

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

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

Flemington, New Jersey 08822

September 03, 2013

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:04 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 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. Holt moved and Mr. King seconded these:

See Page 09/03/13-1A RESOLUTION

RESOLVED, Executive Session to discuss the annual County audit with the auditors.

See Page 09/03/13-1B RESOLUTION

RESOLVED, Executive Session to discuss the status of the operations review in Finance.

See Page 09/03/13-1C RESOLUTION

RESOLVED, Executive Session to discuss granting a Small Cities Housing Rehabilitation grant to an eligible County employee.

See Page 09/03/13-1D RESOLUTION

RESOLVED, Executive Session to receive and update on settlements discussions regarding litigation involving the Prosecutor's Office.

See Page 09/03/13-1E RESOLUTION

RESOLVED, Executive Session to discuss an update regarding the County's health benefits insurance negotiations.

See Page 09/03/13-1F RESOLUTION

RESOLVED, Executive Session to review Executive Session minutes of July 02, 2013 and July 16, 2013.

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

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 4:06 p.m., recessed at 5:30 p.m. and reconvened in Open Session at 5:38 p.m.

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Director Walton opened the meeting to the public.

Andrea Bonnett, East Amwell Township resident, came before the Board advising that her consumer affairs issue was bumped from the County's Office to the State Office and questioned why.

Director Walton explained that the County's Consumer Affairs person was on a leave of absence and all consumer affairs matters were referred to the state. The Consumer Affairs person has returned from leave and the County's Consumer Affairs Office is back on track.

Cynthia J. Yard, County Administrator, volunteered to find out the status of Ms. Bonnett's claim for her.

Barbara Suchau, Raritan Township resident, commented on the hunting contract on today's agenda stating that one error in a shot could cost the taxpayers millions of dollars.

Ms. Suchau asked if anyone has done a cost benefit analysis for Heron Glen Golf Course to determine if makes sense to continue to put money into the golf course and its equipment.

Ms. Suchau reminded the Board of a promise was made by the Freeholder Director a few meetings back to allow for public questions on the Consent Agenda prior to its approval.

Ms. Suchau said at the last meeting the County authorized three people from the Prosecutor's Office to attend a conference in Texas. She asked why three people had to be sent to Texas and why one person could not attend and bring back information for the other two individuals.

Ms. Suchau informed the Board that there is an article in the newspaper about taxes and the two percent cap and how spending on salaries is influencing that cap. She wants to make sure the Board looks for the article.

Director Walton thanked Ms. Suchau for her comments. He explained that the County has a quarterly report that has the information she is asking about on the golf course in it. A copy can be made available through the Finance Office.

LEGAL SERVICES OF NORTHWEST JERSEY

Mr. Melick moved and Mr. Mennen seconded this:

See Page 09/03/13-2A

PROCLAMATION

RESOLVED, Recognizing Legal Services of Northwest Jersey on their 10th Anniversary.

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

The proclamation was formally presented to Diane K. Smith, Esquire/Executive Director of Legal Services of Northwest Jersey and Mary Ellen Koscs-Fleming, Volunteer Attorney.

PURCHASING

Mr. King moved and Mr. Holt seconded this:

See Page 09/03/13-2B

RESOLUTION

RESOLVED, Approving Requisition #Sheriff.1668, using NJ State Contract #A-81295, with Lawmen Supply Company, for firearms, for the Sheriff's Office, in the amount of \$3,880.52.

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

Mr. Holt moved and Mr. King seconded this:

See Page 09/03/13-2C

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2013-12, to furnish and deliver 87 Octane Gasoline, to Rachles/Michele's Oil Co., Inc., in an amount not to exceed \$812,146.50, for a two year contract.

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

Mr. King moved and Mr. Holt seconded this:

See Page 09/03/13-2D

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2013-15, to purchase replacement maintenance equipment for use at Heron Glen Golf Course, to Storr Tractor Company, in an amount not to exceed \$169,463.

