

SPECIAL MEETING

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, Second Floor
Flemington, New Jersey 08822

April 10, 2012

The special meeting of the Hunterdon County Board of Chosen Freeholders convened in open session at 9:32 a.m. in accordance with the provisions of the Open Public Meetings Act.

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

CONVENE

Director Walton 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 faxed on or before January 18, 2012, to the Hunterdon County Democrat, The Express, Courier News, Trenton Times, and Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Director Walton opened the meeting to the public.

Dave Kyle and Shirley Kyle came before the Board concerning the possible closing of the South Branch County Library in Ringoes. Mr. Kyle read a petition signed by Library patrons to keep the South Branch County Library open which was signed by 250 people in a seven day period. Mrs. Kyle advised there will be more signatures coming.

Director Walton explained the reason the Library was in danger of closing was because it is at the end of its lease. Leases expire every so many years and this lease expires the end of April, 2012 and there is a two month extension the County is allowed to exercise. The County did not have the intension of shutting down the South County Branch Library and has been negotiating with the current landowner and other facilities are being looked at in the south part of the County. If neither of those options work out then the Library might be closed on a temporary basis until an agreement can be reached or another location can be found. In the next month of so, the County will have information to make the public aware of.

Gloria Ann Robling, East Amwell Township resident and a member of the Township's Farmland Preservation and Open Space Committee. Ms. Robling expressed concern with the newspaper articles with respect to the Open Space Tax. The tax was passed by the voters in Hunterdon County. Three out of four voters in November of 2008 supported the continuation of the Open Space Tax at three cents per \$100 assessed value. Ms. Robling urged the Board to continue the Open Space Tax at three cents.

Director Walton advised the vote was up to three cents. What the Board has been discussing is using the Open Space Tax to pay down debt on existing open space purchases, not for dump trucks or items like that. The County is looking at using around \$250,000 to pay for salaries to administer the open space program. That is common practice in 12 counties which Hunterdon has surveyed.

Director Walton said if the County were to reduce the tax there is still \$10 million left in the bank, unspent, unallocated and undedicated which could be used for open space, parkland and farmland acquisitions. There are funds available to have a very successful open space program.

FINANCE – CONTINUATION OF BUDGET DISCUSSIONS

Operating Budget

EAC

Kim Browne, Finance Director, confirmed with the Board that the amount of \$3,000 will be placed in the Employee Appreciation account.

4-H

The Board reviewed the amount for the 4-H Fair. They 4-H is asking for \$37,500. After a brief discussion the Board agreed to the amount of \$25,000 and the amount of \$10,000 to be broken out to reflect payment for electricity by the County.

Miscellaneous/Freeholders

Mrs. Browne advised the amount in miscellaneous for the Freeholders has been reduced from \$7,500 to \$5,000.

Luncheons

Mrs. Browne advised the amount for the two luncheons the County hosts (Fall and Spring) has been reduced.

Cultural & Heritage

Cultural and Heritage Commission was given \$25,000 last year and that too will be reduced, to \$22,500 and the historic amount would remain the same. This amount supplements two grants they receive.

Celebration Public Events

No funds have been set aside for the County's Tri-Centennial Anniversary or for fireworks.

Legal Fees

Mr. Mennen questioned why there are funds for legal fees in the budget since the County now has County Counsel in-house.

After a brief discussion, the Board agreed to keep some funds in the budget, from \$20,000 down to \$5,000 for the Planning Board Special Counsel.

Planning – 805/810/815

Mr. Mennen stated a number of the line items in the detail sheet for 805/810/815 for the Planning Board violates the County's policy.

Mrs. Browne is aware there will be discussions on the 805/810/815 line items (conferences, meetings, trainings, and memberships) to clear up these issues.

Mr. Holt reminded the Board he is preparing a revised policy for the Board's approval at the next meeting, on April 17, 2012.

Soil Conservation

Mrs. Yard reported that last year the County contributed to Soil Conservation \$57,714 for various services for the County and this year they are asking for \$300 less, \$57,414.

Mrs. Yard explained that Soil Conservation has been asked year for justification on the services they provide for the County. One of their tasks is the monitoring of the Farmland Preservation farms. The County has 352 farms and Soil Conservation has assigned a dollar amount of \$50,000 to that task. A Planning staff member recommended to Soil Conservation that this money come from the Open Space Tax. Mrs. Yard noted that Soil Conservation charges \$35 an hour.

Mr. Holt reported that a Planning staff member contacted him regarding the CADB meeting when this was recommended. Monitoring of these farms has gotten more time consuming because of requirements at the state level and the number of farms.

The Board discussed options for a faster way to monitor the farms, such as a preprinted sheet. Each farm has to be monitored at least once a year.

Mr. Holt stated maintenance and stewardship was included in the language as part of the 2008 ballot referendum question. This is the one expense that could clearly be charged to the Open Space tax fund.

After further discussion, the Board agreed the amount for Soil Conservation should be \$55,000 (4.75% reduction from 2011) and it will be kept in the operating budget not be charged to Open Space.

Mrs. Yard was directed to get the Planning Department and Soil Conservation to meet to look for efficiencies for farmland preservation monitoring. Mr. Sworen added that Information Services should be included in that meeting.

Mrs. Yard was also directed to get a one page opinion from the Open Space Trust Fund Coordinator regarding if Soil Conservation could be funded under the Open Space Trust, for future budget discussions (2013).

Mr. Mennen asked Mrs. Yard to obtain from the Planning Director a memorandum outlining the portions of time that each individual in that department spends on the generic title of Open Space. If some of those duties include compliance monitoring or after the fact, it would be similar to what was opined for Soil Conservation is not an applicable expenditure.

Construction Board of Appeals

Director Walton and Mr. Melick recused themselves at 10:40 a.m. as they each have a relative on the Construction Board of Appeals.

Mrs. Browne brought up the fact that counsel for the Construction Board of Appeals has not submitted bills recently.

Shana Taylor, County Counsel, stated this could be considered a donated service. Ms. Taylor confirmed there is a contract stating what this person should be paid and she noted that it is the individual's obligation to bill for payment.

The Board of Chosen Freeholders directed that the matter of submitting bills for payment for legal services be brought to the Construction Board of Appeals attorney's attention.

The Hunterdon County Board of Chosen Freeholders discussed the Construction Board of Appeals budget and agreed to reduce it by 10%.

Director Walton and Mr. Melick returned to the meeting at 10:45 p.m.

Weights and Measures

Weights and Measures' budget to remain the same.

Insurance

The Board directed Mrs. Yard to contact the Insurance Manager for the County, to come and provide a private update to the Board regarding claims (self insurance).

Roads

Mrs. Browne informed the Board that the Director of Roads, Bridges and Engineering, John Glynn, has requested the same amount of overtime as last year (\$125,000 requested and \$111,000 expended.)

