

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

71 Main Street, Freeholder's Meeting Room, 2nd Floor

Flemington, New Jersey 08822

September 06, 2011

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 1:37 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

ABSENT: MR. MENNEN.

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 August 31, 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."

SPECIAL EXECUTIVE SESSION

Mr. Sworen moved and Mr. Melick seconded this:

See Page 09/06/11-1A

RESOLUTION

RESOLVED, Executive Session to discuss contractual issues related to legal services.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 1:39 p.m. and reconvened in Open Session at 4:14 p.m.

EXECUTIVE SESSION

Mr. Sworen moved and Mr. Melick seconded this:

See Page 09/06/11-1B

RESOLUTION

RESOLVED, Executive Session to discuss various issues with Labor Counsel.

See Page 09/06/11-1C

RESOLUTION

RESOLVED, Executive Session to discuss an analysis of the County's insurance.

See Page 09/06/11-1D

RESOLUTION

RESOLVED, Executive Session to discuss various personnel issues in Roads, Bridges and Engineering and the Parks and Recreation Departments.

See Page 09/06/11-1E

RESOLUTION

RESOLVED, Executive Session to discuss correspondence from the Health Department.

See Page 09/06/11-1F

RESOLUTION

RESOLVED, Executive Session to discuss public hearing nursing and education.

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

The Hunterdon County Board of Chosen Freeholders returned to Executive Session at 4:17 p.m. and reconvened in Open Session at 5:42 p.m.

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Director Holt informed those present that the County lost one of its family members this past week, known to the County family as Tom the Taxman. Athan "Tom" Efstathiou, was the County's Tax Administrator since 1994, and he will be sorely missed here in the County. Director Holt asked those present to keep Tom's family in their prayers and thoughts. Mr. Efstathiou was a great man who ran his office very well.

Hurricane Irene

Director Holt gave a sincere thanks to the County's Health Department, the Office of Emergency Management, the Sheriff's Office, the Prosecutor's Office and the County Roads and Bridges

Department for a tremendous job over the past few days/week/or longer. Though he was out of state when Hurricane Irene was coming towards Hunterdon, he was kept in the loop, 100%, and Hunterdon County has done a terrific job.

PUBLIC COMMENT

JCP&L

John Seramba of East Amwell Township came before the Board expressing concern over the lack of JCP&L employees in Hunterdon County during the storm. Many residents were out of electricity for days. He asked if Hunterdon County could get JCP&L's into a meeting to answer questions on their lack of performance during the storm.

Lois Stewart of Flemington Borough also expressed concern over JCP&L's performance during and after Hurricane Irene.

FOR DISCUSSION

Frank Joseph Bell, AIA, County Project Administrator; Sue Dziamara, Planning Board Director; John Glynn, Director, Roads, Bridges and Engineering; and John Davenport, III, County Purchasing Agent came before the Board regarding a solar co-op discussion.

Director Holt advised when he first came to the Board of Freeholders in 2007, the County looked at a Sustainability Committee. There has been dialog regarding solar for a number of years. The County has looked at different models over the years.

Director Holt explained he was approached by Readington Township about three months ago concerning solar and he attended one of their meetings. Readington Township has taken the lead on a co-op program and they met with Mr. Bell, Mrs. Dziamara, Mr. Glynn, Mr. Davenport and Pete Maddalena, Director of Buildings and Maintenance to discuss if this maybe something that is right for the County.

Mr. Glynn reported the group has looked at three sites, and recommends the Board look at the Route 12 site which is one of the more densely developed sites the County has; another is the South County Garage and the County could either piggyback on the Swan Creek operation or develop its own; and the third is at the Everittstown Garage.

Birdsall Services Group is the consultant for the partnership with Readington Township. Several agencies/townships jumped on Readington's solar project. Tom from Birdsall informed the Board that Readington's Board of Education and Clinton Town has joined with Readington in its project.

Mr. Glynn advised there is an expectation of between 20% and 30% in energy savings. The project is broken up into a few phases: scoping, Request for Proposal, design, final design and bidding for a purchasing agreement. Birdsall Services Group would be bearing the costs for construction of the solar project and there would be a 15 year timeframe.

Mr. Bell advised the Board that if there was a 10% savings in the County's complexes (South County Garage, Everittstown Garage, and the Route 12 facilities) over a 15 year period, there could be a savings of \$32,637; a 20% savings would be \$65,000 roughly. Over a period of 15 years the County could be looking at \$500,000 roughly in savings that could be achieved. This is a power purchase agreement which would have to be bid, with companies providing RFP to be evaluated and the County would select a company that would best suit the County's needs. Once the system is built, the power would be sold back to the County at a lesser cost.

Mr. Glynn reported there is currently a critical timeframe, currently there is a 30% credit available to the provider if this is done before December 15, 2011. In order to get this going, it has to happen quickly with a contract awarded in order to get credit for this year.

Mr. Glynn informed the Board that Warren County has taken a different approach, they purchased the equipment themselves, and it is located behind their Administration Building and it services their Administration Building, the Jail, and their garage. Warren County invested \$700,000 approximately 3 years ago and it is operational as of this past April, 2011 and Warren County expects to have a full return within 5 years.

