

# HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

Flemington, New Jersey 08822

**February 07, 2012**

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

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

**ABSENT: MR. HOLT.**

## **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 January 03, 2012, to the Hunterdon County Democrat, Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review and Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

## **EXECUTIVE SESSION**

Mr. Melick moved and Mr. Sworen seconded these:

**See Page 02/07/12-1A RESOLUTION**

**RESOLVED**, Executive Session to discuss a legal filing with the State in the Wright Decision and analysis thereof.

**See Page 02/07/12-1B RESOLUTION**

**RESOLVED**, Executive Session to discuss the terms for the South Branch County Library Lease extension or termination.

**See Page 02/07/12-1C RESOLUTION**

**RESOLVED**, Executive Session to discuss a potential donation to the County from Morris County Habitat for Humanity.

**See Page 02/07/12-1D RESOLUTION**

**RESOLVED**, Executive Session to discuss personnel decision including the consolidation of services.

**See Page 02/07/12-1E RESOLUTION**

**RESOLVED**, Executive Session to discuss various appointments to boards, council and committees.

**See Page 02/07/12-1F RESOLUTION**

**RESOLVED**, Executive Session to review the Executive Session minutes for December 06, 2011, December 13, 2011 and December 20, 2011.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:02 p.m. and reconvened in Open Session at 5:31 p.m.

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

## **PLEDGE OF ALLEGIANCE**

Director Walton introduced Jennifer Shore the Director of Human Services Department. The Board welcomed Mrs. Shore to the County family.

## **POLYTECH**

Kim Metz, Superintendent of Polytech introduced Dan Kerrs the Principal of Polytech and two students from Hunterdon Central High School who attend Polytech, Allie Schaefer and Frank Mondella.

Mr. Mondella informed the Board that he is currently enrolled in the Auto Tech program. His plans after high school are to attend Raritan Valley Community College and then transfer to Rutgers State University.

Miss Schaefer informed the Board that she is currently in the Pre-Vet program and after high school she plans to attend Midway College in Kentucky for Equine Rehabilitation.

The Board wished Mr. Mondella and Miss Schaefer the best in their future endeavors.

Mr. Sworen moved and Mr. Mennen seconded this:

**See Page 02/07/2012-2A**

**PROCLAMATION**

**RESOLVED**, Declaring February 01-29, 2012 as Career and Technical Education Month, in the County.

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

**PUBLIC COMMENT**

Andrea Bonnett of East Amwell Township came before the Board regarding the use of the County's meeting rooms. Ms. Bonnett confirmed the Freeholders, when they were sworn into office they pledged an oath to the Constitution of the United States.

Ms. Bonnett questioned if the rationale prohibiting partisan meetings in County meeting rooms is the Board doesn't want to appear to be partisan.

Director Walton reminded Ms. Bonnett that this is the public comment period.

Ms. Bonnett stated the last time there was a democrat as a Freeholder in Hunterdon was in 1982.

Ms. Bonnett asked if appearing partisan is problem in this republican county.

Ms. Bonnett said at the last meeting when she expressed concern about meeting room use, Mr. Melick expressed concern about spending taxpayer money on allowing these groups to use the rooms. She asked if political gatherings are not important enough to spend money on. Ms. Bonnett asked if Mr. Melick knows how much it costs taxpayers if a group uses the Library meeting room. She has been to the Library Commission and said it is zero dollars.

Ms. Bonnett said at the last meeting, two Freeholders remarked that if Hunterdon was only one of two counties out of 21 with this policy prohibiting public partisan gathering in public meeting rooms, that Hunterdon was a leader. She asked what a leader is in this context.

Director Walton thanked Ms. Bonnett for her comments. This Board supports the entire Constitution. He further stated the County can provide a cost to the County for the use of meeting room space based upon the Pino Report. He is not sure if the Library Commission told her but the County has hard fiscal information which is the basis for reimbursement from federal grants on the cost of meeting room space.

Director Walton advised concerning partisan politics, the partisan nature of meeting space is defined within the County's policy on meeting room space.

Director Walton said if other counties do not have a policy or as restrictive a policy on meeting room space, you can look at it as other counties allow partisan political activities in their taxpayer funded meeting rooms but Hunterdon does not. Director Walton feels it is better not to allow such meetings in publically taxpayer funded meeting rooms. He does not expect this Board to change that policy. There are some minor items which will be clarified in the policy which were brought to the Board's attention.

Joey Novak of Flemington Borough stated he spoke with Director Walton yesterday and he pointed out some things that are overly broad in the policy which he has put in writing.

Mr. Novak advised he did use the Open Public Records Act to request for the last three or four months of groups which have been granted the use of the room in order to determine how that policy has been administered.

Mr. Novak thinks the policy, overall, is problematic. He doesn't see a problem with allowing each party to be present, or allow the Tea Party or another group which might be defined as a partisan group to be present in a County meeting room. The policy does not task a candidate town meeting as a partisan activity. He feels there are some items that need to be tweaked in the County's policy. Once he receives the OPRA'd information he will again email Director Walton.

Director Walton informed Mr. Novak that some of the issues he raised the Board will tweak to improve the policy.

