

# HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

Flemington, New Jersey 08822

**December 17, 2013**

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:02 p.m. in accordance with the provisions of the Open Public Meetings Act.

**PRESENT: MR. WALTON, MR. HOLT, MR. KING.**

**ABSENT: MR. MELICK, 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 January 02, 2013, to the Hunterdon County Democrat, Star Ledger, Trenton Times, Courier News and the Express Times, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

## **EXECUTIVE SESSION**

Mr. King moved and Mr. Holt seconded these:

**See Page 12/17/13-1A RESOLUTION**

**RESOLVED**, Executive Session to discuss negotiations with the County's benefits broker.

**See Page 12/17/13-1B RESOLUTION**

**RESOLVED**, Executive Session to discuss a litigation update.

**See Page 12/17/13-1C RESOLUTION**

**RESOLVED**, Executive Session to discuss an update regarding various collective bargaining units.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:04 p.m., recessed at 5:00 p.m. and reconvened in Open Session at 5:30 p.m.

**PRESENT: MR. WALTON, MR. HOLT, MR. KING.**

**ABSENT: MR. MELICK, MR. MENNEN.**

## **PUBLIC COMMENT**

Director Walton opened the meeting the public.

There were no comments or questions from the public at this time.

## **POLYTECH**

Dr. Kim Metz, Polytech Superintendent, came before the Board and presented each of them with a box of peppermint fudge prepared by the Culinary Arts students. She thanked the Board for its support of Polytech over the past year.

Dr. Metz wished Freeholders Melick and Mennen good luck in their future endeavors.

Dr. Metz wished everyone a very Merry and safe Christmas.

## **DIVISION OF CORRECTIONS, PUBLIC SAFETY and HEALTH SERVICES DEPARTMENT**

George F. Wagner, Director of Public Safety and Health Services came before the Board to introduce John Paulmeno the County's Correctional Administrator at the Jail Facility.

Mr. Paulmeno presented, along with the Freeholder Board, Correction Officer Donya Martinez with the Correction Officer of the Year award. A certificate of recognition was provided to Officer Martinez.

## **ROADS AND BRIDGES UPDATE**

Tom Mathews, Director of Public Works, updated the Board on various County road and bridge projects.

- There are two more days of paving for County Route 513, the 2013 State Department of Transportation Trust Fund project, which ends south of the Califon line and the north of Califon to the Morris County Line will be done in the Spring of 2014.
- County Bridge E-140-M has reopened and punch list items are being completed.
- County Bridge T-36-S, clearing of the site began on December 04, 2013 and more tree trimming will be done with week; then the project will be shut down for the winter.

- In-House projects: the preliminary design for County Bridge K-138, on Union Road in Kingwood Township, has been completed.
- County Culvert RC-4, on Potterstown Road, in Readington and Clinton Townships, County forces will be constructing collar walls and the structure will be closed for 2 weeks while the arch is repointed, it will be closed only during working hours.
- County Culvert X-6, on Line Road, the design of a three sided structure is 60% complete.
- County Bridge F-45, in Franklin Township on White Bridge Road, is a local lead project, the last concrete pour for the substructure will happen this week if weather allows.
- County Bridge E-174, the right of way closings are commencing.
- County Bridge D-300, verbal approval has been received from the State Historic Preservation Office (SHPO), for the modification to the upper cord on the truss.
- County Bridge RQ-179, the reassembly of the steel truss which began on November 18, 2013 is still commencing.
- Intersection project County Route 600/612, known as the hospital intersection, the final plans have been approved and the specifications have been reviewed and sent back to the consultant for revisions.

Mr. Mathews provided the Board with the preliminary financial numbers for the first two storms, which were December 8 and 9<sup>th</sup> and also December 10<sup>th</sup>. The funds taken from his budget for transfer at the November 19, 2013 meeting was needed for overtime during the storms.

#### **PUBLIC COMMENT**

Lois Stewart, Flemington Borough resident questioned what is being done at the hospital intersection.

Mr. Mathews advised the plans are replace the culvert on County Route 600/612, which is also known as Sandhill Road. The intersection is under failure due to the left hand turn into the site when people come from Route 31. A left hand turn lane will be put into the hospital.

#### **SMALL CITIES COMMUNITY DEVELOPMENT/Housing Rehabilitation Program**

Frank Bell, Director of Land Use and Facilities Management, as well as the coordinator for the County's Small Cities Community Development Block grant program for housing rehabilitation came before the Board.