Mrs. Yard reported that all the overtime in the County is being looked at. There are very few areas in the provision of County government that require overtime, other than the 24/7 operations (Emergency Services and the Jail). Most people can walk away from their desks at closing time and the information and effort will be there tomorrow. In most cases, in the provision of public services there is no expectation when something should be finished.

Mrs. Yard advised the County's overtime policy will be modified to include situations when someone is donating their time, by FLSA, the County has the responsibility to compensate people when they are at work. Recommendations will also be made regarding the overtime budgets to reduce.

Mrs. Yard advised that each year, Mr. Glynn, brings in seasonal people because it is more cost effective. Mr. Glynn has reduced the number of seasonal. In the past, Mr. Glynn has been asked to reduce his operating budget by the amount of money the seasonal employees cost and that exercise has been done.

Mrs. Browne stated Mr. Glynn's budget does show an increase, which is in the cost for surface treatments have increased by \$150,000 and a majority of that is taken from the Motor Vehicle Trust Fund.

Bridges

Mrs. Yard reported that Mr. Glynn has also put money in the bridges budget for overtime for bridges. (Last year - spent \$20,000 and the request this year is for \$25,000). Mrs. Browne explained the cost for materials is up.

Mr. Melick advised according to Mr. Glynn there are around 20 culverts, across the County, which are in need of repair. This causes safety concerns.

Shade Tree Commission

Mrs. Yard stated the Shade Tree Commission provides a discretionary service but it does provide help regarding trees in the County.

Mr. Melick added that when Mr. Glynn's department is having tree issues/problems, he discusses those concerns with the Shade Tree Commission.

Mr. Mennen brought up the issue of memberships, training and conferences (805/810/815).

Mrs. Yard explained two of the members of the Shade Tree Commission are required to have CEU's/CLE's. What has been done to address this issue is that the Shade Tree Commission members are only sent to training for the day. The County pays for the registration so they can obtain their CEU's but there is no County vehicle for travel and no funds are expended for them to stay overnight anywhere.

Mr. Mennen confirmed with Mrs. Yard that this is consistent with the County's current policy.

Mr. Holt recommended, after looking at the expenditures and budget for the Shade Tree Commission, that their budget also be reduced. The Finance Department suggested a reduction of 4.75% making their budget an even \$7,000.

Buildings and Maintenance

Mrs. Browne informed the Board that the overtime for the Buildings and Maintenance Department was reviewed by the Finance Team. The requested amount for overtime was \$30,000 for this year but last they only spent \$15,000 in overtime. Mrs. Browne advised the overtime for this department has been reduced down to \$20,000.

Mrs. Browne informed the Board that Buildings and Maintenance is requesting to enter into an agreement for the maintenance of generators in the County. They aren't being serviced the way they should be. Buildings and Maintenance received an estimate between \$15,000 to \$20,000.

Mr. Holt asked to review the proposals/specifications for the maintenance of generators as he used to do this type of work.

Mr. Melick would agree to this provided it is done on a competitive bid basis.

Vehicle Services

Mrs. Browne reported the budget for vehicles services has been requested to be increased by \$15,000/\$20,000 and part of that increase is due to the cost of tires and parts for the LINK buses. Also being requested is overtime, in the same amount as last year, \$13,000 and a lot of that is also due to the LINK buses.

Director Walton confirmed with Mrs. Browne the costs for vehicle services is for all vehicles not just the LINK buses.

Mr. Mennen questioned if the County were to vigorously enforce the County's policies with regard to the use of vehicles, specifically for commuting as opposed to job related services, what impact would that have on this budget. What level of maintenance or service has been contemplated based upon mileage and things of that sort. If that mileage/use of vehicles was to disappear, would there be a corresponding offset in this budget.

Mr. Melick stated if less vehicles on the road means less gasoline consumption and less maintenance.

Mrs. Yard advised in each operating budget that has vehicles going home, include in the budget were the number of miles and the costs to those miles for commuting. That data is available.

Mr. Mennen would like to see these figures.

Health Division/Vector Control

Mrs. Yard informed the Board that George Wagner and Tag Rainey developed the budget for mosquito control together. Resources are being moved around and the Board has been part of those discussions.

Director Walton stated the budgets for Health and Vector Control are down 23%.

Mrs. Browne reported that the County is utilizing the EQUFEFS Environmental Trust to offset \$30,000 for salaries in the Health Division.

Senior, Disabilities and Veterans Services

Director Walton advised the Senior Services budget is down 8% and that area is almost entirely grant funded through the State's Area Plan Grant.

Departments

Sheriff's Office

Director Walton recognized Sheriff Brown.

Sheriff Brown informed the Board that his budget has a 2% increase in salary and wages; a 1.2% decrease in Operating Budget, for an overall budget increase of 1.6%.

Sheriff Browne advised in 2011 he did not spend what his budget was allotted. A lot of items in his budget can't be cut out because if someone leaves and they have to be replaced, money has to be available for training and uniforms for replacement people. His office is operating on minimum staffing and some of the conditions he deals with are due to what the County negotiates contracts with the officers that provides benefits and time off.

Mrs. Yard informed Sheriff Brown that the Freeholder Board has made decisions during negotiations, when contracts expire, that there would be uniform benefits.

Sheriff Brown explained to the Board how embarrassing it is to attend the SSANJ (State Sheriff's Association of New Jersey) when he is one of two counties that has not paid registration dues. The Sheriff is not required to have a license or obtain credits for the position. SSANJ sends out weekly valuable newsletters on writs, service of papers, and things which make the office run more professionally and it also trains the Sheriff in things that he would not have any other way of getting trained for. Sheriff Brown feels it is unfair that his SSANJ aren't being paid, while others are because they are going for a license. Under the constitution he is licensed as being a Sheriff. Sheriff Brown stated he needs the SSANJ membership in order to maintain the professionalism of his office.

Mrs. Yard confirmed with Sheriff Brown that it was negotiated last year that he could have a membership but would not attend the conference. Mrs. Yard advised she and Sheriff Brown spoke with the Finance Office, that in lieu of attending the SSANJ conference, that he would have his membership to COANJ and SSANJ.

Sheriff Brown informed the Board that he also did not attend the conference held in Colorado for first time sheriffs, even though it is supposed to be a very beneficial conference.

Sheriff Brown advised the National Sheriff's Association also provides a lot of resources.

Mr. Mennen questioned the Sheriff concerning COANJ (Constitutional Officers Association of New Jersey) saying it sounds far more general in nature than SSANJ, which the Sheriff indicated provides valuable information which is appropriate and specific to the job, which he needs to perform.

Sheriff Brown explained that COANJ is a resource. He hasn't used COANJ as much as he has used SSANJ because SSANJ is more direct but he does attend COANJ meetings and they go over all legislative issues and many of them affect the Sheriff's Office.

Sheriff Brown confirmed for the Board that he feels there is a benefit to belonging to both COANJ and SSANJ as it provides him access to a lot of resources which otherwise the County would have to pay for.

