

**HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS**

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

Flemington, New Jersey 08822

**November 01, 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. HOLT, MR. WALTON, 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 April 29, 2011, 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**

Mr. Walton moved and Mr. Melick seconded this:

**See Page 11/01/11-1A RESOLUTION**

**RESOLVED**, Executive Session to discuss the terms and conditions of the leases at the Mountain Farm residence and the Lechner House at Echo Hill. (5)

**See Page 11/01/11-1B RESOLUTION**

**RESOLVED**, Executive Session to discuss personnel issues with regard to a revised Table of Organization for upper level management. (8)

**See Page 11/01/11-1C RESOLUTION**

**RESOLVED**, Executive Session to discuss the vacancy created in the Tax Board for an Administrator and the salary for same. (8)

**See Page 11/01/11-1D RESOLUTION**

**RESOLVED**, Executive Session to discuss personnel issues related to the issuance of a Rice Notice to a County employee. (8)

**See Page 11/01/11-1E RESOLUTION**

**RESOLVED**, Executive Session to review the executive session minutes of October 18, 2011.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:09 p.m. recessed at 5:30 p.m. and reconvened in Open Session at 5:37 p.m.

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENT**

Director Holt opened the meeting to the public.

Cindy Barter introduced herself as a family physician of Phillips Barber Family Health Center, in Lambertville, New Jersey and the Hunterdon Medical Center, (HMC) in Flemington. She expressed concerns over Public Health Nursing (PHN) because in the past she was the physician who signed off standing orders for nurses as they existed and that relationship is not there. Ms. Barter explained no one has contacted her and she realizes that the Freeholder Board could contact someone else for this service but she is concerned that her signature is on order that exist and things have changed.

Dr. Barter also voiced concern about the Improved Pregnancy Outcome program; as she is typically a maternity care provider and delivering babies; she has seen since one particular nurse left Public Health Nursing to look for a more stable situation, Dr. Barter has seen an increase in post-partum depression and mastitis in just the last couple months. Dr. Barter understands about trying to decrease the budget, she also pays taxes in Hunterdon County but her concern is if there is an increase in pre-term deliveries and post-partum depression. She explained there is one child with shaken baby syndrome who goes to another hospital which is state taxes but then they come back to Hunterdon County and are in the school system and are then special needs which will cost the County taxpayers more money.

Director Holt informed Dr. Barter that Shana Taylor is the County's Human Services Administrator who was intimately involved in bringing Public Health Nursing in-house and in the development of that area. Ms. Taylor had to step out of the meeting but she will be back shortly, and she would be glad to meet with you and get this contract point made.

Director Holt explained this Board can tell you and/or anyone asking about PHN, that there is intent to reduce the level of service or commitment to the community with regard to Public Health Nursing in any aspect that is necessary. The program as been brought in-house and today is the first day of actually having the program internally. This Board has committed to the department that as the new program is developed internally that it will support what is necessary to make it happen. The County is looking at the improved pregnancy model to determine whether the existing delivery of service, as it was done, is efficient and there are ideas on ways of improving that delivery of those services.

Director Holt asked for indulgence from everyone involved in the system, and reminded everyone that today is the County's first day of doing this, and assistance is needed from the partners to make sure the program is developed properly. Under no circumstances, is the intent of this move done to diminish the quality of service to the public.

Mrs. Yard reported last Wednesday, October 26, 2011, a meeting took place with Larry Grand, of the Hunterdon Medical Center, and Pat, who is a nurse, and the services provided by Dr. Barter was brought up. A former PHN person, Shu Chen-Chiang is now a County employee and she has been fabulous in explaining how things are done and Ms. Chen-Chiang provided a list of questions and answers to assist the County in providing these services.

Mrs. Yard advised HMC has been gracious with their give and take, discussions and recommendations.

Mrs. Yard reported the contract with the Hunterdon Medical Center for Public Health Nursing and Health Education ended today and the County picked up the services today. The County has been meeting with the HMC on a regular basis to work out kinks but there is a commitment on the part of the Freeholder Board, Ms. Taylor, Mrs. Yard and Cheryl Wieder, the County's Human Resource Director that this will be a success. The County is asking for an opportunity to get the program up and running.

Mrs. Yard introduced Dr. Barton to Ms. Taylor, who just returned to the meeting. Director Holt asked Ms. Taylor and Dr. Barton to discuss any concerns there may be concerning the County's PHN program. Ms. Taylor and Dr. Barton went into the Freeholders' Conference Room to continue their discussion.

## **FINANCE**

### **County's Emergency Policy addressing Hunterdon County's Fiscal and Budgetary Crisis**

Director Holt advised a request was received from Freeholder Mennen to again look at a resolution adopted by this Board in 2009 and was reaffirmed in 2010, addressing the County's fiscal and budgetary crisis.

Director Holt confirmed with Mrs. Yard that the amounts in the resolution have been updated by the Finance Department.

Mr. Mennen moved and Mr. Melick seconded a proposed resolution reaffirming the County's Emergency Policy addressing Hunterdon County's Fiscal and Budgetary Crisis.

