

# HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

71 Main Street, Freeholder's Meeting Room, 2<sup>nd</sup> Floor  
Flemington, New Jersey 08822

**March 26, 2013**

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. KING, 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 November 13, 2012, 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."

## **PLEDGE OF ALLEGIANCE**

### **OPEN TO THE PUBLIC**

Director Walton opened the meeting to the public.

### Union Hotel

Liam Burns and Matt McPhearson, redevelopers for the Union Hotel came before the Board seeking assistance from the County on this monumental project. It is felt the Union Hotel is not only important to Flemington Borough and the County of Hunterdon but also to the entire region. This project will bring between 75 and 100 permanent jobs to the hotel when it opens. There could also be construction jobs while the hotel is under construction for several years.

Mr. Burns is asking all the local governments to work with them in some type of support for the project. He asked if there is a way to discuss the Open Space, Farmland Preservation and Historic Structure Trust fund and if it can be used for this project since it is used to help preserve historic properties.

Director Walton informed Mr. Burns and Mr. McPhearson that the County has a Cultural and Heritage Commission which distributes grants. Some part of this project may be able to be funded in some way but there is a grant application process and he suggested they meet with the Cultural and Heritage Commission to determine what they look at for grant projects.

Cynthia J. Yard, County Administrator, advised there is a specific piece of the historic trust grant which is earmarked for Cultural and Heritage and there is also other money in that historic trust fund. It might be prudent if the Ballot Question for Open Space, Farmland and Historic Preservation were pulled and someone in Planning can sit and talk with Mr. Burns and Mr. McPhearson. There are eligibility requirements and that can be determined. The Union Hotel has been a landmark for those who live in the County.

Mr. Burns confirmed for Mrs. Yard that the Union Hotel is not on a national or state historical register but it is in a historic district.

## **DEPARTMENTS/PERSONNEL REQUESTS**

George F. Wagner, Director, Public Safety and Health Services

Mrs. Yard informed the Board that all the departments asking for personnel have filled out the four personnel questions required when asking to fill a vacancy or have a new position.

Mr. Wagner received a request from Public Health Nursing (PHN) for an additional person. PHN is under the Division of Health; he has reviewed this request and the present staffing structure. Presently PHN have 4 Administration people and 2 full time Nurses and 1 part time Nurse. The request is to add on another full time nurse. The four questions talk about the case load. Discussion have been held with the County Administrator and the Human Resources Director on some of the thoughts that could achieve in getting the PHN request filled but not adding onto the overall County budget or adding on personnel. Mr. Wagner explained a situation that is reoccurring is that an administration person answering the phone constantly has to seek out a nurse to answer questions.

Mrs. Yard advised 2 years ago PHN was brought into the County. The incorporation of PHN has saved the County a lot of money and the citizens are being serviced better than they ever had been. When PHN was brought on board a needs assessment was done and we have learned that the area doesn't need as many administration people but a nurse is needed. She suggested discussing in Executive Session today how this can be actualized but today they are asking the Board to conceptually approve a nurse for PHN.

Mr. Melick said while this seems to be a necessity, this Board has taken upon itself to make certain things which he thinks could be removed or made more efficient from the budget off limits. Therefore, he would like to review the whole budget before moving on this matter. He does agree with what has been said and also that nursing is needed but he wants to look at the whole budget and not just a piece of it.

Mr. Holt moved and Mr. Walton seconded a motion to add a nurse position to the Public Health Nursing Division.

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

Mark Titus, Director, County Library

Kim Browne, Finance Director stated in February 2013, Mr. Titus came before the Board for the Vision 2020 they discussed filling full time positions with part time positions. Those numbers are actualized in the Library budget. The Library has not placed any money in the budget for education and training and none was placed in the budget for 2012 either. Mrs. Browne advised it is felt that the Library does need some funding in that line item.

Mr. Titus explained Freeholder King is the new liaison to the Library Commission and there was a discussion about a strategic plan at the last Commission meeting. One of the areas in need to be considered is staff development and training. Funding for education and training had been eliminated in the Library's budget over the years and it is now recognized that funding is needed in order to train and education employees when dealing with customers.

Mr. Titus is asking the Board for \$5,000 to fund in-house training as he can bring people in from the State Library or consultants that work with the state library in order to keep fees down. He would like to close the Library for an In-Service day to do training in a comprehensive way rather than trying to small group training. This would be extensive training and it would expose to the staff to current thinking in the Library field and what the new developments and services are.

Mrs. Browne confirmed for Director Walton that his increase would still maintain the tax levy.