Director Holt asked for an explanation on the various phases.

Mrs. Dziamara said Phase I would be the feasibility study and Phase II would be the RFP process, Phase III is the monitoring of the program. This issue was discussed at the Planning Board meeting last Thursday, September 01, 2011 and they felt it would be good to look at the feasibility process and make a determination based on that study.

Tom from Birdsall advised the first two components of the process is the feasibility study where an evaluation is performed of the facilities, the properties and the electrical accounts; then there is an RFP development where viable candidates are chosen based on the feasibility study and include them in the RFP. Those tasks have a fee associated with them. They are subsidized by Readington Township because Readington is the lead of the cooperative. When a contract is signed the County and the deliverer of the power purchase agreement, all those monies get reimbursed. The third piece is the contract administration and that may not have to change hands. In most cases the money is either put into an escrow account or delivered to the County by the developer and the County will draw down those funds and ultimately pay Birdsall's bills as they proceed. Based on the numbers, he feels the County is saving about 50% of the upfront soft costs to be a part of the RFP and be a part of the procurement because Readington is the lead and bearing the brunt of the costs.

Mrs. Dziamara stated the feasibility costs to the County would be \$16,000; the RFP development is another \$12,000; so this would be a \$28,000 upfront investment for the County. Then the County can make the determination on whether it wants to move ahead to the third step or not. If the feasibility study shows this is not a viable option for the County, then we can walk away.

Director Holt confirmed that in order to proceed with the feasibility study for the identified sites, the County would have to pay \$16,000. If the study comes back and says the sites qualify, the next step would be an RFP process which has an out of pocket expense of \$12,000. When the RFP process comes back and the developers identify, a contract is signed with the developer to move forward; that \$28,000 is reimbursed to the County. The County would then have a contractual obligation with Birdsall to monitor the site for two years at a cost of up to \$30,000 and but the County would be given a flat rate of \$30,000 to draw down from.

Birdsall advised the proposers will compete on the County's rate for electricity, for every kilowatt hour generated by the systems. In most cases there is included an annual escalator, from 1% to 3% per year.

The Hunterdon County Board of Chosen Freeholders discussed at length the pros and cons of entering into a solar agreement with the Birdsall Services Group to participate in the Readington Co-op.

Mr. Mennen would like to know how the co-op would operate before making a decision. He questioned if the County could get these services for less.

Mr. Davenport advised Birdsall Services Group has been approved by the State of New Jersey to provide these services. Mr. Davenport explained that because Birdsall is involved with Readington Township being the host/lead agency, there is not an opportunity to put this out for competitive pricing. There is always the possibility the County could get this for less. Mr. Davenport said the County might be able to do this on its own but this opportunity is presented by Readington Township.

Mr. Bell advised that none of the County's departments have any of the equipment necessary to evaluate the sites; nor the BPU regulations.

Mr. Mennen confirmed the feasibility study would come up with numeric calculations which would form the basis for the RFP and make the RFP more attractive to a potential bidder because it would indicate if the site has the proper angle and duration of sunlight and such.

Birdsall advised the aggregation is what is the benefit to Readington Township and to the County as a participant. There is a number of RFP's on the street because of the investment tax credit rebate program expiring at the end of 2011. By aggregating, you present a project that has a fixed transaction cost to the developers in terms of legal but it is a greater sized project.

Mr. Mennen questioned if the rebate program is going away or if there is a question whether it will be renewed next year.

Birdsall advised there is an expiration of December 31, 2011 and that is all that was known last year. Last year, the program was not extended until December 17, 2010. What is needed to qualify for the rebate program can't be done in a short time. The program is a 1603 grant program in lieu of tax payments; so the federal government takes an entity who invests in a solar generator and issues them a check rather than reserving a tax credit in their name. The 30% tax credit is not new and doesn't expire until 2017 but the rebate program does expire. In addition, there is a clause in the guidance document which refers to a "safe harbor", which is that construction has to begin before the expiration date or the investor has to incur 5% costs and it does not include soft costs or site preparation. As a consultant, Birdsall tries to give the developer and investors as much time as possible to qualify for safe harbor, however they want to.

Mr. Mennen questioned if for \$16,000 that Birdsall is studying at-grade installations. What if Hunterdon decided that is unsightly and would rather look at installations which are rooftop. Does Birdsall do a comparative analysis or is the initial internal discussion turned into a feasibility study.

Tom of Birdsall stated that all the viable candidates are evaluated. He added that they would look at roofs younger than 5 or 10 years old, depending on the roofs as some last longer than others. Birdsall makes that evaluation because it is information that may not be used under this procurement but the County may use it in the future.

Tom advised once the viable locations are identified, Birdsall will review that information with the County's representatives, who will provide feedback as to what can and cannot be included in the RFP. In the RFP, would be specified blinds, berms and vegetation, security and lightening. The \$12,000 associated with RFP development takes the information gathered in the field, be reviewed with the County's professionals to make sure their concerns are reflected in the contract document.

Mr. Melick questioned if a feasibility study has ever failed or been proven not feasible. Mr. Melick asked for such a list. A majority of the sites which were not conducive were included Jersey City, and the Hudson County Improvement Authority. Sites are evaluated on a case by case basis.