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

Mr. Holt moved and Mr. Mennen seconded this:

See Page 09/03/13-2E

RESOLUTION

RESOLVED, Authorizing the award of County Bid #2013-19, to hunt on Block 6, Lots 44, 49 and 49.02, in Holland Township, to Farmer's Sportman Club, amount to be received by the County \$5,387.87.

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

Mr. King moved and Mr. Holt seconded this:

See Page 09/03/13-2F

RESOLUTION

RESOLVED, Approving modification #2, to the professional services agreement with Cherry, Weber & Associates, Inc., for the reconstruction of County Route 519/Warren Glen Hill Climbing Lane, in Holland Twp., additional amount of \$43,571.27.

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

ROADS AND BRIDGES UPDATE

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

- The plans and specifications for County Route 519 (High Risk Rural Road) project have been reviewed by the New Jersey Department of Transportation (NJDOT) and comments have been received and revisions are necessary.
- Punch list items for County Route 579/602, East Amwell Township, are 98% complete.
- The 2013 Surface Treatment program, a section of 519 from Route 12 south is being finished today and the contractor began milling County Route 579 in the village of Quakertown.
- The construction site for County Bridge E-140-M has been cleared; construction of the substructures has started; the stay in place cofferdams are under construction.
- Final plans for Bridge Q-168, on Pennsylvania Avenue, are being revised. A confirmation has been received from the State Historic Preservation Office (SHPO) that the project has a no impact status.
- Bids were taken on August 29, 2013 for Inter-County Bridge T-36-S.
- Paving and reopening of the roadway for County Culvert C-33 is scheduled for the end of this week.
- Guiderail installation has started for County Culvert HA-11 on Sweet Hollow Road. The culvert is only closed during working hours. This project should be completed tomorrow.
- The precast arch for County Culvert U-18 went in successfully; the wing walls and parapets have been constructed and they are being backfilled.
- Bridge Culvert 20 on Baptist Church Road is scheduled for a deck replacement and stringer replacement.
- Bridge U-36 on Van Sickles Road in Union Township is an in-house project.
- County Route 519, Warren Glen Hill is a local lead project and the application has been reviewed and the consultant is revising it as necessary.
- The shop drawings for Bridge F-45 on Whitebridge Road in Franklin Township have been reviewed and the consultant is doing revisions.
- The stone masonry construction for County Bridge D-300 in Delaware Township is commencing.
- The construction of the wing walls for County Bridge RQ-179 are complete and the roadway construction on the east side has started.
- Punch list items for County Routes 512/513 intersection has started.

COUNTY COUNSEL

County Policy Manual

Shana L. Taylor, County Counsel advised that Freeholder King has asked her to review the County's Policy Manual as there are a number of policies which date back to the 1970's. Some of the policies are redundant and most need updating, if not removal from the Policy Manual. Ms. Taylor has reviewed the policies and the next step is to work with the County Administrator, Cynthia Yard and distribute them to other County administrators for review to update them.

County Employee Handbook

Ms. Taylor informed the Board she has been working on an employee handbook and it has been distributed by Mrs. Yard to all the County's department heads/division managers for their comments and that will hopefully be incorporated into the new County Policy Manual.

COUNTY UPDATE

County Auction

Cynthia J. Yard, County Administrator informed the Board that the County's Auction/Surplus sale will take place this Saturday, September 07, 2013, at the Route 12 County Complex.

Denise B. Doolan, Clerk of the Board provided a quick verbal listing of what is available at the sale.

Trailers

Mrs. Yard asked George F. Wagner, Director of Public Safety and Health Services, to advise the Board about trailers.

Mr. Wagner reported the County has a "County Animal Response Team", known as CART, and they were recently approached by the state to possibly receive one of two grant funded trailers which the state is awarding County CART teams; one going to Hunterdon County and the other going to Ocean County. Freeholder approval is needed to accept this trailer which is a shelter on wheels. Mr. Wagner explained he is asking permission to accept this trailer because the County CART Team, which are volunteers and assist the County during sheltering operations, and during emergencies. One of the lessons the County learned during Hurricane Katrina was that people would not evacuate their homes if they could not take their pets/animals with them.

