

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

Flemington, New Jersey 08822

April 17, 2012

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 1:04 p.m. in accordance with the provisions of the Open Public Meetings Act.

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

ABSENT: MR. MENNEN.

OPEN PUBLIC MEETINGS ACT

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 mailed on or before March 29, 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."

Continuation of the BUDGET DISCUSSION

Prosecutor Kearns informed the Board that he stands by his presentation and submissions given at the last meeting on April 10, 2012.

Mr. Mennen came into the meeting at 1:06 p.m.

Mr. Mennen confirmed that the Prosecutor's request is for 7 additional positions and the salary increase for that would be around \$425,000 plus the 79% fringe benefit added on top of that.

Prosecutor Kearns stated those numbers did not come from his office but he needs those people to move his office the critical staffing level that the Attorney General recognized in 2006. His staff needs to be increased so that it can move from be reactive to proactive as was stated in a 2007 agreement with the Freeholder Board.

Mr. Mennen recalls there was an impasse at the end of the last session.

Director Walton confirmed there is an impasse regarding the issue of the vehicles for the Prosecutor's Office and he would like to continue to talk and resolve this matter. For budgetary purposes this Board is going to have decide on a funding amount for the Prosecutor's wage line item and for his other operating line items, so that the Prosecutor can have a budget where he can operate as the Prosecutor sees fit. The question for this Board is what are those dollar amounts for those line items going to be. Director Walton does not feel the amount will be enough for the Prosecutor to fund 7 positions as requested but Director Walton is not willing to cut the line item for salaries either.

Mr. Mennen confirmed the salary amount presented in the budget for the Prosecutor is an increase over last year, in excess of 6%.

Director Walton stated he is prepared to award the full 6.11% salary and wage increase for the Prosecutor's Office as requested.

Mr. Sworen asked what the 6.11% is for. Is it for people or raises/contractual increases.

Director Walton confirmed the Prosecutor originally requested 3 detectives and 4 support staff and the current budget submission does not reflect monies for those individuals.

Mrs. Browne confirmed the 6.11% reflected in the Prosecutor's Budget is for the increase in overtime from \$100,000 to \$135,000 and for contractual raises.

Prosecutor Kearns informed the Board that in 2011, he requested \$135,000 for overtime and when the budget was returned to him, it was cut by the County to \$100,000.

Mrs. Browne noted for the Board that in 2011 the Prosecutor's Office spent \$115,000 for overtime.

Mr. Holt questioned if the Prosecutor is expecting an increase in overtime this year, from what was spent last year and also, is there anyway to reduce overtime.

Prosecutor Kearns explained he can't predict what his office will be faced with in the year. His office is working on addressing the trends in Hunterdon County, including increased narcotic use and distribution; as well as gang activity and there maybe overtime necessary to combat those issues. He has worked to reduce overtime by putting on an evening crew and he feels that has been effective in keeping overtime figure down. Many things happen in the middle of the night and no one can control those issues.

Mr. Holt advised the Board has worked to reduce County staff over the past couple of years and the Prosecutor Office is looking to increase staff. He asked the Prosecutor to re-clarify for him why there should be a consideration for additional staff in this environment.

Prosecutor Kearns stated it is known when the economy dips there tends to be an increase in crime and that can be seen across the nation; so he sees the need to increase staff to address the increase in white collar crime; burglaries; and more. The evidence is in the newspapers, you can read where there has been an increase in residential burglaries. His office has put together a task force to work with municipal police departments. Prosecutor Kearns said to properly do an investigation and curtail the criminal activity takes a great deal of time and effort which causes the need for overtime, and when you talk about overtime, there is the need for more personnel/resources.

Prosecutor Kearns advised he is relying on a 2006 objective report from the Attorney General which recognized his office was at a critical level with personnel. He feels there is greater threat to the County's community in terms of public safety now, than there was in 2006.

Mr. Mennen confirmed of the amount requested/increased for the Prosecutor's Office for salaries, around \$35,000 is for overtime and the remainder is contractual increases. He confirmed overtime is up from \$100,000 to \$135,000 and \$115,000 was spent last year.

Mrs. Browne explained the three year investigator bargaining unit agreement has been settled which bumped up this line item.

Mr. Sworen recommended overtime be set at \$125,000.

Mr. Holt advised he is not prepared to look at an additional 7 employees this year but he is willing to look at some additional staff.

Mrs. Yard confirmed with Ms. Wieder, Human Resources Director that the County worked with the former Prosecutor because of the economic environment, and while they may have been promised 13 additional people years ago, a staggered plan was developed plus there was a great deal of cutting of the trips, conferences, meetings and training line items (805/810/815).

Mr. Mennen stated the previous County Prosecutor affirmatively agreed to suspend the agreement/plan because of the economic situation and the agreement was modified. It was a jointly agreed upon suspension of the hiring plan.

Prosecutor Kearns stated he has never heard that before; he never heard that former Prosecutor Barnes agreed to suspend that plan. He isn't aware of that taking place.

Mr. Mennen asked Prosecutor Kearns to trust him that this did occur. He was at the table and heard it.

Mrs. Yard advised the former County Treasurer, Charles Balogh, as well as Cheryl Wieder, Human Resources Director and herself, went to Prosecutor's Barnes office to work out the plan.

Mr. Mennen explained he keeps bringing this up because the 2006 Commission Study keeps being brought up and a fact that as a result of that, there was mutual agreement to move forward with a plan. He wants to make sure everyone remembers that while it did happen, the bottom feel out of the real estate market and there was then mutual agreement with the previous Prosecutor to suspend/revisit the plan. Where the Prosecutor's Office is at today was done by mutual agreement between the Board and the former Prosecutor.

Director Walton confirmed for the Board that the issue today is to what amount, if any, does the Board wants to reengage in the mutually postponed three year plan which was initiated in 2007.

Mr. Mennen stated the Prosecutor has indicated the Study Commission is not binding but that it is a set of recommendations. He suspects the 2006 analysis was a set of recommendations too; so in many respects they are on the same footing. Mr. Mennen pointed read from page 21 of the report which talks about when a Bigley application should be approved (Bigley being the right for the Prosecutor with consent or sign off by the Attorney General's Office for their funding determination be decided by the Courts). Mr. Mennen stated "a Bigley application should not be approved where, for example a County has proposed a flat or reduced County Prosecutor Budget that is commensurate with funding reductions or limitations imposed on other County funded agencies and departments, (i.e. where the percentage of the County budget dedicated to Prosecutor expenses remain unchanged from past years even though the amount of the County's total budget has been reduced). Mr. Mennen reminded the Board that the Prosecutor is asking for a 6% increase before discussion is entertained. Mr. Mennen stated a Bigley application should be reserved for the rare occasions where the County has chosen to de-prioritize public safety by proposing cuts in the County Prosecutor's Budget that are greater than cuts made to other County funded functions. Mr. Mennen noted that in 2008 the total County Budget was \$97 million and the portion allocated to the Prosecutor was \$4.106 million, or 4.23%.

