Davenport in Purchasing with regard to an RFP and return to the Board with options to an in-house model and to provide projected costs/revenue for clinics in 2011; this will allow the Board to make an informed decision

**PURCHASING – John Davenport**

Mr. Walton moved and Mr. Sworen seconded this:

**See Page 07/05/11-2A                      RESOLUTION**

**RESOLVED**, Approving Requisition #25611, in the amount of \$42,096.00, for base station, with Queues Enforth Development

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

Mr. Sworen moved and Mr. Walton seconded this:

**See Page 07/05/11-2B                      RESOLUTION**

**RESOLVED**, Approving Requisition #3329, in the amount of \$34,311.00, for network equipment, with Eplus Technology.

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

Mr. Mennen moved and Mr. Melick seconded this:

**See Page 07/05/11-2C                      RESOLUTION**

**RESOLVED**, Authorizing award of Bid #2011-09, for the painting of various bridges, to Allied Painting Inc., in the amount of \$192,000.00.

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

**PLANNING/HISTORIC PRESERVATION – Kevin Richardson**

Mr. Mennen moved and Mr. Melick seconded this:

**See Page 07/05/11-2D                      RESOLUTION**

**RESOLVED**, Approving an acquisition of a road right-of-way for a sight easement and maintenance easement, with Robert C. and Linda D. Runge and Charles F. and Rose I. Runge, for Block 19, Lot 13, Alexandria Township, County of Hunterdon, in the amount of \$10,328.00.

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

Mr. Richardson provided a brief overview of the following four applications to allocate Historic Preservation funds. He noted a fifth application, from Raritan Township, (Ship and Shirwell project) was deferred; as per eligibility criteria, the Township must own the property prior to applying for preservation funds.

Mr. Walton moved and Mr. Sworen seconded this:

**See Page 07/05/11-2E                      RESOLUTION**

**RESOLVED** an application, for an allocation of Historic Preservation Grant funds, in the amount of \$61,800.00, for reconstruction of the "Clawson House", East Amwell Township.

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

Mr. Walton moved and Mr. Sworen seconded this:

**See Page 07/05/11-3A**

**RESOLUTION**

**RESOLVED**, Approving an application, for an allocation of Historic Preservation Grant funds, in the amount of \$105,375.00, for the reconstruction of the Readington Reformed Church Steeple, Readington Township.

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

Mr. Walton moved and Mr. Sworen seconded this:

**See Page 07/05/11-3B**

**RESOLUTION**

**RESOLVED**, approving an application, for an allocation of Historic Preservation Grant funds, in the amount of \$52,500.00, for the rehabilitation/restoration of the Case-Dvoor Farmstead, Raritan Township.

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

Discussion occurred regarding concerns which have been raised about voting members of the Historical Society and the Historical Commission who hold dual memberships as it pertains to their votes on the use of Historic Preservation grant funds; in particular, today's consideration of an application for these grant funds for a barrier-free access to the Doric House-Museum in Flemington Borough. Mr. Mennen questioned if there has been anything improper done in the consideration of this application. Mr. Richardson stated no and explained that the voting members involved have recused themselves from such discussions, thus nothing improper occurred during this application process.

Going forward, Stephanie Stevens, Cultural and Heritage Commission Chairperson, Planning Director Sue Dziamara, and Mr. Richardson will address the issue; separate and distinguishable standards will be put into the County's Historical Preservation grant program policy/procedure manual. The Cultural and Heritage Commission will address the issue separately.

Mr. Mennen confirmed the operative language of the exiting Conflict of Interest policy will be reviewed by the above parties to make sure if something can be done better, it will be done.

After further discussion, Mr. Mennen moved and Mr. Sworen seconded this:

**See Page 07/05/11-3C**

**RESOLUTION**

**RESOLVED**, Approving an application, for an allocation of Historic Preservation Grant funds, in the amount of \$20,160.00, for barrier-free access to the Doric House-Museum, Flemington Borough.

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

Members of the public thanked the Freeholder Board with regard to the Clawson House: Kathy Gilbert, Pastor of the Readington Reformed Church; Barbara Sagister, Chairperson of the East Amwell Historic Preservation Commission; and Francis Gavigan, East Amwell Clawson House and the East Amwell Historical Society thanked not only the Freeholder Board but the Historical Commission and Kevin Berg for all the hard work.

**ROADS, BRIDGES, AND ENGINEERING – John Glynn**

Mr. Glynn updated the Board on various road, bridge and culvert projects, which includes a public hearing scheduled for the next Freeholder meeting for a right-of-way on White Bridge Road.