Director Holt stated for a number of years he has been focused on the topic of the differentiation between tax levy and tax rate. In most of his years in municipal government, which was ten prior to becoming a member of the Board of Chosen Freeholders, the levy is the number that needs to be focused on and it is one he believes should be focused on opposed to the rate. Director Holt has supported this resolution in the past but feels this Board is reaching an interesting point today. First, this Board unequivocally have never waived on the fact that it wanted to ensure that everything in its power was done to match the economic malaise that exists and to do what it can for the residents and taxpayers of this County, to the best of its ability. Director Holt feels this Board has done that and stated it has only been done with the assistance of the County's Administration and County staff. He is troubled by looking not only at one year, being 2012, but he is trouble by the direction of what this Board should be looking at, three, four or five years from now. This Board has to determine where the County needs to be financially in the future and stated that Freeholder Melick often brings up the County's Triple "A" Bond Rating. Director Holt thinks there are many reason why the Finance Department, Administrator and staff, should be allowed to do what they have offered to do, which is on November 15, 2011, to come before the Board with presentations and ideas on how to best utilize all streams of revenue in order to meet the needs in 2012; not increasing the amount raised by taxation but also in assisting this Board in doing what is fiscally intelligent and smart for where this County needs to be in five years. The County is faced with a 2% cap which the County never had before; and the County is faced with growth in capital needs and other areas. This Board needs to look over a multi-year period of time to see what the actions of 2011 and 2012, will have as an impact on the County.

Director Holt requested this resolution be tabled for two weeks while Finance and Administration are allowed to make a presentation outlining some opportunities in terms of meeting the County's needs in 2012 but also allowing Finance to better explain where the County needs to be in several years from now.

Mr. Melick explained he is concerned because this County is based on a real estate economy and the real estate sale signs are all over the County. He feels that the economy is a disaster. The money has to come from someplace and the taxpayers don't have it. This Board needs to start working on the budget sessions for 2012 Budget. Personally he wanted this process to start in August; time is flying by.

Mr. Melick advised the economy is so bad that in some areas the County's services are greatly reduced but in other areas there is an increased demand for services.

Mr. Mennen explained the reason this Board adopted this resolution on the County's Emergency Policy addressing Hunterdon County's Fiscal and Budgetary Crisis, two years ago and he feels the same way now, is because a number of these initiatives need to be started early because there are a number of procedural hoops that need to be jumped through to accomplish some things. Mr. Mennen said in his mind, this was done to set forth with clarity and without any vagary the fact that this Board wanted to move in a specific direction which was to maintain a flat tax rate. It is important for this Board to give that direction clearly to the County's staff. He intends to vote yes on the resolution. He hopes his colleagues will, as they have in the past, in an effort to set this message. While it maybe true that in two weeks, this Board will have a budget presentation, it would be prudent to set that tone before the staff is asked to spend two weeks researching one way or the other, crafting recommendations. If this Board feels the way it has the past couple of years, then it is incumbent upon this Board to deliver that message with clarity and without any room for confusion or misunderstanding. The other purpose of this resolution is to tell the staff, that this Board is asking them to make difficult recommendations and look at things which maybe difficult or controversial or unpleasant. The staff needs to know they have this Board's support in doing what is difficult.

Mr. Walton stated he also intends to vote yes. He agrees and shares Mr. Mennen's concerns. He also is concerned about the long term fiscal health of the County. The competing interest with that is the immediate impact this Board's actions will have on the residents, at this time, raising the rate would require some of the residents to take more out of their pockets to pay taxes to the County. Mr. Walton does not think that this economy and the status of the number of the people of this County can take that. He knows too many families, directly, that do not have the money at the end of the week to pay for the necessities they need to get by. This is a very difficult time for many people. The objective of this Board should be a flat rate.

Mr. Walton understands the argument of levy versus rate but in his mind, the harder objective to reach will be the rate. This Board needs to set its goal as high as possible, and do everything possible to reach the objective.

Mr. Walton feels the Administration and staff, including this Board have been constantly reviewing ways to find efficiencies and to reduce costs that will pay dividends going into next year budget. This Board has said the budget is not something that is done and the work stops; it is an ongoing continuing process.

Mr. Sworen agreed with the majority of the statements made tonight. He said the 2% cap does not mean anything; if the County doesn't change rates then the County isn't affected by the 2% cap. The County hasn't raised rates so the 2% cap is a non-entity to the County because if you don't raise taxes, you won't reach the 2% increase.

Mr. Sworen advised hoops are important, as Mr. Mennen says, certain things have to be put in place to make things happen and he agrees with that. The impact to the people is important. The Freeholders' responsibility is the future of the County, not just next year. As Director Holt as stated the five years, looking forward, is where he would like more information because the County hasn't raised taxes or rates, and the County has taken in less income each year for the past five years. The problem this County faces, in planning for the future, is an incredibly high fringe benefit rate. Also, the County's employees who are under contract have set increases that go up every year. Some contracts are just starting and others are already in place. Before a decision is made this Board needs to see from Finance where the County will be for the next five years with the current local salaries and benefits. The County's employment force is already down 100 people from what it used to be. There maybe a point, and while no one wants to raise a dime in taxes, where taxes may have to be raised but information is needed to make that decision. There is only so much money in surplus and the Freeholders have been careful with that and in maintaining that surplus. That has to be balanced with what the staffing requirements and costs are because staffing is over 40% of the budget. This Board needs to see the projected figures for 2012, 2013, 2014, 2015 and 2016. Long term planning has to be put in place.