Director Walton questioned Mr. Bell about a conflict of interest issue concerning the Small Cities grant. He confirmed with Mr. Bell that this individual was eligible by the standards of the program.

Mr. Bell informed the Board an application was made by a County employee, Ms. Francia Reyes, and everything was clearly delineated; she was eligible income wise. The application was vetted through a fair and equitable bidding process when the work was done. Mr. Bell assured the Board there was no significant cost benefit to anyone. This individual received the same assistance as other applicants have and was judged by the same criteria. Ms. Reyes' employment with the County was not considered in any way when determining her eligibility. She received the same assistance as other program applicants/participants.

Director Walton confirmed with Mr. Bell that these grants are used to keep residents in their homes.

Mr. Bell reported the cost for the work at this individual's home was around \$3,000. Typically there are grants awarded up to \$25,000 so this was a low amount of funds and it was used to rehabilitate windows which were leaking and it also provided an energy improvement to the home.

Mr. Bell further informed the Board that this individual was not part of the decision making for the eligibility process; that was done internally with himself and his staff. This individual would have a significant maintain a financial hardship should she be required to pay back the grant.

Director Walton confirmed this individual was unable to pay for these improvements to begin with and certainly it would be a hardship for her to repay the grant.

#### **DIVISION OF SOLID WASTE/RECYCLING**

Alan Johnson, Coordinator of Solid Waste/Recycling came before the Board regarding several issues.

- i. Issues related to Republic Services of New Jersey, LLC, River Road Facility, (Raritan Township).

Mr. Johnson reported on a meeting held with representatives of Republic Services regarding the traffic routes used which are designated by the County for Solid Waste vehicles accessing their facility. Agreement was met on most of the issues however, the issue of the Solid Waste Vehicles accessing their facility's transfer station portion, which is not yet constructed. It was felt those vehicles would be required to stay on County and State roads as long as possible. Mr. Johnson has discussed the route to be used and the State Department of Environmental Protection feels this is an appropriate action on the part of the County.

Mr. Johnson advised Republic Service does have a difference of opinion regarding the traffic routes for these vehicles, recycling vehicles are able to go wherever they want to; the only restrictions are weight restrictions on certain roads. Republic Service wants to have their vehicles go wherever they want. Everything has to be balanced out concerning the impact on the community. The Solid Waste Advisory Council and the County Engineering Division felt it was

best to put the larger vehicles, where the County has oversight on, on the appropriate roadways, such as County and State roads.

Mr. Johnson reported on routes to be taken and the logic behind those routes. It was confirmed the roadway is not geometrically or structurally constructed to handle the current heavy traffic. Mr. Johnson questioned if additional vehicles should be added to a roadway that might not be able to support the current traffic. Also, Raritan Township does not want the vehicles on that road and would like to see the vehicles moved to the County's roads as quickly as possible.

Mr. Johnson informed the Board that under the New Jersey Solid Waste Management Act, the County is empowered to dictate to garbage haulers how they can conduct their business but the County has no jurisdiction with regard to recycling vehicles; as that is state policy.

Mr. King confirmed with Mr. Johnson that Raritan Township is adamant that they do not want this construction of a transfer facility.

After further discussion, the Board tabled this matter until a future date.

- ii. Administrative changes to the Hunterdon County Recycling Plan regarding notification of recycling requirements.

Mr. Johnson explained to the Board, as part of the regular billing process, which a solid waste company has for its customers, whether it be electronic or regular mail, the process is to also include the recycling requirements – what is prohibited by law and what the result could be by not recycling. This would not include a cost; it would be the insert of a mailer in the bill or an email.

Mr. King moved and Mr. Holt seconded this:

**See Page 12/17/13-3A**

**RESOLUTION**

**RESOLVED**, Approving an administrative change to the County's Recycling plan authorizing notification of recycling requirements be included in bills or an email sent to the customer.

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

- iii. Request to extend the 2009 Bonus, 2010 and 2011 Recycling Enhancement Act Tax Entitlement Grant.

Mr. Johnson requested the 2009 Recycling Enhancement Act Bonus Grant be extended from March 31, 2014 to March 31, 2015. This will allow the County to better utilize \$12,000 which has been dedicated to the exploration of shared services.

Mr. King moved and Mr. Holt seconded this:

**See Page 12/17/13-3B**

**RESOLUTION**

**RESOLVED**, Authorizing an extension to the 2009 Recycling Enhancement Act Bonus Grant, in the amount of \$12,000, from March 31, 2014 to March 31, 2015, to allow for the exploration of shared services.