Margaret Pasqua, County Treasurer, informed the Board that the tax rate will go up .09 and last year it was 2.92 but there will still be a flat tax levy.

Frank J. Bell, Director, Land Use and Facilities Management  
Open Space Trust Fund Coordinator position

Mr. Bell has reviewed the Open Space position, which seems to be a two part position; (1) legal work and (2) the administration work for the documents. Through the amount of time spent through the County's legal department and the coordinator position, is that the legal department spends much time assisting the Planning Division with the Open Space work. He would like to look at hiring a Paralegal person who could do both the legal portion of the work and take it out of the County's legal department and have them work on the administration portion of the program. This person would also work on Farmland Preservation and the Planning Incentive Grants for Planning. This would be a 30 hour a week position.

Mr. Bell explained as he gets further into reviewing the Planning Division and going over the scope of the services they provide; along with the personnel; it is clear to him that further reviews are needed of each of the positions there currently so he can get a better understanding of what these people do.

Mrs. Yard reminded the Board that back in 2008 or 2009, at a Freeholder meeting, people came forward complaining about the length of the application for open space and farmland preservation funding. Mr. Bell became director over this area a year ago, and has been performing a review of the division with her. There is a lot of work that a paralegal could do in this area in terms of real estate. The 30 hours a week has to be looked into so the services are efficient and effective. Mrs. Yard stated the County currently has a paralegal in the County, at County Counsel's Office, and the cost for paralegal services would be \$20.00 an hour for up to \$31,000 a year. Mrs. Yard confirmed for the Board that this individual would be eligible for benefits.

Mr. Bell informed the Board that the former Open Space Trust Fund Coordinator's salary was \$81,000 a year.

Mr. Holt stated that Planning isn't the department it was 20 years ago; many things have changed dramatically. In 2008 there were 8 staff and 2 administrative people to do five programs. As of 2012, they are handling 12 to 14 different programs using 4 staff and 1 administrative person. The staff has been reduced to half. The salary and wage line item for Planning has dropped by around \$100,000. The staff was reduced by 66%.

Mr. Holt wants to make sure the County is moving in the right direction in terms of staff for Planning. There is a \$79,000 line item in the Planning budget he would like to remain there, which would continue to leave the budget flat, while further review is done on what is needed in the Planning area.

Mrs. Yard reported that Sue Dziamara, Planning Manager, has requested 2 full time positions and being recommended is one full time person and a ¾ person. The desire is to realign some existing staff to fulfill a full time position that currently is in another area to be dedicated for Cultural and Heritage and also continue to do some clerical work in the Planning area.

Mrs. Yard agreed with Mr. Holt that the Planning area has changed and now the County is looking at the efficiencies and that can be done with realigning staff.

Mr. Melick also agreed that the mission of the Planning area has changed and as Mrs. Yard stated we have to look at efficiencies.

Mrs. Yard stated Planning is a discretionary service, and as such, the Freeholder Board gets to pick what they do. She confirmed for Mr. Melick that the titles in the Planning area are appropriate but they are doing a different kind of planning than was done years ago.

Director Walton confirmed the request is for a person and 3/4<sup>th</sup> for the Planning area and the budget for the positions come out to less than was spent last year for the Open Space Coordinator.

Mr. Mennen confirmed the 3/4ths position would be the Open Space position at 30 hours a week.

Mrs. Yard explained this would be a paralegal position that will work in any acquisition program and she confirmed that someone who is suited in real estate law would be well suited for the position.

Mr. Mennen confirmed with Mrs. Yard that the other position would require moving an existing employee into the Cultural and Heritage vacancy. He confirmed there would be no need to backfill the other position.

After further discussion, Mr. Bell again confirmed for the Board that with the position and a 3/4<sup>th</sup> position, there will be an increase in the budget.

#### **FINANCE**

Mr. King moved and Mr. Mennen seconded this:

**See Page 03/26/13-3A**

#### **RESOLUTION**

**RESOLVED**, Approving the 2013 Budget Statement Certification by Welfare Agency.

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

Mr. Holt moved and Mr. Mennen seconded this:

**See Page 03/26/13-3B**

#### **RESOLUTION**

**RESOLVED**, Approving transfers between 2012 Appropriation Reserve Accounts.

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

Mr. Melick moved and Mr. Holt seconded this:

**See Page 03/26/13-3C**

#### **RESOLUTION**

**RESOLVED**, Approving the 2013 Emergency Temporary Appropriations.

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

#### **DEPARTMENTS/PERSONNEL REQUESTS continued**

##### Human Services Department

Mrs. Yard informed the Board of vacancies in the Human Services Department; two occur in Senior Services and they are both Social Workers Aging, one of the individuals is retiring. These two Social Workers are different than the Family Service Workers because these people do social work and have caseloads and much of the salaries is funded under the Area Aging Agency Grant. These people go out onsite to the elderly and vulnerable of the County's residents.