Tom informed the Board that what Readington has agreed too, if Hunterdon County has a resolution or an action is on the agenda, and it is the Board's intent to proceed, Readington would hold the application a couple of days until the next meeting. The key date is September 15, 2011

when this would be cut off. There is a significant amount of work that needs to be done for all the members in order to get the document together and out on the street. The investors and developers need time to incur 5% of those costs, if they do take advantage of the rebate.

Mr. Bell questioned if there is a big difference in getting the rebate this year versus not getting the rebate next year.

Tom said from the investors he has talked with, it takes anywhere from 4% to 6% to monetize the tax rebate and that would come off the bottom line.

Mr. Melick advised the County does not pay taxes to receive a tax rebate.

Tom advised the County would not be included in the tax rebate equation. The investor(s) would receive that. The County would not invest anything except for soft costs for the evaluations. The investor, who will ultimately own the system, would be entitled to the tax credit and that would be the successful proposer.

Mr. Mennen asked for comments from Mr. Glynn, Mr. Davenport and Ms. Dziamara on their level of confidence without the equipment, in terms of doing the feasibility study.

Mrs. Dziamara stated the Co-op provides the County with an opportunity to be a part of a larger organization with Readington Township, taking the lead, so Hunterdon would have a lesser role but can still reap the benefits.

Mr. Mennen questioned the costs to Readington Township.

Tom reported Readington paid \$9,000 for feasibility and \$30,000 for the RFP, but they have only 2 sites.

Mr. Mennen confirmed Readington is absorbing more of the costs on the RFP side and the RFP will be a boiler plate that can be used in Hunterdon and other areas.

Mr. Melick questioned whose budget this funding would come from.

Mr. Glynn reported there is capital money available for building improvements and that has been verified with the Finance Department.

Director Holt confirmed the County is only discussing the first step which is the feasibility study. There are three steps and once the feasibility study is done, the RFP process would be considered.

Tom advised the commitment by Hunterdon's Board of Freeholders has to be made before the RFP goes out on the street.

Mr. Bell informed the Board that he and Mr. Davenport have been talking about getting a copyright for a simple dominion providing the County with lesser costs. There are other methods available and the County could see if it could do a savings without doing this type of a method. The savings might not be as great with another method.

Tom confirmed Mr. Bell is talking about a 3rd party supplier and agreed the County could get a 3rd party supplier after the solar is installed if you decide to do both.

After further discussion, Director Holt asked that his colleagues be afforded a chance to meet with various individuals to gather information before the next meeting on September 20, 2011. Since Readington is the lead agency, Mr. Mennen is interested in knowing who it is envisioned for the cooperative to operate. Director Holt asked Mrs. Yard to reach out to Readington Township.

Mr. Mennen asked Mr. Bell to look into the savings initiative of a 3rd party vendor/supplier to determine if the County can save up to 10% without the County having to do any of this do a comparison on what the County can save.

Director Holt thanked everyone for coming this evening.

POLYTECH

Kim Metz, Polytech Superintendent came before the Board and introduced Stanley Field, who enrolled in the Exploration Program this past year. The Career Exploration program is for special needs students.

Stanley Field informed the Board he is a lifelong resident of Hunterdon County who graduated from South Hunterdon Regional High School and Hunterdon County Polytech. He is currently enrolled as a student in the Career Exploration program which taught him how to manage money, internet skills and job safety. He also had the opportunity to work with the Buildings and Maintenance Director which taught him how to run wires for an alarm system, telephones and change light bulbs. He also participated in the Skills USA Competition where he won first place. Stanley had the opportunity to attend nationals in Oklahoma but he had to decline due to family emergencies.

Dr. Metz advised Stanley has done so good that he was hired over the summer by Polytech. Dr. Metz is very proud of Stanley and wishes him good luck.

The Board thanked Stanley for coming to the meeting tonight.

Mr. Mennen moved and Mr. Melick seconded this:

See Page 09/06/11-6A

RESOLUTION

RESOLVED, Approving County Bid #2011-18, to furnish and post Tensioning of a 7' High x 6'3" wide (opening) Precast Concrete Culvert, for Culvert A-31, for Roads, Bridges and Engineering, to Oldcastle Precast, Inc., in an amount not to exceed \$27,270.23.

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

Mr. Melick moved and Mr. Mennen seconded this:

See Page 09/06/11-6B

RESOLUTION

RESOLVED, Approving County Bid #2011-24, to furnish and deliver Long Life Stripe Epoxy, for Roads, Bridges and Engineering, to Epoplex, Division of Stoncor Group, Inc., in an amount not to exceed \$86,250.

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 updated the Board on various County road and bridge projects.

- Preconstruction meeting scheduled for September 08, 2011 at 10 am, for County Route 519, State Route 12 to County Route 513.
- Preconstruction meeting scheduled for September 07, 2011 at 11 am, for County Route 523, Readington Township and County Route 517, Tewksbury Township.
- Harrison Street, County Route 619, in Frenchtown Borough has been completed. There are still a few punch list items to be finished.
- The beams have been set for County Bridge W-124 on Alexauken Creek road. The deck is being constructed.