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

Mr. Johnson requested to extend the grant term for the 2010 Recycling Enhancement Act Grant for one year, March 31, 2014 to March 31, 2015, for the purpose of expending the balance of \$40,000 dedicated to the education program.

Mr. Holt moved and Mr. King seconded this:

**See Page 12/17/13-3C**

**RESOLUTION**

**RESOLVED**, Authorizing the extension to the 2010 Recycling Enhancement Entitlement Act Grant, to expend the balance of \$40,000, from March 31, 2014 to March 31, 2015, for the education program.

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

Mr. Johnson advised an extension is needed for the 2011 Recycling Enhancement Entitlement Act Grant, to repurpose \$10,000 of the funding, as transfer station engineering services were not encountered as part of the transfer station contract award. Repairs are needed for a small inbound scale that has been in operation at the facility since 1985.

Mr. King moved and Mr. Holt seconded this:

**See Page 12/17/13-4A**

**RESOLUTION**

**RESOLVED**, Authorizing the extension to the 2011 Recycling Enhancement Entitlement Act Grant, from March 31, 2014 to March 31, 2015, to repurpose \$10,000 for repairs to a small scale at the transfer station.

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

iv. 2014 schedule for the Solid Waste/Recycling Program activities.

Mr. Johnson advised the Board that the Transfer Station will be closed for maintenance, Saturday, May 24, 2014; Computer and Electronic Collection Days will be held on April 12, 2014 and October 11, 2014; early closures of the Transfer Station will be 3:00 p.m. on Wednesday, December 24, 2014, Wednesday, December 31, 2014; and the Transfer Station Holiday are January 01, 2014, May 26, 2014, July 04, 2014, September 01, 2014, November 27, 2014 and December 25, 2014; Household Hazardous Waste Days are contingent on grant funding being received from the State – Saturday, March 08, 2014, Saturday, July 12, 2014, and November 08, 2014. Municipal Clean Up days are scheduled in accordance with the County's policy.

v. To discuss the 3<sup>rd</sup> Quarter Municipal Recycling Monitoring Reports.

Mr. Johnson informed the Board that 13 of the 26 municipalities submitted their Municipal Recycling Reports for the 3<sup>rd</sup> Quarter.

vi. To discuss the Solid Waste tonnage through the Transfer Station.

Mr. Johnson reported tonnage to the Transfer Station has increased approximately 10% over 2012. Under the new terms of the contract to operate the Transfer Station the County will receive \$2.00 for each ton of solid waste processed through the station. The County will also receive funds for the recyclables handled through the station.

vii. To discuss a possible Transfer Station, Saturday residential clean-up program modifications.

Mr. Johnson reported questions have been received regarding the Saturday Residential Clean Up program and one of the problems the County has, is it comes under the oversight of the State Department of Environmental Protection (DEP). The County is investigating what the DEP says as permitting says one thing but enforcement says another. The County is getting mixed messages from the DEP, so he may come back to the Board next year to talk about changes.

Mr. Holt confirmed with Mr. Johnson that the 3<sup>rd</sup> Quarter reports from municipalities were due to the County by November 15, 2013. Mr. Johnson reported this is approximately the same number of reports received in 2012.

**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."

Director Walton asked if anyone in the public had a question about the consent agenda. There was none.

Mr. King moved and Mr. Holt seconded a motion to approve the claims in accordance with the Claims Register dated December 17, 2013.

**See Page 12/17/13-4B**

**CLAIMS REGISTER**

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

Mr. King moved and Mr. Holt seconded a motion to approve the regular session minutes of November 19, 2013.

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

Mr. King moved and Mr. Holt seconded these:

**See Page 12/17/13-4C**

**RESOLUTION**

**RESOLVED**, Tom Mathews, Director of Public Works, salary adjustment.

**See Page 12/17/13-4D**

**RESOLUTION**

**RESOLVED**, Kenneth Sutphen appointed provisional, full time Equipment Operator, Division of Roads and Bridges, Public Works Department.