Shaun Danboyce, resident of Glen Gardner, came before the Board concerning a home improvement contractor issue. He is a Glen Gardner homeowner who had a contractor start to do a project for which he put out a large sum of money but the contractor only did half the work. He has contacted the Consumer Affairs office, informally at first and was discouraged as using them as the first avenue. Two years later all the promises from the contractor have been empty and he tried to formally pursue this through the Consumer Affairs. Initially he was led to believe there were some issues with the format of the contract. When he filed a formal complaint with the state it was forwarded to the County level and the County's Consumer Affairs person is saying there is nothing they can do. Mr. Danboyce made a request to see if there is an appeal process on the state or county level and he has not had a response yet. Mr. Danboyce is looking for information from the Freeholder Board as to a possible direction. The amount is \$40,000 and he

doesn't want it dismissed as irrelevant from the state and county. He questioned the Board as to what his next step should be.

Director Walton said the Board will look into Mr. Danboyce's case and get back to him within a week. At this time, he has no details on the matter. He asked Mr. Danboyce to leave his contact information so someone can get back to him.

Mr. Danvoice thanked the Board for any assistance they can provide.

Adam Liebttag, Frenchtown resident and president of CWA Local 1036 representing the Supervisory and Non-Supervisory employees of Hunterdon County. He stated the 9:00 a.m. working budget meetings work for the Freeholders, which is fine and good and it is good the Board is working together to develop a responsible budget; unfortunately no members of the workforce are able to attend where their positions are at stake because they are out serving the public and providing the public service which this county provides to the residents. A lot of the Freeholders' discussion is not in the public. He has attended a couple of these meetings and there have been no reporters at a couple of the meetings. He does not feel the work sessions are public even though they are open to the public. He doesn't not feel these are open meetings even though they are subject to the Open Public Meetings Act. He encouraged the Board to put more information on the record tonight and at future night meetings where people can attend.

Mr. Liebttag thanked Director Walton for meeting with the union and continuing to meet with the union to talk about the budget and the layoff proposals. Another meeting is scheduled for this Friday and he hopes to be able to go through what the County has committed to issue on Thursday, which is a request for proposal (RFP) for grass care. He has not seen any detailed discussion of that request for proposal in the public minutes or at a public meeting. He does not know when the Board authorized the issuance of that proposal. He is sure it was done according to protocol and a vote was taken but he isn't aware of when. He does not feel there has been any detailed public discussion of what kind of costs the County is looking to save; how much it currently costs the County to provide that service and how much you can potentially through these proposals. The union is trying to talk to the County about this but Mr. Liebttag feels it has been hard to get that information.

Mr. Liebttag said if the County moves forward with any other RFP's as the County has told the union it was considering doing on maintenance, mechanical or anything else he would like that information. The union has asked for a lot of information to have the County demonstrate that there is a savings which it needs to achieve. He does not feel the County has been able to show that organizationally. Yet layoff notices have been issued to the workers.

Mr. Liebttag said for the record he would put the amount of \$440,000 which the County can or should cut out of the budget. According to the 2011 budget the County had around \$41,000 in the Freeholders' line item which was unexpended. He suggested the Board trim its budget. Mr. Liebttag said that is one position. Also, the number of County workers is down significantly. Last Tuesday at the budget meeting the Freeholders went through an attrition report and he thanked the Freeholders for providing that to him. Unfortunately that document was not made public so he summarized the report by stating that from 2007 to 2012, the County reduced its payroll by 110 employees. The County went from 670 to 560. Mr. Liebttag feels that is a serious cut. For the employees left to continue to provide public service with no drop off is a credit to them. There is a huge payroll savings from that, as well as a pension and health benefits savings. Mr. Liebttag feels the County's three or five year average costs should also be reduced. The County should not say due to increasing labor costs that the labor force is being cut because those costs have decreased.

Mr. Liebttag said last year the County budgeted to use \$13 million in surplus and just over \$12 million was returned.

Mr. Liebttag asked the Board to consider the facts instead of the ideology of cutting costs or running government more efficiently. Hunterdon is pretty efficient and the employees are very efficient.

Director Walton stated he agrees with Mr. Liebttag on one point, and it was in his speech at Reorganization on January 03, 2012, and it was that the choices that the Board of Chosen Freeholders have made over these several years, the brunt of the impact of those choices, is borne on the shoulders of the County's employees. This Board thanks its employees for that work. Hunterdon County continues to have a decline in the revenue base and it is expected the Board will provide that number by the end of the month and it is on that basis, largely, that the shortfall for this year is being projected. The County will endeavor to get Mr. Liebttag the documentation requested and he hopes they will have a fruitful meeting this Friday at 2:00 p.m.

Mr. Liebttag is waiting on information regarding the Planning Department.

Director Walton believes that information was sent and he will check to make sure it was sent. He assured Mr. Liebttag that information will be provided prior to Friday's meeting.

Michael Helbing, President of Metro Trails, a nonprofit corporation, and stated he has a strong invested interest in Parks and Recreation. Mr. Helbing stated he has a strong grasp of parks and recreation in regard to Hunterdon County as he is a former employee, who was cut last year.

Mr. Helbing feels strongly in regard to the four employees planned to be cut from Parks and Recreation this year that it will cost the County more money, than if you were to keep them. He

doesn't think the Board realizes all they do. If you get rid of these four people that leaves three and it will make it difficult because besides from mowing they maintain buildings, brush hogging, hazard tree work, litter clean up, trash removal and trail work. Hunterdon County parks consists of 100 miles of trails and they are falling in disrepair because Parks is short staffed now.