Sheriff Brown left the meeting at 11:34 a.m.

The Board discussed reducing the Sheriff's budgetary allocation for the operating budget. Mr. Mennen confirmed that out of a \$42,000 operating budget, the Sheriff has expended \$32,000. After further discussion a majority of the Board agreed to decrease this allocation by \$2,000.

Director Walton expressed concern over reducing the Sheriff's operating budget and asked that it be on the record.

Open Space

Mrs. Yard reported to the Board, as requested the 2011 annual report on Open Space and Parkland can now be found on the County's webpage.

Construction Projects

Mrs. Yard provided the Board with an updated copy of construction projects.

Demolition

Mrs. Yard reported back to the Board on a previous request to determine if demolition funding could be taken from Open Space since the structures are on Parkland and Open Space properties.

Director Walton confirmed this will be part of the public hearing on April 17th.

The Hunterdon County Board of Chosen Freeholders recessed at 11:45 p.m. and reconvened in Open Session at 12:03 p.m.

County Clerk

The County Clerk, Mary Melfi, came before the Board asking the Board to approve her budget requests as presented. From 2009 to present, his office has gone from \$413,000 in revenue to \$492,000 in this first quarter; so the revenue is up 19% over the last four years. Documents have gone from 8,614 to 9,065 in the last four years and staff is down one and the O&E budget from 2009 has gone from \$50,150 down to this year's request of \$44,450 which is a drop of 12% in four years.

The overtime has been reduced by working smarter; she has gotten rid of overtime Thursday hours and condensed into Saturdays. Ms. Melfi stated her office is still serving the public while being responsible with the office.

Ms. Melfi explained she has worked with Bob Thurgarland, Director of Central Printing and Mail, Information Services, and the Board of Elections, because 9,000 to 10,000 ballots will be mailed out in November, which is a presidential election. Postage rates have gone up, so her office reduced the weight of the paper used for ballots from 24 pounds to 20 pounds. This action will cause a reduction in postage.

Ms. Melfi judges how her office is doing, by who she works for, which is the public, and she has never been at an event where someone has not come to her to compliment her office and staff on how they do things.

Mr. Melick provided a history when the County Clerk's Office was behind and the volume was tremendous and the County provided extra staff and temporary people to catch the office up. Since that time, the volume has gone down in the Clerk's Office. Also, the office has up-to-date automation which was provided to make the office more efficient. In addition, the County's ratable basis is dropping and the County's offices have been able to make adjustments to bring costs and overhead down.

Ms. Melfi stated she has also done that.

The Board asked Ms. Melfi to provide current, up to date numbers for her office from 2006 to present as the Board.

Mr. Mennen asked Ms. Melfi if she would be opened minded to consider loaning her people to the Board of Elections because the ebbs and flows in the workload in her department match the ebbs and flows of the workload in the Board of Elections.

Ms. Melfi explained it would depend on the request because if the Board of Elections is busy so is her office, because they run concurrent with each other. She has a good relationship with the Board of Elections and while she would not say no, it really depends on what is being asked and if she had the ability to do it but she doesn't have that ability during election time.

After further discussion, Director Walton polled the office and Mr. Holt, Mr. Sworen and Director Walton agreed to consider the County Clerk's Budget as submitted when the budget is introduced in May 2012.

300th Anniversary of the County

Mr. Holt moved and Mr. Melick seconded a motion approving an agreement with the Tricentennial Celebration and Historical Education Association, a non-profit corporation, who is planning, organizing and raising funds to support and conduct commemorative, educational and community events to celebrate the County's 300th Anniversary and authorizing the Finance Department to cut a check to the 300th Anniversary Committee's Treasurer, in the amount of \$60,000 which the Freeholders have been putting away for several years.

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

The Hunterdon County Board of Chosen Freeholders recesses at 12:46 p.m. and reconvenes in Open Session at 1:07 p.m.

Library

Mark Titus, Library Director came before the Board.

Director Walton informed Mr. Titus that the County contributes close to \$1 million to the Library budget to pay for and maintain the facilities and other items which are contained within the Pino Report. Today's discussion is what the Library Levy should be. He asked Mr. Titus what can be done to cut the Library budget.

Mr. Titus informed the Board that a major cut in his budget would be the amount provided to affiliate libraries, in the amount of close to \$152,000, which would be achieved by eliminating all future allocations for materials for those seven affiliate libraries. Affiliate libraries are local libraries that municipalities have chosen to maintain a local library. The County library provides service to them through daily deliveries of books, all computer equipment and its maintenance, so they can be tied into the County library. Affiliates are not fully branch members of the County Library; the County has a headquarters and two branch libraries in the County system.

Mr. Titus explained certain amounts are allocated out of the County's book monies for purchases for those affiliate libraries. Mr. Titus proposed to no longer do that and if a local library wishes to continue in an arrangement with the County Library, they would be responsible for the purchase of any materials. The County Library will continue to do the work it is currently doing, if the affiliates have the money to purchase the books, the County will order and process them.

Mr. Mennen questioned if affiliate libraries are not receiving what they were in the past; does that mean they will each lose around \$20,000. If the funding goes away, what incentive is there for an affiliate library to remain an affiliate Library.

Mr. Titus explained the amount distributed to the affiliations is not distributed evenly but they will still receive the convenience of being able to go to the library, pick up books which have been placed on hold through the County Library's website, to not have to go to a specific library to get material. This is just another service point available because an association was formed in order to maintain this service. This is a convenience to the residents of those municipalities with affiliate libraries so they can pick up books which have been placed on hold through the County's website, to drop books off, to not having to worry about going to a specific library to get material(s). This is just another service point which is available because the township or association has decided to maintain the service. An example would be that Frenchtown Borough Affiliate Library only as a little over \$3,000 in serves.

Mr. Mennen asked if the residents of the residents of the twenty-three municipalities, who are subject to the library tax, are funding book purchases and other purchases in these seven municipalities.

Mr. Titus recommended a reduction in salaries by cutting out all student assistants at the Library, which would result in a savings of \$54,000 on an annual basis and a reduction of \$29,288 for 2012. In addition, a savings will be realized because a librarian retired at the end of February 2012 and a Senior Library Assistant will be retiring in July, 2012.

Mr. Mennen questioned the Library's final number.

Mrs. Pasqua said the Library's number is \$6.6 million and last year the number was \$5.7 ½ million but added that more tweaking is needed to be done because of the two individuals in the Library's that are retiring.

The Board discussed the amount which the County puts out of its operating budget to run the Library and the amount, according to the Pino Report which it costs to run the Library. Director Walton assured Mr. Titus that the County isn't asking him to make anymore cuts to his budget but rather increase the Library tax rate to reflect a new allocation, which is more in line of what it costs to run the Library and the Library tax will more accurately reflect the true cost to run the Library system.