See Page 12/17/13-5A

**RESOLUTION**

**RESOLVED**, Patrick Sullivan, part time Security Guard, Sheriff's Office, hours increased to 25 per week.

See Page 12/17/13-5B

**RESOLUTION**

**RESOLVED**, Lori Liggett, Library Clerk Driver, salary adjustment.

See Page 12/17/13-5C

**RESOLUTION**

**RESOLVED**, Approving a Federal Change Order #2, for County Bid #2012-25, for the Rehabilitation of County Bridge D-300, on Rosemont-Raven Rock Road, in Delaware Township, with Rencor, Inc., increase of \$3,125.60.

See Page 12/17/13-5D

**RESOLUTION**

**RESOLVED**, Approving a professional agreement with KBD Associates, for public health communicable disease services, as part of the Local Core Capacity, for Public Health Emergency Preparedness Grant, in the amount of \$28,200.

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

**PROCLAMATIONS/RECOGNITION**

Mr. King moved and Mr. Holt seconded these:

See Page 12/17/13-5E

**PROCLAMATION**

**RESOLVED**, Recognizing January 01, 2014 as the official beginning of Hunterdon County's Tricentennial celebration.

See Page 12/17/13-5F

**PROCLAMATION**

**RESOLVED**, Recognizing Michael Sidler for attaining the designation of Eagle Scout.

See Page 12/17/13-5G

**PROCLAMATION**

**RESOLVED**, Recognizing Banton Heithoff for attaining the designation of Eagle Scout.

See Page 12/17/13-5H

**PROCLAMATION**

**RESOLVED**, Recognizing Daniel Higbee for attaining the designation of Eagle Scout.

See Page 12/17/13-5I

**PROCLAMATION**

**RESOLVED**, Recognizing Thomas Koester for attaining the designation of Eagle Scout.

See Page 12/17/13-5J

**PROCLAMATION**

**RESOLVED**, Recognizing Benjamin Kurzrock for attaining the designation of Eagle Scout.

See Page 12/17/13-5K

**PROCLAMATION**

**RESOLVED**, Recognizing William Saulsky for attaining the designation of Eagle Scout.

See Page 12/17/13-5L

**PROCLAMATION**

**RESOLVED**, Recognizing John Tweedie for attaining the designation of Eagle Scout.

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

**GRANTS**

Mr. Holt moved and Mr. King seconded this:

See Page 12/17/13-5M

**RESOLUTION**

**RESOLVED**, Approving the 2013 federal subgrant award, in the amount of \$150,000, from the New Jersey State Police, Office of Emergency Management, for the Hazard Mitigation Grant.

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

Mr. King moved and Mr. Holt seconded this:

**See Page 12/17/13-6A**

**RESOLUTION**

**RESOLVED**, Approving the 2014 County Environmental Health Act Grant (CEHA), in the amount of \$258,000 (\$129,000 in state funds and \$129,000 as a County Match).

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

Mr. Holt moved and Mr. King seconded this:

**See Page 12/17/13-6B**

**RESOLUTION**

**RESOLVED**, Approving the renewal of the SANE/SART (Sexual Assault Nurse Examiner/Sexual Assault Response Team) grant, in the amount of \$71,031 (\$56,825 in federal funds and \$14,206 as a County Match).

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

**FREEHOLDERS COMMENTS/REPORTS**

There were no reports by the Hunterdon County Board of Chosen Freeholders.

The Board wished all a Merry Christmas.

Director Walton recognized Freeholders Melick and Mennen stating the Board had proclamations and presentations for them. Mr. Mennen is under the weather and Mr. Melick is attending to business matters.

Director Walton extended the Board's sincere thanks and appreciation to Freeholders Melick and Mennen for their years of service to the County. The County will be meeting again on Monday, December 30, 2013, to pay claims and take care of any matters that may come up. The meeting will be at 9:00 a.m. and hopefully at that meeting, the Board will be able to recognize them formally.

**OPEN TO THE PUBLIC**

Lou Reiner, Raritan Township residents, came before the Board, advising he's noticed a decline in the County's ratables for the past 7 or 8 years. He has a distain for bonding and mentioned the golf course club house and a fire school. He questioned how the County would pay for those projects and asked Freeholder Holt to provide the answers. These projects are going to cost money and the County will have to bond to get them done. He asked if the County is going to continue to dip into surplus or raise taxes.

Mr. Holt stated the Freeholders have for many years been aware of the decline in the ratable base. It's his humble opinion that the ratable base remains somewhat stagnant and the lack of attention to an economic plan for Hunterdon County is biting the County in the backside. The County and municipalities are starting to look at what has to be done to attract people to this region and also, how to build up the economy. This helps address the long range revenue stream.