Mr. Helbing said if the County wants to try to use independent contractors or have nonprofit organization to come in and do mowing or maintain the trail system. He is also chairman of the Warren County Board of Recreation and he has a strong familiarity. One of the parks in Warren County cost the County, for one land steward, \$83,000 a year. This property has no mowable turf and it has four miles of trails. He's aware there is an RFP Hunterdon is putting out for mowing and he is aware that the RFP does not include any of the mobile trail systems. Two County employees from parks over the summer maintained the mobile trails, in addition to their other work.

Mr. Helbing reminded the Board there is a liability in using volunteers to maintain the trails and keep Mountain Farm and Echo Hill clear. He asked the Board to consider keeping the Parks and Recreation four employees. It is the duty of Hunterdon County to maintain safe, enjoyable and sustainable recreation areas at its parks at a minimal expense to the taxpayers. He asked the Board to reconsider.

Ted Roundsaville of Flemington Borough asked the Board if it had \$12 million extra, it doesn't make sense to layoff people.

Director Walton thanked everyone for coming and participating in the democratic republic. He stated there will be time provided at the end of the meeting for anyone to pontificate for as long as you wish.

### **300<sup>TH</sup> ANNIVERSARY OF HUNTERDON COUNTY Update**

Marcia A. Karrow, Chairwomen of the County's Tricentennial Committee, thanked the Board for having her this evening.

Ms. Karrow advised last Spring the Freeholder Board adopted a resolution establishing a committee, mostly honorary and a working group. Some of the honorary became working group and some of the working group dropped out. At this time, there is a solid core group including former Freeholder Frank J. Fuzo, County Clerk, Mary Melfi, Raritan Township Historical Commission member Susan Miller, County Planner, Sue Dziamara, County Administrator, Cynthia J. Yard and Freeholder, J. Matthew Holt and they are present this evening.

The committee has been meeting steadily since June 2011 and tonight Ms. Karrow asked to provide an update of where the committee is. Ms. Karrow will come back before the Board periodically during the year to provide more updates.

Ms. Karrow reported the committee spent seven months coming up with 50+ activities from an original list in excess of 100 activities. The County Administrator provided a list of core ideas being looked at. Everyone one of the activities which include all kinds of tours from taverns to churches to farms to lime kilns and activities such as scavenger hunts, ghost tours, parades, reenactments and commemorative items which include doing a time capsule.

Ms. Karrow advised the Board that the Tricentennial Committee has cut itself loose from the County and it has formally established itself as a not for profit. The Tricentennial Committee is taking the politics out of the spending and raising of money. Becoming a not for profit has given the committee the ability to get corporate donations which the County could not take; as well as private citizens with deductions; as well as applying for all kinds of state and national grants which are available. Most of what the Committee is going to do is in the educational realm. A year long celebration is planned with at least one activity each month. The Library has been booked for 24 lectures (2 a month with 1 on a Saturday and 1 on a weeknight). The Committee is working hard on the logistics of these activities, as well as how to raise money for them.

Ms. Karrow thanked the Freeholder Board for all the support offered in assisting with printing and some administrative help but the Committee feels as a not for profit corporation much more can be done for the County.

Ms. Karrow advised a yearlong calendar will be published with all the events and it will be coming out in 2013.

Ms. Karrow informed the Board that the Committee wants the Freeholders at every event, on parade floats, ribbon cuttings, time capsule plantings, and lecture series to introduce the speakers. It is the vision of the Board of Chosen Freeholders that the Committee shares in doing a huge celebration that will be attractive to every age group in Hunterdon County and also attract people from all over the state and make Hunterdon County a destination to celebrate the history of New Jersey's best County.

Ms. Karrow advised a press release was sent out today on where the Committee is and where it is going. She asked if the Board has any questions. Ms. Karrow reported the committee will continue meeting each month. The reason for the press release is that volunteers are needed in order to take this to the next step and to flush out the logistics of the activities. She feels at least 50 volunteers are needed. Currently there are 20 very active members. The Committee will be reaching out to the Historical Alliance in early March 2012, as she will be attending their next meeting. They would like at least one official designee from each municipality so that all municipalities are a part of the celebration and they can do their activities while the County is doing its celebration. The County's parks will be heavily used.

Ms. Karrow reported fundraising will be kicked off in 2013 as well as continuing on the logistics of the events.

Director Walton stated the Tricentennial Committee is doing great work and feels it is headed in the right direction.

Ms. Karrow advised Tom Carpenter brought two activities to the table, which survived the screening process. Mr. Carpenter will lead up events which honor historically fire services and rescue squad services in Hunterdon County. He is also bringing in a group to do a full Lenni Lenape Indian encampment in Hampton Borough.

Director Walton thanked former Freeholder Frank J. Fuzo for attending tonight's meeting, as well as the County Clerk, Mary Melfi and Sheriff Brown.

Ms. Karrow questioned when the Tricentennial Committee should present the next update to the Board. The Board agreed after the County's budget has been done, in about three months.

Frances Gavigan of East Amwell Township thanked everyone on the Tricentennial Committee for their hard work. As a member of the East Amwell Township Historic Preservation Committee she volunteer to be on committee.

Mr. Noval also volunteer his time to be on the Tricentennial Committee.