Mr. Wagner feels if there was a major fire at a farm or a pet store this sheltering trailer would be useful. In addition, the trailer could be used on site at Riegel Ridge and at Route 12 as an animal shelter.

Mr. Wagner reported the County receives trailers which sit until they are needed, causing an issue with dry rotted tires and such. Mr. Wagner would recommend off-loading the trailers and palletizing for different purposes and incidents such as flooding or sheltering. He also recommends entering into a Memorandum of Understanding (MOU) with Riegel Ridge to stage things. His new philosophy is less trailers; eliminating trailers (the County has already given a trailer to the Parks and Recreation Division; and in the future, the fleet will be downsized.

PROCLAMATIONS/RECOGNITION

Mr. Mennen moved and Mr. King seconded this:

See Page 09/03/13-5A

PROCLAMATION

RESOLVED, Recognizing Regina Desvernine for having served on the Solid Waste Advisory Council.

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

GRANTS

Mr. Mennen moved and Mr. Melick seconded this:

See Page 09/03/13-5B

RESOLUTION

RESOLVED, Approving a Victim of Crime Act (VOCA) grant application in the amount of \$105,278 (Federal \$84,222; County Match \$21,056).

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

CORRESPONDENCE

An email was received from SAFE in Hunterdon, requesting permission to use the historic Court House steps, electrical outlets, podium, microphone and speakers, tables and chairs, for their annual Candlelight Vigil, on Wednesday, October 02, 2013, from 4:00 p.m. until 8:00 p.m. Mr. King moved and Mr. Holt seconded a motion granting permission provided this event is coordinated through the County's Department of Land Use and Facilities Management.

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

A letter was received from the Del-Val Cheer Boosters, requesting to hold a Coin Toss on Sunday, September 29, 2013, from 9:00 a.m. until 2:00 p.m., at Bridge Street in Milford; at the Milford Fire Company and at the Intersection of County Routes 519/619. Mr. King moved and Mr. Holt seconded a motion granting permission provided this event is coordinated through the County's Department of Public Works.

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

FREEHOLDERS COMMENTS/REPORT

Director Walton reported that the County had a major incident last week, a house fire in Hampton Borough. On behalf of the people in Hampton and the Hampton Fire Company Director Walton thanked all the County responders who came from various fire companies across the County to provide assistance. Director Walton thanked all the County assets who were deployed. The County's Mobile Command Center was at the event, as well as the Prosecutor's people were present. There is a website people can go to, to donate to the family and it can be found on the facebook page of the Hampton Fire Company.

OPEN TO THE PUBLIC

Director Walton opened the meeting to the public.

Gaetano M. DeSapio, Esquire, from Frenchtown Borough came before the Board to represent Margaret Pasqua, Kim Browne and Megan Youells. Mr. DeSapio stated at the July 02, 2013 Freeholder meeting he asked the Freeholders to acknowledge that these three County employees were good and dedicated individuals and have done their jobs well, as far as anyone knew at that time. Mr. DeSapio said at that time there was one comment that suggested that the Board understood that these individuals provided a dedicated service to the County. He also asked on July 02, 2013, for the County to outline what the problem was that was being looked into and what lead the Freeholders to believe that these three individuals somehow had a responsibility for it. Mr. DeSapio stated it is now September, two months later and he has not seen that statement if it was issued. He asked the Freeholders to tell the public and tell these individuals what it is that the County is concerned about and the basis for the belief that they are responsible for it.

Mr. DeSapio stated that also on July 02, 2013, it was suggested that a forensic audit would be conducted of the department and that the audit would be available within two weeks. Also at that meeting, it was suggested the County would hire the firm of Donahue, Girona and Doria and Mr. DeSapio feels it was suggested that firm would do the forensic audit. The firm was hired to have one person serve as the Chief Financial Officer and another hired to provide payroll services. Mr. DeSapio feels this is illegal as the County has a Chief Financial Officer with a statutory term. Also, the person hired as the Chief Financial Officer is being paid \$125 an hour which is more than the combined salary of the person who has the job of Chief Financial Officer, the person who serves as the Department Head of Finance and of the Payroll Administrator. The County has hired one person to do one job for more than the combined salary of the three employees. Then a second person was hired at \$100 per hour to be the Payroll Administrator.