Mrs. Browne advised the County Treasurer reached out to the State Division of Local Government Services and they can anticipate the \$1.5 million in the operating budget and that would allow the County to be able to achieve a flat tax rate.

Mrs. Browne reported that at the last County Financial Officers' meeting, Mark Pfeiffer, who has since retired from the Division of Local Government Services, made two points: (1) he feels there will be two more years of bad economy; and (2) if counties have not increased their tax rate over the last three years or so, it is unwise.

Mrs. Browne advised Hunterdon County has been cutting its budget. She has reviewed budgets from 2008 (\$97 million) and in 2011 (\$88 million). Mrs. Browne is concerned about the surplus and it looks like the County will be using around \$4 million to \$5 million this year. Mrs. Browne suggested the Board look at increase the tax rate by one cent.

Mr. Holt feels if Hunterdon is to exist within the current system/service level which government is expected to provide, there is no way beyond the next few years with the 2% cap that Hunterdon will be in a position it is in today. He feels because of the way services are delivered and because of state mandates, the County is going to have to change. Mr. Holt feels Hunterdon is going to have to make some major changes.

Public Safety Director, George F. Wagner
Emergency Management Division

Mr. Wagner advised the Board he is not here today to ask for more money or more staff but to ask for permission to move forward with a different approach to the staffing needs and funding.

Corrections Division/Warden/Communications

Mr. Wagner informed the Board that the Warden's position at the jail has been vacant for two years, making there is division without a division manager. Mr. Wagner would also ask the Board to look at how the computer aided dispatch is addressed and the overtime required to do that function at Communications.

Mr. Wagner briefly when through the overtime in Communications and Corrections and how it was reduced in 2010, 2011 and this year. A lot of the overtime is not controllable and it contractually mandated. He explained causes for overtime are bereavement, details, discipline, extra coverage, leave of absence, military leave, personal leave, operational aspects – report writing, sickness, training, vacation, and workers compensation. Mr. Wagner assured the Board he takes tracking overtime as an important function of his operation. Of the overtime which is controllable, he reviews that and he is adamant about implementing the County's policies and procedures in reference to the staff producing medical verification, family medical leave act, and other causes for overtime. There are many things out of the County's control in this area due to contractual causes.

Mrs. Yard reported there is an issue at Communications which the County is dedicated to correcting dealing with overtime, so instead of what is prescribed in the contract; it will be worked out through negotiations.

Mr. Wagner discussed with the County Administrator and Finance about the overtime and the credits for overtime. The County will be getting an excess of over \$15,000 in Communications overtime because of FEMA. The Board needs to be aware that some overtime is reimbursable through various functions, use of the command bus or FEMA through a storm event.

Mr. Wagner informed the Board that one of the challenges in Emergency Services is when there are vacancies the County has to wait for the state to generate a Civil Service list. It is not cost effective for the County to bring people on and make them provisional employee when there is a list that anticipated and those people get displaced. The lag time between exhausting a current Civil Service List and getting a new one often creates overtime in reference to filling vacancies. To dispose of a list, the County has to demonstrate why someone wasn't hired. Mr. Wagner stated anyone can take the law enforcement test but that doesn't mean they are appropriate for a law enforcement test. Background checks have to be done once someone gets on the list and if the County rejects someone because of the background check, the County has to be very specific as to why it doesn't hire someone. It was noted that anyone can take the law enforcement test but that doesn't mean they are appropriate for the law enforcement test, so background checks must be done, and if someone is rejected because of the background test, the County needs to be specific as to why they were not hired.

Mr. Wagner further explained that it used to be that provisional people did not have to be sent to the Academy until their name appeared on the Civil Service List but now, the Police Training Commission requires they be sent to the Academy within a year.

Mr. Wagner informed the Board that overtime in his areas has been reduced, even in the Division of Emergency Services, except with the CAD program was introduced last year. He anticipates overtime will continue to trend downward. Five new telecommunications operators started training yesterday, bringing that division almost up to full staff.

Director Walton questioned Mr. Wagner regarding the 911 Coordinator's position.

Mr. Wagner explained how the department used to work with a Senior Communications' Operator who was a half time 911 Coordinator and a half time Senior. Three out of six days they dedicated to doing the 911 Coordinator duties and the other three days they were working a shift. Because of the staffing shortage, that hasn't been done in many years. Mr. Wagner advised the 911 Coordinator is required by New Jersey Rules and Regulations that the County have a 911 Coordinator and that person is tasked with coordinating not only the County's Computer Aided Dispatch information but every municipality is supposed to have a 911 Coordinator as well. The municipal 911 Coordinator is supposed to meet with the County Coordinator regarding municipal input. Mr. Wagner advised he is not asking for a new person but not assigning overtime to this function because he expects the Dispatchers to input the data to all the businesses and developments and such during their regular course of duties. Overtime would only be paid if the dispatchers don't get to the data input. Mr. Wagner would like to dedicate a person to the Computer Aided Dispatch 911 Coordinator function; then the per diem part time people can be used to backfill that position. This person could work three days a week for data input.

Mr. Wagner reported at this time Civil Service does not have a recognized title of Computer Aided Dispatch. Other counties rely on the 911 Coordinator to do this work.

Director Walton confirmed with Mrs. Yard that in order for Mr. Wagner to see his presentation come to fruition, that the Board would have to place funding in the budget for these functions.

Mr. Mennen confirmed with Mr. Wagner that the input of data is a time sensitive issue.

Warden's Position/Correctional Division/Public Safety

Mr. Wagner informed the Board that the County has not had a Warden for the Jail for the past two years. The organizational chart for the Jail has been adjusted, both up and down as needed. Mr. Wagner explained shortly after the Warden retired, the Lieutenant retired as well. The present rank structure at the Jail is 4 Sergeants supervising four squads of officers. Staff is needed to watch the inmates and staff is needed to perform the administrative function. During the past State Inspection of the Correctional Facility, Mr. Wagner and the two sergeants make sure things get done and an officer, who performs the duties of a sergeant, gets compensated as a sergeant and is known as the officer in charge.

Mr. Wagner advised he would like to eliminate the presently budgeted vacant lieutenant position and there be a salary adjustment from sergeant to Warden. The vacated sergeant's position would also be filled and this could be accomplished with a decrease to the operating budget of around \$55,000.

After further discussion, Director Walton moved and Mr. Sworen seconded a motion to approve the request of George Wagner, Public Safety Director, to fill the position of Warden. Mr. Wagner is authorized to talk with the Human Resources Director, Cheryl Wieder, to post and fill the position.

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

Mr. Wagner left the meeting at 2:12 p.m.

County Prosecutor, Anthony Kearns budget presentation

Prosecutor

County Prosecutor, Anthony Kearns and approximately six other employees of the Prosecutor's Office, came before the Board to discuss his Capital and Operating budget requests.