The cap stones on bridge DQ-320, in Delaware Township are in need of replacement. Mr. Glynn is waiting to hear from the Township of Delaware the results of the Township's consideration of a proposed three-party agreement with the County, Delaware Township, and the Historical Society to split the repair cost (\$8,954.00) in to thirds.

**COUNTY UPDATE**

Cynthia J. Yard, County Administrator, on behalf of the Fleet Management Committee, provided an update on the 2011 Fleet Analysis, providing highlights of historical data on the number of vehicles, the amount of Capital funds earmarked for vehicles, and take-home and on-call vehicles. The general use motor pool established in 2008 has reduced mileage reimbursement requests. In January 2011 a law enforcement motor pool was established for vehicles to be shared by the Prosecutor's Office, Corrections, and the Sheriff's Office. This initiative cannot move forward until the Prosecutor's Office updates the 31 non-specialty, non-undercover vehicles currently assigned in the Prosecutor's Office.

The Fleet Management Committee recommendations are: 1) review vehicles assigned to the Health Department's contractually obligated 24-hour on call take-home vehicles and realign the fleet to match operational need; 2) evaluate the number of vehicles in the general use pool for function/need; 3) with the exception of the Prosecutor's Office, vehicles assigned on a 24-hour basis is operationally efficient; 4) vehicle use/assignment in the law enforcement motor pool should be based on factual need; 5) the Fleet Management Committee has made several recommendations to the Prosecutor's Office, which calls for operational decisions to reduce the

number of 24/7 vehicles assigned, as well as other methods to reduce taxpayers' expense with regard to the size, use, and maintenance of 31 vehicles assigned to the fleet. A presentation by the Prosecutor's Office is scheduled for July 19, 2011.

The Fleet Management Committee will have a companion presentation for that meeting to discuss recommendations for fleet reduction and/or efficiencies to the Prosecutor's Office.

### **FOR DISCUSSION**

George F. Wagner, Director of Public Safety, came before the Board to discuss the use and proposed fee for the Command Bus. Requests are received for the command bus from non-governmental/non-emergent requests; for example the balloon fest; Lambertville Shad Fest and people who are running functions for profit and they request the bus. The fee schedule for use of the bus was actually set when the County received the command bus in 2001 and the present cost is \$25 per hour/per operator and most of the time, the operators are on overtime; so the fee is the County trying to recapture some of those costs for non-emergent requests.

Mr. Wagner stated the County used to get 911 for Kids grant money and 911 Coordinator money, and when the bus is used, the County tries to recoup some of the costs for the operators with that grant money. As Mr. Walton knows, his office tried to influence some legislation because the cell phones have the E-911 tax which the counties used to get but the state now keeps.

Mr. Wagner added that occasional if the bus is used during an emergency the County could receive FEMA reimbursement.

Mr. Sworen confirmed the County bills for use of the Command Bus if it is used for non-emergency events.

Mr. Mennen confirmed the County charges also for a dispatcher at \$50 per hour and there is no cost if a staff person is used.

Mr. Walton confirmed with Mr. Wagner that a staff person or dispatcher is always with the bus; it is not left unattended and that a dispatcher fee would be on top of the regularly hourly rate.

Mr. Wagner said if the bus is used for national day out, and kids are touring the bus and using the equipment, there is a charge of \$25 an hour.

Mr. Sworen confirmed with Mr. Wagner a governmental agency would be charged \$25 per hour and a non-profit would be charged around \$50 per hour to use the bus.

Mr. Wagner advised a dispatcher would not be necessary if it is a national night out and a dispatcher function is not needed.

Mr. Mennen asked if the bus is ever taken to an event outside of Hunterdon County.

Mr. Wagner feels the only time that occurred was during 9/11 it went to Liberty State Park.

Mr. Mennen questioned why there is no charge for transit. What would happen if the bus were requested where there would be a lot of transportation out of the County. How would the County recoup the costs for miles. Maybe it should be noted that the bus is restricted to entities within the County of Hunterdon so transportation would be a non-issue.

Mr. Wagner agreed and advised he would rework the fee schedule language for the Board.

### **CONSENT AGENDA**

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

Items held: #1, 2 and 22.

Mr. Sworen moved and Mr. Walton seconded a motion to approve the Social Services Funds Report dated June 21, 2011.