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

**See Page 11/01/11-3A**

#### **RESOLUTION**

**RESOLVED**, Reaffirming the County's Emergency Policy addressing Hunterdon County's Fiscal and Budgetary Crisis.

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

#### **STORM UPDATE**

**Present:** John P. Glynn, Director, Roads, Bridges and Engineering, George F. Wagner, Director, Public Safety and Brayden Fahey, Emergency Services Coordinator.

Mr. Wagner introduced Mr. Fahey the County's Emergency Services Coordinator and explained they have been working at the Emergency Services Center located in Cherryville.

Mr. Wagner reported on Saturday, October 29, 2011 the storm started and the snow began around noon time and the call volume experienced at the 911 Center (Emergency Services Center) was unbelievable. Compounding this situation was that in addition to answering Hunterdon's call but since Morris County and Somerset County was overwhelmed with calls, and

Hunterdon had to assist them since their system was overwhelmed with 911 calls. They do the same for Hunterdon, when its system experiences an overwhelming number of 911 call. Mr. Wagner stated that Hunterdon's 911 Center answered over 4,000 calls in a very brief period. It far exceeded the call volume experienced in the County's previous storm (Hurricane Irene). This storm created a situation that was a longer lasting far reaching in terms of damage to the County.

Mr. Wagner advised in the recent past citizens came to the Freeholders' meeting expressing their concerns on having no power, no electric, no internet, no showers, no well water and more. In response to those concerns the County again opened a shelter at the Route 12 County Complex. Last night two people came to the shelter; also being sheltered are four dogs, three cats and four turtles who are resting comfortably in the HazMat Building. This was a lesson learned from Hurricane Katrina years ago, because people would not evacuate because they were concerned about their pets. This is a response to experiences learned and people know they can evacuate and go to the shelter and there is also a place for their pets. The Red Cross is a partner at the shelter and they are helping manage the shelter. The Salvation Army is also at the shelter and they are helping feed people. The animals are being taken care of by the County's C.A.R.T. team (County Animal Rescue Team).

Mr. Wagner reported there were County residents concerned about getting water to their animals, so he brought in the Fire Coordinators and worked with them and the individual fire companies to make available tankers; as well as the CART Team tankers available to deliver water.

Mr. Wagner advised the Board there has yet to be a resource request, and this storm incident is still ongoing, regardless of what it was that has not been answered, whether it was for towels or cows or horses needing water, people needing shelter, turtles needing a place to sleep, the Emergency Services Center has been accommodating to all the needs.

Mrs. Yard reported there was a young woman today starting a job, who did not have a place to shower and get prepared to start her first day of work. She came to the County Shelter and she was able to shower, and put her makeup on, and start her new job today.

Mr. Wagner advised County buildings have been opened up to shower and water is being picked up at the South County Garage and can use showers there. Places have been made available for people to charge their cell phones and/or their lap tops. Power strips have been sent to the Library Headquarters and the North Branch Library. The South Branch Library has no power. The County has been advertising by all means necessary and as a County entity information is being pushed down to the municipalities, through the Administrator's group email, so municipalities can post this information on their information boards. Messages have been sent to every police, fire and EMS agency so as these people encounter residents or people on the road, they can ask them if they need shelter, water or food and let them know where to go.

Mrs. Yard stated Sunday night when she was at the shelter, she talked with a woman from Frenchtown, who said her local policeman told her the shelter was available to get warm. This woman had to start her shift at the Hunterdon Medical Center at 11:00 p.m. but came to the shelter.

Mr. Fahey informed the Board that JCP&L is reporting 29,100 customers in Hunterdon are still without power. The numbers have come down substantially, between 8,000 and 10,000 customers have been restored but there is still a significant number in the County without power.

Mr. Fahey reported the County's shelter will remain open, as long as necessary.

Mr. Fahey reported JCP&L has made water and ice available at various facilities which are posted on the County's website. Water is also being distributed through the County. The County has employed two systems of technology (1) rapid notify which is the reverse 911 and (2) the nextel system. Both can generate text and email and only one will generate the voice notification. Between the two systems, the County only reaches between two and three thousand residents. The County needs to work harder on its public outreach to let residents know these systems are available and they can register for them.

Mr. Fahey advised the Board that within a 24 hour period during Hurricane Irene the County did about one-third of the calls received this past Saturday, in a 12 hour period. Between the power outages, the status of the 911 center and what is being seen at the Emergency Services Center, this is really a more damaging storm compared to the Hurricane for the County of Hunterdon.

Mr. Mennen questioned what the high number was for those coming to the shelter.

Mr. Fahey said the number at the shelter is still increasing. Not included in the shelter numbers are the number of people just coming to use the shower facilities. He has been told that people are going in and out all day to use those facilities.

Mrs. Yard confirmed that when she was at the shelter this past Sunday, she had to wait her turn to use the shower. Many people were in the shelter just to get a cup of coffee and shower. The individuals she met were very appreciative of the services made available by the County.

Mr. Wagner reported the Hibernia Senior Apartments in Lambertville were affected. They had a generator and it failed, so half of those at the shelter came from the Hibernia Senior Center. Tonight a generator has been deployed and is being set up at the Hibernia apartments and as soon as it is operational, it is expected those seniors will be relocated back home.

Mr. Mennen confirmed there are 29,000 customers in Hunterdon County without power and around 60,000 JCP&L customers are out of power; so 1 out of every 2 people are out of power. Mr. Fahey confirmed that is what was reported to him.