Prosecutor Kearns informed the Board he received a memorandum from County Administrator, Cynthia Yard, dated March 28, 2012 asking him to make a presentation on his staffing and proposed staffing for 2012, based on the Study Commission Report. Prosecutor Kearns stated this is merely an advisory report for the Governor and has not been adopted. He stated it is his goal; intension to work with the County and to line his office with County policy to the extent that it is practical. He feels that is what the Study Commission is asking.

Prosecutor Kearns advised in 2006 the Hunterdon County Prosecutor's Office sought review from the Attorney General's Office, the Division of Criminal Justice to determine if the filing of a Bigley application was warranted. As the Freeholders are aware, a Bigley application authorizes an Assignment Judge to approve expenses of the Prosecutor's Office that exceeds the funds appropriated by the County. In 2006 the Division of Criminal Justice did an extensive review of the Hunterdon County Prosecutor's Office, in part, they found that the staff was severely overburdened; personnel levels had reached a critical level and it further found that the office, because of the lack of sufficient personnel, could only perform in a reactive stance rather than a proactive stance. The office is not able to initiate many of their own investigations because of the lack of resources. In light of the executive session where Prosecutor Kearns had the opportunity to explain to the Freeholder Board the growing trends in terms of gang and drug activity in Hunterdon, so it is important that his office be proactive.

Prosecutor Kearns stated because of the review of the office in 2006, the Freeholders elected to implement a 3 year plan to increase personnel, to avoid the Prosecutor's Office from filing a Bigley application. Now in 2012, while the staff is up to the agreed upon level in terms of Assistant Prosecutor's through the office is one short, Prosecutor Kearns is comfortable with that number at this time. The other staff is either below or at a level that the Division of Criminal Justice deemed to be critical. The Prosecutor's Study Commission does not change the law, it continues that County's can still seek a Bigley action. The recommendation is that the Prosecutor's should first seek the Division of Criminal Justice's approval before filing that action.

Prosecutor Kearns stated in consideration of the County's budget woes, he has not asked for any new positions; rather he seeks to fulfill what was agreed to in the 2008 agreement in an effort to avoid the Bigly.

One of the eight employees with Prosecutor Kearns got the power point presentation to work. Prosecutor Kearns quickly went through the power point for the Board explaining his personnel in 2006, current and what he is requesting. The Prosecutor is asking for 3 more detectives and 4 Administrative Investigators (clerical people).

Prosecutor Kearns said the public safety is more at risk now than it was in 2006 and his office is below the 2006 staffing level as recommended by the Division of Criminal Justice. His office currently has 9 Assistant Prosecutor's and the 2008 agreement allowed for a 10th Assistant Prosecutor and he has not asked to fill that position. The 2008 agreement called for 28 detectives

and if he hires three, the number would be brought up to 27. He is asking for four additional support staff. He is also looking to have at least one of the detectives be bilingual.

Prosecutor Kearns quickly stated that complex investigations of organized activity are beyond the staffing capability of his office. Resources for handling normal case loads generated by the County are stretched to the limit and it would be difficult for his office to handle any new high profile cases or respond to law enforcement emergencies over an extended duration.

Prosecutor Kearns came into office in December 2010 and feels that good work has been done and needs have been addressed throughout the County. His office has had the benefit of not having any high profile cases to deal with. There will always be cases that will stretch the staff thin. Prosecutor Kearns stated the Division of Criminal Justice recognized in 2006, is that when offices get those high profile cases, that attention will be pulled from other aspects of the office and that will put the public safety at risk.

Prosecutor Kearns stressed to the Board that there is gang activity occurring in Hunterdon County. There is an increase of narcotics distribution and the use of narcotics. There are a number of burglaries going on throughout the County and they are drug related. Hunterdon County is not being as proactive as it should be and he is asking for resources to be able to do the work.

Prosecutor Kearns explained the problems with a small office is that people get assigned to a particular job and they don't have the ability to move and be cross trained. He does not have a big office, so his people have to be cross trained. Also, he feels there will be retirements in his office in the future and those replacements have to be properly trained.

Prosecutor Kearns advised his 2012 Budget request is for 3 additional detectives for a total of 27. Also, the County's Hispanic population is not being addressed and he is looking for bilingual detectives in that number because that population has to be addressed from the victim point of view, not from crime. That can't be done because of the lack of Spanish speaking detectives.

Prosecutor Kearns advised the Division of Criminal Justice is recommending 4 more Administrative Investigators to bring the number up to 17.

Prosecutor Kearns reported to the Board that he has worked with his resources to establish an Arson Task Force and a Burglary Task Force, which means people from other agencies within the County are pulled under his leadership to address these issues. His office is also working with Somerset, Morris and Mercer Counties as well as agencies in Pennsylvania to assist his office. These burglars don't care what County or state they are in; they don't care about boundaries; they are just looking for a mark to make their score. Prosecutor Kearns is also working with the Gang Task Force, the Narcotics Task Force, the Fugitive Task Force and the County of Hunterdon Anti-Crime Initiative into Narcotics. These task forces pull in municipal police departments into the group. Leap is the Law Enforcement Adolescent Program which also deals with municipalities which deals with adolescents without putting them into the system but still dealing with the problem. Officers are being trained to be a Mental Health Crisis Intervention Team so they can deal with emotionally disturbed persons. With the proper training costs drop because it prevents officer injury and deals with the problem by getting people the help they need without going into the system. The County's SWAT team is a model of shared service as his office works with the FBI and the New Jersey State Police. Homeland security issues needs to be worked on constantly. All the Task Forces including the Internet Crimes Against Children's Task Force take time and resources from his office. His office is working to curb costs and to be effective in what they do.

Capital Requests/Equipment

Director Walton informed the Prosecutor that the Board has received his substantiation for his 2012 Capital Budget requests. The equipment requests for 2012 total \$65,275. He asked how much of that is County funded, grant funded or can come out of trust funds. The equipment includes a Recon Scout XT and a Recon Scout Trowbot; plus a search stick pole, command monitoring station, gas masks at \$2,000 each and undercover surveillance items.

Prosecutor Kearns confirmed that is for the SWAT team.

Prosecutor Kearns advised the memorandum he received from Mrs. Yard said to come prepared to address the staffing issues, he did not know other parts of the budget would be addressed.

Prosecutor Kearns feels that Det. Sgt. Burd put justification in the budget, as there is an effort for the SWAT Team to move from a level 3 to a 2 and that request is part of that effort. The SWAT Team is made up largely of volunteers and there is great cooperation from the municipal police departments who allow their officers to go from their departments for training. This is a great assist to his office. He feels that equipment is all capital budget items.

Mrs. Yard explained to Prosecutor Kearns that the budget package just given to him, is what the Freeholders are working off of, so he can be on the same page.

Prosecutor Kearns advised another part of the 2006 report recognized the lack of equipment and resources that his office is grappling with. This is an effort to boost up and make the SWAT Teams safer and more effective.