Mr. Mennen confirmed with the Prosecutor that the \$4.114 million which is today's initial request doesn't include the extra positions, against a County Budget of roughly \$88 million; and the Prosecutor's portion requested is 4.67%. Even if the County were to do nothing, the Prosecutor's Budget is increased. If the requested 7 position were added in, the cost would be over 5% of the County Budget.

Prosecutor Kearns stated is it clear that the Commission report says that public safety is paramount. Safety comes first. The 6% being referenced is a contractual issue over a three year period. He doesn't feel it is a fair number.

Mr. Mennen explained that the section of the Commission report he read from contemplates if the County budget is going down that the County is on firm footing, if the Prosecutor's budget goes down the same percentage as the overall County budget.

Prosecutor Kearns explained his office isn't asking for any new positions as they are listed in the agreement made with the County in 2007. He is willing to work with the Freeholders. Prosecutor Kearns stated he is fighting for the people of Hunterdon County who expect to have a certain quality of life.

Mr. Mennen advised that is also the Freeholders' mission even though it is approached from different sides; that is statutorily the way the Freeholders functions are set up. Mr. Mennen reading the last paragraph of page 21 of the Commission report, stating when a County appropriates a fair share of its overall budget to fund the County Prosecutor's Office and yet additional funding is needed to meet the reasonable needs of public safety, the Study Commission believes the state should to the greatest extent possible assume responsibility for paying for the additional amount to be accomplished by means of a state aid grant program.

Mr. Mennen asked Prosecutor Kearns if every one of those avenues has been exhausted.

Prosecutor Kearns stated he has.

Director Walton stated this Board needs to set a number in order to provide the Finance Office with a direction for the budget. The Prosecutor can either choose to live within the number or can take it to another authority. Director Walton's hope is that whatever this Board chooses the Prosecutor will work with the County to provide a revised plan to reflect the current status of affairs and the current budgetary climate.

Mrs. Yard informed the Board there are large outstanding issues which the Board will refer to this evening concerning the County Policy dealing with line items 805/810/815 (Training, Conferences, Memberships and meetings).

After further discussion concerning setting the salary line item for the Prosecutor's Office, Mr. Mennen recommended getting the advice of County Counsel to assist the Board in making a decision. The Board agreed to discuss this further in Executive Session.

County Audit

Mrs. Browne informed the Board that all terms and conditions were met in the quote received for County Auditor from Weis Auditors. County Counsel worked with the Purchasing Department on the language for a professional auditor's contract which the auditor's have agreed to.

Shana Taylor, County Counsel informed the Board that the auditors' agreed to the County's form of contract but they wanted an additional letter of engagement so Ms. Taylor revised their letter of engagement to closely mirror the County's form of contract.

Mr. Sworen moved and Mr. Holt seconded a motion approving a professional auditor's contract, with Weis and Co., LLP, in an amount not to exceed \$60,000.

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

SURROGATE

Cheryl Wieder, Human Resources Director and Cynthia J. Yard, County Administrator, informed the Board that Susan Hoffman, County Surrogate has an employee going out on medical leave and she would like to hire a part time employee, at \$12 an hour, 20 hours a week, for a not to exceed period of three months. Ms. Wieder reported that the Surrogate did include this request in her Request for a Budget.

Mr. Melick moved and Mr. Holt seconded a motion granting permission for the County Surrogate to hire a part time person, for up to three months, provided this is coordinated through the County's Human Resources Director.

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

Human Services/Public Health Nursing

Mrs. Yard reported to the Board that both Human Services and Public Health Nursing are doing wonderfully. Jennifer Shore, Human Services Administrator is doing an excellent job for the County and Ms. Shu and the Public Health Nursing Division are doing a fabulous job; as is the County's Health Division. Mrs. Yard is proud of the County's employees' and their efforts to continually meet the Freeholders' mission.

Mrs. Yard recalled that Raritan Valley Community College was anxious to get into an internship program with the County but they haven't contacted the County on that yet but it could be their budget concerns.

Mr. Holt questioned if there is still one vacant position in Public Health Nursing which is still funded.

Ms. Taylor reported that the County finally hired a Bilingual Nurse for bilingual component which was needed. While assessing the needs of the program, the County was able to fill that position.

Mrs. Yard further stated that the County has been trying to reconcile the HIV Grant which used to be under Public Health Nursing. The person from the HIV grant was PHENSC qualified and she moved to the Health Preparedness Grant. Hunterdon is working with Warren County to share that grant with them. At this time, it isn't known if Warren County will take the grant over but the services will continue to be provided and will not be interrupted.

Parks and Recreation

It was noted the Parks budget is down from last year.

Rutgers' Cooperative Extension of Hunterdon

Mrs. Browne advised the Board that the budget for Rutgers' changed the County entered into an agreement with Rutgers' so the County is now paying for three salaries directly to the Rutgers' instead of having the three individual salaries split between the County and Rutgers.

Celebration/Public Events

Mrs. Browne reported that 4-H events are now contained in the line item for public events and celebrations.

Mrs. Yard reported that once the Freeholder Board has adopted a budget, the individual departments will be provided a copy of their budget.

Capital Budget

Prosecutor's Vehicles

Mrs. Browne advised after the last budget session she was directed to determine what the County has in old ordinances for vehicles. Adding three new vehicles for the Prosecutor's Office the County originally said \$180,000 but bumped it up to \$200,000 which would deplete all the old vehicle ordinances.

Mrs. Yard stated that Fleet Management recommended that \$300,000 be placed in the budget each year for replacement vehicles.

Mr. Holt feels this Board must go back to the policy which made this County sound for many years, which was to properly fund County vehicles. Also, the County has to determine where the capital reserves are for roads, bridges, structures and vehicles. The County is now at a point where the projected surplus is only 50% of where it was just a few years ago. It will take years to get the surplus up to a level which will allow the County to its former surplus level.

Mr. Melick said the budget has to be set with the public in mind and their ability to pay the taxes in this economy.

After further discussion, the Board agreed to meet on April 24, 2012 at 9:30 a.m., to further discuss budget issues.

The Board answered questions for the press.

EXECUTIVE SESSION

Mr. Holt moved and Mr. Melick seconded these:

See Page 04/03/12-4A

RESOLUTION

RESOLVED, Executive Session to discuss negotiations concerning the South Branch Library.

See Page 04/03/12-4B

RESOLUTION

RESOLVED, Executive Session to discuss a Board of Education staffing request.

See Page 04/03/12-4C

RESOLUTION

RESOLVED, Executive Session to discuss two appointments to the Transportation Advisory Council.

See Page 04/03/12-4D

RESOLUTION

RESOLVED, Executive Session to discuss a contractual issue with the defunct Hunterdon County Housing Corporation.

See Page 04/03/12-4E

RESOLUTION

RESOLVED, Executive Session to discuss with Labor Counsel on the status of contract negotiations for CWA.

See Page 04/03/12-4F

RESOLUTION

RESOLVED, Executive Session to discuss the while collar union.