Addition funds needs to be expended for drainage projects. On County Route 601, in Mt. Airy, additional work needs to be done as a result of the recent storms. The total amount of the change order would be \$26,963.48 is needed to get the road back into shape with an additional inlet, stabilization of the shoulder. Tillerman Landscaping, LLC. is the contractor on the project.

Mr. Melick moved and Mr. Walton a motion to approve a change order with Tillerman Landscaping, LLC, in the increased amount of \$26,963.48, in connection with additional work needed for County Route 601, in Mt. Airy.

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

- Access paving is needed to be done for the Arboretum.
- A driveway is to be done at the LaPort Preserve.
- A technical meeting will be held with NJ DEP regarding E-174, tomorrow to talk about a permit.
- The County is working with the contractor on the County Route 512/517 projects to get them itemized.

Hurricane Irene

Bridge F-87

Mr. Glynn provided a debriefing on Hurricane Irene advising there are three bridges closed. The first is Bridge F-87 on Sidney Road, on County Route 617. A proposal was received from Manning Paving Corporation to put the bridge back together, at a cost of \$86,838.50. Mr. Glynn is looking for another quote. F-87 lost guiderail and pieces of the pavement. FEMA should provide some funding towards this project. The bridge is located on a federal highway road.

Mr. Melick moved and Mr. Mennen seconded this:

See Page 09/06/11-6C

RESOLUTION

RESOLVED, Approving an agreement with Mannon Excavating and Paving Co., Inc., for the Emergency Reconstruction of County Bridge F-87, on County Route 617, Porters Bridge, over the Capoolong Creek, in the amount of \$86,838.50.

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

InterCounty Bridge E-142-M

Mr. Glynn reported InterCounty Bridge E-142-M, on County Route 518, over the Stone Brook, in East Amwell Township and Hopewell Township in Mercer County, which is also closed due to the storm. Any costs will be split with Mercer County on this project.

Mr. Walton moved and Mr. Sworen seconded this:

See Page 09/06/11-6D

RESOLUTION

RESOLVED, Approving an agreement with Sparwick Contracting, Inc., for the Emergency Reconstruction of InterCounty Bridge E-142-M, in an amount of \$522,334.00.

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

Mr. Glynn reported a small culvert on Sweet Hollow Road has a significant amount of damage to its infrastructure. He plans on redoing the substructure.

Mr. Sworen moved and Mr. Mennen seconded a motion declaring the culvert on Sweet Hollow Road in need of emergency repairs, it is located in Alexandria Township.

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

Mr. Glynn reported to the Board that there is between 200 to 300 bridges/culverts that have damage from the water coming up and over the bridge, cascaded on the downstream side causing washouts/holes adjacent to the road. He provided a master list of the items that road and bridge crews have found that have been washed out. Mr. Glynn would like to batch those together in order to get them repaired in order to make them safe. He suggested batches of 30 to 50 of the small repairs together and turn it over to a smaller paver to do that type of work. His estimate of the damage from FEMA was just under \$3 million.

Mr. Glynn reported the culverts on Sweet Hollow Road and Javes Road (H-90) are disasters. Also the truss bridge on Lower Landsdown Road (F-82) is a disaster. Mr. Glynn will come back to the Board with recommendations on how to do the repair work.

PUBLIC SAFETY DEPARTMENT/Office of Emergency Management

George F. Wagner, Director of Public Safety, reported that before the incident of Hurricane Irene occurred, his office was already getting instructions from the State in reference to what the approved method of requests and resource requests were. By law the County is required to wait for the local municipality to either request a resource or exhaust their resources before the County can respond to that resource request. When the County exhausts all their resources, they are then sent to the State and when the State exhausts their resources, they would make requests from the Federal Government. Hunterdon was aware the storm was coming, so Brayden Fahey, Emergency Management Coordinator was tracking the storm as it came up the coast. The County, thinking ahead pre-staged various OEM equipment. His office discussed and prepared for Communications and the Emergency Operation Center staffing.

Public Safety participated in the State OEM conference calls and facilitated conference calls with the local OEM and EMS and Fire Departments. His office met with the local fire and EMS coordinators to see what their availability would be and discussions were started with the Fair Officials with reference to closing the fair. His instructions to the Fair Officials were that based on the imminent nature of not only the rain but the sustained winds, the County's concerns were that everything or most everything at the Fair location could be a projectile, so it was requested the Fair be closed no later than 6:00 p.m. on Saturday, August 27, 2011. Mr. Wagner reported he located himself at the Fair Grounds with Brayden at the Emergency Services Center. During the event on Saturday, the Fair Grounds was successfully evacuated, they responded to the various resource requests, barricades and stop signs were sent to Lambertville; a small generator request was received in the Frenchtown area for a medically compromised individual; a large generator was sent to Stockton for the sewer and water and miscellaneous law enforcement requests were responded to for the Town of Clinton, Frenchtown and Stockton Boroughs, with either Sheriff's Officers or Prosecutor's Detectives.

A regional County Shelter was established at the JP Case Middle School. The new vendor of the LINK bus transportation was facilitated and they went through the established collection points in the various municipalities for those individuals identified as needing shelter. At the height of the event there were 27 people sheltered and various animals (4 dogs, 2 cats and a horse). The Red Cross and Salvation Army were contacted. Mr. Wagner noted the Red Cross cannot sustain a shelter in Hunterdon's 26 municipalities; they can sustain one shelter in the County which is why the regional shelter plan will be embraced and endorsed.