Furniture, Fixtures, and Business (shredder, generator, copier, podium, security system)

Director Walton advised the Finance Team that there are items in the Prosecutor's justification memorandum of January 22, 2012 that are not in the capital book under the Prosecutor. He

confirmed with Mrs. Browne that it could be found under Furniture, Fixtures and Business and those items are the shredder, portable generator, a copier, the podium/lecture with sound and the security system.

Mr. Mennen addressed the Prosecutor and asked when looking at the capital expenditures, what influences him to utilize his trust funds, over which the Prosecutor has exclusive discretion as opposed to making a traditional capital request.

Prosecutor Kearns feels the trust fund rule is that it is not to be used for things that the County should ordinarily be responsible for. The trust is for extraordinary things or initiatives.

Mr. Mennen confirmed the use of trust funds has to be for law enforcement related. He asked if the Prosecutor is willing to use the trust fund on any of these expenditures, as the trust is under his exclusive discretion. He questioned the balance of the trust fund and what it has been used for in the past.

Prosecutor Kearns advised there hasn't been a car purchased for his office since 2008. He has utilized forfeiture funds to purchase three new vehicles. He is looking at trying to effectively use that trust to benefit the office and the County. He agreed with Mr. Mennen that there are certain things that can be looked to using those forfeiture funds for when they are directly police related. He feels there could be a dialog regarding the Trowbot and if forfeiture funds could be used towards its purchase. He feels that the copy machine or shredder are capital budget items.

Mr. Mennen confirmed most of the capital requests (Recon Scout XT, a Recon Scout Trowbot, a search stick pole, command monitoring station, gas masks at \$2,000 each and undercover surveillance items) for equipment are related to law enforcement.

Prosecutor Kearns agreed to talk with Det. Sgt. Burd about this.

Mr. Mennen confirmed with Prosecutor Kearns that he looks at these six items differently than he would view a copy machine or paper shredder.

Prosecutor Kearns said he will have this conversation with Det. Sgt. Burd. He stated Mr. Mennen is correct.

Director Walton confirmed with Mrs. Yard that the County's protocol was followed concerning review of the copier to determine if it should be replaced. He confirmed with Mrs. Yard that the machine was assessed and the determination was this copier does not need to be replaced at this time and will be looked at again next year.

Prosecutor Kearns does not recall the Information Services person coming to look at the copier.

Kim Browne, Finance Director and Mrs. Yard explained that the machine is assessed by the number of service calls. Mrs. Yard stated that is the County's protocol whether the request comes from a Constitutional Officer or a department manager. The machine is first screened by Information Services and Purchasing who review service calls and copies per minute/use and then a recommendation is made with regard to the machine.

Prosecutor Kearns questioned if the machine to be fixed or not is only based on records and no one physically comes to look at the machine and ask how much time it takes out of the day or the problems it causes.

Mrs. Yard will confirm the procedure taken with regard to this copier with Bob Thurgarland, Director for Information Services and if he physically looked at the copier.

Director Walton asked Mrs. Yard to have Mr. Thurgarland go and look at the machine, if he hasn't already.

The Prosecutor would like Mr. Thurgarland to talk with his office as to what problems they are having with the machine.

Director Walton confirmed with Mrs. Browne that the shredder is to be included in the operating budget for purchase.

Mrs. Browne informed the Board at the end of January 2012, the Law Enforcement Trust Fund balance was \$90,000 and the Federal Equitable Trust balance is \$444,000.

Prosecutor Kearns informed the Board that some of the money in the Federal Equitable Trust is forfeiture funds due to various municipalities.

Generator

The Hunterdon County Board of Chosen Freeholders and Prosecutor Kearns discussed his request for a generator. Director Walton explained the County does have generators which could be used by his department when he is called into action. Prosecutor Kearns is willing to look at what the County has available explaining he needs one small enough to bring to a crime scene that could run lights and such.

Podium

The Hunterdon County Board of Chosen Freeholders and Prosecutor Kearns discussed his request for a podium. The County currently has two portable podiums, one in the Historic Court House and the other at the Route 12 Assembly area. Prosecutor Kearns expressed concern over

getting a portable podium to his area quickly when he needs to conduct press conferences. Director Walton stated any of these podiums could be brought to the Prosecutor's Office area when requested by Buildings and Maintenance personnel.

It was at this time that a member of the public made a comment.

Computers/Arson Task Force

The Hunterdon County Board of Chosen Freeholders and Prosecutor Kearns discussed his request for 2 laptop computers for the newly created Arson Task Force.

Mr. Sworen informed Prosecutor Kearns that when it comes to computers and computer equipment, someone should meet with Information Services to understand what the need is. Today there is a lot of technology and they can help determine if a laptop is needed or a secure hard laptop or notebook. Information Services will be able to help assess what equipment is really needed.

Mr. Sworen advised he agrees there is a need for the Prosecutor's Office to have these computers the question is what is needed. The small notebooks currently in police cars tie into the state systems.

Prosecutor Kearns advised he is willing to talk with Information Services and explain what the needs are and get their opinion. He stated that the development of the Arson Task Force was an initiative of his department.

Mr. Mennen asked Prosecutor Kearns to think about the funding source for these items, such as using the forfeiture funds or the trust to purchase these computers.

Prosecutor Kearns advised Mr. Mennen that he feels this is more of an office function. Everything his office does is crime fighting and computers are needed on a regular basis. This is being able to have that tool at a scene.

Director Walton confirmed there are at least three members of the Board asking the Prosecutor to work with Information Services on this item to make sure he gets the devices he needs.

Vehicles

The Hunterdon County Board of Chosen Freeholders spoke with the Prosecutor about his request for two undercover vehicles and a Ford Escape.

Prosecutor Kearns informed the Board he is requesting the vehicles come out of capital funds as his office purchased three vehicles this year out of forfeiture funds, in an amount around \$76,000. He explained as these cars to be a part of the Narcotics Task Force endeavor.

Director Walton confirmed with the Prosecutor that the \$71,000 being requested in vehicles is separate from the three vehicles he purchased through the forfeiture fund. These three vehicles are being requested through the capital budget.

Mr. Mennen asked the three vehicles are to be purchased out of forfeiture funds, what they are and their contemplated use and if they will be going home with the personnel.

Prosecutor Kearns explained being purchased are three dodge chargers to be used by detectives as part of the fleet.

Prosecutor Kearns further explained that his office put together a proposal for a vehicle policy.

Mr. Melick informed the Prosecutor that there has been correspondence back and forth between his office and the County Administrator's Office about the use of cars going home. At a past meeting, the Freeholders were informed that the Prosecutor's Office had an ongoing investigation and this Board is not aware what that investigator was or if it was for the Freeholders or someone who works for the Freeholders. He asked the Prosecutor if the investigation is still ongoing and if it isn't then the Freeholders are entitled to information about it.

Prosecutor Kearns stated the investigation is not ongoing and it is concluded.

Mr. Melick advised the Prosecutor that the Freeholder Board needs to know what happened, what it entailed and who was investigated since it is concluded.