Mr. Melick stated a representative of JCP&L spoke on Radio Station 101.5 this morning and stated 90% will be restored by Thursday night but some may go into Friday. Mr. Melick doesn't see how this can be accomplished. He is familiar with North Jersey and those suburban areas, with their Knowles and hills in Passaic and Bergen Counties. The trees are down and poles have been splintered and there are transformers on the ground.

Mr. Fahey added that Hunterdon County's condition is the same as North Jersey.

Mr. Sworen advised JCP&L cannot provide a listing that shows on the street level who has power and who does not and when the repairs will take place. He saw JCP&L trucks today from South Jersey who sat for three hours waiting for another truck, to figure out where a power issue was at a substation somewhere, and then they had to get parts. After sitting for 4 ½ hours they finally went to the substation to fix it. The substation isn't the issue in most of Hunterdon County, the problem is trees have come down that have knocked down wires, knocked off transformers and they need to be fixed. JCP&L has cleared a lot of the trees this time on Sunday and Monday, but the issue is JCP&L needs line crews to fix the transformers, put the lines back on and none of that has started yet.

Director Holt asked if Mr. Glynn had anything to inform the Board of.

Mr. Glynn reported the County now has 22 major County road closures as of Sunday night. Today there are 11 closures. JCP&L is stringing line and they have removed the trees to provide access for the power crews. They have remobilized and brought trucks and people up from Ohio (the first group that come up Monday) and Mississippi. Mr. Glynn is asking to get the roads open so people can get to work and motivate themselves. Significantly, the corridor from Warren Glen Hill across into Bethlehem Township into Tewksbury Township and Lebanon had close to 15" of snow with 11" in some places. In the Flemington/Raritan area around 6 to 7" of snow was received. This was very wet, heavy snow. There is significant tree damage throughout the County properties and significant tree damage along County roads. This evening JCP&L is trying to get Route 513 open by Bunnvale and one line on Route 517.

Mr. Fahey reported that the State Department of Transportation (DOT) contacted Emergency Services this morning with a mutual aid offer, where they would come in and if any municipality or the County wanted assistance to cut a clearing to open the roads, the State DOT was willing to send people out to do that.

Mr. Sworen stated JCP&L is trying to get the most people restored as soon as possible which means Hunterdon is at the end of the list along with Warren County and Sussex County. JCP&L is restoring Madison, Short Hills and the large population centers so they can get revenue from it.

Mr. Fahey also reported that the 08822 zip code was the most impacted. There are still over 5,000 customers without service in that area.

### **PURCHASING**

Mr. Melick moved and Mr. Mennen seconded this:

**See Page 11/01/11-5A**

### **RESOLUTION**

**RESOLVED**, Authorizing the award of County Bid #2011-22, to furnish and deliver Prescription Services, for the Adult Corrections Facility, to IPPC Pharmacy, Inc., in an amount not to exceed \$150,000 for a two (2) year period.

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

### **ROADS and BRIDGES Update**

John P. Glynn, Director, Roads, Bridges and Engineering came before the Board to provide an update of various County road and bridge projects.

- The paving project for County Route 519 starting at Route 12 running up to Route 513 has been put on hold. Repairs are being done, as well as reconstructing the inlets.
- The drainage job for Route 523 through Route 517 has been stopped because the contractor can't get to the worksite.

Mr. Glynn informed the Board his concern is getting the roads open, because providing energy to the homes, there is a significant risk to all the other emergency services because they can't get to where they want to go.

Mention was made of JCP&L trimming trees. Mr. Glynn advised they are cutting the trees at the power line and leaving them on the phone lines. The people doing the tree cutting was given direction by JCP&L on how to cut the trees. That system has to change; a better job has to be done.

- The bridge on Alexauken Creek Road is now open. There are punch list items that need to be taken care of. There is one more drainage project to be done and the contractor will be back on site as soon the weather permits.
- A meeting is scheduled with Delaware Township on November 09, 2011, on Bridge D-300 on Raven Rock Road to discuss its rehabilitation. There are questions on how the bridge will be strengthened as it will be kept the same, shape, size and width.

- Right of way appraisals are complete for County Route 612 and 600. The appraisal report was submitted to the property owner and an offer was made based on the appraised value,
- Storm Recovery from Hurricane Irene: F-87 has been completed; bids for HA-14 will be received next Tuesday; Old Croton Road is around 65% complete and footing for U-14 have been started.
- Shot rock has been completed on County Route 519.
- The County is working with Stockton Borough and confirmed the County will be a participant in the Stockton Borough meetings on the drainage issues. There are issues, one by Brookvale and another one by Prallsmill. Stockton is near the river with a cliff on either side of it and the water races down through it. The Mayor will bring in the Water Authority, New Jersey DOT, the County, Delaware Township and the Delaware Canal Commission.

#### **SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT**

**Present:** Alan Johnson, Director of the County's Housing Rehabilitation Program.

Those in attendance: John P. Glynn, George F. Wagner, Brayden Fahey, John Davenport, Sue Dziamara, Andrea Bonnett, Lois Stewart, Fred Brown, Cynthia J. Yard, Denise B. Doolan, and the Board of Chosen Freeholders: J. Matthew Holt, Robert G. Walton, George B. Melick, William G. Mennen and Ronald W. Sworen.