Director Walton pointed out that the Board appointed to the Tricentennial Committee as Honorary Chair, George B. Melick, as the longest serving Freeholder on this Board.

### **FARMLAND PRESERVATION**

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 02/07/12-5A**

### **RESOLUTION**

**RESOLVED**, Authorizing the preparation and submission of the Recreation and Open Space Inventory to the State Department of Environmental Protection and authorizing the Freeholder Director to execute a Declaration of Encumbrance which declares all Hunterdon County's funded and unfunded parklands are subject to Green Acres Restrictions.

Mr. Mennen confirmed this is the Schibilia property. He said this undertaking imposes a covenant restriction on all the other properties in the County inventory, which have not been covered by such an encumbrance. He asked how many properties this pulls into the umbrella of the encumbrance.

Mrs. Dziamara advised this adds one more property than was there before. Every time Green Acres funding is used to purchase property it encumbers anything to that point.

Mr. Mennen informed Ms. Dziamara that he has expressed his disinterest in purchasing this piece of property and before voting on this he wanted to understand, and thought everyone should have the benefit of understanding exacting what the implication is of this to the remainder of the inventory of the County's lands. He confirmed with Mrs. Dziamara that there is no implication to the remainder because it has already been dragged in under the general encumbrance.

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

Mr. Sworen moved and Mr. Mennen seconded this:

**See Page 02/07/12-5B**

### **RESOLUTION**

**RESOLVED**, Approving the acquisition of a Bridge Maintenance Easement, from Nicholas Smith and Louis Roerig, on Block 33, Lot 40, in the amount of \$98.

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

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 02/07/12-5C**

### **RESOLUTION**

**RESOLVED**, Approving a Municipal Grant application, upon the recommendation of the Open Space Advisory Committee, for Delaware Township, in the amount of \$30,702.27, for farmland preservation of Block 38, Lot 8, (Emmons Farm), consisting of 41.349 acres.

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

Sue Dziamara, Planning Board Director, came before the Board with a request that the Board of Freeholders re-affirm their support of a project to update the County's book "Sites of Historic Interest in the County" and to also support the allocation of County resources (GIS/Central Printing) in assisting in getting the project completed. Mr. Holt moved and Mr. Sworen seconded a motion approving this request and confirmed there will be no overtime or addition staff needed.

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

**PURCHASING**

Mr. Sworen moved and Mr. Holt seconded this:

**See Page 02/07/12-6A**

**RESOLUTION**

**RESOLVED**, Approving Requisition #25950, using N.J.S.A. 40A:11-5(1)DD, with Queues Enforth Development, for software maintenance, for Emergency Services/ Communications, Public Safety Department, in the amount of \$39,123.

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

Mr. Melick moved and Mr. Sworen seconded this:

**See Page 02/07/12-6B**

**RESOLUTION**

**RESOLVED**, Approving Requisition #25932, using County Quote #0089-2011, with TBS Network Intelligence, for the installation of Audio Visual equipment, for Emergency Services/Communications, Public Safety Department, in the amount of \$15,500.

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

Mr. Sworen moved and Mr. Melick seconded this:

**See Page 02/07/12-6C**

**RESOLUTION**

**RESOLVED**, Approving Requisition #25952, using County Quote #0016-2012, with Continental Fire & Safety, for search and rescue kits, for the Public Safety Department, in the amount of \$24,450.

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

Mr. Melick moved and Mr. Walton seconded this:

**See Page 02/07/12-6D**

**RESOLUTION**

**RESOLVED**, Approving Requisition #40029205, using County Quote #0012-2012, with Ennis Paint, for thermoplastic striping powder, for Roads, Bridges and Engineering, in the amount of \$11,900.

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

Mr. Melick moved and Mr. Walton seconded this:

**See Page 02/07/12-6E**

**RESOLUTION**

**RESOLVED**, Approving Requisition #40029206, using County Quote #0011-2012, with Garden State Highway Products, for glass safety marking spheres, f for Roads, Bridges and Engineering, in the amount of \$21,360.

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

**ROADS and BRIDGES Update**

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

- The County has received Department of Transportation funding for County Route 519 from Bridge Street to the Milford Borough Line.
- The RPM, Topsoil and seeding will be completed this spring for the County Route 523 project from Readington Township to County Route 517 in Tewksbury Township.
- County Route 609 from County Route 514 to County Route 602 will be a Transportation Trust Fund project, as well as the Route 523 project above.
- A public meeting is being scheduled in Clinton Township for County Bridge C-26, on Cratetown Road to go over the status of the project.
- The triple arch Bridge with Warren County, Bridge L-97-W on Stephensburg Road, should be completed the summer of 2012.
- County Bridge T-36-S is a joint project with Somerset County on Black River Road in Tewksbury Township. This should be ready to bid within the next month.
- The permit from DEP has been received for County Bridge W-71, on County Route 579, in West Amwell Township. The specifications will be finalized for a summer start.
- Culvert HA-14 was done in-house.
- As a result of Hurricane Irene and Tropical Storm Lee, the decks on HA-11 and HA-13 on Sweet Hollow Road, need to be replaced/repared and the work will be done in-house.
- Meetings have taken place with a couple property owners concerning the County Bridge F-45 on Whitebridge Road, in Franklin Township. The right of way issue has not been resolved and the matter is currently in the courts. The County has the authorization to proceed with construction as a result of posting money with the Superior Court.
- There is a resolution on the Consent Agenda for County Route 579 over the Lehigh Valley Railroad supporting the project. The County is still dealing with DOT and the County has to return to Bloomsbury Borough and Bethlehem Township to get local support for the project.