See Page 04/03/12-4G

RESOLUTION

RESOLVED, Executive Session to discuss answers to the overtime issues concerning vehicles from Labor Counsel.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 2:19 p.m., recessed at 4:03 p.m., and reconvened in Open Session at 5:30 p.m. at the Historic Court House.

Director Walton informed those public that the Freeholders are reconvening in the Historic Court House in order to hold the public hearing on Open Space and other issues.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Director Walton opened the meeting to the public. He asked those present who are here to talk on the open space issues to wait until that public hearing.

Frances Gavigan, East Amwell Township resident, asked the Freeholder Board to consider taking a look at the County's Master Plan in the Planning Board for long term goals, to see what are the needs and requests for priorities of the twenty-six municipalities.

PUBLIC HEARING - Allocation of Open Space Tax Levy.

Director Walton stated tonight's public hearing is advertised for the allocation of Open Space Tax Revenue for the payment of debt. This requires a public hearing.

Mr. Mennen said before opening the public hearing he would like to talk about the levels of replenishment in order to have a full range of discussion. He feels that discussion would be beneficial to the public.

The Board decided to hear from the public first.

Director Walton opened the public hearing on the Open Space Tax Levy.

Jeff Tittel, Director of the New Jersey Sierra Club and a resident of Lambertville, came before the Board and advised the Sierra Club is an organization which was dedicated in 1892, and now has 1.4 million members, to promote conservation and open space. As a resident of Lambertville he pays the Open Space Tax which he voted for. He believes the people of Hunterdon County are some of the most pro-open space and pro-conservation people which is why Hunterdon has one of the best Open Space programs in the State of New Jersey and one of the best park systems in the state. Mr. Tittel believes now is the best time to purchase land and lowering the amount of money available undercuts the bargains that can be bought.

Mr. Tittel further said the Open Space Trust Fund is important now only for now but for future generations because if you miss your opportunity to preserve open space and help develop tourism in Hunterdon County, and provide areas for recreation and health, then the opportunity is gone.

Patricia Creager, Deputy Mayor of East Amwell Township, came before the Board and read a resolution from East Amwell Township urging the Freeholder Board to keep the Open Space Trust Fund at three cents and use it for the purpose it was created for.

Leslie Davis Potter came before the Board on behalf of the D&R Greenway Land Trust which is dedicated to preserving open space in central New Jersey. D&R's partnerships began in 1989. The partnerships resulted in the permanent preservation of many open spaces throughout the County of Hunterdon. Without the County grant program and the category of Farmland Preservation, Open Space Preservation and Cooperative Open Space Acquisition many of the D&R's projects would not have happened. The County's funds have served as a portion of the non-state match for their projects for Green Acres Funding and State Farmland Preservation funding. State funds require a dollar for dollar match and funding from Hunterdon County has made up some portion of the non-state share. Without that match, Hunterdon landowners lose those state dollars. There are currently five Hunterdon County properties in active negotiations for which County resources will be needed to close those deals. It is believed that preserving the landscape protects the high quality of life in Hunterdon County. Please continue collecting and spending the taxes dedicated for these purchases.

Joey Novak, resident of Flemington Borough, stated when the voters of Hunterdon County voted to dedicate money for Open Space it was unusual because voters voted to increase their own taxes. The vote wasn't put before them to pay down the debt, which the Freeholder can do; it was a vote to set aside money to pay for open space. Mr. Novak joined those present in expressing his opposition to set aside this money for anything other than purchasing open space.

Amy Green, resident of Raritan Township and Committeeperson on the Open Space Committee of Raritan Township. The vast majority of Hunterdon County residents support open space preservation as has been proven repeatedly in municipal/county/statewide referendums. The Freeholders approved the existing open space projects and associated loans prior to adoption of the current Open Space Trust Fund. She understands the projects included the Hunterdon County golf course, farmland preservation and open space conservation projects. The Freeholders acquired low interest loans and arranged for long term payout for the loans. She urged the Freeholders to preserve land now because land values are reduced. Instead of reducing debt or reducing the open space rate the Freeholders should embark on an aggressive program to preserve land.

John Belle, Raritan Township resident, stated in 2008 the Hunterdon County residents approved the Open Space Tax for three cents on \$100 of assessed value in perpetuity by a three to one majority and in 2009, the residents of Hunterdon County and the State of New Jersey approved the Garden State Preservation Trust for the purpose of open space and farmland preservation.

Mr. Belle feels the message is clear that the people of New Jersey and in particular, Hunterdon County want to preserve open space and they are willing to pay for it. The County Freeholder Board is now involved in discussions regarding the reduction or dissolution of the open space tax in the interest of tax leveling and/or reduction. This action would have a direct and negative impact on the viability of many prime parcels of land in the County by the County and its partners. Mr. Belle feels that if the open space tax was reduced and/or not to purchase open space would cost the taxpayers money. He urged the Freeholder Board to preserve open space.

Cathy Clint, resident of Delaware Township and a teacher, informed the Board that where she teaches, she is known as the Head Hippie, because she puts countless hours in volunteering for trail work for the New Jersey Conservation Foundation and Hunterdon Land Trust. The voters have decided through referendum that preservation is important.

Dick Emmons, a retired state employee and resident of East Amwell Township, also a former member of the Environmental Commission, the Planning Board, Solid Waste Advisory Council and current member of the Clawson Park Advisory Committee and Vice Chair of the East Amwell Farmland and Open Space Committee. He and his wife volunteer with Friends of the Hunterdon County Library and he, along with his neighbors have donated conservation easements on their property which abuts permanently preserved open space. Many years ago he represented the Commissioner of Community Affairs on the Blue Print Commission on New Jersey Agriculture which was spearheaded by the New Jersey Department of Agriculture. Mr. Emmons was skeptical of the recommendation that state voters create a fund to purchase development rights from private owners to preserve farmland. The plan drew enthusiastic support together with Open Space, Farmland Preservation, Recreation and Historic Preservation was overwhelmingly supported by state voters and Hunterdon's voters by 75%. Mr. Belle asked the Freeholders to build on Hunterdon's quality of life and asked that the funding process for open space be re-examined to better enable the beneficiaries of the Trust Fund to deliver what the voters expect and continue the three cent open space tax.

Fred Gardner, resident of East Amwell Township and a member of its Planning Board and a member of its Open Space Committee. He seconded the remarks of those who spoke before him. He noted that he and his wife donated the development rights on their 56 acre farm so it will remain open and farmed forever.

Tom Gilbert representing the Trust for Public Land and the National Conservation Finance program, saying they have worked on hundreds of County and local ballot measures to support land conservation around the country. They were pleased to provide technical assistance to the Board of Freeholders in 2008 when the County was considering and how to go about renewing the Open Space Trust Fund including feasibility research and polling. Mr. Gilbert stated the poll which Trust for Public Land conducted predicted the voters would support the renewal of the three cent Open Space Levy which they did. As he works on these measures around the country, he rarely see measures like this approved by 76% of the voters anywhere. It is a testament to a very deeply held support for and commitment to land preservation that is also being manifested here this evening.