Alan Johnson, Coordinator of the Hunterdon County Housing Rehabilitation Program, came before the Board to provide an update on the program which utilizes Small Cities Community Development Block Grant funding.

Mr. Johnson stated the County's Housing Rehabilitation Program provides funding rehabilitation of single family homes for people with low and moderate income. The County will soon request a release of funds from the Department of Community Affairs (DCA) that oversees the program. As part of the conditions of the Small Cities Grant, a report is to be given to the Board.

Mr. Johnson stated the funding breakdown is \$200,000 from the 2010 grant from the DCA; \$100,000 a 50% match from the County. At this point approximately \$67,000 of the funds has been expended on projects that have been completed and \$37,000 is under contract and \$112,000 is currently being bid and \$84,000 has been applied for but has not reached the bidding stage yet. The number of municipalities being served has increased. Originally the County was limited to six when the program was being run by the Hunterdon County Housing Corporation but it has increased to ten municipalities and 17 clients have been served and that number will go up with the expenditure of the \$84,000 for both the number of clients served and the number of municipalities served.

Mr. Johnson stated it is hoped that next September 2012, the County would apply for another round of Small Cities Community Development Block Grant funding and there maybe an increase made available from the DCA as it is a stable source of funding coming from the federal government, the Housing and Urban Development Agency/Departments.

Mr. Johnson advised the County has piggybacked on USDA funds to further contribute to the County match. The County is trying to think smarter and work harder with this grant than was done in previous years.

Mr. Sworen questioned who determines the income levels for individuals about to apply for these funds.

Mr. Johnson explained the income levels are set by the Department of Community Affairs based on the HUD guidelines which can be found on the DCA website based on the County's region.

Mr. Sworen confirmed this information/guidelines can be found on the County's website should someone be interested in the program.

Mrs. Yard added that an updated brochure is sent out each year to each municipality.

Mrs. Yard stated this was the program the Board decided to bring in-house and Mr. Johnson and Mr. Bell implement the program. They do not take any money out of the grant for administration, even though there is an allowable expense for administration. The duties have been rolled into Mr. Johnson's and Mr. Bell's regular County responsibilities. The program has been very successful and equitably applied to eligible citizens.

Mr. Sworen questioned what the grant funds can be used for.

Mr. Johnson advised there are three levels of inquiry and the first would be the correcting of code violations; the second would be accessibility issues; the third would be energy conservation issues. Mr. Johnson explained the funds have also been used to fix and/or replace septic systems.

Mr. Johnson explained there is a three year time limit for those that have received funding before they can reapply.

Mrs. Yard stated every year when the County applies for Small Cities funding the policy manual has to be updated regarding the program and how it is implemented. Through the years different things have been brought before the Board, as far as including or not including single family homes, ownership, and such.

Mr. Johnson stated he is getting ready for the next grant cycle.

Mr. Johnson said this grant has provided an education for him, for example people coming in apply for septic systems, stating before a septic system is replaced at around \$40,000 that someone tests the system to determine if it has been pumped out in the last ten years. He now has experience in learning what to look at. He wants to make sure the expenditure of money is justified. That is being included in the new policy manual.

Mr. Johnson stated with the downturn in the value of some homes, appraisals may have to be done on the property to make sure there is enough equity in the home, if there is a lien placed on the property, no money changes hands until the sale or transfer of the property. He wants to make sure the County's interests are protected and that if the property is transferred that the County will be made whole because those funds go back into the revolving fund which is used for further program activities.

Mrs. Yard informed the Board that Mr. Johnson and Mr. Bell successfully achieve their audit every year from DCA. Mrs. Yard stated Mr. Johnson and Mr. Bell have done a grant job with this program.

#### **COUNTY Update**

Cynthia J. Yard, County Administrator invited Mr. Glynn, Mr. Davenport, and Sue Dziamara, County Planning Director to join her, as part the County's Facilities Committee.

Mrs. Yard informed the Board that the Flemington Business Improvement District came to talk with the County's Facilities Committee to discuss the Hawke property. At that meeting the County Committee suggested the Flemington Business Improvement District go back to Flemington Borough to discuss what their needs are. Representatives of Flemington Borough also meet with the Facilities Committee and they put out a proposal and followed it up with a letter, which is in the agenda packets this evening.

Mrs. Yard informed Flemington Borough that any recommendation from the Facilities Committee would have to be brought before the Board of Chosen Freeholders for a decision on how that property will be utilized.

Mr. Glynn advised Flemington Borough is asking for three years time for them to develop their developmental plan. At that time, they will have a better handle on how the Borough is doing before the County markets the property for sale. The Borough has asked for three years and they would maintain it, snow plow it, and the County would have the right to bump their use at anytime as long as 48 hour notice is given, in case an event is held at the courthouse or something.

Mrs. Yard said if the Freeholders agree to this, that at the end of three years, it should come back to the Freeholder Board to decide what should be done with the Hawke property. Flemington cannot turn around and sell it to a developer or whatever. If Flemington is doing their research on parking and what their needs are and how their growth will take place, this seems like a fair solution to accommodate their request and show support to the County's seat.

Mr. Mennen asked if there is any restriction, at this time, on the property. Is there a restriction on anyone using the lot.

Mr. Glynn said no, there are no restrictions, it is a public lot.

Mr. Mennen questioned what this proposal gives the County.

Mr. Glynn explained it was save the County from maintaining the lot, plowing and trimming.