- The County is waiting on a DEP permit for County Bridge E-174, in East Amwell Township. The documentation was submitted eight months ago.
- The plans and specification for County Bridge RQ-179 are being reviewed. This is a rehabilitated truss project and it is fully, federally funded.
- A meeting is scheduled on Thursday, February 09, 2012 with Stockton Borough at 5:30 p.m. to discuss the drainage issue on County Route 523. The County's issue is the drainage under Route 523 and the surface drainage from 523 that comes down into Stockton. The Board has indicated that Stockton should be the lead agency but Stockton is asking the County to take the lead. Mr. Glynn recommended waiting until the next meeting to determine where the project stands because there is a significant amount of dollars just to drain the structure from 523 up across to Broad Street; that cost is around \$2.2 million. He does not feel the County is in a position to take that expense on but the County is willing to be a partner.
- An ordinance has been received from Califon Borough. Their attorney Peter Jost is working with County Counsel to resolve the issues. There is language issues about the ordinance which need to be modified.
- The County will be meeting with FEMA on Thursday, February 09, 2012, to discuss the reimbursement for the damages from Hurricane Irene and Tropical Storm Lee.
- Mr. Glynn reported the 4 Way Stop at Senator Stout Road and County Route 519 will be put in place tomorrow. The County has contacted Delaware Valley High School and the State Police will be trying to keep the students under control tomorrow. This was a request from Alexandria Township and the high school and the Freeholder Board agreed to evaluate this and it is warranted.
- Mr. Glynn provided the Board with an update on the 2011 projects which have been completed.

### **COUNTY Update**

Cynthia J. Yard, County Administrator updated the Board on a letter she was directed to draft by the Board of Chosen Freeholders at a previous meeting concerning in-house shared services and the concept of looking to the County's departments to evaluate and determine if there are resources which could be shared on a temporary basis with areas that maybe temporarily down a staff member or down because of vacations. The issue of appointing authorities came up because there are certain members of the Hunterdon County staff, such as Constitutional Officers and the Prosecutor that are their on appointing authorities. Mrs. Yard stated she is the appointing authority for the rest of the County.

Mrs. Yard explained the draft letter to the appointing authorities basically say there was an Administrative Code change in 2011 that said people could voluntarily or involuntarily reassigned on a short term basis, for up to six months.

Mr. Melick recommended broadening the letter to include the Board of Elections, as the office has a lot of peaks and valleys.

Mrs. Yard advised there is a mechanism in which to accomplish that but this concerns people not covered by that mechanism in the Administrative Code.

The Hunterdon County Board of Chosen Freeholders directed Mrs. Yard to send this letter out to the Constitutional Officers and the Prosecutor.

### **FOR DISCUSSION**

Director Walton advised Freeholder Melick has expressed interest in being a member of the Board of School Estimate for Raritan Valley Community College. He explained as Freeholder Director he is automatically a member.

Director Walton advised Freeholders Mennen and Melick have requested to be a member of the Polytech Board of School Estimate.

Mr. Holt moved and Mr. Walton seconded a motion appointing Freeholders Melick and the Freeholder Director as members to the Board of School Estimate for Raritan Valley Community College.

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

Mr. Holt moved and Mr. Walton seconded a motion appointing Freeholders Melick and Mennen as members to the Board of School Estimate for Polytech Vocational School.

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

### **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."

Claims and Item #17 were held at this time.

Mr. Holt moved and Mr. Melick seconded a motion to approve the minutes of January 10, 2012 and January 17, 2012.

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

Mr. Holt moved and Mr. Melick seconded these:

**See Page 02/07/12-8A** **RESOLUTION**

**RESOLVED**, Jennifer Shore appointed unclassified, full time Department Head, Human Services Department.

**See Page 02/07/12-8B** **RESOLUTION**

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

**See Page 02/07/12-8C** **RESOLUTION**

**RESOLVED**, Craig Miller appointed temporary, as needed Instructor, Division of Emergency Management, Public Safety Department.

**See Page 02/07/12-8D** **RESOLUTION**

**RESOLVED**, Arlene Strain, permanent, full time Administrative Clerk, Human Services Department.

**See Page 02/07/12-8E** **RESOLUTION**

**RESOLVED**, Michele Stuart appointed unclassified, part time Secretary to County Counsel, Legal Services Dept.

**See Page 02/07/12-8F** **RESOLUTION**

**RESOLVED**, Approving the Federal Fiscal Year 2012 Certifications and Assurances" for Federal Transit Administration Assistance Program, Title VI Monitoring and Enforcement for subrecipients and annual Affidavit of Compliance with the Americans with Disabilities Act.

**See Page 02/07/12-8G** **RESOLUTION**

**RESOLVED**, Approving the reappointment of Donna Gapas to the Greater Raritan Workforce Investment Board.

**See Page 02/07/12-8H** **RESOLUTION**

**RESOLVED**, Approving Change Order #1, for the Emergency Reconstruction of County Bridge HA-14, on Sweet Hollow Road, in Alexandria and Holland Twps., with Kalogridis Contracting, Inc., increase of \$16,814.25.