Prosecutor Kearns stated he isn't going to discuss that here in open public session but he is willing to talk with Mr. Melick about it in his office.

The Chief of Detectives from the Prosecutor's Office informed the Board that regarding this inquiring there was policy development under "OPRA" and proper notification. Because Hunterdon County has a centralized communications system the police departments in the Prosecutor's Office and agencies need to know when a request comes in so it can be adequately reported and filled. They need to know what is coming in and going out. What is coming out of this is some policy development so everyone is working together on the same page and so there is no appearance of any improprieties.

Prosecutor Kearns stated his office talked with Communication about this and his is working on the policies.

Mr. Melick explained to the Prosecutor that the purpose today is budgeting. Earlier today the Board discussed vehicle maintenance. This Board has to know how to budget for gasoline, tires

and parts for the vehicles. He feels take home vehicles are an abuse. He is aware that in other jurisdictions vehicles are not used or go home. Vehicles cause a big problem for the County's budget. He is concerned because the cost for gasoline goes up each day and the maintenance of the vehicles is ongoing. The use of vehicles is above the County's resources. He asked for give and take on the Prosecutor's part.

Mr. Mennen explained there is liability exposure when someone is driving a county vehicle.

Prosecutor Kearns asked Mr. Melick what his question is.

Mr. Melick asked the Prosecutor to cut back on the usage of insisting that all his vehicles go home each night.

Prosecutor Kearns reminded Mr. Melick of the conversation held in his office where he explained why those vehicles have to go home. He feels if those vehicles did not go home it would jeopardize public safety. It will cost more for the vehicles not to go home. Prosecutor Kearns stated his decision is the vehicles will continue to go home. He gave the County his vehicle policy, which was sent with a letter that the Attorney General sent him, regarding the policy indicating it was appropriate and well within his discretion.

Mr. Melick again said this is an abuse of County resources.

Prosecutor Kearns stated it would be an abuse to take the vehicles away because it would cost the County more money. The way the office is structured, they are a small office, and he will have to put more people on call and he will have to hire more people. There is a way he does business and it has been done this way for years. This fight has been going on back into the 1990's. This is good effective law enforcement; it is a tool of his office that he needs. He understands this is something the Freeholders decided. When he got into office, he was hit with this issue and it was researched and looked at and it doesn't make sense to do it. His office has the leanest car policy in the state and the detectives have vehicles and himself. This is the way business is done.

Prosecutor Kearns asked if the Freeholders want to talk about restructuring his office as he put in a proposal together which was to be looked at in the future.

Prosecutor Kearns confirmed Mr. Melick thinks it would be cheaper to take the vehicles away.

Mr. Melick stated the County's municipal police are the first responders.

Director Walton feels the matter has reached an impasse. He, Mr. Melick, the Prosecutor and Chief of Detectives did meet on this matter. The Board has steps it can take to address this impasse as the Prosecutor does.

Director Walton asked the Board to address the two outstanding capital requests in the Prosecutor's budget; one is for two undercover cars in the amount of \$36,000 and a Ford Escape police vehicle in the amount of \$35,000.

Director Walton advised what vehicles had already been approved and not approved for placement in the Budget to be considered at adoption.

Mr. Holt confirmed the total number of vehicles is six and three are being purchased through the Forfeiture Fund and the other three are in the capital budget.

Prosecutor Kearns confirmed the three vehicles are for replacement as the other vehicles are getting old. They will be sold at auction.

Mr. Sworen asked the Prosecutor to consider leasing undercover vehicles so they can easily be rotated.

Prosecutor Kearns is willing to look to the state to determine if there is something in place already.

Mr. Mennen advised the undercover vehicles make perfect sense, the two undercover vehicles are related directly to law enforcement and to the mission of the office. He suggested he and Prosecutor Kearns agree to meet at some point. Mr. Mennen stated he know Prosecutor Kearns before he came into office and he is an honest forthright, hard working person but he has a problem with the argument said if there are more cars, then more people have to be hired. Mr. Mennen and Prosecutor Kearns will meet to discuss this argument.

Director Walton confirmed three members of the Board will support purchasing three vehicles.

Mr. Holt asked as new hires coming into the office, a take home vehicle is not included as part of being hired.

Prosecutor Kearns proposed in his vehicle policy that a vehicle would not be a condition of employment. They still need a vehicle and can use the vehicle but it will not be a condition of employment as was the previous practice.

Mr. Mennen confirmed with Prosecutor Kearns that the vehicles will still go home but he will retain the right to take it away later. What Mr. Holt was saying was that new hires would not take home a vehicle. He confirmed with the Prosecutor that vehicles for anyone hired will go home.

OPEN TO THE PUBLIC

Sharon Ransavage, attorney and former Hunterdon County Prosecutor advised she came at the request of the County Prosecutor. She recognizes there has always been a give and take between Freeholders and Prosecutor because the Freeholders' primary focus is on budgetary issues.

Mrs. Ransavage stated Hunterdon County is a desirable County to live in because of the high quality of public education and low crime.

Mrs. Ransavage spoke of the previous Prosecutor and how he handled that office. She feels Prosecutor Kearns has addressed the problems of the past and stated he has done an outstanding job in putting the office back together and that is to the benefit of the taxpayers, and the Freeholders' as well.

Mrs. Ransavage stated a Prosecutor's Office has to be proactive, if he is restricted to only investigate the crime of the day without being in the community actively working to prevent crime, can have a serious deleterious effect. Flemington, the County Seat now has a lot of open store fronts and it is ripe for gangs and drugs and a major economic decline. There has been a lot of effort and a lot of people trying to put Flemington back together and hopefully they will be successful.

Mrs. Ransavage stated the County needs a Prosecutor who is proactive and one who can get the community involved to be the eyes and ears of the community and she feels Prosecutor Kearns has done a lot of that.

Mrs. Ransavage said the Freeholders have to recognize the importance of the office to deal with the overall health of this community. The community the Freeholders are in charge of and are making decisions that will impact the quality of life today and in the future.

EXECUTIVE SESSIONS

Mr. Holt moved and Mr. Sworen seconded these:

See Page 04/10/12-13A

RESOLUTION

RESOLVED, Executive Session to discuss labor issues with various bargaining units.

See Page 04/10/12-13B

RESOLUTION

RESOLVED, Executive Session to discuss the South County Branch Library Lease.

See Page 04/10/12-13C

RESOLUTION

RESOLVED, Executive Session to discuss a condemnation action.

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 3:40 p.m. and reconvened in Open Session at 4:20 p.m.

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

ABSENT: MR. HOLT.

Prosecutor's Office regarding Overtime

Mrs. Browne informed the Board that last year the Prosecutor requested \$100,000 for overtime and this year (2012) the request is \$135,000.