Emergency Services monitored the bridge and road closures throughout the event, as well as the river levels, the flooding and disseminated press releases and updated the County's website. Public Safety not only managed the emergency but also tried to manage the information and the misinformation. There were many rumors going around on dam breaches in and outside the County, etc. Public Safety discredited those rumors and sent the information out to the emergency responders in the field.

Public Safety assisted with getting water and ice to those in needed. Also, various County officials attempted to have dialog with JCP&L. At times, they were successful with contact and other they were put into the cue like any other resident. JCP&L identified they had an ice and water distribution sites in the Shop Rite in Franklin Township and in Raritan Township and they identified a site at the South County Garage, as well. Power outages were monitored as reported by JCP&L. The County reported to John Anderson of JCP&L that their crews were reporting to residents that all the crews were down at the shore. It is not known if that was accurate or not.

Mr. Wagner reported that the Governor's Office had instructed residents to call the County Office of Emergency Management through the radio station 101.5. That was not an accurate statement but residents heard it and 101.5 repeated that message every half hour, so the County's Office of Emergency Management was overwhelmed with calls from residents. A message was sent to the Governor's Office to get a correction in place.

Mr. Wagner stated Public Safety's busiest point was from 11:00 p.m. on Saturday to 11:00 p.m. on Sunday evening where 4,000 telephone calls were answered and there were 1,630 actual dispatches.

Mr. Wagner informed the Board that Lambertville City may go back into the flooding phase tonight.

Mr. Wagner reported his office is in the recovery phase and they will be coordinating the connection between FEMA and the County's residents. FEMA has a community relations team who will be visiting every municipality in the County whether they were or weren't affected. The next step is to have a disaster recovery center established in the County. That information will be given once FEMA comes and gives the site their okay.

Mr. Wagner reported the County's Human Services Administrator, Shana Taylor was at the shelter helping to coordinator things at the JP Case Middle School.

Rose Puelle of the County Health Department reported that the County's Emergency Services Office contracted the Health Department to set up a medical needs center at the County's shelter. Five clients were taken care of and a nurse was on site the entire time.

John Beckley, Health Director, added that the Health Department was involved both before and after the storm by getting information posted on the County's webpage. They responded to a sewage leak in Lambertville at an apartment building. 132 food establishments were impacted with prolonged power outages and in some cases flooding. The Health Department made sure these establishments were ready to serve the public again. The Health Department fielded calls about water and if it was safe to drink and what they should do if their wellhead was flooded. There was a fuel oil contamination where there was water in the basement but on top of the water was fuel oil.

Mr. Beckley feels the Health Department worked well with OEM and the Department of Public Safety.

Mr. Sworen recognized all the local Fire, EMS and CERT volunteers who did a great job around the County during this event.

Mr. Wagner reported that the only known municipal request that the County was not able to handle was the request for sandbags and he is working on that. The state would provide the bags but not the sand.

Director Holt said to keep in mind some of the comments concerning JCP&L and recommended having a meeting with JCP&L post event.

Mr. Wagner reported he is already working on setting up that meeting to discuss items with JCP&L.

FARMLAND PRESERVATION/PLANNING

Mr. Walton moved and Mr. Sworen seconded this:

See Page 09/06/11-8A

RESOLUTION

RESOLVED, Approving an agreement with June P. Schibilia, John Pitha and Joseph Pitha for the purchase of Block 57, Lot 12, (63.250 acres) in Lebanon Township, for the amount of \$506,000.

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

COUNTY UPDATE

Family Service Worker position

Cheryl Wieder, Human Resources Director, there has been a resignation from the Division of Social Services of the Department of Human Services, as a Family Service Worker took an open position in Senior Services which left a Family Service Worker vacancy. The Division Head has completed the four questions required by Human Resources when a vacancy is requested to be filled. This position is funded with State and Federal dollars. Social Services is having a hard time in keeping up with all the claims filed and all the unemployed people filing for Food Stamp Assistance. Social Services is asking to post the Family Service Worker position in order to refill that vacancy.

Mrs. Yard reported during this economic downturn there are certain areas that see an increase for services and Social Services is one of those high traffic areas. The County receives around 75% of its money from the state to perform family service worker duties and the County adds to that 75%.

Mr. Melick feels the filling of this Family Service Worker position is necessary to perform the duties in the Division of Social Services. Mr. Melick moved and Mr. Mennen seconded a motion directing the Human Resources Director to perform the necessary paperwork to fill this position.

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

HIV Counselor

Ms. Wieder informed the Board that on August 12, 2011, the HIV Counselor resigned her position. This is a fully grant funded position. The Health Director did answer the four questions and it was recently that the state allowed the County to request to refill this position. There is no County money involved for salary and benefits for this position are covered under the grant.

Mr. Mennen confirmed with Ms. Wieder that the position will not exceed the period of the grant.

Mr. Melick moved and Mr. Sworen seconded a motion directing the Human Resources Director to perform the necessary paperwork to fill this position.