**See Page 02/07/12-8I** **RESOLUTION**

**RESOLVED**, Authorizing final payment to Kalogridis Contracting, Inc., for the Emergency Reconstruction of County Bridge HA-14, on Sweet Hollow Road, in Alexandria and Holland Townships, in the amount of \$94,598.39.

**See Page 02/07/12-8J** **RESOLUTION**

**RESOLVED**, Authorizing the County Purchasing Agent solicit bids for Bid #2012-01- Mowing Services (operating budget); Bid #2012-02 - International Truck/Tractor (2011 Capital); and Bid #2012-03 - First Responder Software (grant funded project).

**See Page 02/07/12-8K** **RESOLUTION**

**RESOLVED**, Concurring with the recommendations of the Hunterdon County Engineer accepting the preferred alternative No. 5B-MOD, for the replacement of County Bridge No. 1050-61, on County Route 579 (Church Street), over the Norfolk Station Rail Road, in Bethlehem Township and Bloomsbury Borough.

**See Page 02/07/12-8L** **RESOLUTION**

**RESOLVED**, Approving No Stopping or Standing, along Main Street (County Route 523), in Readington Township.

**See Page 02/07/12-8M** **RESOLUTION**

**RESOLVED**, Approving Change Order #1, for Bid 2010-02, for the Replacement of County Bridge E-166, on County Route 602 (Wertsville Road), over the Back Brook, in East Amwell Township, with Kyle Conti Construction, in the increased amount of \$6,568.20.

**See Page 02/07/12-9A**

**RESOLUTION**

**RESOLVED**, Approving an amendment to a resolution adopted on February 22, 2000, designating "Through Street" and "Stop" intersection, effecting County Route 519, in Alexandria, Delaware, Holland and Kingwood Townships and Milford Borough.

**See Page 02/07/12-9B**

**RESOLUTION**

**RESOLVED**, Approving a fixed weight limit for County Bridge W-124, on Alexauken Creek Road, in West Amwell Township.

**See Page 02/07/12-9C**

**RESOLUTION**

**RESOLVED**, Approving a fixed weight limit for County Bridge FC-64, on Hamden Road, In Clinton and Franklin Townships.

**See Page 02/07/12-9D**

**RESOLUTION**

**RESOLVED**, Approving a fixed weight limit for County Bridge K-136, on Union Road, in Kingwood Township.

**See Page 02/07/12-9E**

**RESOLUTION**

**RESOLVED**, Approving a fixed weight limit for County Bridge RQ-164, on Rockefeller's Mill Road, in Raritan and Readington Townships.

**See Page 02/07/12-9F**

**RESOLUTION**

**RESOLVED**, Approving a fixed weight limit for County Bridge H-93, on Javes Road, in Holland Township.

**See Page 02/07/12-9G**

**RESOLUTION**

**RESOLVED**, Approving a fixed weight limit for County Bridge T-87, on Main Street, in Tewksbury Township.

**See Page 02/07/12-9H**

**RESOLUTION**

**RESOLVED**, Approving a fixed weight limit for County Bridge E-166, on County Route 602, in East Amwell Township.

**See Page 02/07/12-9I**

**RESOLUTION**

**RESOLVED**, Approving a fixed weight limit for County Bridge C-88, on Reformatory Road, in Clinton Township.

**See Page 02/07/12-9J**

**RESOLUTION**

**RESOLVED**, Approving a fixed weight limit for County Bridge K-153, on Kingwood-Locktown Road, in Kingwood Township.

**See Page 02/07/12-9K**

**RESOLUTION**

**RESOLVED**, Approving Change Order #2, for Bid #2009-04, for County Route 523 and Route 517 Intersection Improvements, in Tewksbury Township, with Owl Contracting, decrease of \$88,930.11.

**See Page 02/07/12-9L**

**RESOLUTION**

**RESOLVED**, Approving a professional services agreement for legal services involving the Hunterdon County Division of Social Services, of the Human Services Department, to Archer and Greiner, PC, in an amount not to exceed \$110,000.

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

Mr. Holt moved and Mr. Melick seconded a motion authorizing the acceptance of an agreement with Sussex County for Health Officer Services and receipt of Sussex County's resolution entering into the agreement with Hunterdon.

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

Mr. Holt moved and Mr. Melick seconded a motion to approve Claims in accordance with the Claims Register dated February 07, 2012, minus Check #135775.

**See Page 02/07/12-9M**

**CLAIMS REGISTER**

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

Mr. Holt moved and Mr. Sworen seconded a motion to approve Check #135775, as listed on the February 07, 2012 Claims Register.

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

Mr. Melick moved and Mr. Holt seconded this:

**See Page 02/07/12-10A**

**RESOLUTION**

**RESOLVED**, Approving a settlement in the matter of Errickson v. Hunterdon County.

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

**PROCLAMATION/RECOGNITION**

Mr. Mennen moved and Mr. Melick seconded these:

**See Page 02/07/12-10B**

**PROCLAMATION**

**RESOLVED**, Recognizing Marlene Cocchiola for having served on the Division of Senior, Disabilities and Veterans Service Advisory Council.