Mr. Melick said if the County sold the Hawke property at an auction to the highest bidder, that new owner would have to go to the Borough of Flemington to get a site plan for whatever they want to do, if it is anything other than parking.

Mr. Glynn explained that Flemington Borough is looking at their overall plan. They have not developed their plan to date and they need to develop a plan and the small pockets of parking around Main Street is key to the success of Main Street. They are asking for time to develop a plan.

Mr. Mennen doesn't disagree with that and stated parking is imperative to the redevelopment of the property across the street (the Union Hotel). If the Board accepts Flemington Borough needs time to develop their plan and figure out what they are going to do. If the Board wants to agree to that, then the County should shelve the property and not sell it. He doesn't see any benefit to entering into a lease if there is unrestricted parking there already.

Mr. Glynn feels the County could ask the Borough to snow plow the property without having a lease.

Mr. Melick stated he would like the County to get money out of this and the Borough could control the property.

Mr. Glynn said the County maybe able to get money out of the property but Flemington Borough is asking the County to delay selling because they maybe able to get developmental grant to purchase it. They haven't explored all their opportunities.

Mr. Sworen said if the County has a lease the Borough would have to indemnify the County from any lawsuit resulting from the use of the property. All the Borough would have to do is plow the lot.

Mr. Mennen stated a lease will not prevent the County from being sued.

Director Holt said this Board has heard from Flemington Borough and several residents on the value and importance of parking is as Flemington Borough works on its redevelopment plans. Flemington Borough is the County's seat. Initially, his reaction was two year and the Borough asked for three. He feels the County is willing to make a commitment of some period of time before this property would be put up for sale allowing the Borough an opportunity to redevelop the downtown area and to establish what the value of that parking area to the redevelopment area.

Director Holt said if Flemington Borough is able to redevelop itself and if they find grant money over the next few years, the Hawke property value may increase. Director Holt said it doesn't matter if there is a lease or not, he feels the municipality is looking for an understanding/commitment to a timeline that will allow them to have this property remain as a parking lot prior to this Board taking any action.

After further discussion, Mr. Mennen moved and Mr. Holt seconded a motion agreeing the County will not market the Hawke property in Flemington Borough for two years in consideration of the efforts being undertaken by the Borough of Flemington to attempt to redevelop the downtown, for a two year period of time with the ability for Flemington Borough to come back to the Board after that two year period of time, to request an additional year extension. In addition, the Borough will keep the Freeholder Board updated on their progress biannually.

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

HCUA - Name change fee

Mrs. Yard informed the Board that when the responsibility of the Hunterdon County Utilities Authority (HCUA) moves to the Board of Chosen Freeholders, she was told it would cost \$31,000 for a name change. Mrs. Yard contacted the Governor's Chief of Staff Office and they are working on this for Hunterdon County. They are running the issue by the Chief of Staff of the Department of Environmental Protection (DEP) and should be reporting back shortly.

Mrs. Yard said the responsibility is merely being taken from the HCUA and moving it to the Board of Chosen Freeholders, two of which are on the HCUA to make less government.

Mrs. Yard informed DEP the County has no intention of paying for a name change but if they wanted to look into it, they certainly can do that and they have been responsive. Mrs. Yard will keep the Board updated.

300<sup>th</sup> Anniversary of Hunterdon County

Mrs. Yard reported to the Board there is a resolution in the Agenda Books on the 300<sup>th</sup> Anniversary of Hunterdon County. There was another 300<sup>th</sup> Anniversary Committee meeting last week and that committee is getting ready to present a budget to the Board of Freeholders which was the agreement, by the end of this year. The committee will then proceed with their subcommittees and all the activities they will be doing.

Mrs. Yard stated every year the Freeholders give funding for special projects to the Cultural and Heritage Commission. Last year the award was \$26,000 for Cultural Events/Activities and \$26,000 came from the Historic Preservation Trust Fund. Applications will be accepted for 2013 next year by the Cultural and Heritage Commission.

Mrs. Yard spoke with Director Holt, the 300<sup>th</sup> Anniversary Committee and Sue Dziamara who is the Department Manager of Cultural and Heritage about these applications. She explained that before the Cultural and Heritage Commission asks for applications for the expenditure of money which the Freeholder Board gives them each year, under the auspices of Special Projects, she recommended taking the \$26,000 in 2012 for the 2013 applications and have the contingency that each application or request for funding somehow promotes and supports the 300<sup>th</sup> Anniversary of the County of Hunterdon in 2014. Mrs. Yard confirmed that any events that do not support the 300<sup>th</sup> Anniversary would not be eligible for this grant funding. She feels if the applicants are informed of what the terms of that Special Projects grant is, then it would help support the year long celebration which the County would like planned for 2014.

Director Holt feels this planning will bring an awareness of what should occur in 2014. He pointed out that there are members of the Cultural and Heritage Commission on of the 300<sup>th</sup> Anniversary Committee so there is an awareness of the Board's desire for the Special Projects funding.

A discussion was held concerning the amount of \$26,000 for the special grants as the amount could be more or less. The dollar amount was removed from the resolution.

Mr. Melick moved and Director Holt seconded this:

**See Page 11/01/11-8A**

**RESOLUTION**

**RESOLVED**, Approving all awards for 2013 Cultural Special Projects must support and promote the 300<sup>th</sup> Anniversary Celebration of the County.