Mr. Mennen confirmed with Prosecutor Kearns that he is requesting to hire three more detectives which would mean three more vehicles being taken home. Mr. Mennen feels there has to be a resolution to the issue of vehicles. He asked the Prosecutor for his suggestion and stated keeping things the way it is, is not the answer being looked for.

Prosecutor Kearns said the Freeholders are not listening to him because he is saying that it is more cost effective to run the same as the office has been run for years; there was a review by the Attorney General; and other counties have been looked at and the way they handle their detectives. He explained this is a tool of the office.

Mr. Mennen asked the Prosecutor if this Board was to grant the budgetary request for three more detectives, could it be agreed that those detectives would not get vehicles and the Prosecutor said no.

Prosecutor Kearns said an agreement was made with this Freeholder Board back in 2007 that these detectives were necessary and it is now 2012. He thinks that detectives having vehicles is the right thing to do. He questioned how the detectives would be able to do their job without cars.

Mr. Mennen stated the level of rigidity that the Prosecutor is displaying is unreasonable. He questioned if all 27 detectives, at all times need vehicles.

Prosecutor Kearns responded by saying that Monmouth County has 75 detectives and they all have cars.

Someone from the public made a comment and Prosecutor Kearns told her that he will not be interrupted by the public.

Director Walton informed the Prosecutor that his role is to contain the public and this person is a taxpayer of the County of Hunterdon. He encouraged the Prosecutor to direct his comments to the Board and if there is a member of the public out of line, he is to ask Mr. Walton as the Director to get them in line.

Prosecutor Kearns apologized.

Mr. Mennen informed the Prosecutor that one of his predecessors pledged before this Board that any new hires would not have a vehicle.

Prosecutor Kearns stated he wasn't here at that time.

Mr. Mennen replied he wasn't on the Board in 2007 and if we want to accept discussions which occurred before, than they should be taken in their totality.

Prosecutor Kearns said there was going to be a Bigley, but instead there was a settlement because it was recognized that the office was understaffed/inadequate. The staffing remains inadequate today and the staffing level needs to be raised. The vehicles are not part of the equation.

Mr. Mennen questioned why the detectives can't commute in their own vehicles.

Prosecutor Kearns stated that is now how the office is structured.

Mr. Mennen advised in an era when people are talking about less resources; sending less cars home would be in furtherance of that.

Prosecutor Kearns doesn't feel that way and said when overtime has to be factored in and other issues come into play. He told Mr. Mennen he would be happy to discuss it with him.

Prosecutor Kearns again quoted the Attorney General's report of 2006, saying his staffing is at a critical level and that needs to be corrected. Public safety is paramount. His office isn't able to properly do its job because there aren't the resources to do it. His office is in a reactive mode.

Mr. Mennen confirmed with the Prosecutor that he counts a new car to drive home as a resource which is lacking to do the job. The discussion is to hire three new detectives and this Board isn't closed minded towards that but the question is why are three new cars necessary for them to drive home in.

Mr. Mennen said he keeps talking about vehicles and the Prosecutor's retort is about staffing.

Prosecutor Kearns doesn't feel there has been a dialog.

Mr. Mennen stated there has been a dialog and there have been letters from Counsel representing the Freeholder Board with regard to vehicles over the last three to four months. There were also letters written to the Attorney General. This Board operates as a committee of the whole, and there isn't supposed to be sidebar conversations. Any decision by the Board is supposed to be made by the Board in totality.

Mr. Mennen asked Prosecutor Kearns about the title of Clerical/Administrative Investigator.

Prosecutor Kearns explained there is an issue with Civil Service on this; they used to be called Administrative Investigators and apparently, that title no longer exists. It is felt there are some duties and jobs that are administrative in nature. This entails dealing with evidence, compiling intelligence information and things of that nature. He hopes this clerical/support person can be used in those roles.

Mr. Mennen confirmed with Mrs. Browne that the salary and wage figure of \$3,970,000 listed in their budgets books do no have factored in any additional personnel.

Mr. Mennen questioned what the additional seven positions would amount to in dollars and cents.

Mrs. Yard explained it depends on whether the Prosecutor will be hiring experienced detectives because that brings the salary up to a certain level versus an entry level person and benefits would have to be figured out.

After a brief discussion regarding salaries and benefits, Director Walton stated the County wants to fight crime but if there isn't a complimentary quota because of monetary and budgetary constraints. Other savings have to be found in the operation of the Prosecutor's Office to help balance this out.

Prosecutor Kearns said this is the plight of the County and he is the voice advising what is necessary to protect the citizens of Hunterdon County.

Mr. Sworen provided a history concerning the former Prosecutor, stating the County Administrator spent much time with Prosecutor Barnes and a three year agreement was reached to phase in people to the office. The phasing in of people worked because the County was in a better financial position at that time. In recent years, due to budgetary restraints, the process of phasing people into the Prosecutor's Office was slowed down. Mr. Sworen advised the money isn't in the budget to fund another \$1 million in salaries and wages for personnel in the Prosecutor's Office is impossible unless the tax were to be raised.

Mr. Mennen questioned if there are any grants awards under state aid programs that could be applied for.

Prosecutor Kearns reported he reached out to the State Police because in years past, they would detach someone to the County Prosecutor's Office and he was told the state police don't have the resources at this time. Also, the Byrne Grant is now down to \$42,000 from its original \$200,000. Prosecutor Kearns would be happy to tap into any grant money but there doesn't appear to have any available.

Mrs. Browne added that the grants the County currently receives are decreasing, in all areas.

After further discussion, the Board agreed to again meet with the County Prosecutor at 1:00 p.m., on Tuesday, April 17, 2012.

CORRESPONDENCE

A request was received from the Frenchtown Fire Department, asking permission to hold a Coin Toss on Saturday, April 21, 2012 and Sunday, April 22, 2012, at the intersection of Kingwood Avenue and Race Street, between 9:00 a.m. and 4:00 p.m. Mr. Sworen moved and Mr. Melick seconded a motion granting permission provided the events were coordinated with the County's Department of Roads, Bridges and Engineering.

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

Correspondence was received from the Milford Fire Co. Inc., requesting permission to hold a Coin Toss on Saturday, May 05, 2012, at the intersection of County Route 519 (Milford-Mt. Pleasant Road) and County Route 619 (Frenchtown Road); on Bridge Street by the bridge and in front of the Milford Fire Co. firehouse on Water Street, from 8:00 a.m. until 4:00 p.m. Mr. Sworen moved and Mr. Melick seconded a motion granting permission provided the events were coordinated with the County's Department of Roads, Bridges and Engineering.

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

OPEN TO THE PUBLIC

Director Walton opened the meeting to the public.

Lois Stewart of Flemington Borough informed the Board and the Prosecutor that she was not afraid to walk in the Borough, along Main Street, late at night, and that she feels safe.

There being no further business to come before the Board, Director Walton adjourned the meeting at 5:05 p.m.

Respectfully submitted,

(Mrs.) Denise B. Doolan
Clerk of the Board