**See Page 02/07/12-10C**

**PROCLAMATION**

**RESOLVED**, Recognizing the Rotary on its' 105<sup>th</sup> Anniversary.

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

**GRANTS**

Mr. Holt moved and Mr. Melick seconded these:

**See Page 02/07/12-10D**

**RESOLUTION**

**RESOLVED**, Approving a No-Cost Time Extension and an additional \$40,000, on the grant with the New Jersey Department of Environmental Protection, for the continued development of a comprehensive wastewater management plan.

**See Page 02/07/12-10E**

**RESOLUTION**

**RESOLVED**, Approving a Municipal Alliance Subgrant Agreement, with the Delaware Valley Cluster, in the amount of \$18,400, for substance abuse prevention services.

**See Page 02/07/12-10F**

**RESOLUTION**

**RESOLVED**, Approving a Municipal Alliance Subgrant Agreement, with the North Hunterdon Cluster, in the amount of \$23,800, for substance abuse prevention services.

**See Page 02/07/12-10G**

**RESOLUTION**

**RESOLVED**, Approving a Municipal Alliance Subgrant Agreement, with the South Hunterdon Cluster, in the amount of \$14,700, for substance abuse prevention services.

**See Page 02/07/12-10H**

**RESOLUTION**

**RESOLVED**, Approving a Municipal Alliance Subgrant Agreement, with the Voorhees Cluster, in the amount of \$20,300, for substance abuse prevention services.

**See Page 02/07/12-10I**

**RESOLUTION**

**RESOLVED**, Approving a grant allocation with the New Jersey Transportation Planning Authority and the New Jersey Department of Transportation, for intersection improvements to County Routes 512 and 513, in Califon Borough and Lebanon Township.

**See Page 02/07/12-10J**

**RESOLUTION**

**RESOLVED**, Approving a grant allocation with the New Jersey Transportation Planning Authority and the New Jersey Department of Transportation, for the resurfacing and safety improvements to County Route 519, in Holland Township and Milford Borough.

**See Page 02/07/12-10K**

**RESOLUTION**

**RESOLVED**, Approving a grant allocation with the New Jersey Transportation Planning Authority and the New Jersey Department of Transportation, for the resurfacing of County Route 609, in East Amwell Township and resurfacing County Route 523, in Tewksbury Township.

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

## **CORRESPONDENCE**

A request was received from Somerset Wheelman (Team Somerset) asking permission to conduct the Readington Time Trial, on County Route 629 (Pleasant Run Road), on Saturday, April 14, 2012, from 8:00 a.m. until 9:30 a.m. Mr. Holt moved and Mr. Melick seconded a motion granting permission provided this event is coordinated through the County's Department of Roads, Bridges and Engineering.

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

Correspondence was received from the New Jersey Multisport Racing Series requesting permission to use County Roads, to hold the JerseyMan Triathlon Race, at Spruce Run Reservoir, on Saturday, May 19, 2012. Mr. Holt moved and Mr. Melick seconded a motion granting permission provided this event is coordinated through the County's Department of Roads, Bridges and Engineering.

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

A letter was received from the Whitehouse Fire Company requesting permission to purchase fuel from the County at the Lebanon Garage. Mr. Holt moved and Mr. Melick seconded a motion granting permission provided this shared purchase is coordinated through the County's Department of Roads, Bridges and Engineering.

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

## **FREEHOLDERS COMMENTS/REPORTS**

### Health

Director Walton reported the County met with the state regarding the County's new Health Division under the Department of Public Safety. The state originally had some concerns on how the County would meet the standards required by statute and also look out for the welfare of the County's residents. Discussed was the County's plan for the Health Division and this was met with support by the state. The County will keep the state abreast of what is being done and the County will move forward in a productive manner. Director Walton stated the County has plans for an employee to eventually take over the role of Health Officer but until that time, the County has approved for a second time, a shared services agreement with Sussex County for Health Officer Services.

Director Walton reported at the meeting they also discussed a grant issue related to another layoff. The state had no issues.

Director Walton reported a meeting took place with the Hunterdon Medical Center on their Board of Health issues and to make sure everyone was on the same page. This meeting was also very productive. Everyone is working together.

## **OPEN TO THE PUBLIC**

### #17 under Consent Agenda

Joey Novak asked how much the settlement was for and what the former employee did for the County and what was the nature of the settlement.

Director Walton advised this individual was an Assistant Prosecutor and she felt there were workplace issues which she felt were improper. She litigated. The settlement is \$1.3 million and half of that amount will be paid by the County Insurance Company and half will come from the County's reserve for such litigation. He further explained the Board considered going to court versus settling and it was determined a settlement was in the best interest of the County financially.

Director Walton advised a concern of this Board is the relationship with the Constitutional Officers, present company excluded (Sheriff Brown). A problem in managing County government is the Constitutional Officers and Governor appointed officers, who run their own offices and the County has no control on the operations of their staff, their operations and how they do things. The Freeholders set a budget and little else. The Freeholders have no control over these appointing authorities and how they treat their employees or the consequences of that. Unfortunately the laws in the State of New Jersey and concurrent decisions by the courts, at all levels, has confirmed the county in which these appointing authorities are housed pays the price when they mess up and this is one of those circumstances.

Frances Gavigan asked if there are mechanisms in place that such an occurrence does not reoccur.

Director Walton stated this Board has made overtures to each and every Constitutional Officer and appointed officer who takes office to work with the County's Human Resources staff to go over how best to handle personnel issues, including progressive discipline; how to treat staff.