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

South County Park/fairgrounds permits

Mrs. Yard reported Carol Bodder, Acting Director of Parks and Recreation reached out to the Board of Chosen Freeholders in connection with the Septic Permits at the South County Park. The state has been charging the County in connection with this matter. Freeholder Sworen has been working with the State DEP on this matter.

Mrs. Yard reported the bill for septic at the South County Park has not been paid. The County is ready to move forward with a meeting scheduled for September 14, 2011 with the local Health Department for the septic system design. The County Health Department has reviewed this document and gave their approval.

Mr. Sworen explained this matter goes back five or six years with East Amwell Township, with the State charging the County each year. The Township had wanted a large septic system; larger than the County needed, as they had the park opened 365 days a year. He set up a meeting with DEP in August 2010, and at that meeting DEP agreed the County should not be charged any money and that the plan was wrong and Mr. Bell was asked to come up with revision to the plan for septic. Around October 20, 2010, the County received DEP approval for the plans but it still needed to be approved by East Amwell Township.

Posting of scanned Tax Maps on the County's Internet Site

Mrs. Yard reported the County's GIS Division Head sent communication to the Board of Freeholders about putting scanned tax maps on the County's webpage. Shana Taylor, Esquire developed a disclaimer for the language.

Director Holt stated the County's Tax Maps are and should be made available to the public.

Ms. Taylor reported the Tax Maps are not created by the County of Hunterdon so it was felt it would be prudent for the County to have a disclaimer when people are obtaining that information off a website just to indicate that the County isn't personally responsible for the information. There is a procedure for municipalities to follow when providing tax map information.

After further discussion, Mr. Walton moved and Mr. Sworen seconded a motion agreeing to the disclaimer as presented by Ms. Taylor in connection with the Tax Maps to be placed on the County's website.

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

Interest regarding Point Mountain Residence

Mrs. Yard reported she has been made aware of a person looking for temporary residence. This individual has not sent in a written request yet, but it is expected. Being considered is the Mountain Farm residence. This individual's house had been damaged by an exploding gas unit (boiler) and is looking for a temporary residence. Mrs. Yard phoned this individual and her insurance company is paying in full for wherever she wants to stay. This person has four children and she had heard about Mountain Farm. Mrs. Yard asked this individual to put the concern/request in writing and as soon as more information is needed, Mrs. Yard will report back to the Board.

Mr. Sworen left the meeting at 7:35 p.m.

HCUA Disbandment

Mr. Mennen reported there has been discussion about the Hunterdon County Utilities Authority and the desire to disband and transfer the rights, duties and obligations of the Authority to the Board of Freeholders, thus removing a layer of government that is deemed unnecessary. There is a draft resolution for the Freeholder Board to formally accept the rights, duties and obligations of the Hunterdon County Utilities Authority. The resolution is fairly boiler plate in nature.

Mrs. Yard advised the HCUA had sent this resolution to Marc Pfiefer of the State Department of Community Affairs how has reviewed the resolution for accuracy. Mrs. Yard spoke to Ross M. Hull, from the State Department of Community Affairs and in accordance with their protocols and regulations the draft resolution fits the bill. Mrs. Yard stated the resolution has to be placed in the County's Solid Waste Plan Amendment and the amendment designates the Board of Chosen Freeholders as the implementing agency, not the Hunterdon County Utilities Authority. DEP has 180 days after the County has the public hearing to make a determination.

Director Holt asked Mrs. Yard to have this resolution added to the Board's agenda in two weeks.

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."

Items #1, 2, 6, 13, 15, 17, 18 and 19 were held at this time.

Mr. Walton moved and Mr. Mennen seconded these:

See Page 09/06-11-10A

RESOLUTION

RESOLVED, Jacob Cole, Jr. appointed temporary, full time Interim Supervisor, Roads, Bridges and Engineering.

See Page 09/06-11-10B

RESOLUTION

RESOLVED, Linda Hansen, Library Assistant, Library, change in hours.

See Page 09/06-11-10C

RESOLUTION

RESOLVED, Sabatino DeSantis, part time Public Safety Telecommunicator, Public Safety Department, changed to full time Public Safety Telecommunicator.

See Page 09/06-11-10D

RESOLUTION

RESOLVED, Francis Fayne appointed temporary, when and as needed Instructor, Division of Senior Services, Human Services Department.

See Page 09/06-11-10E

RESOLUTION

RESOLVED, Thomas Leone appointed permanent, full time Equipment Operator, Roads and Bridges.

See Page 09/06-11-10F

RESOLUTION

RESOLVED, Dana Bivona appointed provisional, full time Social Worker Aging, Division of Senior Services, Human Services Department.

See Page 09/06-11-10G

RESOLUTION

RESOLVED, Zachary Blasberg appointed temporary, as needed Student Assistant, Library.

See Page 09/06-11-10H

RESOLUTION

RESOLVED, Approving Change Order #2, for County Bid #2010-29, for Addition and Alterations to the Hunterdon County Records Retention Center, with Belmont Construction Corporation, increase of \$647.20.

See Page 09/06-11-10H

RESOLUTION

RESOLVED, Approving Change Order #3, for County Bid #2010-29, for Addition and Alterations to the Hunterdon County Records Retention Center, with Belmont Construction Corporation, increase of \$21,183.