Mr. DeSapio informed the Board that these three employees have been denied access to email, the computer and internet and one has to share a telephone. He further explained where each individual has been placed for the past 8 weeks.

Mr. DeSapio questioned whether a contract has been put in place for the individuals for have taken over for these three employees in Finance. The public has a right to know what these people are being paid and the cost to date.

Mr. DeSapio added that the unions have complained about the problems which have been created in the Finance Department as a result of the new, subcontracted people. He understands that Director Walton met with union representatives to discuss their concerns. He listed several items he has been made aware of.

Mr. DeSapio stated he understands now, that the firm hired to fill in in Finance is now going to perform the forensic audit. He questioned if that is true. He asked when the Board will inform these employees what is going on.

Director Walton informed Mr. DeSapio that the County had intended to do both an operations review and a forensic audit after issues were brought to life by the new auditor. The firm hired in Finance was hired to do the operations review, not a forensic audit. Director Walton does not believe that this Board suggested that anything would be done within a specific timeline. Through the process of the operational review it is determined that a forensic audit does not need to be done, so a forensic audit firm will not be hired.

Director Walton advised the operational review is ongoing and when the report is concluded it will be made public. The County will also move forward with the audit of the 2012 books. Director Walton stated the Board believes it has acted well within the law.

Mr. DeSapio said if an operations review is being done and something was found; they should identify it and they should recommend a solution.

Andrea Bonnett, East Amwell Township resident, questioned Mr. King why he smirked/smiled through the presentation.

Freeholder King feels it's interesting that Mr. DeSapio spent a majority of his time looking at him during his statement, and he wasn't a Freeholder last year.

Ms. Bonnett questioned how much the County is paying Zufall for services.

Mrs. Yard explained the County has not hired Zufall. The County's Public Safety and Health Services Director and the Health Services Manager will be meeting with Zufall. It is the County's desire that affordable healthcare is available to all eligible County residents.

Mr. Wagner stated the meeting with Zufall has been rescheduled and will take place.

Ms. Bonnett questioned who is providing health care to the residents who need it.

Director Walton explained the County's public health nurses have been assisting people.

Mr. Bonnett asked the state laws regarding the minimum amounts paid before the County has to start asking for quotes or bids.

John Davenport, County Purchasing Agent, reported that the Bid Threshold is \$36,000 and \$5,400 is the quote threshold. Anything under \$5,400 does not have to be bid or quoted. Professional services are excluded.

Mr. Mennen stated the County has a policy that if a person meets the guidelines of the policy they can receive services. There is an income requirement and that they use a physician that will agree to accept the amount that the County will pay.

Neil Fant, Readington Township resident, said there has been talk over a year now regarding the federal health care program and he questioned the impact of that on Hunterdon County residents.

Mr. Fant stated on May 07, 2013, the Mayor of Frenchtown came before the Board to see what could be done to save money and asked about shared services. If anything happening with that.

Director Walton explained the Frenchtown Mayor and several members of their governing body meet with him, the Public Works' Director and the Director of Land Use and Facilities Management to discuss how to make shared services happen. Frenchtown was asked to create a complete and thorough list of services they would want provided and the County was going to find a way to meet those services. The County is still waiting to receive that list from Frenchtown.

Director Walton advised regarding health care costs that next year there will be a 20% increase from \$9 million to \$11 million.

Director Walton advised another impact some County employees may experience is the Cadillac plan notion. The state has strong public employee unions and they negotiate for themselves very good benefit packages for health care coverage and certain programs such as Obamacare are taxed. The County will work with its unions to deal with this issue when the time comes.

There being no further business to come before the Board, Director Walton adjourned the meeting at 6:24 p.m.

Respectfully submitted,

Denise B. Doolan, Clerk of the Board