Director Walton advised last year the County's Insurance Carrier reported that Hunterdon County has an outstanding record in regard to personnel except for our Constitutional and Governor appointed offices.

Ms. Gavigan suggested the County send the settlement and outline the problem to the Office of the Governor who makes these appointments explaining this is close to an unfunded mandate and that the negative consequences are contributing to the need for people to lose their jobs.

Director Walton reported the Board has looked at that for an avenue for egress unfortunately case law and citizens that go up as high as the Supreme Court of New Jersey have said the County is out of luck.

Mr. Holt explained this case came about under the former, appointed Prosecutor. Another cost item is based upon the cost of the County's insurance on what is insurable and what is not, depending on how a case plays out. The loss record is watched and monitored closely as it has a direct impact on what the County pays.

Ms. Stewart asked by Mr. Melick and Mr. Mennen voted no on the Lebanon Township plan issue.

Mr. Mennen explained he personally tries to view every piece of property before the Board votes on it. He went to the property and walked it and he tried to understand how it coordinates with the remainder of the County's Parklands and plans. He felt this was chasing after grant money and in this environmental no one needs to spend \$0.50 on the \$1.00 of County money if it isn't needed or warranted. Which is why he voted no.

Mr. Melick stated the only people buying property is government entities and they are competing against themselves. Too much money has been spent towards this property. The property is underwater and it can't be used for building because it is in a wet area; so there is no value to it yet the County keeps paying for a property that no one else wants.

Ms. Stewart asked about the Choir School.

Director Walton stated there is no change since the last time this was discussed.

Ms. Stewart confirmed that the County has not heard back from the state regarding the Prosecutor's cars.

Ms. Stewart asked for an update on the County's budget.

Director Walton reported the County is in a whole. It is estimated there is a \$3 million shortfall. The budget meeting on January 31, 2012 was an informational session to provide the Board with facts concerning payroll and amount of employees each department has lost, as well as other issues which the Board wanted further information on including long term projects, in order to better assess what choices will be made at the next several budget meetings.

Mr. MacIntyre said he can't afford to live in Hunterdon County but his mother does. He asked the Board to do a survey on his department of Buildings and Maintenance to determine how much the County has saved by not having to hire a contractor who did not finish the work in certain buildings. Also the sidewalks, quotes were put out for sidewalks which is a liability. Buildings and Maintenance has been told to make cutbacks for 18 years and it has. All the men do many jobs and work over their job titles and are thankful for a job. He asked for consideration by the Board when the evaluations are being done that it is apples for apples.

Director Walton said the County is endeavoring to do a thorough analysis of this. The County isn't looking to cut jobs, just to cut jobs. The County is going to evaluate the scope of services needed and as the County looks at privatizing any service, people are doing their due diligence.

Mr. MacIntyre asked Director Walton how is he supposed to go look for a job when he still cares about his job? He said he would give up his health benefits and go under his wife's if that helps but he asked the Freeholders what they are giving up. He asked if five freeholders are still needed if all the County workers are being laid off.

Kerry Messinger, Library worker, said last March the County laid off all the custodians and the jobs were outsourced to All Clean. Today she vacuumed today at the library because of the dust. She said the service does not vacuum or dust or mop or scrub toilets. She questioned how much the County is saving because you are paying people to just take out the trash. The Library had a ceiling tile which had mold on it and it was a Buildings and Maintenance person who came and took care of it. If the County outsources the electricians and heating people, are they going to be there for the County 24/7. The Library is open on Saturday and Sunday, who will take care of the emergencies. The County buildings are not being cleaned. The Buildings and Maintenance people take pride in their jobs and they make the Freeholders look good.

George Glasshoff of Roads and Bridges informed the Board that he was at the Route 12 County Complex today for a CPR class and noticed problems in the men's restroom. He stated the County Garage is cleaned every 10 days. The County is paying for a service to clean and things are not being cleaned. The Buildings and Maintenance people come to the buildings to clean whatever All Clean doesn't take care of. He questioned how much the County's buildings costs. The County's employees are here everyday providing a service for the Board and it should be appreciated.

Ms. Gavigan said the Department of Agriculture is preventing the taxpayers of East Amwell from getting tens of thousands of dollars back and preventing the acquisition of open space because the Department of Agriculture requires a certain form of subordination of the loan. Because of the bundling of mortgages no one really knows who purchased the mortgages and the banks refuse to provide the form which the Department of Agriculture wants. The Department of Agriculture is insisting on getting what they want. There is money in grants and open space money and acquisitions which are ready to go that cannot be executed and will be lost, specifically the Drift property, on Wertsville Road. People want to see prime soils and prime agricultural properties put into preservation before they go under other forms of development need help. The Township

has been trying to get this resolved but there is an impasse and unless it can be resolved by the end of this month, the funding will be lost and allocated elsewhere.

Ms. Gavigan asked if someone on the Board has a connection with the Department of Agriculture who might be able to assist East Amwell Township by doing some outreach and negotiation, it would be appreciated. This would also stop open space from being lost to preservation in all municipalities and counties.

Questions answered for the press.

There being no further business to come before the Board, Director Walton adjourned the meeting at 7:05 p.m.

Respectfully submitted,

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Denise B. Doolan  
Clerk of the Board