Mr. Gilbert stated on the issue of bonding, his research pointed out that bonding might be necessary to meet the County's Parkland acquisition and Farmland Preservation goals. Even the revenues generated by the three cent levy would be unlikely to meet the County's stated goals for preservation of an additional 9,000 acres of parkland and conserving 15,000 acres of farmland annually through 2017. The Public Land Trust suggested that the County consider revenue bonds using some of the revenues from the renewal of the Open Space Tax to do proactive bonds so land can be preserved now before it is lost to development and at a lower cost in light of the current real estate market than might be possible in the future. He feels paying down old debt will result in missed conservation opportunities now and/or increased costs to preserve key parcels in the future.

Brad Campbell, Chair of the Lambertville City Environmental Commission and a Board Member of the New Jersey Conservation Foundation, and a former Commissioner of the New Jersey Department of Environmental Protection where he worked closely with the County through the Green Acres program to preserve important tracts of land which are critical to the quality of life in the communities and County. In leading the Green Acres program and in administering funds from the Garden State Preservation Trust and in traveling across the State of New Jersey in support of the different statewide ballot initiatives where were held during his tenure as Environment Commission, what came across to him is that the public considers open space funding a public trust.

Linda Peterson, landowner in Franklin Township, she purchased a tract of land in October 2009 and she recently signed her Option Agreement for Farmland Preservation to sell her development rights to the state. She is extremely pleased about this program and she is a supporter of the program. She reiterated what Mr. Tittle said about now being the time to purchase land while the appraisals are coming in lower. It is important to keep a critical mass of farmland in order to keep agriculture viable. She urged the Freeholders to continue saving land for agriculture

Bill Kibbler, resident of Califon Borough, and employed by the Raritan Headwaters Association, who is a partner that works with Hunterdon County to preserve open space. 76% of the voters is an incredible statistic and he hopes no one would tinker with a program that is as successful at preserving open space as the program in Hunterdon County. Hunterdon open space program helps to protect drinking water, clean air, agriculture and the lifestyle which everyone in Hunterdon County appreciates. If Hunterdon were to do anything to this program, he asked that it be made more friendly for the people who want to participate. The Green Acres rules for New Jersey application is a little longer (12 pages) than the two page federal program application while

Hunterdon County's application is nearly an inch thick and it is intimidating. Mr. Kibbler said when he received Hunterdon's application he felt the County did not want him to participate in Open Space Preservation in Hunterdon County. He asked the Board to keep the moneys for the program where the taxpayers have said they want it spent.

Harold Twain, resident of Raritan Township and a volunteer on the Open Space Committee of Raritan Township, informed the Board he moved to Hunterdon County 26 years ago and has loved it ever since, and the main reason is because of all the open space. Mr. Twain read a quote from the *National Association of Home Builders* surveyed more than 38 home buyers in 1996 to determine what features they were looking for in a new home and the response was open space and access to walking and bike trails, were the top priorities.

Ron Monaco, President, Hunterdon Land Trust, urged the Freeholder Board to not change the three cent tax rate for open space and to not divert any funds to debt prior to the date of the Open Space Referendum.

Eric Swirly, resident of Readington Township, stated he moved to Hunterdon County because it is such a wonderful place to live; the open spaces are remarkable. He volunteers hundreds of hours of his time to the Readington Township School District. Mr. Swirly urged the Board to keep the Open Space program as it is.

Peter Craig, resident of Holland Township, a former member of the Holland Township Planning Board, and as such he has been able to track the activities of the Freeholders in preserving farmland in Hunterdon County. He gave the Board his sincere compliments for those efforts. Hunterdon County has done a wonderful job with its Farmland preservation programs but he can't say the same regarding open space. He feels the recent proposal the County has made about the open space fund to reduce the tax, which is a small and insignificant tax, and to divert funds to other purposes is emblematic of the defacto policy. Mr. Craig sited the Hoffman Farm in Holland Township saying it is roughly a 400 acre tract which was purchased more than 10 years ago by Hunterdon County and the Township of Holland for the purpose of preservation. The intention was to split the 400 acres in 300 acres of farmland which is flat and the other 100 acres would be for conservation because it is steep hillside. The 100 acres of hillside is separated by 275 feet of a larger County property that is County owned. Mr. Craig asked the Board to seriously review its defacto policy and take a more positive approach to the preservation of open space.

John Hanchek, resident of Lambertville, stated he moved to the County in 1969, and at that time the County had more horses than people. Hunterdon County was and is a wonderful place to live. He has been involved with historic preservation for around 40 years, and he started a Historical Society with his wife. When you look at historic preservation it is closely aligned with open space preservation and it is an opportunity as a revenue producer and job producer for people who live and work locally and become the backbone of the fire departments and rescue squads. Mr. Hanchek has a neighbor who gave up property to the nature conservancy in Doylestown and in researching the area, he found it to be exceedingly historic.

Mr. Hanchek informed the Board that he put in an application to the County's program for his property and he hasn't received an answer. He questioned if the County isn't getting its applications.

Frances Gavigan, East Amwell Township resident, stated there is a proportional representation between the number of preserved acres in East Amwell and the number of East Amwell residents standing up asking the Freeholders to keep the three cents tax, support the program, staff the program adequately to process the requests and bring back staff so the program can be efficient and effective.

Leslie Sower, Delaware Township resident and a landowner who has gone through the process to preserve her farm. Ms. Sower raised the issue of watershed management and open space is crucial to this issue. She has attended a number of meetings for the Hunterdon Land Trust Alliance, New Jersey Conservation Foundation and the D&R Greenway who have been very active in acquiring land along stream corridors in the Locatong where there has been tremendous flooding. She has attended meetings where the County's flooding has been discussed. Land preservation is the single more effective way to deal with flooding. Ms. Sower feels land preservation is on of the things the Freeholders do that is visible to the people. Open Space preservation is valuable to the County's way of life.

Alex Bacon, Delaware Township resident and works for the New Jersey Conservation Foundation, said there have been three referendums in 13 years and each of them has been adopted with a high rate of support of the County's population. The County has made a huge commitment to the farmland and open space programs. Hunterdon County has been the recipient of more funding from the Garden State Preservation Trust than any other county in the state. Hunterdon has the most successful programs in the state. She urged the Board to keep the three cent tax for preservation of open space.

John Peterson, resident of Franklin Township, and owner of a preserved farm, 153 acres, which was preserved in the early 1990's. Money from the farmland preservation program is what saved this farm. He has been a proponent of farmland preservation for many years and he feels it is the greatest thing that can be done, to save land. He thanked the County, the Freeholders and the State for the farmland preservation program and in saving farmland.

Ilona English, East Amwell Township resident, owner of a farm which isn't preserved. She is concerned about reducing the open space tax because there is a compounding effect which should be calculated because assessments are based on appraised value and the real estate market currently has yet to hit bottom. The County should not be considering reducing the open space tax when appraisal rates will be going down. Ms. English feels that federal and state money for these programs will not be staying at the same levels it is currently.