Mrs. Yard reported that a temporary employee is needed for the SNAP program (Food Stamp) in Human Services. The funding source is the State Department of Family Development. This would be a temporary worker because the state does not let the County run overtime with its people, a temporary person is needed to do it.

Mrs. Yard reported to the Board of a vacancy of an Inspector/Technician in the Housing Agency and this position is 100% federally funded through HUD (Housing and Urban Development).

Mr. King moved and Mr. Melick seconded a motion authorizing the Human Services requests, as presented be filed.

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

##### County Prosecutor's Office

Director Walton stated that the Prosecutor's Office has filled out the required four questions from Human Resources asked for when requesting to fill vacancies.

Mrs. Yard informed the Board that while she is the appointing authority for most of the County employees and that the three Constitutional Officers and the Prosecutor who is appointed by the Governor are their own appointing authorities.

Mrs. Yard reported that Human Resources did reach out to the Prosecutor concerning the backfilling of two positions and responses were received for those four questions. Since the response was sent to Kim Browne and not her, she is not prepared to discuss it. Mrs. Yard added that there are additional positions in the Prosecutor's Budget and Mrs. Browne will be able to provide the Board with a tally of what those positions are.

Director Walton recommended the Board consider backfilling the two positions for the Prosecutor at this time.

Mr. King moved and Mr. Mennen seconded a motion approving the backfilling of two positions in the Prosecutor's Office.

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

Director Walton stated the other positions requested by the Prosecutor will be discussed during the budget sessions.

**FOR DISCUSSION**

To reconcile the 805/810/815 line items

Director Walton stated that concerning line items 805/810/815, Finance and the Appointing Authorities were directed through the County Administrator to go back to all divisions and departments and ask to keep the 805 and 810 requests flat as in the previous year. Several departments/divisions has responded that they would like to cut other items in the budget in order to cover for the increases in 805/810 for training purposes.

Mrs. Browne informed the Board that all departments/divisions did make cuts but the Prosecutor cut his overall budget more but he felt that in the 815, in light of the recent events in Newton, Connecticut, that he needed to keep the training levels the same.

Director Walton asked if the other divisions made similar requests

Mrs. Yard advised that she, Mrs. Browne and Mrs. Pasqua discussed this and put the 5 County Directors on notice and said if the Board agrees that unilaterally directors can adjust their own budgets to accommodate the 805/810/815. They are on standby to do so.

Director Walton questioned the Board if the department heads should be allowed to make those budget adjustments. He feels the departments should be granted permission to do so.

Mr. Melick said if departments have come up with new ways to cut their budgets, that fine. He feels there may be more adjustments that could be made.

Mr. Melick asked if anyone is aware of the costs for health insurance and the fringe benefits packages? He thinks so costs are high. He understands that is a statutory charge.

Mrs. Browne stated she usually calculates those charges in April for the Board.

Mrs. Yard explained 815 is different from 805 and 810, because under 815 falls the CEU's and CLE's and 805 and 810 is memberships, conferences and trips. The Board made a decision, which is in every union contract that there are tuition reimbursements and the County does reimburse for licenses and credentials, as well as tuition reimbursements.

Mrs. Yard advised originally the Board asked that the 2013 budgeted requests be compared with the 2012 budget requests, no what was spent but what was requested, That would mean that the 815 expenditures would not be included. Mrs. Yard explained there is a big difference in what the County is contractually committed to do (tuition reimbursement, licenses, CEU's) versus the trips, memberships and conferences.

Director Walton recommended a motion allowing the appointing authority or department head to approve a request to have the 805, 810 or 815 items approved and they should be able to adjust/prioritize other items in their budget to make up that money.

Director Walton said the question is whether a department should be allowed to spend money for these purposes if they can find the money elsewhere in their budgets.

Mr. Holt advised the County is operating with less employees than ever before. He is concerned is concerned because some of these items are statutorily required and some maybe discretionary. Mr. Holt is concerned that 5 years from now the County will be working with the same amount of people. People have to be cross trained and they need to be educated in order to make that happen and allow the County to continue to function.

After further discussion, Mr. King moved and Mr. Holt seconded a motion to allow departments who wish to spend more in the 805/810/815 line items than in 2012, to make cuts elsewhere in their budgets to do so.