See Page 09/06-11-10I

RESOLUTION

RESOLVED, Approving Artists' Indemnification forms for the Cultural and Heritage Commission's Art Exposition, scheduled to open on September 10, 2011, at the Prallsville Mill.

See Page 09/06-11-10J

RESOLUTION

RESOLVED, Modification for the Design of County Route 519, Warren Glen Hill Climbing Lane, in Holland Township, to Cherry, Weber and Associates, in the amount of \$210,381.

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

Mr. Mennen moved and Mr. Walton seconded a motion to approve Claims in accordance with the Claims Register dated September 20, 2011, minus check number 134086.

See Page 09/06/11-10K

CLAIMS REGISTER

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

Mr. Mennen moved and Mr. Holt seconded a motion to approve Check #134086 in accordance with the Claims Register dated September 06, 2011.

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

Director Holt announced there was one small correction made to the minutes of July 19, 2011.

Mr. Mennen moved and Mr. Melick seconded a motion to approve the regular session minutes of July 19, 2011 as amended.

See Page 09/06/11-11A

MINUTES OF July 19, 2011

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

Mr. Mennen moved and Mr. Holt seconded this:

See Page 09/06/11-11B

RESOLUTION

RESOLVED, Guiseppe Palmieri appointed temporary, when and as needed, Instructor's Aide, Division of Emergency Management, Public Safety Department.

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

Mr. Mennen moved and Mr. Walton seconded this:

See Page 09/13/11-11C

RESOLUTION

RESOLVED, Approving No Passing Zones along Harrison Street-Milford-Frenchtown Road, County Road #13 (619), in the Boroughs of Frenchtown and Milford, and the Township of Alexandria.

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

Mr. Mennen moved and Mr. Walton seconded this:

See Page 09/13/11-11D

RESOLUTION

RESOLVED, Approving the Scope of Services for the Design of County Route 513/Interstate 78 Interchange 15, in the Town of Clinton and the Townships of Clinton and Franklin, to Jacobs, in an amount not to exceed \$1,571,497.06.

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

Mr. Walton and Mr. Holt seconded this:

See Page 09/13/11-11D

RESOLUTION

RESOLVED, Authorizing a payment of \$600,000 to the Borough of Flemington, in connection with the June 26, 2007 agreement on the Realignment of Park Avenue.

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

Mr. Walton moved and Mr. Mennen seconded this:

See Page 09/06/11-11E

RESOLUTION

RESOLVED, Approving County Policy #2011-01, for Retiree Health Benefits.

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

Mr. Mennen moved and Mr. Melick seconded this:

See Page 09/06/11-11F

RESOLUTION

RESOLVED, Authorizing Public Health Nursing be placed under the consolidated model of the Department of Human Services.

John Beckley, County Health Director, confirmed with Director Holt that he could comment on the resolution where Public Health Nursing would be placed in a consolidated model under the County's Department of Human Services.

Mr. Beckley feels it would be a problematic mistake for the Board to move Public Health Nursing over to Human Services and that it would also be a violation of the Public Health Practice standards which govern the way in which public health services are provided in the State of New Jersey. He advised there is a statute which references the standards of compliance and those standards define what the mandated programs are under Public Health in New Jersey. Those standards specify that if a service is provided it must be provided within a Health Department setting and it further specifies that Health Officers shall direct the staff working in those program

areas. In as many instances within the state regulations where Health Officers authorities, responsibility and duties are cross referenced, if this public health nursing program were to be moved under a Human Services System, then there would not be that authority. There is a full set of regulations of communicable disease control in New Jersey and it says the Health Office "shall do this" and the Health Officer "shall have this authority and that authority". The same thing with Childhood Lead Poisoning regulations and Childhood Immunization regulations. All those and more have that wording. If the public health program is not under the direct control and operation of a licensed health officer, then there is a disconnect.

Mr. Beckley feels this would be a bad fit because the vast majority of the services and programs under Public Health Nursing tie directly to the Health Department. They are called Public Health Nursing for a reason, it is not called Human Services Nursing, and it is referenced in the practice standards.

Mr. Beckley advised there are 26 InterLocal contracts with the municipalities that has been in place for many years. Those contracts specifically reference the County Health Department and the agreements reference that the County Health Department Director shall be designated as the Health Officer for each municipality.

Mr. Beckley stated the resolution he saw tonight, none of the whereas speak to the issue of whether or not these services belong in the public hearing realm or under Human Services.

Mr. Beckley feels this is a serious mistake for the Board to do this, not only for programmatic reasons but he feels it would be illegal to operate those services under an entity other than a recognized Health Department.

Mr. Walton confirmed the County Health Officer would have to be a part of this program.

Mr. Mennen confirmed with Mrs. Yard that the County will be in compliance with the law.

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

PROCLAMATIONS/RECOGNITION

Mr. Walton moved and Mr. Melick seconded this:

See Page 09/06/11-12A PROCLAMATION

RESOLVED, Recognizing September 11, 2011 as a day of solemn commemoration of the events of September 11, 2001.

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

Mr. Mennen moved and Mr. Melick seconded these:

See Page 09/06/11-12B PROCLAMATION

RESOLVED, Recognizing Timothy Bragg for attaining the designation of Eagle Scout.