Julie Allen, Deputy Mayor, Readington Township read a resolution adopted by the Readington Township Committee last night supporting the current three cent assessment level for the Hunterdon County Open Space, Recreation, Farmland and Historic Preservation Trust Fund and urging the Freeholder Board to make every effort to utilize the current fund in a way that best supports local preservation partners including local governments and nonprofit organizations in order to maximize state and federal preservation matching funds and ensure the continued success of all preservation efforts in Hunterdon County. Mrs. Allen feels the Open Space and Farmland Preservation Program is the residents' best hope of preserving what makes Hunterdon County a great place to live and work. As an elected official who is in their sixth term in Readington Township, she is for protecting the rural character and protecting open space and farmland and historic resources, people trust her. She hopes the Freeholders will continue to be supportive of these programs.

Barbara Sachow, Raritan Township resident, doesn't think open space money should be spent on administrative costs. She doesn't believe it should be used to pay down debt. The land has to be protected that is saved for open space. The state is taking Green Acres money, see Bill S-1085 which is to log the land. When we save land we have to make sure we are saving the land and that it isn't taken away for another purpose in the future. Ms. Sachow works to save land to make sure wildlife has a peaceful place to live and to see that trees aren't logged. She has no problem with the County's reducing the rate to 2 percent because taxpayers are having a hard time and a slight reduction would not hurt.

John Gray, Bethlehem Township Mayor, requested the Freeholder Board leave the open space fund in tact so it can be used for the purpose it has been collected, for the preservation of farmland, open space, recreation and historic sites. Mr. Gray also requested the County increase the allocation to municipalities from 10% back to the 2010 level of 15%.

Pat Stoger, Raritan Township resident, thanked the Board and Raritan Township for preserving the Urbach farm which is adjacent to her property.

Andrea Bonnett, East Amwell Township resident, and a member of the Sourland Plan Council which is a nonprofit organization working to protect ecological integrity, historic resources and the special character of the Sourland Mountain Region. Each year the Council sends questions to those running for office in five districts, and this year they were asked if the current level of open space funding should be increased, decreased, stay the same or partially redirected for other purposes. Ms. Bonnett stated that on March 06, 2012 in the Freeholder minutes it states that Director Walton discussed re-diverting this money. She said it is wrong to use the open space tax for any purpose other than what was stated in the referendum.

Roger Byrum, Delaware Township resident and a supporter of the Hunterdon Land Trust thanked the Board for holding this public hearing. The Freeholders by holding this hearing are allowing the people to remind everyone why the people supported the referendum in 2008. He thanked the Board for looking at the issue because in these financially challenging times, it would be inappropriate for the Board not to look at the issue. Mr. Byrum explained everyone here this evening is passionately showing the Board that they should continue what was proposed in 2008 but there are some things proposed that make good sense such as applying funding for salaries and costs directly related to the trust fund. That is smart and other municipalities do it already, and it is reasonable. He doesn't feel the County should apply the fund to paying down golf course debt. The problem he sees is that people get discouraged when applying for the programs. Mr. Byrum asked the Board to show the people how committed to this plan the County is and he is sure people will come and work with the County through this application in order to make Hunterdon County what the people want it to be and to support what the voters have asked for. Mr. Byrum asked the Board to keep the three cent tax in place.

Lois Stewart, Flemington Borough resident, thanked those present for coming this evening because one voice is only a cry in the wilderness. She reminded the Board that the Freeholders were elected to represent the residents of Hunterdon County and asked the Board not to change the rate for open space.

Gaetano M. DeSapio, former County Counsel and resident of Union Township, said even in times of great difficulty, the goal of a public official is to have a vision for the future and that is what is talked about when considering open space. He has lived all his life in Hunterdon County and he can recall seeing pictures before there where digital cameras of areas around Kingwood Township and around Flemington, or Raritan Township which were farms. Driving past those areas today and seeing what they have become makes him realize the need to preserve water, the land and the need to deal with soil conservation and drainage. He doesn't want his grandchildren when they look at the pictures to ask why someone did not do something about this. He urged the Board to continue the three cent open space tax to preserve the County. He asked the Board to look beyond the present to find another solution and continue to making an effort to preserve Hunterdon County.

Richard Dodd, Kingwood Township resident, member of the Kingwood Township Planning Board and Open Space Committee, as well as a small business owner and farmer in the Township. Preserving open space is a popular program. A week ago an online petition was put up on this

issue and it gathered over 522 signatures in a week. These are people supporting no change in the current program. The problem is an overly burdensome application process. He urged the Board to change the application problems without changing the tax.

There being no further comments from the public, Mr. Holt moved and Mr. Sworen seconded a motion to close the public hearing.

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

Director Walton stated the issue before the Board is the open space rate and whether or not to allocate money from previous allocation to pay down debt. Director Walton campaigned in 2011 and 2010 to preserve the Open Space Tax Rate of \$0.03. He will be voting this evening to instruct the Finance Office to keep the rate at \$0.03. He will also vote to support in using the Open Space fund to pay down debt as it is financially responsible to pay down past debt as it will save the County from future interest payments and it will free up money in the future to purchase open space properties. The legality is in keeping with the resolutions which passed to present the Ballot Issue to the voters. This issue has been put before the Open Space Advisory Committee and explained at length and they supported that choice. Director Walton stated when the time comes he will be support the choice to use the money to pay for Planning Department salaries for their time on open space applications.

Mr. Sworen also supports keeping the rate at \$0.03. He worked to get that passed because it was a good thing to do, so that the County can preserve more open space. He thinks the County has not been the best steward of getting open space by not purchasing what should have been purchased at this point in time over the past couple of years. Mr. Sworen doesn't believe the County can pay off the debt legally because municipalities are not allowed to do it; though he does think it is a good idea to pay down debt. The debt isn't that significant; part of it is PIG (Planning Incentive Grant) money for farmland preservation and part of it is for the golf course. He supports the golf course and stated it can pay for itself. The golf course land should be paid by the people who play golf.

Mr. Sworen feels it is appropriate to pay for the time of the people who in the farmland and open space programs; the same way that attorneys' and assessors' fees are paid under the Open Space Tax. He will support paying for that portion of salaries.

Mr. Sworen advised the County changed the allocations of Open Space a couple years ago because the County was trying to gather more money in order to make more purchases. He agrees that the amount for municipalities should go back to 15% from the current 10%.

Mr. Holt reported his parents brought him to Hunterdon County in 1970 to a 30 acres farm. He has told his parents often that he isn't sure their children would have ended up who they were if it weren't for that move.

Mr. Holt stated that three times the voters have told this Board they want this program and he feels the voters wanted an established set of goals for farmland, recreation, open space and historic preservation. It needs to be decided in Hunterdon County what amount of acres in each of those categories needs to be preserved in determining the overall life of the County. That still needs to take place.