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

To discuss Polytech's budget requested increase

Kim Metz, Polytech Superintendent came before the Board asking for an increase of \$72,000. Polytech's budget has been held flat for the past two years. The \$72,000 would be realized over two County budget years and for 2013 the cost would be \$36,000.

Mr. Mennen reported to the Board that he and Freeholder Melick participated in a conference call with Polytech and they made clear that the County's response to Polytech's Staff and Board Members that it was their role and function as two members of the Polytech Board of School Estimate to bring the discussion back to the full Freeholder Board to seek a consensus.

Mr. Mennen advised the explanation they received regarding the increase was that despite a continuing erosion in enrollment, that Polytech is without the tools or the flexibility to cut or realign classes to take into account the reduction of students. Also, Polytech has also decided they need to hire a School Security Officer at a cost of \$41,000 a year. The Security Officer would be at the Hunterdon Central Regional High School campus.

After further discussion, the Board recommended that Director Walton, who is also a member of the Polytech Board of School Estimate reach out to Michael Yates, who is on the Polytech Board to discuss the matter of a Security Guard.

Mr. Mennen confirmed the Board of School Estimate meeting with Polytech is before the April 02, 2013 Freeholder Meeting at 3:00 p.m.

To discuss a follow-up to RVCC's budget discussion

Mrs. Browne confirmed with the Board that the County will be going with the numbers that Raritan Valley Community College brought before the Board at a previous meeting.

To discuss the Open Space Cooperative Funding resolution

Shana Taylor, County Counsel informed the Board that an issue came up that brought to the forefront the need to be able to directly allocate funds from the Open Space Trust Fund Account. Ms. Taylor worked with Mrs. Browne, Mrs. Pasqua and Mrs. Dziamara to come up with revisions to the County's policy on this matter. Ms. Taylor quickly went through the changes to the policy.

Mr. Mennen asked what predicated the need to change the policy.

Ms. Taylor explained that the need arose in order to allocate dollars directly from the Open Space Trust Fund instead of having to do a capital plan or ordinance.

Mr. King moved and Mr. Holt seconded this:

**See Page 03/26/13-5A**

**RESOLUTION**

**RESOLVED**, Approving an amendment to County Policy #2008-02, the OPEN SPACE, FARMAND PRESERVATION AND HISTORIC PRESERVATION POLICY, revising the way dollars will be allocated from the Open Space Trust Fund.

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

**EXECUTIVE SESSIONS**

Mr. King moved and Mr. Holt seconded these:

**See Page 03/26/13-5B**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss a settlement proposal for an ongoing litigation involving the Department of Public Safety.

**See Page 03/26/13-5C**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss a succession plan and planning for the Department of Public Works.

**See Page 03/26/13-5D**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss various personnel issues in the Department of Land Use and Facilities Management.

**See Page 03/26/13-5B**

**RESOLUTION**

**RESOLVED**, Executive Session to discuss personnel issues regarding Public Safety and Health Services.

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

**Prosecutor's Personnel requests**

Director Walton advised the Prosecutor had approximately \$3.7 million in salary and wages in 2012. Due to contractual obligations, he needs for 2013 \$3.9 million. On top of that, the Prosecutor has requested \$360,000 to fill 7 new positions; some are law enforcement and some are administrative staff.

Mr. Mennen confirmed with Mrs. Browne that those figures do not include the funding for fringe benefits, which for law enforcement is around 79%.

Mrs. Yard informed the Board that at 11:27 a.m. this morning, the Prosecutor's Strategic Plan for 2013. The Clerk of the Board made copies of this plan and placed it in the Freeholders' agenda books.

Mr. King advised he asked for a copy of that plan during a conversation.

Mrs. Yard asked if the Strategic Plan is to help assist the Freeholders in making a decision.

Mr. King explained the information was shared with him and he did not want to make it proprietary.

Director Walton stated since the Freeholder Board has just been given this information today, he would like to provide the opportunity for everyone to review it, digest it and this can be made a topic for a discussion at the next meeting.

Mr. Mennen feels the public would be well serviced if this discussion took place in open session at a regular meeting with the entire Board.

Director Walton will reach out to the Prosecutor to determine if any of this discussion needs to be held in Executive Session.

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 2:41 p.m. and reconvened in Open Session at 3:32 p.m.

There being no further business to come before the Board, Director Walton adjourned the meeting at 3:32 p.m.

Respectfully submitted,

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Denise B. Doolan  
Clerk of the Board