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

**CONSENT AGENDA**

Director Holt 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. Mennen moved and Mr. Sworen seconded a motion to approve the Claims Register dated November 01, 2011.

**See Page 11/01/11-9A**

**CLAIMS REGISTER**

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

Mr. Mennen moved and Mr. Sworen seconded a motion to approve the regular session minutes of September 20, 2011, October 04, 2011 and October 18, 2011.

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

Mr. Mennen moved and Mr. Sworen seconded this:

**See Page 11/01/11-9B**

**RESOLUTION**

**RESOLVED**, Jessica Chilmonik appointed permanent, part time Public Safety Telecommunicator, Division of Emergency Services, Public Safety Department.

**See Page 11/01/11-9C**

**RESOLUTION**

**RESOLVED**, Deidre Cardenas appointed permanent, part time Public Safety Telecommunicator, Division of Emergency Services, Public Safety Department.

**See Page 11/01/11-9D**

**RESOLUTION**

**RESOLVED**, Debra Picard appointed provisional, full time Keyboarding Clerk 2, in the Prosecutor's Office.

**See Page 11/01/11-9E**

**RESOLUTION**

**RESOLVED**, Darlene Andes appointed provisional, full time Public Health Representative 3 Communicable Disease, in the Health Department.

**See Page 11/01/11-9F**

**RESOLUTION**

**RESOLVED**, Shu Chen-Chiang appointed provisional, full time Public Health Nurse Supervisor, in the Human Services Department.

**See Page 11/01/11-9G**

**RESOLUTION**

**RESOLVED**, Lisa Backowski appointed unclassified, full time Deputy County Clerk, in the County Clerk's Office.

**See Page 11/01/11-9H**

**RESOLUTION**

**RESOLVED**, Eli Goings appointed temporary, as needed, Student Assistant, Library.

**See Page 11/01/11-9I**

**RESOLUTION**

**RESOLVED**, Approving a subcontract for the 2012 Subregional Transportation Program, with the New Jersey Institute of Technology and the North Jersey Transportation Planning Authority, Inc., in the amount of \$64,880 (\$51,904-federal funds and a County Match of \$12,976).

**See Page 11/01/11-9J**

**RESOLUTION**

**RESOLVED**, Approving Federal Change Order #1, for County Bid #2010-11, for the Resurfacing of County Route 512 and County Route 517, in Tewksbury Township, with Schifano Construction, in the decreased amount of \$170,223.70.

**See Page 11/01/11-9K**

**RESOLUTION**

**RESOLVED**, Approving final payment for County Bid #2010-11, for the Resurfacing of County Routes 512 and 517, in Tewksbury Township, with Schifano Construction, in the amount of \$47,900.

**See Page 11/01/11-9L**

**RESOLUTION**

**RESOLVED**, Approving the solicitation of bids for County Bid #2011-29, for a Simulcast Base Station for the Communications Division, for the Department of Public Safety.

See Page 11/01/11-10A

**RESOLUTION**

**RESOLVED**, Approving a subcontract the 2012 Subregional MUTCH Retro-Reflective Traffic Sign Inventory and Assessment Program, with the North Jersey Transportation Planning Authority, Inc., in the amount of \$133,000 in federal funds.

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

**PROCLAMATIONS/RECOGNITION**

Mr. Sworen moved and Mr. Walton seconded this:

See Page 11/01/11-10B

**PROCLAMATION**

**RESOLVED**, Recognizing Robert Austin Benz for attaining the designation of Eagle Scout.

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

**GRANTS**

Mr. Walton moved and Mr. Sworen seconded this:

See Page 11/01/11-10C

**RESOLUTION**

**RESOLVED**, Approving a grant agreement with the New Jersey Council of the Arts, for a Local Arts Program, in the amount of \$77,816 (\$63,908-state and a County Match of \$13,908).

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

Mr. Walton moved and Mr. Sworen seconded this:

See Page 11/01/11-10D

**RESOLUTION**

**RESOLVED**, Approving a subgrant award with the New Jersey Victims of Crime Act, for the County Offices of Victim Witness Advocacy Grant Program, in the amount of \$107,436, (\$85,949-federal funds and a County Match of \$21,487).

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

**CORRESPONDENCE**

A request was received from the Township of Readington for In-Kind Print Services from the County for the reproduction of various Uniform Construction Code forms and applications, as well as other municipal department forms, checklists and stationary. Mr. Walton moved and Mr. Sworen seconded a motion granting permission to fill this In-Kind Print request from the Township of Readington.

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

**FREEHOLDERS COMMENTS/REPORTS**

**Recent Snow Storm**

Mr. Sworen thanked the Office of Emergence Management(OEM)/911 Center and all the County employees in putting together a County Shelter and getting the word out to everyone on its availability.

Mr. Sworen thanked Health Quest and the other groups which offered their shower facilities to people.

Mr. Sworen thanked the Red Cross and the Salvation Army for their assistance at the shelter.

Mr. Sworen said Hunterdon County has never experienced an event like this before. There are many residents in need. Having a shower and/or a hot cup of coffee is a big deal today.

Mr. Walton stated that Hampton Borough is still without power. He shares Mr. Sworen's sentiments regarding 911 Center and OEM and all the organizations that has been involved in the relief efforts.

**Elections**

Mr. Walton wished Mr. Sworen luck during elections on Tuesday, November 08, 2011, in running for Mayor of Frenchtown.