Mr. Holt advised this Board has responsible in every single department and over the past four years has worked on every single issue. To not overturn this stone would not be doing the Freeholders' job because everyone is in the same situation and the net result of all the rock turnings has been a lower budget to lower the tax levy. This is something this Board is very proud of. In order to make this program work, this Board needs to be aggressive. In his mind, this program was not designed to go on forever; it was designed to choose a set of goals and to get to those goals. When the goal is reached then the tax should be lowered to what is needed to maintain stewardship. Mr. Holt supports the \$0.03 tax and he wants the County to get aggressive. If the program isn't working, it has to be modified. The goals of the County have to be accomplished and he wants the residents to know that the goals have been reached.

Mr. Melick said the County has three tax levy rates to set within the next few weeks. He hopes the County can wait until there is a rationale between all three of those rates. Mr. Melick explained he has been on this issue for a number of years, since 1982 forward; he has voted for every initiative to preserve open space. Times have changed and the State Department of Environmental Protection (DEP) has made a lot of properties unsalable. A lot of the appraisals being done aren't accurate because they are using older comparisons. There is a lot to be learned from past experiences. Mr. Melick doesn't feel the County has received full value for everything that is being done.

Mr. Melick said his family has never sold property for development; and he has purchased property and he is proud of his heritage. Mr. Melick recommending holding this up tonight in order to take time to look at the other tax rates; the County's commitment to the taxpayers of all of Hunterdon County. He has made many statements about keeping Hunterdon County green and he has voted to do it and will still vote to keep the County green. Mr. Melick said the County needs to get the full value for what is being done. He suggested anyone who questions him to review the appraisals for the properties.

Mr. Melick explained Hunterdon County has a very difficult environment in which to run County government and he is going to try to get the full value for whatever money is spent on.

Mr. Mennen stated he felt this was being taken out of order this evening because he felt the rate needed to be talked about in order to understand what the level of replenishment would be before talking about how to spend the funds. Ultimately, the conversation was about how to spend the funds and the rate issue.

Mr. Mennen stated he met with Mr. Gilbert who talked about the third ballot question. Mr. Mennen helped write that question after pouring through much data. He was prepared at the beginning of the proceedings to keep the rate at \$0.03. He doesn't feel there should be cause for alarm to those in the audience because it sounds like at least four Freeholders are interested in keeping the rate at \$0.03. The referendum question which was approved authorized certain utilization of those funds and given the balances which have built up; and given the fact that he hears from at least three of his colleagues that there is a willingness to keep the rate at \$0.03, then he is prepared to continue to be supportive of the concept of utilizing the funds for administrative salaries. This is a discussion about utilizing the open space proceeds to pay for salaries exclusively and directly related to the open space program. He feels administrative salary term has given people the wrong message. Mr. Mennen said while many may not be in favor of the allocation for debt service, the debt service being talked about is debt service that began was exclusively related to open space in one form or another.

Mr. Mennen moved and Mr. Sworen seconded this:

See Page 04/17/12-10A

RESOLUTION

RESOLVED, Authorizing the annual levy for open space, recreation, farmland and historic preservation trust fund to be set at the current (2012) rate for 2013 at \$0.03.

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

Mr. Mennen moved and Mr. Walton seconded this:

See Page 04/17/12-10B

RESOLUTION

RESOLVED, Approving the reallocation of open space trust funds from past allocations to pay down the current Open Space open debt.

Mr. Holt confirmed this is subject to review by legal counsel insuring that the debt placed for payment does meet the requirements of the ballot referendum.

Director Walton advised the Board that he has spoken with County Counsel, Shana L. Taylor, who assured him that the County does have the legal right to pay off that debt.

Mr. Mennen advised he had the same conversation with Ms. Taylor, and he assured those present that he would not have made the motion without first checking with Counsel who assured him it was legal.

Mr. Sworen stated he doesn't support the motion the way it has been presented. He isn't sure the County can go back use the funds. Also, he doesn't feel the County is correct in doing that.

Mr. Sworen said money to be used for the golf course should be paid for by those who play golf.

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

Director Walton thanked everyone for coming out this evening and for the way they conducted themselves tonight.

The Hunterdon County Board of Chosen Freeholders recessed at 7:03 p.m. and reconvened in Open Session at 7:10 p.m.

FOR DISCUSSION

County Policy #2003-01, for Memberships, Meetings, Trainings, Trips and Conferences

Mr. Holt has reviewed the policy for memberships, meetings, trainings, trips and conferences and he has discussed this with the County Administrator, Cynthia Yard, who provided him some ideas for changes to the policy. He explained that department heads provide an outline of meetings, memberships and professional organizations each year to the Freeholder Board, which the Board reviews and either approves or not at budget time. He recommended slightly loosening the policy to give a little more control on behalf of the department heads.

Mrs. Yard said for the record the Finance Team and she did discuss trying to relax this policy and when Mr. Holt was going to try to revise the policy, she sent him the policy. They are trying to capture a way to relax this policy. At a meeting when she presented this, they talked about all or nothing. She feels this is very difficult to implement especially when you have departments that will request thousands of dollars in trips, conferences, and memberships knowing the County is trying to limit them. Mrs. Yard explained that some department managers are aware of the rules and some don't.

Mr. Melick feels the changes to the policy are inconsistent with County policy. Many department heads are happy to abide by the County's policies and others are not. He feels spending money for these items is against the taxpayer. This is all taxpayer money which the County has to oversee. He would like to keep this policy the way it is currently written.

Mr. Holt stated the focus is not on 810/815. It is only for 805 which is for memberships. These changes will allow the department heads to have memberships tied to their New Jersey Associations and does not affect automatically grant approval for conferences and travel. There is value to the County's department heads in choosing an association within New Jersey that they can gain education and bring that knowledge back to Hunterdon County.

Mr. Mennen stated he is against relaxing this policy. The policy says the Freeholders aren't going to pay for trips, conferences and memberships unless they are for required for a license or continuing education credits which are necessary for the job.

Mr. Mennen reported that a couple of years ago the amount in the budget for all those items together was in excess of \$100,000. When comparing that \$100,000 against the County's policy in place, only \$10,000 complied with the County's policy. \$90,000 was outside of the policy, so the Board brought the figure down to \$50,000.

Mr. Mennen said this recommendation relaxes that policy and gives the opportunity to spend more money. He has a problem with that. The understated purpose he feels is to try to remove this lingering discussion so the decision is made once and it isn't spoken about again. Mr. Mennen said the County has a policy that is so clearly black and white, and people can disagree with it and this recommendation injects 100 shades of gray into the process. If you want to change the policy make it equally as black and white and let's discuss it.

Director Walton advised he supports this modification to the policy, saying there is an inherent value in having the people who are involved in the administration of County government meeting with their equals in other counties to discuss how things are done, what is innovative, what is needed, how problems are worked out, and what can be brought back to Hunterdon County to improve and make more efficient this County. The money that would be expended on these memberships would more than pay for themselves. This is about keeping taxes low and all the answers are not here in Hunterdon County so our department heads should have the opportunity to attend meetings and find out what is working and bring that back to the County.