**See Page 07/05/11-4A**

### **SOCIAL SERVICES FUNDS REPORT**

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

Mr. Sworen moved and Mr. Walton seconded these:

**See Page 07/05/11-4B**

### **RESOLUTION**

**RESOLVED**, Susan Ehlert appointed temporary, when and as needed, Librarian, Library Department.

**See Page 07/05/11-4C**

### **RESOLUTION**

**RESOLVED**, Matthew Fischer appointed temporary, when and as needed, Rec. Leader, Parks & Recreation Dept.

**See Page 07/05/11-5A**

**RESOLUTION**

**RESOLVED**, Grace Montemurro appointed, when and as needed, Rec. Leader, Parks and Recreation Dept.

**See Page 07/05/11-5B**

**RESOLUTION**

**RESOLVED**, Zachary Rozano appointed temporary, when and as needed, Laborer, Parks and Recreation Department.

**See Page 07/05/11-5C**

**RESOLUTION**

**RESOLVED**, Donna Snyder appointed unclassified, full-time Investigator, Prosecutor's Department.

**See Page 07/05/11-5D**

**RESOLUTION**

**RESOLVED**, Longevity payments, for Sheriff's Department employees, in accordance with the collective bargaining agreement with FOP #29.

**See Page 07/05/11-5E**

**RESOLUTION**

**RESOLVED**, Longevity payments, for Sheriff's Officers, in accordance with the collective bargaining agreement with FOP #29.

**See Page 07/05/11-5F**

**RESOLUTION**

**RESOLVED**, Longevity payments, for those employees covered under, and in accordance with, the CWA non-supervisory contract.

**See Page 07/05/11-5G**

**RESOLUTION**

**RESOLVED**, Appointing Mark Titus to the Greater Raritan Workforce Investment Board, fulfilling an unexpired term, effective immediately thru December 31, 2013.

**See Page 07/05/11-5H**

**RESOLUTION**

**RESOLVED**, Appointing Georjean Trinkle to the Human Services Advisory Council, (public member), effective immediately through May 31, 2014.

**See Page 07/05/11-5I**

**RESOLUTION**

**RESOLVED**, Authorizing the Petty Cash Fund for the County Road Department be increased to an amount of \$100.00.

**See Page 07/05/11-5J**

**RESOLUTION**

**RESOLVED**, Authorizing speed limit amendments, as recommended by the Roads, Bridges and Engineering Department, for various sections/zones of County Route 518, West Amwell Township.

**See Page 07/05/11-5K**

**RESOLUTION**

**RESOLVED**, Authorizing the release of a Blanket Road Opening Bond, posted in January 1977, in the amount of \$1,000.00, to NJ American Water Company.

**See Page 07/05/11-5A**

**RESOLUTION**

**RESOLVED**, Authorizing the County Administrator to execute WHIP grant applications/awards and all WHIP NRCS documents for the Conservation Program Grants.

**See Page 07/05/11-5L**

**RESOLUTION**

**RESOLVED**, Authorizing a joint funding agreement, in connection with the annual water allocation permit for the Heron Glen golf course, w/ the U.S. Dept. of the Interior, U.S. Geological Survey, in the amount of \$1,350.00.

**See Page 07/05/11-5M**

**RESOLUTION**

**RESOLVED**, Approving a Red Light Permit with the NJ Dept. of Motor Vehicles, for Brayden Fahey, Hunterdon County Office of Emergency Management.

**See Page 07/05/11-5N**

**RESOLUTION**

**RESOLVED**, Requesting support for legislation to amend the current OPRA to preserve original intent but to reduce public expenses in situations where requested documents/information is already freely available via internet websites.

See Page 07/05/11-6A

**RESOLUTION**

**RESOLVED**, Approving a Subordination Agreement, for Lois and Charles Anderson, for Block 40, Lot 11, in the Borough of High Bridge, through Allied Capital Corp, with a not-to-exceed amount of \$159,000.00.

See Page 07/05/11-6B

**RESOLUTION**

**RESOLVED**, Approving change order #1, for Bid 2010-29, to reimburse payment of fees, for relocation of a gas line, in connection with the Records Retention Center Addition, with Belmont Construction Corp., in the amount of \$5,536.95.

See Page 07/05/11-6C

**RESOLUTION**

**RESOLVED**, Approving application for payment #5, for Bid 2010-29, for the Records Retention Center, to Belmont Construction Corp., in the amount of \$255,213.56.