Mr. Sworen wished Mr. Walton luck in his bid for Freeholder.

**Route 31/Glen Gardner Borough**

Mr. Walton reported on Wednesday, October 26, 2011, around 7:30 a.m. there was an automobile accident at the intersection of Main Street and Route 31 in Glen Gardner. This intersection has been hazardous for many years and the State Department of Transportation (DOT) conceded needed to be fix and the DOT had approved plans to fix the intersection with turning lanes but unfortunately those plans were cast aside under budget cuts. That plan would have prevented the accident that occurred on October 26<sup>th</sup>. Kara Conroy sustained injuries in that accident and died two days later. Kara was a fellow Voorhees High School Alumni. On Thursday following the accident all of Voorhees High School wore orange as a sign of unity for her recovery. Kara's favorite color is green which is why Mr. Walton is wearing a green tie this evening. A candlelight vigil was held of Friday, October 28, 2011 for Kara and was attended by

hundreds of people from the Voorhees community, as well as others from Hunterdon County. This is a very sad time for her family, the Voorhees community and all of Hunterdon County. It is unfortunate that it may take this incident to bring about the kind of repair or design to that intersection so that this does not happen again.

Mr. Walton encouraged the Freeholder Board to join with Glen Gardner Borough and Hampton Borough in supporting a change to that intersection to prevent this from happening again. He has spoken with Senator Doherty who has already sent a letter to the Commissioner of the Department of Transportation requesting this intersection be fixed. The same is being done by Assemblymen Eric Peterson and John DiMaio.

Mr. Walton stated that Director Holt has been in contact with the NJTPA (North Jersey Transportation Planning Authority) to consider funding requirements.

Mr. Walton asked that this person should not die in vain and people need to take a stand to get this intersection fixed. Mr. Walton promised to keep on DOT to get this fixed so this doesn't happen to anyone every again.

Mr. Mennen shared Mr. Walton's sentiments and his remarks. He received an email and there is a meeting at the Glen Gardner Borough Hall on November 07, 2011 asking the Freeholders to show their support. He confirmed that is a regular council meeting where people will be showing up.

Mr. Walton explained the person who sent the email is the secretary and founding president of the Glen Gardner Women's Club. She is also a parent of at least one or two students at Voorhees who will be attending the meeting to petition Glen Gardner to petition the DOT to fix the intersection.

Mr. Mennen confirmed this matter is not on Glen Gardner's agenda.

Mr. Walton has spoken with Glen Gardner Mayor Kovach and Councilwoman Morton and they are onboard three years ago when the final plans came around for approval; they were onboard ten years ago when there was discussion on the project and they were onboard twenty years ago. This is one of those things that was known to be a problem and it has been going on far too long.

Mr. Walton stated the Voorhees students want to demonstrate in some way to voice their opinion about getting this intersection fixed and this is a good venue to do it. He hopes to have an answer from DOT prior to that meeting that the intersection will be fixed.

Mr. Mennen questions if the NJTPA would relieve the County of some of the obligations for the multi-year federal aid projects and allow the funding to be redirected to this intersection. This would allow the County to do some good.

Director Holt stated the NJTPA on Friday, information was sent to them, and they are moving it onto the Planning Department to reopen the project to determine what action can be taken. He expects to see action from the NJTPA fairly soon.

Director Holt is willing to ask for more funding come into Hunterdon County to get these roads fixed.

#### Emergency Services

Director Holt recognized Sheriff Brown.

Sheriff Brown stated he was at an accident scene on Saturday and he wanted to commend Mr. Wagner with the Emergency Services Center as they were so busy with the storm incident, yet they handled every call professionally and that starts at the top and works down. Mr. Wagner is doing a very good job.

#### **OPEN TO THE PUBLIC**

Lois Stewart, Flemington Borough resident asked about the Prosecutor's vehicles.

Mr. Melick informed Mrs. Stewart that he too would like a response from the Prosecutor about his department's vehicles.

Mr. Mennen explained to Mrs. Stewart that the development of a course of action for these vehicles is the subject of controversy. There are differing opinions as to where that line is drawn. The Freeholders have one opinion, and he feels the Freeholders are in the right on this opinion and there are opinions to the contrary. It appears to be a stalemate. Mr. Mennen said the Freeholders are beginning to lose its patience on this issue.

Mr. Walton stated this is a on going difficulty with County government as it is a hodgepodge of municipal functions, state agencies over which the County has no control, state agencies where the County has some control, and there are constantly controversies about where the Board of Chosen Freeholders authority begins and ends; where the authority of the Prosecutor, County Clerk, Surrogate, Tax Board or Superintendent of Schools authority begins and ends. This is one of the biggest frustrations he has with County government and he is sure his colleagues share this frustration. The state has created this mess and many of these issues are not clearly defined and the Freeholders are trying to work through it in a way that benefits the taxpayers.

Mr. Sworen said the state has said the County will take care of the Prosecutor's Office and that service, however, the state controls all the rules. While the Freeholders agree there are too many cars Hunterdon is one of the most frugal counties in terms of vehicles and who has them. Prosecutor's offices across the state with support from the state have hundreds of cars. He explained that is the problem that happens when Hunterdon tries to fight this.

There being no further business to come before the Board, Director Holt adjourned the meeting at 7:38 p.m.

Respectfully submitted,

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Denise B. Doolan  
Clerk of the Board