Mr. Holt advised a majority of Hunterdon's municipalities have seen a tremendous decrease in commercial rental space and in turn, that taxation level switches over to the residents.

Mr. Holt feels the issues have to be dealt with head-on, and this Board has to figure out how to make the County more economically viable. As of next May, Hunterdon County becomes debt free. He pointed out that 7 years ago the County had \$35 million in debt and as of May that will be paid off.

Mr. Holt stated the current Board and the new Board of 2014, will take a strong position in looking at the County's projects, whatever they may be. If projects are decided on, to move forward, it will be done to the best of this Board's ability, continuing to work on a pay as you go basis, which is what Hunterdon is known for.

Mr. Holt said he is talking about a structure for Heron Glen Golf Course, not a clubhouse. Currently, there are two trailers at the golf course which have been there for seven years and their life expectancy is reaching the end and the County is going to have to deal with that. However, the County chooses to deal with that and at whatever point it is dealt with, it will be done in a cost effective manner and it is not his opinion the County will bond to do this.

Mr. Holt explained, as for the Fire School, it had a life expectancy of 30 plus years and it is known something has to be done with this structure but it has been chosen not to do it on the current site. The County has to consider a 5 or 7 year plan, in order to do the project right, when it is decided it is needed. Last year in the budget, the County set aside money in the budget to start the process of figuring out what is needed.

Mr. Holt confirmed for Mr. Reiner that the land being considered for the Fire School is not landlocked, there is access from County Route 615 and also from State Route 12; there is a tremendous amount of road frontage.

Mr. Holt advised 2013 was the beginning of when this Board decided it was time to rebuild its surplus, so the County has now paid off all its debt and while surplus was reduced by 50% to stabilize the tax base, and a half million dollars was placed in the 2013 budget to rebuilt surplus.

Mr. Holt reported that he, Director Walton, Mr. King and Freeholder Elect Lagay were at a Health Services Division meeting this morning as a review of what they had done for the year. Part of that discussion included new software/new technology that will assist when inspecting the 700 plus restaurants in the County each year. This new software will allow these inspectors to do their job, paperless, and it will increase productivity.

Lois Stewart, Flemington Borough residents, asked the status of the County's Economic Development Committee.

Director Walton reported invitations went to business leaders in the community to be a part of that committee and have not yet been returned.

Mr. King advised interviews have to be done before the Committee is formed; next focus groups will be formed and those invitations will be sent out this week. All this has to be done before forming the committee.

Ms. Stewart asked if the Open Space Trust Fund Coordinator's position in the Planning Division has been filled.

Director Walton explained the County approved a position in the 2013 budget to fulfill this person's responsibilities but that position was not filled because there was a change in what the roll for this position will be; it appears to be more of a paralegal to help assist in closing the Open Space contracts. This position should be filled sometime in 2014.

Ms. Stewart asked the status of the County taking over animal control for municipalities.

Director Walton explained the Division of Health Services has been looking at different ways the County could achieve that responsibility, whether it be through a private contractor or starting a County facility and sometime in 2014, that information will be reported to the Board. There may be a charge to municipalities for this services and they could always decide not to participate. There are some municipalities who currently have their own animal control programs.

Ms. Stewart advised she heard that a member of the Kuhl family has been approached about a land purchase on Kuhl Road adjacent to the Heron Glen Golf Course.

Director Walton reported there is open space land behind the golf course that is owned by many people and one of the Kuhl nephew's is a part owner in that parcel. It was submitted as an Open Space application several years ago and it has been turned down at least once, maybe twice.

Mr. Holt informed those present that Public Commitment is an opportunity for the public to comment; it is not a 45 minute dialog. Anyone is free to contact him to ask questions.

Ms. Stewart asked about the use of the word structure instead of clubhouse.

Mr. Holt explained the County currently has two trailers on the golf course property and he calls them structures and they are going to have to be replaced with some sort of a structure. He doesn't know what that will be at this time but those structures will have to be replaced with another one but it isn't know what it will look like at this time. This is an asset the County owns and it has to be taken care of.

Director Walton advised he isn't a fan of public golf courses but the voters of the County approved to have a golf course.

Ms. Stewart wanted to publically state she appreciates all that Freeholders Melick and Mennen and County Administrator, Cynthia Yard has done for the County and she will miss them.

There being no further business to come before the Board, Director Walton adjourned the meeting at 6:30 p.m.

Respectfully submitted,

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Denise B. Doolan  
Clerk of the Board