See Page 07/05/11-6D

**RESOLUTION**

**RESOLVED**, Authorizing the Purchasing Department to solicit competitive bids for the following items: Bucyrus moldboard snow plow shoes; furnish and deliver audio/visual control components for EOC; furnish and deliver gasoline; Hoffman Park Hunting agreement.

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

Mr. Mennen moved and Mr. Walton seconded a motion to approve the regular session minutes of June 7, 2011 and June 21, 2011.

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

Mr. Walton moved and Mr. Sworen seconded a motion to approve the Claims Register dated July 05, 2011, minus check #133-375 and 15875..

Mr. Mennen stated there are two checks on the Claims Register for something called the CPANJ which appears to be a registration for a conference. It is also listed as CAPNJ. He asked if that is the Prosecutor's training college? He is questioning this as it is also on Page 1 of the Prosecutor's Trust fund. There is \$4,650 coming out of the general operating account and then there is \$750 coming from the Prosecutor's Trust.

Mrs. Yard explained the Freeholder Board approved the Prosecutor's College to come out of an 830 account for continuing education units when the budget hearings took place, which was for all the assistance prosecutor's (the \$4,650 figure). It was then decided the Chief of Detectives should attend but it was not agreed to by the Freeholder Board and the Prosecutor agreed to take the funds from his trust account.

Mr. Mennen questioned check #15875 listed under grants to an eatery for \$985 for a training exercise.

Mrs. Yard advised that is from the Health Preparedness grant for training offered on the Homeland Security program; it was coordinated through Rose Pouelle of the Health Department, for three days worth of training for 33 volunteers who participated in the training at the Route 12 County Complex.

Mr. Melick said the Prosecutor can use his trust fund to items and some is outside the realm of the Freeholders' approval. He feels other items could also be paid through the trust fund instead of using taxpayers' funds.

See Page 07/05/11-6E

**CLAIMS REGISTER**

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve Check #133875 in accordance with the Claims Register dated July 05, 2011.

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve Check #15875 in accordance with the Claims Register dated July 05, 2011.

Mr. Walton confirmed this was a Health Department Training where Hunterdon was the host.

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

**GRANTS**

Mr. Walton moved and Mr. Sworen seconded this:

**See Page 07/05/11-7A**

**RESOLUTION**

**RESOLVED**, Authorizing the re-allocation of the Special Projects grant awarded to Bethlehem Township Performing Arts Association, (Hunterdon Musical Arts, Inc - \$386.66; In-Zane Productions, Inc. - \$386.67; Readington Community Theater - \$386.67) in the total amount of \$1,160.00.

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

Mr. Mennen moved and Mr. Sworen seconded this:

**See Page 07/05/11-7B**

**RESOLUTION**

**RESOLVED**, Approving a supplemental grant award for Victim and Witness Advocacy, through the NJ Department of Law and Public Safety, in the amount of \$12,385.00.

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

**PROCLAMATIONS/RECOGNITIONS**

Mr. Walton moved and Mr. Sworen seconded this:

**See Page 07/05/11-7C**

**RESOLUTION**

**RESOLVED**, Recognizing Michael Kollet achieving the rank of Eagle Scout.

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

**FREEHOLDERS COMMENTS/REPORTS**

Director Holt recognized Sheriff Brown.

Sheriff Brown informed the Board August 02, 2011 is National Night Out and it is also a Freeholders' Meeting; if the Board can finish the meeting before 8:00 p.m. there is an open invitation to attend, the event takes place at Deer Path Park.

Mr. Walton reported his son had the pleasure of taking part in the Parks Department Golf Course Camp. This was a fine program and the County should be proud of it.

Director Holt reported he received a letter from the Frenchtown Fire Department asking permission to hold a Coin Toss on Saturday, July 16<sup>th</sup> and Sunday, July 17<sup>th</sup>, 2011 between 9:00 a.m. until 4:00 p.m. Mr. Walton moved and Mr. Mennen seconded a motion granting permission provided this event is coordinated through the County's Department of Roads, Bridges and Engineering.

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

**OPEN TO THE PUBLIC**

Director Holt opened the meeting to the public.

Frances Gavigan, East Amwell Township resident, questioned the County's Flu Shot program and if it will be retired. There are so many other options to get a flu shot other than coming to the County. She feels the money could be better spent elsewhere.

Ms. Gavigan

There being no further business to come before the Board, Director Holt adjourned the meeting at 7:00 p.m. The Board reconvened in Executive Session.

Respectfully submitted,

\_\_\_\_\_  
Rhonda Kelly  
Deputy Clerk of the Board