Mr. Sworen supports an educated workforce because the Freeholders don't know it all. People who talk with other people can come up with better solutions sometimes.

Mr. Sworen said the resolution recommended before the Board is the same resolution adopted on March 17, 2009 except it has some recommendations by Mr. Holt. The only addition is there is a paragraph Mr. Holt added.

After further discussion, Mr. Holt agreed the amended language doesn't work and needs to be changed but something needs to be done. Our department heads should know what New Jersey affiliations they need to belong to. The Board agreed the language needed to be more specific and Mr. Holt asked to hold this resolution until the wording can be reworked.

Director Walton told the Clerk of the Board, to again place this on the Board's Agenda for May 01, 2012 to give Mr. Holt a chance to make modifications/changes to the language.

FARMLAND/PLANNING

Mr. Sworen moved and Mr. Holt seconded this:

See Page 04/17/12-11A

RESOLUTION

RESOLVED, Approving a grant agreement with Theodore J. Peters and Grace R. Peters, on Block 39 Lot 49 and Block 40 Lot 2, in Readington Township, consisting of 60.510 acres, (FRPP-\$516,412.68; SADC-\$371,450.60; County-\$123,816.86; Township-\$123,816.86), for a total amount of \$1,135,497.00.

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

PURCHASING

Mr. Mennen moved and Mr. Holt seconded these:

See Page 04/17/12-11B

RESOLUTION

RESOLVED, Approving Requisition #IT.3456, under N.J.S.A. 40A:11-5(1)DD, with ESRI, Inc., for software maintenance for the GIS Division, of Central Printing, Mail and Information Services Department, in the amount of \$21,650.

See Page 04/17/12-11C

RESOLUTION

RESOLVED, Authorizing the award of County Quote #0026-2012, for appraisal services for the Farmland Preservation Program, on Block 82, Lot 2, in Raritan Township (Snyder Farm) and Block 5, Lot 4.03, in Kingwood Township (Gross Farm), to Vanguard Appraisal Services, in an amount not to exceed \$3,500.

See Page 04/17/12-11D

RESOLUTION

RESOLVED, Authorizing the award of County Quote #0026-2012, for appraisal services for the Farmland Preservation Program, Block 82, Lot 2, in Raritan Twp. (Snyder Farm); Block 5, Lot 4.03, in Kingwood Twp. (Gross Farm) and Block 38, Lot 1.04, in Tewksbury Twp. (Hill and Dale Farm), to Thomas Rodriguez Associates, in an amount not to exceed \$6,790.

See Page 04/17/12-12A

RESOLUTION

RESOLVED, Authorizing the award of County Quote #0026-2012, for appraisal services for the Farmland Preservation Program, on Block 38, Lot 1.04, in Tewksbury Township (Hill and Dale Farm), to Robert F. Heffernan, in an amount not to exceed \$3,145.

See Page 04/17/12-12B

RESOLUTION

RESOLVED, Approving a professional services agreement with Greenman-Pederson, Inc., for County Quote #0008-2012, to Upgrade of the County Sign Management Software, in an amount not to exceed \$132,116.34.

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

ROADS and BRIDGES Update

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

- Arbor Day will be celebrated next Friday in the County, with the planting of a tree in front of the Main Street County Complex and two in the Court Street Park.
- Punch list items are being done on County Route 519/Route 12 through Everittstown.
- Top soil and seeding for County Route 523 in Readington Township and County Route 517 in Tewksbury Township will commence the week of April 23, 2012.
- A public information meeting was held for County Bridge C-26, on Cratetown Road, on April 04, 2012 and it was not well attended so an additional set of plans were forwarded to Clinton Township Clerk as well as the Historic Resource group.
- A public information meeting is schedule for Union Township on Bridge U-18 on Race Street, on April 25, 2012.
- Mr. Glynn has four issues due to the flood damage to the County's valleys, creeks and culverts and bridges, and the Stockton drainage issue has been worked out. He recommended the County be hands off regarding the situation with the Milford Creek because it is in individuals' backyards. There has been much discussion about this and the property owners are trying to get this matter turned over to someone.
- Mr. Glynn stated the Milford Creek has changed its water direction but this isn't a County issue. There has been much conversation in Milford about this project. The Health Division has been to the area twice and said there is no health issue but he will apply the necessary treatment for mosquitoes.
- There is a small culvert on Covered Bridge Road in Delaware Township which was plugged during Hurricane Irene and it has caused significant damage to a garage property. Mr. Glynn has walked the property with the property owner. This is one of the County's historic stone arches. The County once received an award for the bridge. This is a watercourse (Rose Creek) which has to be maintained. Mr. Glynn recommended meeting with Delaware Township as they have a plan prepared by Princeton Hydro and the County should see what Delaware's plans are.
- Mr. Glynn reported that along the Coopalong Creek in Franklin Township, Bridge F-48 on Lower Kingtown Road there is a nature dam between DEP property and a property owner. There is a problem with the some trees that need to be removed. The County has done this in the past. After a brief discussion the Board agreed to get rid of the fallen trees.

CONSENT AGENDA

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve the Claims Register dated April 17, 2012.

See Page 04/17/12-12A

CLAIMS REGISTER

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

Mr. Sworen moved and Mr. Holt seconded a motion to approve the budget session minutes of March 16, 2012.

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

Mr. Sworen moved and Mr. Holt seconded these:

See Page 04/17/12-12B

RESOLUTION

RESOLVED, Approving "Through Street" Stop Signs to be installed at County Route 647 (Junction Road) from State Highway 31 to County Route 523.

See Page 04/17/12-12C

RESOLUTION

RESOLVED, Approving a professional services agreement with the Reverend David Errickson to serve as Jail Chaplain, in an amount not to exceed \$15,600.

See Page 04/17/12-13A

RESOLUTION

RESOLVED, Approving the rejection of proposals received for County Bid #2012-01.

See Page 04/17/12-13B

RESOLUTION

RESOLVED, Approving Application for Payment #1, for County Bid #2011-12, for the Chiller Replacement for the Hunterdon County Justice Center, with Mechanical Preservation Association, in the amount of \$22,135.

See Page 04/17/12-13C

RESOLUTION

RESOLVED, Approving Application for Payment #2, for County Bid #2011-12, for the Chiller Replacement for the Hunterdon County Justice Center, with Mechanical Preservation Association, in the amount of \$264,100.

See Page 04/17/12-13D

RESOLUTION

RESOLVED, Approving Application for Payment #2, for County Bid #2010-24, for the Addition and Fuel Island Upgrade at the Everittstown Garage, with Tekton Development Corporation, in the amount of \$12,015.

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

PROCLAMATION/RECOGNITION

Mr. Melick moved and Mr. Sworen seconded these:

See Page 04/17/12-13E

PROCLAMATION

RESOLVED, Recognizing Matthew A. Filippini for attaining the designation of Eagle Scout.

See Page 04/17/12-13F

PROCLAMATION

RESOLVED, Recognizing Matthew R. Hoe for attaining the designation of Eagle Scout.