See Page 09/06/11-12C PROCLAMATION

RESOLVED, Recognizing James Collaro for attaining the designation of Eagle Scout.

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

GRANTS

Mr. Melick moved and Mr. Mennen seconded this:

See Page 09/06/11-12D RESOLUTION

RESOLVED, Approving the renewal for Title IV-D Reimbursement Agreement, in the amount of \$275,520.

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

Mr. Mennen moved and Mr. Melick seconded this:

See Page 09/06/11-12E RESOLUTION

RESOLVED, Approving a Subgrant award for the Recovery Stop Violence Against Women (VAWA) grant, in the amount of \$8,036 (federal - \$6027 and County Match - \$2,009).

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

Mr. Sworen returned to the meeting at 8:05 p.m.

CORRESPONDENCE

A request was received from the North Jersey Resource Conservation and Development (RC&D), for permission to permanently locate (lease) the Lechner House, at the Echo Hill Environmental Education property.

Mrs. Yard advised the County had given the North Jersey Resource Conservation and Development (RC&D) temporary permission to share the Lechner House with the South Branch Watershed. Since then the situation has changed and the RC&D is now asking for a permanent lease agreement with the County. It is the intention to swap the roles of the North Jersey Resource Conservation and Development and the South Branch Watershed Association at the Lechner House. The RC&D would take over as the primary tenant and the Watershed would have a satellite office at the Lechner House.

After further discussion, Director Holt confirmed the lease agreement will be updated through the County's Facilities Committee and come before the Board for approval.

A request was received from the New Jersey Architects & Engineers, State Coordinator for the 10th Anniversary Committee, requesting permission to use the surrounding sidewalk around the historic Court House for a Day Light Vigil, on September 08, 2011, between 10 a.m. and 2 p.m.

The Board discussed this request and it was determined that no action will be taken by the Board since the sidewalk is a Flemington Borough matter. The Clerk of the Board was directed to inform the State Coordinator for the New Jersey Architects so that they may get permission from the Borough for this vigil.

A request was received from SAFE in Hunterdon for permission to hold a Candlelight Vigil on the Historic Court House steps, on Wednesday, October 12, 2011, from 6:00 to 7:00 pm. SAFE is also requesting permission for a podium, light, microphones, tables and chairs for the event. Mr. Sworen moved and Mr. Walton seconded a motion provided permission is obtained through the County's Department of Buildings and Maintenance for use of equipment and electricity.

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

A letter was received from Bradley Patkochis, Chief, Quakertown Fire Co., requesting permission to obtain from the County's GIS Division, information to build a pre-planning mapping system for fire suppression. Mr. Walton moved and Mr. Melick seconded a motion granting permission.

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

FREEHOLDERS COMMENTS/REPORTS

Tax Administrator

Mr. Walton reported Hampton Borough recently has an issue with the School Board issuing Tax Bills advising taxpayers of a \$600 increase in their tax bills in the next six months. The municipality worked through a lot of the issues with the State Department of Education and the County's Tax Administrator, Tom Efstathiou, had at his discretion whether or not to allow the Borough to issue revised tax bills after the deadline and he was agreeable and worked with the municipality. Mr. Efstathiou acted like a leader and a gentleman and the people of Hampton are better for it.

911 Memorial Ride

Sheriff Brown informed the Board that on September 11, 2011 there will be a memorial ride starting at Cheeburger Cheeburger in Flemington, New Jersey, which is being put on by the Blue Knights and Rolling Thunder. There is an estimated 4,000 motorcycles that will come down the Main Street of Flemington before gathering at Cheeburger. The Blue Knights and Rolling Thunder have offered to allow the Freeholders to speak before the program starts.

OPEN TO THE PUBLIC

JCP&L

Frances Gavigan, East Amwell Township resident stated two events occurred last week, there was a storm (Hurricane Irene) and there was incompetence. JCP&L failed to maintain the infrastructure. Mrs. Gavigan feels she was lied to by JCP&L.

Ms. Gavigan explained the situation in East Amwell regarding animal rescue. An individual from Branchburg Neshanic Fire Co. named Randy was a godsend to those in need of water for their animals during the event.

After further discussion, Mrs. Yard recommended revisiting all the municipal Office of Emergency Management plans.

Karen Turner of East Amwell Township also explained to the Freeholders the lack of potable water during the storm event and the problems she had in getting water for her horses.

Public Health Nursing

Lois Stewart of Flemington Borough questioned the creation of a Public Health Nursing Department.

Director Holt further explained the creation of the Public Health Nursing Department and that it would be placed under the County's Human Services Department and noted the Human Services Director is not only an attorney but a Register Nurse.

Solar Useage

Lou Reiner of Raritan Township, asked the County not to participated in Readington Township's Co-Op for Solar Energy, as Raritan Township chose not to. He feels the County should be able to work this out for the County and run a facility themselves.

EXECUTIVE SESSION

The Hunterdon County Board of Chosen Freeholders returned to Executive Session at 9:12 p.m. and reconvened in Open Session at 9:33 p.m.

There being no further business to come before the Board, Director Holt adjourned the meeting at 9:33 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board