See Page 04/17/12-13G

PROCLAMATION

RESOLVED, Recognizing Alexander E. Kossak for attaining the designation of Eagle Scout.

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

Mr. Melick moved and Mr. Sworen seconded this:

See Page 04/17/12-13H

PROCLAMATION

RESOLVED, Declaring April 27, 2012 as the 140th Anniversary Celebration of Arbor Day.

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

CORRESPONDENCE

A request was received from the High Bridge Fire Department, asking permission to hold a Coin Toss on Saturday, May 19, 2012 and Saturday, November 24, 2012, from 8:00 a.m. until 3:00 p.m., at County Route 513 between Grayrock Road and Arch Street. Mr. Holt moved and Mr. Mennen seconded a motion granting permission provided this event is coordinated through the County Department of Roads, Bridges and Engineering.

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

Correspondence was received from the Readington Township Memorial Day Parade Committee, requesting use of County Route 523, on May 28, 2012, for their annual Memorial Day Parade, and inviting the Board to participate in the parade and commemorating ceremony after the parade. Mr. Holt moved and Mr. Mennen seconded a motion granting permission provided this event is coordinated through the County Department of Roads, Bridges and Engineering.

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

The letter from the Flemington United Methodist Church expressing interest in leasing the Hawke Property parking area and the Choir School properties was directed to the Facilities Evaluation Committee and the County Administrator by the Board.

FREEHOLDERS COMMENTS/REPORTS

Tax Administrative position

Director Walton reported that the Freeholders have contacted the Hunterdon County Legislative Delegation concerning the County's Tax Administrator position and there is a bill being considered in the Senate and Assembly, sponsored by Hunterdon's Senator, Mike Doherty and Assemblyman Jack Ciattarelli, that would allow Counties to share Tax Administrators. This would definitely be a benefit to the County's taxpayers.

OPEN TO THE PUBLIC

Lois Stewart, Flemington Borough resident, thanked the Board for maintaining the \$0.03 Open Space Tax.

Ms. Stewart suggested the County could save money by setting all the thermostats the same.

Frances Gavigan, East Amwell Township resident, asked permission to see an initiating a public/private collaboration so the input from the County's 26 municipalities, when they develop plans or long terms goals would give the County accurate information. She feels that public/private partnerships could bring information to the County on their priorities and needs. This will allow communications with the people who pay the taxes and will provide information to the County so it can work smarter not harder.

Andrea Bonnett, East Amwell Township resident, questioned why the Freeholders had an executive session today to discuss budget issues.

Director Walton explained when there are budget issues which might result in litigation or other such action, than those items can be discussed in executive session.

Ms. Bonnett doesn't feel the public tonight was given a clear explanation of precisely how the Open Space Tax funds would be reallocated. In the November 29, 2011 Freeholders' minutes there was a lengthy discussion about using the Open Space Tax for debt service, which was legal. In the minutes of January 10, 2012, Mrs. Yard stated there were no applications for the 2012 round. In the minutes of February 14, 2012, Sue Dziamara asked for some of the Open Space Tax to be used towards salaries. On February 28, 2012, Kim Browne looked at reallocating \$0.01 of the Open Space Tax in support of the operating budget. On March 06, 2012, Director Walton who was not present, submitted a document describing how the money should be reallocated from the Open Space Tax. Ms. Bonnett stated on March 27, 2012, Director Walton suggested using the Open Space Tax as an offset and on April 01, 2012, there was mention of \$130,000 from Open Space for demolition and that matter was supposed to be discussed this evening but it wasn't.

Ms. Bonnett stated she would like an accounting of what will be done with the Open Space Tax.

Director Walton explained the Freeholders developed and discussed with the Finance Team how much money was allocated for Open Space projects, including money which was already allocated. Also, what revenue would be brought in from a \$0.02 rate and what the requested spending level was from the Open Space Trust Fund Coordinator and the Planning Board staff for farmland preservation, open space preservation, recreation and historical conservation projects and what that subtotal would be. Also looked at, was what would the County have to reallocate to pay off the \$3.3 million in Open Space debt that had been accumulated over the past few years. There is more than one project that the County has debt on; that were open space projects and that debt would be paid off ahead of time to save on the interest costs moving forward. If that money were to also be used for Planning salaries for time spent on the applications, what would be left. From those discussions with the Finance Team a spread sheet was developed and he gave Ms. Bonnett his copy. Director Walton stated the Finance Team looked at what would be in those accounts at the end of 2012 if the requested money was spent and the reallocation was made, and the rate was lowered to \$0.02; so at the end of 2012 there would be \$10.8 million. If the County were to keep the Open Space Levy at \$0.03 that number will be closer to \$13 million. There is also \$3 million in unspent ordinances, so in short despite everyone's consternation that the County is gutting the Open Space Program, there is still going to be included in the 2012 budget \$16 million in Open Space funds ready to purchase any open space project(s).

Ronald Williams, Lebanon formerly a Clinton Township resident and a CERT member, came before the Board to ask about CERT and funding. He is a municipal taxpayer with a municipality that has a CERT team which is funded by that municipality. Mr. William was an original member and has worked all over Hunterdon County; he was at Stockton Borough during the flood; he worked at two flu clinics; he recently was at the Raritan and South County Garage distributing water this past Fall; and he's worked with various other CERT teams in these endeavors. He has done various things with various CERT teams. At every activation there is more than enough people to help.

Mr. Williams stated he doesn't consider Hunterdon County his community so he was dismayed to see there was going to be a County CERT team and to also see they were actively recruiting for that team.

Mr. Williams is here this evening because when this was presented to the Freeholders on February 21st there was a quote in the newspaper from George Wagner, Director of Public Safety, that the CERT team would not cost the County anything because he had the equipment that had been funded by Homeland Security. He feels Mr. Wagner is talking about when individuals go through the training they get different things that are funded by Homeland Security such as helmets. However his municipality has to fund the pants, shirts, jackets, the gloves, hats and the flashlight. If this isn't going to cost the County anything and Mr. Wagner has Homeland Security to pay for equipment, his question is why didn't that money flow through to the existing municipal CERT teams because that would help some municipalities. He feels it is up to the municipalities to pay for the clothing and such.

Mr. Williams said last week he spoke with Brayden Fahey, the County's vision of Emergency Management Coordinator and he took this issue up with him but he did not have an answer but said he would give a message to Mr. Wagner and have him address this. Mr. Williams stated that

he has never received an adequate response from Mr. Wagner. He thinks the County CERT team is a bad idea because it isn't community based. He thinks other municipalities will sit back and let the County CERT team be formed will not get involved financially because they will think they don't have to. The question is where the money coming from.

Mr. Williams told the Board that he doesn't want to have to pay double taxes for a County CERT Team. He is paying for his own equipment through his municipal property taxes and he hopes he doesn't pay for other CERT equipment for other people located in other municipalities.

There being no further business to come before the Board, Director Walton adjourned the meeting at 8:23 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board